



City of Kenmore - 18120 68th Avenue NE - Kenmore, WA 98028

Phone: 425-398-8900 - E-mail: [cityhall@kenmorewa.gov](mailto:cityhall@kenmorewa.gov)

**Planning Commission Meeting  
ON-SITE**

**Tuesday, April 15, 2025 - 7:00PM**

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

**ZOOM LINK:** <https://kenmorewa-gov.zoom.us/j/87963217953>

**Or Telephone: Dial US: +1 253 215 878**

**Callers please dial \*9 to Raise/Lower Hand**

**Webinar ID: 879 6321 7953**

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](mailto: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.

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- 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](mailto:stippleleen@kenmorewa.gov).

**6. CONSENT AGENDA**

Approval of Previous Meeting Minutes

[04.01 Planning Commission Meeting Minutes](#)

Planning Commissioner Excusals

**7. PUBLIC HEARING**

**Public Hearing - Middle Housing Regulations**

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 testimony 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 testimony 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 provide testimony at this Public Hearing.

VIRTUAL PARTICIPATION PROCESS: To provide public testimony 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](mailto:stippleleen@kenmorewa.gov).

**8. AGENDA ITEMS**

**Middle Housing Regulations**

[Staff Memo](#)

[Kenmore Middle Housing Briefing Memo](#)

[Middle Housing and ADU Code Amendments](#)

[ARCH memo](#)

[ARCH Attachment - Affordable Middle Housing Amendments](#)

[ARCH Attachment - Summary Table Code Amendments](#)

[Hearing presentation](#)

[Kenmore Middle Housing Affordability Presentation](#)

**9. ADJOURNMENT**

**UPCOMING MEETINGS:**

Tuesday, May 6, 2025 at 7:00 PM

Tuesday, May 20, 2025 at 7:00 PM

**City of Kenmore  
Planning Commission Meeting Minutes  
April 1, 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  
David Dorrian  
Kara Macias  
Edouard Lasalle

**Staff**

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

**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**

No Public Comment

**6. CONSENT AGENDA - APPROVAL OF MINUTES**

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

## **7. AGENDA ITEMS**

### **Continued Review of Draft Middle Housing Regulations**

Clay White and Nick Chen from Kimley-Horn presented.

#### **Questions/Comments:**

Discussion on Slide Question 1: Allowable Height for Middle Housing Types

- A. 45 feet (max. 4 stories)
- B. 27 (max 2 stories)
- C. Maintain existing regulations applicable to middle housing, no incentives to alter

Chair Banaszynski - Can both option A and B be chosen?

Kimley-Horn reply: Yes, options A & B can be chosen

Chair Banaszynski - Understands benefit of A. Would B encourage a variety of housing types?

Kimley-Horn reply: Yes

Commissioner Lasalle - Prefer A, while also having protection of tree canopy.

Kimley-Horn reply: Tree ordinance would administer protections.

Commissioner Olson - More in favor of option B. Are there elevator requirements for 4 stories for A?

Commissioner Vanderlinde - In favor Option C, maintain existing heights.

Commissioner Machias - Prefer Option C but open to B if 10 feet setback

Commissioner Dorrian - Prefers Option B, struggle with A due to height

Chair Banaszynski - If option B, could have slightly larger footprint?

Kimley-Horn reply: Allowing a larger building footprint and flexibility on where the units could be on the lot. Have same max. for impervious surface.

Commissioner Vanderlinde - How can you increase building footprint but not impervious surface?

Kimley-Horn reply: Impervious surface area wouldn't change just the location of where the building envelope would go on the lot

Consensus with Commission for Option B

Discussion on Slide Question 2: ADUs courting toward unit lot density

- A. Yes, ADUs should count as units for determining unit lot density
- B. No, ADUs should not count as units for determining unit lot density

Commissioner Vanderlinde - A

Commissioner Machias - A

Commissioner Lasalle - A

Commissioner Dorrian - Does Option A mean that a Middle Housing unit could then not have an ADU? Leaning towards B.

Vice Chair Thompson - Max impervious surface still apply?

Kimley-Horn reply: Correct.

Commissioner Dorrian - Pg. 117, A.5 Single family home and two ADU.

Kimley-Horn reply: ADUs not defined as middle housing but does count toward density.

Chair Banaszynski - Is the underlying question on density, single family + 2 or single family + 4?

Commissioner Dorrian - Can you have a single family home plus a duplex?

Kimley-Horn reply: Yes, since single family doesn't count toward unit density.

Commissioner Olson - Option B, or exempting the first unit?

Kimley-Horn reply: You're really increasing the density within those zones without changing the underlying density. Could have a single family home, convert a portion of the home to two, attached ADUs and also build a duplex and end up with 5 units and then subdivide those.

Consensus with Commission for Option A

Discussion on Slide Question 3: Priorities for achieving as part of middle housing?

- A. Maintaining/repurposing existing SF
- B. Promoting smaller units through a corresponding increase in density
- C. Decrease off-street parking space requirements in order to have lower impervious surface max

Commissioner Olson – In favor of all.

Commissioner Vanderlinde – In favor of A & C; regarding B, our goal here is to increase the amount of available housing by allowing a wider range of housing types. Do we want to have development of smaller units or more units total?  
Kimley-Horn reply: Option B is focused primarily on cottage housing.

Commissioner Lasalle – In favor of A & C, shouldn't promote B across city.

Commissioner Olson – Favor all 3.

Vice Chair Thompson – In favor of A & C, B if cottage housing.

Commissioner Machias – In favor of all 3; how does this decrease off street parking related to frontage improvements?  
Kimley-Horn reply: Same requirements as applicable to single family housing. Might see on-street parking reduction.

Chair Banaszynski – In favor of all 3.

Consensus with Commission for all 3 options.

Commissioner Olson - Is commission open to some other incentive to decrease base impervious surface max for some development incentives besides height, whether parking or other aspect?  
Kimley-Horn reply: Reduce the size of unit itself and don't increase height (smaller units) or reduce parking regulations on site, parking available on street.

Chair Banaszynski - Promotes reducing impervious surfaces.  
Kimley-Horn reply: More design guidelines - building materials, sidewalks, other materials.  
Staff reply: Costs and feasibility may be challenge.

Commissioner Machias - Is parking reduction decided on in last meeting reflected in this code? From 3-18 Minutes = Pg. 137-38, parking table.  
Commissioner Olson moved 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.

Commissioner Dorrian - Pg. 114 table - How does base and max density related to unit lot count?

Kimley-Horn staff explained table and footnotes. Said they'll take a closer look on if there can be a better way to explain base density and unit lot.

Kimley-Horn staff will provide table explaining each of the major code changes and provide clear explanations for public.

## **7. AGENDA ITEMS CONT.**

### **Continued Review of Draft Middle Housing Regulations**

Lindsay Masters from ARCH presented virtually on Inclusionary Zoning.

Commissioner Lasalle - Can a forecast of the impact of Kenmore be done? Could we model the impact that all R4/6 would have max density thru new projects compared to today. How would that translate from impact.

Staff reply: Don't have the data readily available. Can't do lot by lot. This model shows where generally it's feasible. And put it in if that's direction and generating units.

ARCH reply: Best example is Kirkland, over time will see code being taken advantage of.

Vice Chair Thompson - if we don't put automatic CPI in regulation, it becomes difficult to raise the rate. It should be an easy rate to live with. Comfortable with vesting date. Leaning toward 1,000 sf exemption.

Commissioner Olson - Importance of inclusionary; Ok with vesting, OK with CPI and reevaluate.

Commissioner Dorrian - need to go back to questions from last time first; only get money for affordable housing if the market continues to build housing at market rate. Feasibility analysis, wouldn't be feasible to build single family homes, needs further understanding.

Staff reply: There is still a choice, analysis is on middle housing.

Commissioner Dorrian - need to have good sense of feasibility because we don't want to cool the market because nobody benefits.

ARCH reply: Feasibility based on prototypical development, but will be a variety of types; in draft code, 1-3 are exempt, directly tied to results from study, would only apply to 4 or more units, there would be positive value, the proposed fee in lieu of \$6/sf is modest compared to other ARCH cities (i.e. Redmond/Samm).

Commissioner Olson - OK with exempt smaller units, vesting date ok, fee in lieu fee reset OK.

Commissioner Vanderlinde - No exemptions, everyone contributes, rate based on sales price, use in lieu of only, don't require units.

Commissioner Machias - Are the exemptions too broad? Inclusionary zoning should address much lower, 50-60% AMI, the lower fee won't go far.

Commissioner Olson - Like opening fee in lieu to other types, but has concerns around not building types throughout the city. Don't want to put all inclusionary in one part of cities (i.e. downtown). Exempting unit size - try to improve attainability.

Staff reply: This is not for deeply affordable housing, it's for more attainable housing, this is only one tool.

Commissioner Lasalle - Don't support exemptions, vest OK, reevaluate has it made progress and reviewed on ad hoc perspective, rates 2-3 years.

Chair Banaszynski - Including zoning might not get units now, but over time it will, this is one tool, won't solve affordability crisis, support for inclusionary.

The Commission is unanimously in support of inclusionary housing with details to be determined.

Vice Chair Thompson - When should the fee be paid, does vesting mean that those homes are vested at that time would not pay that fee? Not when the house closes, it's when it's vested (timing of payment).

ARCH Reply: Vesting should be time of building permit.

Staff clarified vesting at time of complete application.

Discussion on the December 31<sup>st</sup> cut off date.

Consensus with Commission for Q2- Dec. 31 vesting date.

**MOTION:** A motion was made and seconded to extend the meeting to 10:30pm. Passed unanimously.

**MOTION:** Commissioner Dorrian moved to accept what is proposed by ARCH in draft code amendments for Chapter 18.77.043 for resetting the in lieu rate, which is no more frequently than two years, based on updated analysis of market-rate and affordable housing expenses. Commissioner Lasalle seconded. **VOTE:** 7 For,



0 Against, 0 Abstain. Motion carried.

Chair Banaszynski - what are the intended/unintended incentives being created with these exemptions?

ARCH reply: Anytime you create an exemption you'll create an incentive.

Reviewed Options 1 and 2 from 3/18 meeting.

Staff Comment: Trying to combine 2 ideas; can either have exemption for 4 or fewer units and not size, could exempt just based on size, or a hybrid model combining the two.

**MOTION:** Commissioner Olson moved proceed with ARCH's recommendation to exempt 3 and fewer units and exempting 1,200 sf units and smaller.  
Commissioner Lasalle seconded.

**AMENDED:** Vice Chair Thompson amended the main motion for Pioneer Policy. As explained by Linsday, Pioneer Policy is a way to preserve option in future, adopt a policy more generally for all kinds of residential development but not enable the effective date to begin until some future conditions are met, either within a specific time period or after a certain number of units have been permitted.

**MOTION:** A motion was made and seconded to extend the meeting to 11pm.  
Passed unanimously.

Discussion on the Pioneer Policy.

Commissioner Dorrian – Think we need legal advice on the Pioneer Policy and what we are allowed to do.

**VOTE** for Motion with Amendment: 1 For, 6 Against, 0 Abstain. Motion fails.

Discussion on original motion.

**VOTE** for Original Motion: For 3, Abstain 4. Motion fails.

**MOTION:** Commissioner Dorrian moved proceed with ARCH's recommendation to exempt projects less than 4 units but remove size exemption. Commissioner Olson seconded. 4 For, 3 Against, 0 Abstain. Motion passes.

**MOTION:** A motion was made and seconded to extend the meeting to 11:05pm.

Passed unanimously.

**MOTION:** Vice Chair Thompson moved to send Code Amendments to Public Hearing on April 15th. Commissioner Dorrian seconded. 4 For, 3 Against, 0 Abstain. Motion passes.

## **8. ADJOURNMENT**

Chair Banaszynski adjourned the meeting at 11:01PM.

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Planning Commission Clerk

Approved by Planning Commission on: \_\_\_\_\_



# City Of Kenmore, Washington

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## Memorandum

Date: April 15, 2025

To: Planning Commission

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

Regarding: Public Hearing - Middle Housing and Inclusionary Zoning Code Amendments

A Public Hearing is scheduled for the April 15, 2025, Planning Commission meeting to receive public input on the draft Middle Housing and Inclusionary Zoning Code Amendments. The Commission's recommendations to City Council will also be requested after the public hearing. The Commission will present their recommendations to City Council at their April 21 meeting.

The Commission passed a motion at their April 1 meeting to move forward with a Public Hearing based on the revised drafts.

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Attachment 1: Memo from Kimley-Horn regarding Middle Housing  
Attachment 2: Draft Middle Housing Code Amendments  
Attachment 3: ARCH Memo with Attachments, incl. amendments to Chapter 18.77 KMC

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

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

DATE: April 8, 2025

RE: April 15, 2025, Kenmore Planning Commission Hearing – Middle Housing and  
Accessory Dwelling Unit Code Update

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On behalf of the Kimley-Horn team, we look forward to the opportunity to provide an update to the Kenmore Planning Commission on April 15<sup>th</sup>, regarding the hearings draft of the Middle Housing Policy and Code update project. City staff and Kimley-Horn have provided updates to Planning Commission at several study sessions and have since made revisions based on feedback received to develop the draft amendments to select portions of Kenmore Municipal Code Chapters 17 and 18.

Revisions made since the April 1<sup>st</sup> study session include:

- Map revisions to specify that the areas with R-4 which are excluded and to remove R-1 parcels as those are not applicable (KMC 18.21.035(B))
- Removed the incentive tied to height and a decrease in impervious surface per direction from the April 1 PC meeting – retained limiting building height to reduce rear and street setbacks to 10'. (KMC 18.21.035 (J))
- Removed incentive for cottage housing to reduce impervious surface by allowing a reduced parking requirement of one space per two units – this was revised to be the general standard for cottage housing. (KMC 18.21.035 (J))
- Revised cottage housing incentive for cottage housing size to provide a density bonus of up to 50% of the **unit** density as was previously intended. (KMC 18.21.035 (J))
- Decreased parking standards to 1 space per unit for all middle housing types, except cottage housing which is 1 space per two units per direction from the March 18<sup>th</sup> PC meeting. (KMC 18.40.030)
- Revised development standard table to list only base density with a clarifying footnote (footnote 18) for when unit density is applicable and the standards that apply. (KMC 18.21.030)
- Public Benefits and Development incentives table updated to place use types first. (KMC 18.21.035 (J))



### Kenmore Zoning Code Update Reference Table

The table below provides a comprehensive reference for how and where each requirement of HB 1110 and HB 1337 are addressed within the draft zoning code update.

| Page No. | Chapter/Topic                                           | Reason/Policy Decision                                                                                  | Proposed Text Amendment                                                                                                                                                                                        | Explanation/Impacts                                                                                                                             |
|----------|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| 2        | Chapter 17.10<br>Subdivision<br>Definitions             | Cities are required to allow unit lot subdivisions which create parent and unit lots.                   | <b>17.10.211 Lot, parent.</b><br>“Parent lot” means the initial lot from which unit lots are subdivided pursuant to KMC 17.20.160.                                                                             | The proposal is written to create a standard definition for parent lots following a unit lot subdivision.                                       |
| 2        | Chapter 17.10<br>Definitions                            | Cities are required to allow unit lot subdivisions which create parent and unit lots.                   | <b>17.10.212 Lot, unit</b><br>“Unit lot” means a lot created by the subdivision of a parent lot pursuant to KMC 17.20.160.                                                                                     | The proposal is written to create a standard definition for unit lots following a unit lot subdivision.                                         |
| 7        | Chapter 17.20<br>Subdivisions and<br>Short Subdivisions | Allows the City flexibility during the short subdivision process to accommodate a mix of housing types. | <b>7.20.125 Lot segregations – Zero-lot-line development.</b><br><del>In any R-zone or in the NB-zone,</del><br>Interior setbacks may be modified during subdivision or short subdivision review as follows... | The proposal addresses a potential scenario where a zero-lot line modification is needed in other zones. Example: Townhomes in the UC, DR, etc. |
| 9        | Chapter 17.20<br>Subdivisions and<br>Short Subdivisions | Cities are required to allow subdivision of new lots so they may be owned fee simple rather than in a   | <b>17.20.160 Fee Simple Unit Lot Subdivision</b>                                                                                                                                                               | The proposal follows much of the City’s existing process and requirements for short                                                             |

| Page No. | Chapter/Topic                                          | Reason/Policy Decision                                                                                                                                                                                           | Proposed Text Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Explanation/Impacts                                                                                                                                                                                                      |
|----------|--------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                                        | condominium form of ownership.                                                                                                                                                                                   | Creates standards and processes for creation of fee simple unit lot subdivisions.                                                                                                                                                                                                                                                                                                                                                                                                                     | subdivisions, but allows fee simple ownership of individual unit lots to occur on a single parent lot.                                                                                                                   |
| 11       | Chapter 18.15.040 Residential zones.                   | Expand defined purpose of R-4 (as noted) and R-6 zones.                                                                                                                                                          | ...and middle housing dwellings (except as noted in KMC 18.21.035(B))...                                                                                                                                                                                                                                                                                                                                                                                                                              | The proposal adds middle housing types in addition to single-family to the defined purpose of the R-4 (as noted) and R-6 zones.                                                                                          |
| 54       | Chapter 18.20 Technical Terms and Land Use Definitions | Cities are required to add middle housing and the permitted use types, including cottage housing, courtyard apartments, duplexes, fourplexes, townhomes, triplexes, and stacked flats as defined land use terms. | <b>18.20.832 Dwelling, middle housing.</b><br>“Middle housing dwelling” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, and cottage housing<br>A. Cottage Housing. Residential units on a parent lot with a common open space that either;<br>(a) Is owned in common; or (b) has units owned as | The proposal adds definitions to new middle housing use types to allow future implementation and development of these uses. This is required as these are proposed use types within the city’s code in applicable areas. |

| Page No. | Chapter/Topic                                                   | Reason/Policy Decision                                                                | Proposed Text Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Explanation/Impacts                                                                                       |
|----------|-----------------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
|          |                                                                 |                                                                                       | <p>condominium units with property owned in common.</p> <p>B. Courtyard Apartments. Attached dwelling units arranged on two or three sides of a yard or court.</p> <p>C. Duplex. A residential building with two attached dwelling units.</p> <p>D. Fourplex. A residential building with four attached dwelling units.</p> <p>E. Townhouse. See KMC 18.20.835(B).</p> <p>F. Triplex. A residential building with three attached dwelling units.</p> <p>G. Stacked Flat. Dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.</p> |                                                                                                           |
| 70       | Chapter 18.20<br>Technical Terms<br>and Land Use<br>Definitions | Cities are required to allow unit lot subdivisions which create parent and unit lots. | <p><b>18.20.1661 Lot, parent.</b></p> <p>“Parent lot” means the initial lot from which unit lots are subdivided pursuant to KMC 17.20.160.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | The proposal is written to create a standard definition for parent lots following a unit lot subdivision. |

| Page No. | Chapter/Topic                                                             | Reason/Policy Decision                                                                                                                                                                                               | Proposed Text Amendment                                                                                                                                                                                                                                                                                                                                             | Explanation/Impacts                                                                                                                            |
|----------|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| 70       | Chapter 18.20<br>Technical Terms<br>and Land Use<br>Definitions           | Cities are required to allow unit lot subdivisions which create parent and unit lots.                                                                                                                                | <b>18.20.1662 Lot, unit</b><br>"Unit lot" means a lot created by the subdivision of a parent lot pursuant to KMC 17.20.160.                                                                                                                                                                                                                                         | The proposal is written to create a standard definition for unit lots following a unit lot subdivision.                                        |
|          | Chapter 18.20<br>Technical Terms<br>and Land Use<br>Definitions           | Cities are required to permit four units per lot within one-quarter mile walking distance of a major transit stop and may not require parking within one-half mile of a major transit stop for middle housing types. | <b>18.20.3025 Transit stop, major.</b><br>"Major transit stop" means:<br>A. A stop on a high-capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;<br>B. Commuter rail stops;<br>C. Stops on rail or fixed guideway systems; or<br>D. Stops on bus rapid transit routes, including those stops that are under construction. | The proposal defines major transit stops as required to implement measures within HB 1110 relating to parking requirements and unit density.   |
| 101      | Chapter 18.20<br>Technical Terms<br>and Land Use<br>Definitions           | Defines unit density as required within HB 1110 to create a standard for the allowed number of units within a single parent lot.                                                                                     | <b>18.20.3100 Unit Density.</b><br>"Unit density" means the number of dwelling units allowed on a lot, regardless of lot size.                                                                                                                                                                                                                                      | The proposal defines unit density to implement unit per lot standards as required within HB 1110.                                              |
| 107-108  | Chapter 18.21.020<br>Residential zones R-1, R-4, and R-6 – Use allowances | HB 1110 requires the city to add at least 6 of 9 middle housing types as permitted uses in single-family areas, except as modified by the "Alternative to density"                                                   | <b>Table A. R-1, R-4, and R-6 Zones Use Allowances</b><br>Added cottage housing, courtyard apartments, duplex, fourplex, stacked flats, triplex, and townhouse as permitted                                                                                                                                                                                         | The proposal adds the permitted middle housing types to Table A, including applicable footnotes described below. The proposal also removes the |



| Page No.     | Chapter/Topic                                                                    | Reason/Policy Decision                                                                                                                                  | Proposed Text Amendment                                                                                                                                              | Explanation/Impacts                                                                                                                                                                                                                                                                                                                                                |
|--------------|----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|              |                                                                                  | approach chosen by the City.                                                                                                                            | uses within specific areas per added Footnote 38.                                                                                                                    | existing “Multiple-family dwelling” for clarity as it only applies to townhouses per the previous footnote 11 (removed). As the city cannot regulate townhouses beyond what is required for single-family, footnote 11 must be removed and leaving multiple-family dwelling may be interpreted to allow all multi-family. Townhouses have been defined separately. |
| 113          | Chapter 18.21.020<br>Residential zones R-1, R-4, and R-6 – Use allowances        | Cottage housing was selected as a middle housing type. Cottage housing is unique and requires additional standards to further define design parameters. | <b>Table A, Footnote 39.</b><br>Cottage housing permitted pursuant to the standards defined in KMC 18.75.                                                            | The proposal directs future users to KMC 18.75 for further standards applicable specifically to cottage housing development.                                                                                                                                                                                                                                       |
| 113, 115-117 | Chapter 18.21.030<br>Residential zones R-1, R-4, and R-6 – Development Standards | Defines the parameters and processes for unit density as required within HB 1110 to create a standard for the allowed                                   | <b>Table B, Footnote 18.</b><br>18. Unit lot density applies to all lots within the R-4 and R-6 zones, excluding those identified in KMC 18.21.035(B). The following | The proposal creates the standards and applicability for the required unit lot density standards, including                                                                                                                                                                                                                                                        |

| Page No. | Chapter/Topic | Reason/Policy Decision                      | Proposed Text Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Explanation/Impacts                                                                                                                                |
|----------|---------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
|          |               | number of units within a single parent lot. | <p>provisions are applicable when determining permitted unit density:</p> <p>a. The permitted base unit density is:</p> <p>(1) Two units per parent lot.</p> <p>(2) Four units per lot on all lots within one-quarter mile walking distance of a major transit stop.</p> <p>(3) Four units per lot if at least one unit on the lot is affordable housing meeting the requirements of KMC 18.21.035(C).</p> <p>(4) Accessory dwelling units are considered units for the purposes of calculating unit density, subject to the provisions of KMC 18.73.100.</p> <p>(5) If single-family residential uses exist or are proposed on a lot pursuant to the base or maximum density, then the unit lot density defined in this section is in addition to the that single-family residential use. Single-family dwellings do not count as units for the purposes of this section. If middle housing uses,</p> | <p>how many units per lot, ADUs counting as units, design standards applicable, and references to the fee simple unit lot subdivision process.</p> |

| Page No. | Chapter/Topic | Reason/Policy Decision | Proposed Text Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Explanation/Impacts |
|----------|---------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
|          |               |                        | <p>including duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, or cottage housing developments are proposed, those are subject to the unit lot density requirements listed in subsection (a)(1-3) of this footnote.</p> <p>b. The standards of footnote 18 do not apply to lots after subdivision below 1,000 square feet unless the city has enacted an allowable lot size below 1,000 square feet in the zone.</p> <p>c. The lot lines applicable to a parent lot shall be used to determine dimensional standards that relate to lot dimensions, including but not limited to: minimum lot size, setbacks, maximum gross floor area, maximum hardscape area and maximum lot coverage any created unit lot. These dimensional</p> |                     |

| Page No. | Chapter/Topic                                                     | Reason/Policy Decision                                                                                  | Proposed Text Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Explanation/Impacts                                                                                                                                    |
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|          |                                                                   |                                                                                                         | <p>standards shall not be measured off individual unit lots.</p> <p>d. Unit density applies to lots created through the fee simple unit lot subdivision process pursuant to KMC 18.20.160 that cannot be further subdivided based on the minimum lot size listed in Table B for the applicable zone.</p>                                                                                                                                                                                        |                                                                                                                                                        |
| 116-117  | Chapter 18.21.035 Residential zones R-4, and R-6 – Middle Housing | Creates a dedicated section of the code to specify provisions and standards relating to middle housing. | <p><b>18.21.035 Residential zones R-4 and R-6 - Middle Housing</b></p> <p>A. Middle housing shall be subject to the same development regulations as detached single-family homes for the purpose of review for consistency with this chapter, Middle housing includes duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, or cottage housing developments.</p> <p>B. The provisions of this section shall apply to all lots in the R-4 and R-6 zones, except:</p> | The proposal specifies middle housing types and defines the applicable areas as R-4 areas not adjacent to critical waterways and all R-6 zoned parcels |

| Page No. | Chapter/Topic                                                     | Reason/Policy Decision                                                                                                                                                                                                                                                                             | Proposed Text Amendment                                                                                                                                                                                                                                                            | Explanation/Impacts                                                                                                                                                                                                                                                             |
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|          |                                                                   |                                                                                                                                                                                                                                                                                                    | Specific R-4 lots directly as identified in the exhibit within this subsection.<br><b>[SEE MAP IN DOCUMENT]</b>                                                                                                                                                                    |                                                                                                                                                                                                                                                                                 |
| 117      | Chapter 18.21.035 Residential zones R-4, and R-6 – Middle Housing | Cities are required to permit four units per lot when one is deed-restricted as affordable. These amendments define the parameters around that affordable unit.                                                                                                                                    | Text amendments define affordability levels and costs, a term of at least 50 years, requirement for a covenant or deed restriction, and broad design requirements around affordable units.                                                                                         | The proposal creates requirements for affordable housing provisions under KMC 18.21.030. This includes affordability levels and costs, a term of at least 50 years, requirement for a covenant or deed restriction, and broad design requirements around affordable units.      |
| 118      | Chapter 18.21.035 Residential zones R-4, and R-6 – Middle Housing | Public benefits were identified to promote qualities in future development that the community expressed support for. These include lessening impacts to neighboring development, maintaining impervious surface requirements, maintaining existing homes, promoting a diversity of unit types, and | J. Public Benefits and Development Incentives<br>1. The purpose of this section is to:<br>a. Promote development of a variety of middle housing types by providing a method for flexibility in development standards;<br>b. Provide development incentives to <i>developers</i> of | The proposal provides optional development incentives which promote the qualities in future development expressed as important by the community and Planning Commission. These provide flexibility in future development and are not required in order to build middle housing. |

| Page No. | Chapter/Topic | Reason/Policy Decision                                | Proposed Text Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Explanation/Impacts |
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|          |               | creating opportunities for small units on small lots. | <p>residential property, in exchange for public benefits to help achieve comprehensive plan goals of a variety of housing types and <i>open space</i> protection;</p> <p>c. Provide a review process to allow evaluation of proposed development standard modifications per the table in subsection (l)(4).</p> <p>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.</p> |                     |

| Page No. | Chapter/Topic                                                                                | Reason/Policy Decision                                                                                                                                                                                                                                                                                                                                                              | Proposed Text Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Explanation/Impacts                                                                                                                                                                                                                                                                                                                 |
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|          |                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                     | 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.<br><b>[SEE TABLE IN DOCUMENT]</b>                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                     |
| 133      | Chapter 18.30.020<br>Density Calculations<br>– Allowable dwelling units, lots or floor area. | Cities are required to allow a unit per lot density in addition to the traditional density standards.                                                                                                                                                                                                                                                                               | Areas specified within KMC 18.21.035(B) are permitted at least 2 dwelling units per lot per the requirements of KMC 18.21.030, Footnote 18.                                                                                                                                                                                                                                                                                                                                               | The proposal adds clarification in the Development Standards section on the newly proposed unit lot density standards.                                                                                                                                                                                                              |
| 137      | Chapter 18.40.030<br>Computation of required off-street parking spaces.                      | Cities are required to create parking standards for newly permitted middle housing uses. Per HB 1110, cities: <ul style="list-style-type: none"> <li>May not require more than one off street parking space for middle housing on lots less than 6,000 square feet before any zero lot line subdivisions or lot split.</li> <li>May not require more than two off street</li> </ul> | <u>Standard for duplex, triplex, fourplex, and townhouse uses:</u> <ol style="list-style-type: none"> <li>1.0 per dwelling unit; or</li> <li>No required parking within one-half mile walking distance of a major transit stop.</li> </ol><br><u>Standard for courtyard apartments and stacked flats:</u><br>Per Apartment standards listed in this table; If located in areas specified in KMC 18.21.035(B): <ol style="list-style-type: none"> <li>1.0 per dwelling unit; or</li> </ol> | The proposal creates parking requirements for newly added middle housing use types. The proposal meets the standard by generally requiring only 1 space per unit in all lot sizes where middle housing is applicable.<br>As courtyard apartments and stacked flats may be permitted in other areas outside of the applicable middle |

| Page No. | Chapter/Topic                                     | Reason/Policy Decision                                                                                                                                                                                                                                                                                                                              | Proposed Text Amendment                                                                                                                                                                                                                                                                                                                                                             | Explanation/Impacts                                                                                                                                                                                          |
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|          |                                                   | <p>parking spaces for middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.</p> <ul style="list-style-type: none"> <li>May not require off-street parking as a condition of permitting development of middle housing within one-half mile walking distance of a major transit stop.</li> </ul> | <p>2. No required parking within one-half mile walking distance of a major transit stop. Guest parking required per the apartment standard in this table.</p> <p><u>Standard for cottage housing:</u><br/>1.0 per two dwelling units; If located in areas specified in KMC 18.21.035(B):<br/>No required parking within one-half mile walking distance of a major transit stop.</p> | <p>housing zone and the downtown commercial and downtown residential zones west of 68<sup>th</sup> Avenue NE, a separate requirement matching the city's standard apartment requirements has been added.</p> |
| 162      | Chapter 18.73.100 Accessory Dwelling Units (ADUs) | Cities must allow up to two ADUs per lot.                                                                                                                                                                                                                                                                                                           | A. Up to two <i>accessory dwelling units</i> , either as <i>attached</i> or <i>detached accessory dwelling units</i> , are allowed per primary <i>single detached dwelling unit</i> .                                                                                                                                                                                               | The proposal revises the current one ADU maximum to permit up to two ADUs per lot                                                                                                                            |
| 162      | Chapter 18.73.100 Accessory Dwelling Units (ADUs) | Cities cannot require owner occupancy of either the primary residence or associated ADUs.                                                                                                                                                                                                                                                           | <p>Amendment removes the following text:<br/><del>Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for a minimum of six consecutive months after completion of</del></p>                                                                                                                                                                     |                                                                                                                                                                                                              |



| Page No. | Chapter/Topic                                           | Reason/Policy Decision                                                                                                                                                                                                                      | Proposed Text Amendment                                                                                                                                                                                               | Explanation/Impacts                                                                                                                                                                                                                         |
|----------|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                                         |                                                                                                                                                                                                                                             | <del>the ADU. At the end of the six-month period, the owner occupancy requirement shall be extinguished</del>                                                                                                         |                                                                                                                                                                                                                                             |
| 162      | Chapter 18.73.100<br>Accessory Dwelling<br>Units (ADUs) | Cities must specify development standards for ADUs. With the increase to two ADUs permitted, clarification is needed to specify that unless otherwise stated, ADUs must meet bulk development standards for the principal unit on that lot. | C. Except as noted in this section, ADUs must meet the bulk development standards applicable to the principal unit on the same lot as defined in KMC 18.21.030.                                                       | The proposal clarifies, per direction from Planning Commission, that ADUs must meet the same development standards as single-family uses unless on that lot unless otherwise specified, including setbacks and impervious surface standards |
| 163      | Chapter 18.73.100<br>Accessory Dwelling<br>Units (ADUs) | Cities may not establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet.                                                                                                           | Modified table within 18.73.100(D)(2) to specify 17% of the lot area up to a maximum of 1,500 square feet for lots greater than 6,000 square feet and 1,000 square feet maximum for lots less than 6,000 square feet. | The proposal creates two separate scenarios to regulate ADU size which are both consistent with state law. For lots 6,000 square feet or greater, 17% was chosen as that creates an 1,020 SF ADU.                                           |
| 163      | Chapter 18.73.100<br>Accessory Dwelling<br>Units (ADUs) | Cities cannot require owner occupancy of either                                                                                                                                                                                             | H. The maximum number of occupants established for a single-family dwelling as defined                                                                                                                                | The proposal modifies the existing standard which previously limited                                                                                                                                                                        |

| Page No. | Chapter/Topic                                     | Reason/Policy Decision                                                                                                                                                                                           | Proposed Text Amendment                                                                                                                                                             | Explanation/Impacts                                                                                                                                                                                                                 |
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|          |                                                   | the primary residence or associated ADUs.                                                                                                                                                                        | in KMC 18.20.01010 is permitted per dwelling unit and accessory dwelling unit on a lot, regardless of whether that unit is owned separately or leased.                              | the principal dwelling unit and accessory dwelling unit to the maximum number of occupants established for a single-family dwelling. As the City has to allow separate ownership, two separate sets of occupants must be permitted. |
| 163      | Chapter 18.73.100 Accessory Dwelling Units (ADUs) | Must allow detached accessory dwelling units to be sited at a lot line if the lot line abuts a public alley, unless the city or county routinely plows snow on the public alley.                                 | I. Detached accessory dwelling units may be sited at a property line with no setback if the property line abuts a public alley.                                                     | The proposal is a new requirement of state law per RCW 36.70A.681.                                                                                                                                                                  |
| 163      | Chapter 18.73.100 Accessory Dwelling Units (ADUs) | Cities must allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, even if they violate current code requirements for setbacks or lot coverage. | J. Existing structures, including legally nonconforming structures, may be converted into accessory dwelling units provided they meet relevant existing building code requirements. | The proposal is a new requirement of state law per RCW 36.70A.681.                                                                                                                                                                  |

| Page No. | Chapter/Topic                                           | Reason/Policy Decision                                                                                                                                                                                           | Proposed Text Amendment                                                                                                                                                                                                                     | Explanation/Impacts                                                                                       |
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| 163      | Chapter 18.73.100<br>Accessory Dwelling<br>Units (ADUs) | Cities may not require public street improvements as a condition of permitting accessory dwelling units.                                                                                                         | K. Public street improvements (e.g. frontage improvements) are not required as a condition of permitting accessory dwelling units.                                                                                                          | The proposal is a new requirement of state law per RCW 36.70A.681.                                        |
| 163      | Chapter 18.73.100<br>Accessory Dwelling<br>Units (ADUs) | Cities may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit. | L. 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.                  | The proposal is a new requirement of state law per RCW 36.70A.681.                                        |
| 166-168  | NEW Chapter 18.75<br>Cottage Housing                    | Directed by City Council to adopt new regulations                                                                                                                                                                | See text amendments                                                                                                                                                                                                                         | New chapter to allow for cottage housing in R-4 and R-6 zones.                                            |
| 171      |                                                         |                                                                                                                                                                                                                  | Type 2 Land Use Decision<br>(Decision by city manager; appealable to hearing examiner; no further administrative appeal:<br><br>"Home industry; short subdivision; <u>unit lot subdivision</u> ; preliminary short subdivision revision..." | The proposal adds unit lot subdivisions as a Type 2 Land Use Decision consistent with short subdivisions. |

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

- 1    [17.10.240 Parent parcel.](#)
- 2    [17.10.250 Plat, final.](#)
- 3    [17.10.260 Plat, preliminary.](#)
- 4    [17.10.270 Revision.](#)
- 5    [17.10.280 Segregation.](#)
- 6    [17.10.290 Short plat, final.](#)
- 7    [17.10.300 Short plat, preliminary.](#)
- 8    [17.10.310 Short subdivision.](#)
- 9    [17.10.320 Subdivision.](#)
- 10   [17.10.330 Tract.](#)
- 11
- 12    [...](#)
- 13    [17.10.211 Lot, parent.](#)
- 14    ["Parent lot" means the initial lot from which unit lots are subdivided pursuant to KMC 17.20.160.](#)
- 15    [17.10.212 Lot, unit](#)
- 16    ["Unit lot" means a lot created by the subdivision of a parent lot pursuant to KMC 17.20.160.](#)
- 17    [...](#)
- 18

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**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 the  
3 conditions of the preliminary approval.

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

10 **17.20.030 Revisions of preliminary subdivisions.**

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

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

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

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

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

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

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

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

4    **17.20.050 Limitations for short subdivisions.**

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

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

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

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

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

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

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

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



1     **17.20.070 Traffic analysis required.**

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

5     **17.20.080 Adequacy of access.**

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

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

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

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

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

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

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

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

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

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

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

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

35    **17.20.105 Street signage.**

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

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

6 **17.20.107 Street lighting.**

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

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

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

21 **17.20.120 General layout standards.**

22 For residential developments in the R zones:

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

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

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

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

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

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

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

- 1           2. The *easement* area shall be free of permanent structures and other obstructions that  
2           would prevent normal repair and maintenance of the structure's exterior;
- 3           3. Buildings utilizing reduced setbacks shall not have doors that open directly onto the  
4           private yard areas of abutting property. Windows in such buildings shall not be oriented  
5           toward such private yard areas unless they consist of materials such as glass block,  
6           textured glass, or other opaque materials, and shall not be capable of being opened,  
7           except for clerestory-style windows or skylights; and
- 8           4. The *final plat* or short plat shall show the approximate location of buildings proposed to  
9           be placed in a standard setback area.
- 10        B. In the R zones, setbacks on existing individual *lots* may be modified; provided, that the standards  
11        set forth in subsection (A)(1) of this section are met. [Ord. 11-0329 § 3 (Exh. 1).]

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

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

- 14        A. Any open space resulting from *lot* clustering shall not be altered or disturbed except as specified  
15        on recorded documents creating the open space. Such open spaces may be retained under  
16        ownership by the subdivider, conveyed to residents of the development, or conveyed to a third  
17        party. When access to the open space is provided, the access shall be located in a separate *tract*;
- 18        B. In the R-1 zone, open space *tracts* created by clustering required by KMC **18.21.030** shall be  
19        located and configured to create urban separators and greenbelts as required by the  
20        comprehensive plan or open space functional plans; to connect and increase protective buffers for  
21        critical areas; to connect and protect wildlife habitat corridors designated by the comprehensive  
22        plan; and to connect existing or planned public parks or trails. The *City* may require open  
23        space *tracts* created under this subsection to be dedicated to an appropriate managing public  
24        agency or qualifying private entity such as a nature conservancy;
- 25        C. Open spaces created through *lot* clustering are encouraged to include retained native  
26        vegetation;
- 27        D. Landscape-based stormwater management practices may be located within open spaces  
28        created through *lot* clustering, provided they are not located within critical areas. [Ord. 16-0428  
29        § 12 (Att. H); Ord. 11-0329 § 3 (Exh. 1).]

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

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

- 35        A. There will be a workable organization to guarantee maintenance with a committee or group to  
36        administer the organizational functions; and
- 37        B. There is a means for assessing maintenance costs equitably to property owners served by the  
38        private streets, *tracts*, *easements*, community utilities and properties. [Ord. 11-0329 § 3 (Exh. 1).]

1     **17.20.150 Preliminary subdivision and short subdivision approval.**

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

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

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

11    **17.20.160 Fee Simple Unit Lot Subdivisions**

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

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

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

22    D. Private access drives are allowed to provide access to dwellings and off-street parking areas  
23    within a unit lot subdivision. Access, joint use and maintenance agreements shall be executed for  
24    use of common garage or parking areas, common open area and other similar features, as  
25    recorded with King County. The City must review proposed easements prior to recording as  
26    driveways are subject to applicable road standards.

27    E. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot  
28    or tract separate from the parent lot, provided that the impervious surface created by this parking  
29    space shall be included in the calculation of maximum lot coverage for the unit lot. The right to use  
30    that parking must be formalized by an easement or otherwise defined on the final plat, as recorded  
31    with King County.

32    G. Unit lot subdivisions shall be processed as a subdivision or short plat pursuant to KMC 19.25,  
33    based upon the number of lots created through the unit lot subdivision process. The approval  
34    process and criteria for fee simple unit lot subdivisions shall be consistent with the requirements  
35    for subdivisions and short plats established in KMC 17.20.

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**Chapter 18.15**  
**ZONES, MAPS AND DESIGNATIONS**

**Sections:**

- [18.15.010 Zones and map designations established.](#)
- [18.15.020 Zone and map designation purpose.](#)
- [18.15.040 Residential zones.](#)
- [18.15.045 Neighborhood business zone.](#)
- [18.15.050 Community business zone.](#)
- [18.15.055 Downtown residential zone.](#)
- [18.15.065 Downtown commercial zone.](#)
- [18.15.067 Urban corridor zone.](#)
- [18.15.069 Waterfront commercial zone.](#)
- [18.15.070 Regional business zone.](#)
- [18.15.080 Public and semi-public zone.](#)
- [18.15.090 Parks zone.](#)
- [18.15.100 Golf course zone.](#)
- [18.15.110 Map designation – Property-specific development or P-suffix standards.](#)
- [18.15.120 Map designation – Special district overlay.](#)
- [18.15.150 Zoning maps and boundaries.](#)

**18.15.010 Zones and map designations established.**

In order to accomplish the purposes of this title, the following zoning designations and zoning map symbols are established:

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

| 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 (except as noted in KMC 18.21.035(B)), 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 the  
11          time of *development* by adequate public sewers, water supply, *streets* and other needed  
12          public facilities and services; and
- 13          4. The MHC zone on existing *manufactured housing communities* planned for either short-  
14          term or long-term preservation. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

15    **18.15.045 Neighborhood business zone.**

- 16    A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and  
17    personal services for a limited service area, to minimize impacts of commercial activities on  
18    nearby properties, and to provide for limited residential *development*. These purposes are  
19    accomplished by:
- 20          1. Limiting nonresidential *uses* to those *uses* which can serve the everyday needs of a  
21          surrounding urban residential area;
- 22          2. Allowing for automotive service *uses*, subject to approval of a *conditional use permit*;
- 23          3. Allowing for *mixed use* (housing and retail/service) *developments* and for *townhouse*  
24          *developments* as a sole *use* on properties; and
- 25          4. Excluding industrial and regional business-scaled *uses*.
- 26    B. Use of this zone is appropriate in neighborhood business centers on *sites* which are served at  
27    the time of *development* by adequate public sewers, water supply, *streets* and other needed public  
28    facilities and services. [Ord. 18-0454 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

29    **18.15.050 Community business zone.**

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

- 1           1. Providing for offices as well as a wide range of small-scale retail, educational, and  
2           personal service *uses*;
- 3           2. Allowing residential *use*, with a focus on *mixed use* (housing and  
4           retail/service/office) *developments*; and
- 5           3. Excluding commercial *uses* with extensive *outdoor storage*, as well as automotive sales  
6           and industrial *uses*.
- 7   B. Use of this zone is appropriate in areas that are designated by the comprehensive plan and that  
8   are served at the time of *development* by adequate public sewers, water supply, *streets* and other  
9   needed public facilities and services. [Ord. 18-0454 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]
- 10   **18.15.055 Downtown residential zone.**
- 11   The downtown residential zone provides higher density residential *development* in support of the  
12   downtown commercial zone. Limited retail and office *uses* are also allowed as part of *mixed use*  
13   *developments*. The zone represents an opportunity to provide a range of housing types in the  
14   community with attention to appearance and scale. [Ord. 11-0329 § 3 (Exh. 1).]
- 15   **18.15.065 Downtown commercial zone.**
- 16   A. The downtown commercial zone features a mix of *private* and public *uses* designed to create a  
17   small-town feel and pedestrian-friendly environment. Public places, sidewalks,  
18   extensive *landscaping*, transit orientation, shared or structured parking, protection of *critical*  
19   *areas*, and high quality design and signage are key features. *Permitted uses* emphasize mixed or  
20   multiple use *developments*, and include high-density housing, civic and governmental offices,  
21   small-scale commercial and retail, and locally oriented professional and personal services.
- 22   B. *Uses* not compatible with the downtown commercial zone intent such as those which require  
23   vehicle or materials storage, service bays, wide curb cuts, expanses of exterior product display or  
24   storage, or produce little customer or visitor activity are not permitted. Park-and-ride/*transit*  
25   *centers* are promoted along SR-522, particularly in the northwest quadrant of the 68th Avenue  
26   NE/SR-522 intersection. [Ord. 11-0329 § 3 (Exh. 1).]
- 27   **18.15.067 Urban corridor zone.**
- 28   The purpose of the urban corridor zone (UC) is to convert SR-522 from a commercial strip, focused  
29   on the automobile, to a more pedestrian- and transit-friendly urban corridor. West of downtown,  
30   the north side of the highway would continue to be a mix of restaurant, retail and service *uses*, with  
31   additional opportunities for office and mixed use multifamily development. The south side of the  
32   highway in this area would convert to office and multifamily development, taking advantage of lake  
33   views and proximity to transit.
- 34   East of downtown, an “enterprise zone” west of 80th Avenue NE would allow for a wide range of  
35   commercial *uses*, including bulk retail, as well as standalone multifamily development. Farther to  
36   the east, near the city limits, office and multifamily *uses* are envisioned.
- 37   New auto-oriented uses are not compatible with the intent of the urban corridor zone. [Ord. 14-  
38   0391 § 2 (Exh. 1).]



1     **18.15.069 Waterfront commercial zone.**

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

6     **18.15.070 Regional business zone.**

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

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

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

20    **18.15.090 Parks zone.**

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

26    **18.15.100 Golf course zone.**

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

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

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

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

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

9     **18.15.150 Zoning maps and boundaries.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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- 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.](#)



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

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

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

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

- 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 (Exh.
- 29 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 are  
10 typically located upon the same *lot* occupied by a principal *use*. Examples of accessory uses  
11 include: equipment rental (bikes or skis) at a retail bike and ski shop, a secure facility required at an  
12 airport, and boat parking at a marina. [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

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

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

23 **18.20.045 Accessory use, parks.**

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

25 **18.20.050 Accessory use, residential.**

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

27 **18.20.060 Accessory use, resource.**

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

29 **18.20.090 Adult entertainment business.**

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

33 **18.20.095 Adult family home.**

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

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

3 **18.20.098 Affordable housing unit.**

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

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

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

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

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

21 **18.20.100 Agricultural product sales.**

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

23 **18.20.105 Air transportation service.**

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

27 May include NAICS 481 (Air Transportation) and 4881 (Support Activities for Transportation). [Ord.  
28 14-0391 § 2 (Exh. 1).]

29 **18.20.120 Aircraft, ship and boat building.**

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

31 **18.20.130 Airport/heliport.**

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

33 **18.20.140 Alley.**

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

4 **18.20.145 Alteration.**

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

9 **18.20.147 Alternative transmission support structure.**

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

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

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

19 **18.20.150 Ambulatory surgery center.**

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

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

24 **18.20.155 Amusement and recreation services.**

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

26 **18.20.160 Amusement arcade.**

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

28 **18.20.165 Anadromous fish.**

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

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

3 **18.20.168 Animal kennel/shelter.**

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

8 **18.20.170 Animal, small.**

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

13 **18.20.180 Antenna.**

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

18 **18.20.190 Applicant.**

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

22 **18.20.195 Arbor.**

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

25 **18.20.200 Arcade.**

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

28 **18.20.205 Architectural elements.**

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

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

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



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

5 **18.20.207 Articulation.**

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

9 **18.20.210 Artist studio.**

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

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

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

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

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

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

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

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

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

34 **18.20.216 Assisted living.**

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

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

7 **18.20.218 Attached accessory dwelling unit.**

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

10 **18.20.220 Auction house.**

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

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

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

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

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

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

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

30 **18.20.228 Bankfull width.**

31 “Bankfull width” means:

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

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

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*). [Ord.  
3     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 and  
12    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 standards  
21    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 painting  
30    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 feet,  
32    and may also include temporary and irregularly shaped extensions subject to the area and duration  
33    limitations in Chapter [18.42](#) KMC; and

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

3 **18.20.300 Biologist.**

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

7 **18.20.302 Blank walls.**

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

12 **18.20.305 Boat launch.**

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

14 **18.20.308 Bonus unit.**

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

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

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

19 **18.20.320 Broadleaf tree.**

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

22 **18.20.330 Buffer or buffer area.**

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

30 **18.20.340 Building.**

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

32 **18.20.350 Building envelope.**

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

4 **18.20.360 Building facade.**

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

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

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

10 **18.20.380 Bulk gas storage tank.**

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

13 **18.20.390 Business service, intensive.**

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

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

27 **18.20.394 Business service, standard.**

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

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

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

7 **18.20.395 Caliper.**

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

12 **18.20.400 Campground.**

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

14 **18.20.410 Capacity, school.**

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

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

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

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

32 **18.20.422 Car wash.**

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

34 **18.20.425 Categorically excluded.**

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

3 **18.20.430 Cattery.**

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

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

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

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

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

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

17 **18.20.453 Channel width and gradient.**

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

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

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

25 **18.20.465 City.**

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

27 **18.20.468 City manager.**

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

30 **18.20.470 Classrooms, school.**

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



1     **18.20.480 Clearing.**

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

7     **18.20.485 Clustered.**

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

11    **18.20.490 Cogeneration.**

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

15    **18.20.492 College/university.**

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

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

25    **18.20.494 Collocation.**

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

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

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

33    **18.20.498 Communication facility.**

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

35    **18.20.500 Communication facility, major.**

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

2    **18.20.510 Communication facility, minor.**

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

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

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

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

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

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

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

17    **18.20.530 Commuter parking lot.**

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

20    **18.20.540 Compensatory storage.**

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

26    **18.20.550 Conditional use permit.**

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

31    **18.20.560 Conference center.**

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

35    **18.20.570 Confinement area.**

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

3 **18.20.580 Consolidation.**

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

5 **18.20.590 Construction and trade.**

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

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

15 **18.20.610 Courtyard.**

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

19 **18.20.612 Critical areas.**

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

24 **18.20.614 Critical area tract.**

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

30 **18.20.630 Critical facility.**

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

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

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

6 **18.20.633 Crown.**

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

9 **18.20.635 Cultural facilities.**

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

11 **18.20.640 Daily care.**

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

15 **18.20.650 Day care.**

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

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

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

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

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

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

24 B. Day care establishments are subclassified as follows:

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

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

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

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

30 **18.20.655 Debris flow.**

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

1     **18.20.660 Deciduous.**

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

3     **18.20.665 Degraded wetland buffer.**

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

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

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

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

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

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

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

15    **18.20.680 Department.**

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

18    **18.20.690 Department and variety store.**

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

20    **18.20.695 Designated manufactured home.**

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

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

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

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

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

- 1 E. Is set upon a permanent foundation, as specified by the manufacturer, and that the space from  
2 the bottom of the home to the ground be enclosed by concrete or an approved concrete product  
3 which can be either load-bearing or decorative;
- 4 F. Complies with all local design standards applicable to all other homes within the neighborhood  
5 in which the manufactured home is to be located;
- 6 G. Is thermally equivalent to the State Energy Code; and
- 7 H. This section does not override any legally recorded covenants or deed restrictions of record.  
8 [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.697 Designation, critical area.**

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

18 **18.20.700 Destination resort.**

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

20 **18.20.705 Detached accessory dwelling unit.**

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

26 **18.20.710 Developer.**

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

30 **18.20.715 Development.**

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

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

3 A. Interior *building* improvements;

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

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

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

10 **18.20.730 Development agreement.**

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

14 **18.20.735 Development permit.**

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

17 **18.20.740 Development proposal.**

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

20 **18.20.750 Development proposal site.**

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

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

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

28 **18.20.755 Differential settlement.**

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

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

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

4 **18.20.765 Disturbance.**

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

8 **18.20.772 Dock.**

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

10 **18.20.775 Domiciliary care.**

11 “Domiciliary care” means:

- 12 A. Assistance with activities of daily living provided by the licensee either directly or by contract;
- 13 B. Assuming general responsibility for the safety and well-being of the resident; and
- 14 C. Limited nursing services, if provided by the licensee. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.780 Dormitory.**

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

17 **18.20.785 Drive-through service.**

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

25 **18.20.790 Drop box facility.**

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

27 **18.20.800 Drug store.**

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

29 **18.20.805 Durable materials.**

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

33 **18.20.810 Dwelling unit.**



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

6 **18.20.820 Dwelling unit, accessory.**

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

11 **18.20.830 Dwelling unit, microhousing.**

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

17 **18.20.832 Dwelling, middle housing.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 **18.20.860 Earth station.**

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

15 **18.20.863 Eating and drinking place.**

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

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

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

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

22 **18.20.867 Educational service.**

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

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

28 **18.20.870 Effective radiated power.**

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

31 **18.20.880 Electrical substation.**

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

1     **18.20.885 Emergent wetland.**

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

5     **18.20.890 Emergency.**

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

9     **18.20.900 Energy resource recovery facility.**

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

11    **18.20.910 Enhancement.**

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

18    **18.20.920 Equipment, heavy.**

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

21    A. Carryalls;

22    B. Graders;

23    C. Loading and unloading devices;

24    D. Cranes;

25    E. Drag lines;

26    F. Trench diggers;

27    G. Tractors;

28    H. Augers;

29    I. Bulldozers;

30    J. Concrete mixers and conveyers;

31    K. Harvesters;

32    L. Combines; or

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

3 **18.20.930 Erosion.**

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

6 **18.20.940 Erosion hazard areas.**

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

11 **18.20.950 Evergreen.**

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

14 **18.20.965 Existing legal uses.**

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

24 **18.20.967 FAA.**

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

26 **18.20.970 Fabric shop.**

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

28 **18.20.1000 Fairground.**

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

30 **18.20.1010 Family.**

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

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

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

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

8 **18.20.1015 FCC.**

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

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

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

12 **18.20.1040 Fence.**

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

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

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

17 **18.20.1050 Financial guarantee.**

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

23 **18.20.1051 Fire or police facility.**

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

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

28 **18.20.1052 First floor facades.**

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

33 **18.20.1055 Fish habitat.**

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

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

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

11 **18.20.1057 Flood or flooding.**

12 “Flood” or “flooding” means:

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

15 1. The overflow of inland waters.

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

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

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

27 **18.20.1059 Flood elevation study.**

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

32 **18.20.1060 Flood fringe.**

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

34 **18.20.1070 Flood hazard areas.**

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

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

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

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

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

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

12 **18.20.1100 Flood protection elevation.**

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

15 **18.20.1110 Floodplain.**

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

18 **18.20.1120 Floodproofing.**

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

23 **18.20.1125 Floodway.**

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

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

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

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

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

33 **18.20.1140 Florist shop.**

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

1     **18.20.1150 Forest practice.**

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

5     A. Fire prevention, detection and suppression; and

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

7     **18.20.1160 Forest product sales.**

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

9     **18.20.1170 Forest research.**

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

11    **18.20.1180 Frequently flooded areas.**

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

16    **18.20.1185 Functions and values.**

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

23    **18.20.1187 Funeral home/crematory.**

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

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

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

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

29    **18.20.1200 General business service.**

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

31    **18.20.1202 General personal service use.**

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

33    **18.20.1203 General services land uses.**



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

6 **18.20.1205 Geologically hazardous areas.**

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

12 **18.20.1210 Geologist.**

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

16 **18.20.1230 Golf course facility.**

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

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

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

25 **18.20.1235 Government facilities, City.**

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

27 **18.20.1240 Grade span.**

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

30 **18.20.1250 Grading.**

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

33 **18.20.1260 Grazing area.**

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

1     **18.20.1270 Ground cover.**

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

4     **18.20.1272 Ground floor.**

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

8     **18.20.1273 Grove.**

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

11    **18.20.1275 Hazard areas.**

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

15    **18.20.1280 Hazardous household substance.**

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

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

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

21    **18.20.1300 Hazardous substance.**

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

24    **18.20.1301 Headwater stream.**

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

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

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

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

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

3 **18.20.1305 Health services, miscellaneous.**

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

5 **18.20.1307 Hearing examiner.**

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

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

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

14 **18.20.1312 Habitat management.**

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

18 **18.20.1314 Habitats of local importance.**

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

25 **18.20.1320 Helistop.**

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

29 **18.20.1330 Historic resource.**

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

32 **18.20.1340 Historic structure.**

33 “Historic structure” means any structure that is:

- 1 A. Listed individually in the National Register of Historic Places (a listing maintained by the  
2 Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the  
3 requirements for individual listing on the National Register;
- 4 B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the  
5 historical significance of a registered historic district or a district preliminarily determined by the  
6 Secretary to qualify as a registered historic district;
- 7 C. Individually listed on a state inventory of historic places in states with historic preservation  
8 programs which have been approved by the Secretary of Interior; or
- 9 D. Individually listed on a local inventory of historic places in communities with historic  
10 preservation programs that have been certified either:
- 11 1. By an approved state program as determined by the Secretary of the Interior; or
- 12 2. Directly by the Secretary of the Interior in states without approved programs. [Ord. 19-0488 § 4  
13 (Exh. 2).]
- 14 **18.20.1350 Hobby, toy, game shop.**
- 15 *Repealed by Ord. 17-0438. [Ord. 11-0329 § 3 (Exh. 1).]*
- 16 **18.20.1360 Home industry.**
- 17 “Home industry” means a limited-scale sales, service or fabrication activity undertaken for  
18 financial gain, which occurs in a *dwelling unit* or residential accessory *building*, or in a barn or other  
19 resource accessory *building* and is subordinate to the primary *use* of the *site* as a residence. [Ord.  
20 11-0329 § 3 (Exh. 1).]
- 21 **18.20.1370 Home occupation.**
- 22 “Home occupation” means a limited-scale service or fabrication activity undertaken for financial  
23 gain, which occurs in a *dwelling unit* or accessory *building* and is subordinate to the primary *use* of  
24 the *site* as a residence. [Ord. 11-0329 § 3 (Exh. 1).]
- 25 **18.20.1372 Hospital.**
- 26 “Hospital” means an establishment with medical staff primarily engaged in providing inpatient  
27 medical, diagnostic and treatment services and/or emergency care services. Hospitals may also  
28 provide outpatient services as a secondary activity.
- 29 May include NAICS 622 (Hospitals), including 622210 (Psychiatric and Substance Abuse  
30 Hospitals). [Ord. 14-0391 § 2 (Exh. 1).]
- 31 **18.20.1375 Hotel.**
- 32 “Hotel” means a *building* or portion thereof designed or used for transient rental for sleeping  
33 purposes. Hotel *structures* are at least two stories in height, with lodging space above the first  
34 floor. Lodging space may also be located on the first floor. Individual rooms are typically accessed  
35 from a common hallway. A central *kitchen* and dining room and accessory shops and services

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

3 **18.20.1380 Household pets.**

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

6 **18.20.1381 Human-scaled elements.**

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

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

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

14 **18.20.1390 Hydroelectric generation facility.**

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

17 **18.20.1400 Impervious surface.**

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

29 **18.20.1420 Individual transportation and taxi.**

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

31 **18.20.1430 Infiltration rate.**

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

34 **18.20.1435 In-kind.**

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

4 **18.20.1437 Intentionally created stream.**

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

7 **18.20.1438 Intermittent stream.**

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

10 **18.20.1440 Interim recycling facility.**

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

12 **18.20.1470 Jail.**

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

14 **18.20.1480 Jail farm.**

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

16 **18.20.1490 Jewelry store.**

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

18 **18.20.1500 Joint use driveway.**

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

21 **18.20.1510 Kennel.**

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

25 **18.20.1520 Kitchen or kitchen facility.**

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

- 28 A. An appliance for the refrigeration of food;  
29 B. An appliance for the cooking or heating of food; and  
30 C. A sink. [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.1525 Laboratory.**

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

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

6 **18.20.1530 Landfill.**

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

8 **18.20.1540 Landscape water features.**

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

11 **18.20.1550 Landscaping.**

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

15 **18.20.1560 Landslide.**

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

18 **18.20.1570 Landslide hazard areas.**

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

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

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

29 **18.20.1575 Lattice tower.**

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

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

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

4 **18.20.1590 Light equipment.**

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

7 **18.20.1600 Livestock.**

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

10 A. Cattle;

11 B. Riding and draft horses;

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

14 D. Sheep; and

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

16 **18.20.1610 Livestock, large.**

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

19 **18.20.1620 Livestock, small.**

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

24 **18.20.1630 Livestock sales.**

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

26 **18.20.1640 Loading space.**

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

29 **18.20.1650 Log storage.**

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

31 **18.20.1660 Lot.**

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



**18.20.1661 Lot, parent.**

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

**18.20.1662 Lot, unit**

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

**18.20.1670 Lot line, interior.**

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

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

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

**18.20.1673 Lowest floor.**

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

**18.20.1675 Manufactured home.**

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

**18.20.1675.1 Manufactured housing community.**

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

**18.20.1676 Manufacturing, heavy.**

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

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

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

6 **18.20.1677 Manufacturing, light.**

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

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

20 **18.20.1678 Manufacturing land uses.**

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

24 **18.20.1679.1 Cannabis.**

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

27 **18.20.1679.2 Cannabis business.**

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

31 **18.20.1679.2.5 Cannabis cooperative.**

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

36 **18.20.1679.3 Cannabis processor.**

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

3 **18.20.1679.4 Cannabis producer.**

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

6 **18.20.1679.4.5 Cannabis researcher.**

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

11 **18.20.1679.5 Cannabis retailer.**

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

14 **18.20.1680 Marina.**

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

18 A. Showers;

19 B. Toilets; and

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

21 **18.20.1683 Mass wasting.**

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

24 **18.20.1685 Master plan.**

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

28 **18.20.1690 Median income.**

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

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

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

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

5 **18.20.1700 Microwave.**

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

7 **18.20.1705 Miscellaneous repair.**

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

9 **18.20.1710 Mitigation.**

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

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

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

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

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

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

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

21 **18.20.1720 Mitigation bank.**

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

27 **18.20.1730 Mitigation banking.**

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

33 **18.20.1740 Mixed use development.**

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

4 **18.20.1745 Mobile food vendor.**

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

6 **18.20.1747 Mobile food service.**

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

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

10 **18.20.1750 Mobile home.**

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

12 **18.20.1760 Mobile home park.**

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

14 **18.20.1761 Mobility unit.**

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

17 **18.20.1762 Modification.**

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

19 **18.20.1765 Modulation.**

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

23 **18.20.1770 Monitoring.**

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

29 **18.20.1775 Monopole tower.**

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

31 **18.20.1785 Motel.**

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

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

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

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

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

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

8 **18.20.1810 Mulch.**

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

11 **18.20.1820 Municipal water production.**

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

13 **18.20.1830 Native vegetation.**

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

17 **18.20.1835 Natural waters.**

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

20 **18.20.1840 Negative externality.**

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

25 **18.20.1850 Net buildable area.**

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

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

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

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

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

1 E. *Regional utility corridors*;

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

4 **18.20.1860 Nonconformance.**

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

10 **18.20.1870 Nonhydroelectric generation facility.**

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

14 **18.20.1875 Nonindigenous.**

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

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

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

20 **18.20.1890 Noxious weed.**

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

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

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

26 **18.20.1905 Office.**

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

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

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

15 **18.20.1910 Open space.**

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

21 **18.20.1920 Open-work fence.**

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

24 **18.20.1930 Ordinary high water mark.**

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

33 **18.20.1940 Outdoor performance center.**

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

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

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



1     **18.20.1960 Park.**

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

4     A. Indoor facilities, such as:

- 5         1. Gymnasiums;
- 6         2. Swimming pools; or
- 7         3. Activity centers;

8     B. Outdoor facilities, such as:

- 9         1. Playfields;
- 10        2. Fishing areas;
- 11        3. Picnic and related outdoor activity areas;

12    C. Areas and *trails* for:

- 13        1. Hikers;
- 14        2. Equestrians;
- 15        3. Bicyclists;

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

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

19     **18.20.1995 Parking management plan.**

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

25     **18.20.2000 Parking space.**

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

28     **18.20.2030 Peak hour.**

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

31     **18.20.2035 Pedestrian walkway.**

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

4 **18.20.2040 Permanent school facilities.**

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

7 **18.20.2050 Personal medical supply store.**

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

9 **18.20.2055 Personal service.**

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

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

20 **18.20.2060 Pet shop.**

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

22 **18.20.2070 Photographic and electronic shop.**

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

24 **18.20.2102 Practical alternative.**

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

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

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

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

7 **18.20.2110 Private.**

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

11 **18.20.2120 Private stormwater management facility.**

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

15 **18.20.2130 Professional office.**

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

21 **18.20.2135 Pro shop.**

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

23 **18.20.2140 Public agency.**

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

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

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

30 **18.20.2160 Public agency archive.**

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

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

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

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

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

7 **18.20.2190 Public agency training facility.**

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

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

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

16 **18.20.2202 Public view.**

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

19 **18.20.2205 Qualified professional.**

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

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

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

31 **18.20.2207 Qualified tree protection professional.**

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

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

3 **18.20.2208 Quality habitat areas.**

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

9 **18.20.2210 Radio frequency.**

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

14 **18.20.2220 Reasonable use.**

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

17 **18.20.2230 Receiving site.**

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

22 **18.20.2231 Reclassification.**

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

26 **18.20.2232 Reconstruction.**

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

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

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

34 **18.20.2234 Recreational facility, indoor.**

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

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

7 **18.20.2237 Recreational facility, outdoor.**

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

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

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

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

19 A. Travel trailer;

20 B. Folding camping trailer;

21 C. Park trailer;

22 D. Truck camper;

23 E. Park trailer;

24 F. Motor home; and

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

26 **18.20.2250 Recreational vehicle parks.**

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

28 **18.20.2260 Recyclable material.**

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

31 **18.20.2265 Regional land use.**

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

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

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

8 **18.20.2275 Regional land uses.**

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

13 **18.20.2280 Regional stormwater management facility.**

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

15 **18.20.2290 Regional utility corridor.**

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

20 **18.20.2292 Rehabilitation.**

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

26 **18.20.2295 Religious institution.**

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

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

32 **18.20.2310 Relocatable facility.**

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

1     **18.20.2320 Relocation facilities.**

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

5     **18.20.2325 Residential land uses.**

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

11    **18.20.2326 Resource land use.**

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

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

16    **18.20.2327 Resource land uses.**

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

19    **18.20.2330 Restoration.**

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

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

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

26    **18.20.2350 Retail, comparison.**

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

28    **18.20.2362 Retail land uses.**

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

33    **18.20.2364 Retail sales.**



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

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

10 **18.20.2365 Retail sales, bulk.**

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

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

16 **18.20.2367 Retail sales, outdoor.**

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

18 **18.20.2370 Retaining wall.**

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

21 **18.20.2375 Riparian stream corridor.**

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

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

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

35 **18.20.2385 Riparian zone.**

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

4 **18.20.2410 Salmonid.**

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

7 **18.20.2415 Satellite dish.**

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

10 **18.20.2420 School bus base.**

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

13 **18.20.2430 School district.**

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

15 **18.20.2440 School district support facility.**

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

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

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

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

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

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

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

25 **18.20.2462 Section 404 permit.**

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

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

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

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

4 **18.20.2468 Secure facility.**

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

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

10 **18.20.2470 Seismic hazard areas.**

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

14 **18.20.2480 Self-service storage.**

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

17 **18.20.2490 Sending site.**

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

21 **18.20.2500 Senior citizen.**

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

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

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

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

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

27 **18.20.2530 Setback.**

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

30 **18.20.2540 Shelters for temporary placement.**

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

33 **18.20.2550 Shooting range.**

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

2     **18.20.2560 Sign.**

3     “Sign” means any device, *structure*, fixture, or placard that is visible from a public right-of-way or  
4     surrounding properties and uses graphics, symbols, or written copy for the purpose of advertising  
5     or identifying any establishment, product, goods, or service. [Ord. 11-0329 § 3 (Exh. 1).]

6     **18.20.2570 Sign, awning.**

7     “Awning sign” means a *sign* painted on or attached directly to and supported by an awning. An  
8     awning may be constructed of rigid or nonrigid materials and may be retractable or nonretractable.  
9     [Ord. 11-0329 § 3 (Exh. 1).]

10    **18.20.2580 Sign, changing message center.**

11    “Changing message center sign” means an electrically controlled *sign* that contains advertising  
12    messages which changes at intervals of eight seconds or greater. [Ord. 21-0523 § 2 (Exh. A); Ord.  
13    11-0329 § 3 (Exh. 1).]

14    **18.20.2590 Sign, community bulletin board.**

15    “Community bulletin board sign” means a permanent *sign* used to notify the public of community  
16    events and public services, and which contains no commercial advertising. [Ord. 11-0329 § 3 (Exh.  
17    1).]

18    **18.20.2600 Sign, directional.**

19    “Directional sign” means a *sign* designed to guide or direct pedestrian or vehicular traffic to an  
20    area, place or convenience, and may include incidental graphics such as trade names and  
21    trademarks. [Ord. 11-0329 § 3 (Exh. 1).]

22    **18.20.2610 Sign, freestanding.**

23    “Freestanding sign” means a *sign* standing directly upon the ground or having one or more supports  
24    standing directly upon the ground, and being detached from any *building* or *fence*. [Ord. 11-0329  
25    § 3 (Exh. 1).]

26    **18.20.2620 Sign, fuel price.**

27    “Fuel price sign” means a *sign* utilized to advertise the price of gasoline and/or diesel fuel. [Ord. 11-  
28    0329 § 3 (Exh. 1).]

29    **18.20.2630 Sign, incidental.**

30    “Incidental sign” means a *sign*, emblem or decal designed to inform the public of goods, facilities,  
31    or services available on the premises, and may include but not be limited to *signs* designating:

32    A. Restrooms;

33    B. Hours of operation;

34    C. Acceptable credit cards;

1 D. Property ownership or management;

2 E. Phone booths; and

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

4 **18.20.2640 Sign, indirectly illuminated.**

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

7 **18.20.2650 Sign, monument.**

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

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

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

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

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

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

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

21 **18.20.2690 Sign, portable.**

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

24 **18.20.2700 Sign, projecting.**

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

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

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

33 **18.20.2720 Sign, wall.**

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

6 **18.20.2730 Significant tree.**

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

16 **18.20.2740 Site.**

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

20 **18.20.2750 Site area.**

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

23 **18.20.2765 Small cell.**

24 “Small cell” means a wireless communication facility that meets both of the following  
25 qualifications:

26 A. Each antenna is located inside an antenna enclosure of no more than three cubic feet in volume  
27 or, in the case of an antenna that has exposed elements, the antenna and all of its exposed  
28 elements could fit within an imaginary enclosure of no more than three cubic feet; and

29 B. Primary equipment enclosures are no larger than 17 cubic feet in volume. The following  
30 associated equipment may be located outside the primary equipment enclosure and if so located,  
31 is not included in the calculation of equipment volume: electric meter, concealment, telecomm  
32 demarcation box, ground-based enclosures, battery back-up power systems, grounding  
33 equipment, power transfer switch, and cut-off switch. [Ord. 17-0446 § 2 (Att. A); Ord. 16-0426 § 4  
34 (Att. B).]

35 **18.20.2782 Social card game.**

36 “Social card game” is defined as set forth in RCW [9.46.0282](#), as now in effect or as may be  
37 subsequently amended or recodified. [Ord. 11-0329 § 3 (Exh. 1).]

1     **18.20.2784 Social services.**

2     “Social services” means establishments or agencies offering social or rehabilitation services.

3     Subcategories include:

4     “Social services, correctional” that offer offender rehabilitation, offender self-help, parole or  
5     probation services; and

6     “Social services, noncorrectional” that provide services including, but not limited to, individual and  
7     family counseling, welfare, relief, referral, job training, or vocational services. “Social services,  
8     noncorrectional” includes social advocacy organizations. [Ord. 11-0329 § 3 (Exh. 1).]

9     **18.20.2790 Soil recycling facility.**

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

11    **18.20.2810 Special use permit.**

12    “Special use permit” means a permit granted by the *City* to locate a *regional land use* at a  
13    particular location, subject to conditions placed on the proposed *use* to ensure compatibility with  
14    adjacent land uses. [Ord. 11-0329 § 3 (Exh. 1).]

15    **18.20.2820 Specialized instruction school.**

16    “Specialized instruction school” means establishments engaged in providing specialized  
17    instruction in a designated field of study, rather than a full range of courses in unrelated areas;  
18    including, but not limited to:

19    A. Art;

20    B. Dance;

21    C. Music;

22    D. Cooking;

23    E. Driving; and

24    F. Pet obedience training. [Ord. 11-0329 § 3 (Exh. 1).]

25    **18.20.2822 Species.**

26    “Species” means any group of animals classified as a species or subspecies as commonly  
27    accepted by the scientific community. [Ord. 11-0329 § 3 (Exh. 1).]

28    **18.20.2823 Species, candidate.**

29    “Species, candidate” means fish and wildlife species that the Washington State Department of  
30    Fish and Wildlife will review for possible listing as endangered, threatened, or sensitive. [Ord. 24-  
31    0624 § 4 (Exh. B).]

32    **18.20.2824 Species, endangered.**

1 “Species, endangered” means any fish or wildlife *species* that is threatened with extinction  
2 throughout all or a significant portion of its range and is listed by the State or federal government as  
3 an endangered species. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.2825 Species of concern.**

5 “Species of concern” means those species listed an endangered, state threatened, state sensitive,  
6 or state candidate, as well as species listed or proposed for listing by the U.S. Fish and Wildlife  
7 Service or the National Marine Fisheries Service. [Ord. 24-0624 § 4 (Exh. B).]

8 **18.20.2826 Species, threatened.**

9 “Species, threatened” means any fish or wildlife *species* that is likely to become an *endangered*  
10 *species* within the foreseeable future throughout a significant portion of its range without  
11 cooperative management or removal of threats, and is listed by the State or federal government as  
12 a threatened species. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.2840 Sporting goods store.**

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

15 **18.20.2850 Sports club.**

16 “Sports club” means an establishment engaged in operating physical fitness facilities and sports  
17 and recreation clubs. [Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.2860 Stable.**

19 “Stable” means a *structure* or facility in which horses or other *livestock* are kept for:

20 A. Boarding;

21 B. Training;

22 C. Riding lessons;

23 D. Breeding;

24 E. Rental; or

25 F. Personal use. [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.2865 Standalone parking.**

27 “Standalone parking” means an establishment engaged in providing parking space for motor  
28 vehicles or boats, usually on an hourly, daily or monthly basis. Parking may be provided on a  
29 surface lot, in a garage or, in the case of boats, on a storage rack. Standalone parking does not  
30 include required parking associated with a use, authorized through a development application.

31 May include NAICS 81293 (Parking Lots and Garages). [Ord. 14-0391 § 2 (Exh. 1).]

32 **18.20.2870 Standard of service, school districts.**



1 “School districts standard of service” means the standard adopted by each *school district* which  
2 identifies the program year, the class size by *grade span* and taking into account the requirements  
3 of students with special needs, the number of *school classrooms*, the types of facilities the district  
4 believes will best serve its student population, and other factors as identified by the *school district*.  
5 The district’s standard of service shall not be adjusted for any portion of the classrooms housed  
6 in *relocatable facilities* which are used as transitional facilities or for any specialized facilities  
7 housed in *relocatable facilities*. Except as otherwise defined by the school board pursuant to a  
8 board resolution, transitional facilities shall mean those facilities that are used to cover the time  
9 required for the construction of permanent facilities; provided, that the “necessary financial  
10 commitments” as defined in Chapter [18.45](#) KMC are in place to complete the permanent facilities  
11 called for in the capital plan. [Ord. 11-0329 § 3 (Exh. 1).]

12 **18.20.2875 Start of construction.**

13 For purposes of flood hazard area regulations, “start of construction” includes substantial  
14 improvement, and means the date the building permit was issued, provided the actual start of  
15 construction, repair, reconstruction, placement or other improvement was within 180 days of the  
16 permit date. The “actual start” means either the first placement of permanent construction of a  
17 structure on a site, such as the pouring of slab or footings, the installation of piles, the construction  
18 of columns, or any work beyond the stage of excavation; or the placement of a manufactured home  
19 on a foundation. Permanent construction does not include land preparation, such as clearing,  
20 grading and filling; nor does it include the installation of streets and/or walkways; nor does it  
21 include excavation for a basement, footings, piers, or foundations or the erection of temporary  
22 forms; nor does it include the installation on the property of accessory buildings, such as garages  
23 or sheds not occupied as dwelling units or not part of the main structure. For a substantial  
24 improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor,  
25 or other structural part of a building, whether or not that alteration affects the external dimensions  
26 of the building. [Ord. 19-0488 § 4 (Exh. 2).]

27 **18.20.2884 Storage, indoor.**

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

29 **18.20.2887 Storage, outdoor.**

30 “Outdoor storage” means the storage of materials outside of a completely enclosed building for  
31 more than 24 hours, including items for sale, lease, shipment, processing, maintenance or repair  
32 (including vehicles and equipment), and items used in business operations. [Ord. 14-0391 § 2 (Exh.  
33 1); Ord. 11-0329 § 3 (Exh. 1).]

34 **18.20.2890 Stream functions.**

35 “Stream functions” means natural processes performed by *streams* including functions which are  
36 important in facilitating food chain production, providing habitat for nesting, rearing and resting  
37 sites for aquatic, terrestrial and avian *species*, maintaining the availability and quality of water,  
38 such as purifying water, acting as recharge and discharge areas for groundwater aquifers,  
39 moderating surface and stormwater flows and maintaining the free flowing conveyance of water,  
40 sediments and other organic matter. [Ord. 11-0329 § 3 (Exh. 1).]

1     **18.20.2900 Stream.**

2     “Stream” means an area where open surface water produces a defined channel or bed. A defined  
3     channel or bed is an area which demonstrates clear evidence of the passage of water and includes,  
4     but is not limited to, bedrock, channels, gravel beds, sand and silt beds, and defined-channel  
5     swales. This includes watercourses where there is some component of natural flow (groundwater,  
6     spring, etc.) or when an artificial stormwater system is incorporated within a natural stream. A  
7     watercourse also includes all surface water connected wetlands that provide or maintain habitat  
8     that supports fish. This definition is not meant to include artificially created irrigation ditches,  
9     canals, storm or surface water runoff facilities or other wholly artificial watercourses unless they  
10    are used by salmonids, created for the purposes of stream mitigation, or are used to convey a  
11    watercourse naturally occurring prior to construction. A channel or bed need not contain water  
12    year-round, provided there is evidence of at least intermittent flow during years of normal rainfall.  
13    [Ord. 24-0624 § 4 (Exh. B); Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

14    **18.20.2905 Stream reconnaissance report.**

15    “Stream reconnaissance report” means a report prepared by an applicant’s qualified consultant to  
16    describe a stream and to characterize its conditions, wildlife, habitat values, and water quality.  
17    [Ord. 24-0624 § 4 (Exh. B).]

18    **18.20.2910 Street.**

19    “Street” means a public or recorded *private* thoroughfare providing pedestrian and vehicular  
20    access through neighborhoods and communities and to abutting property. [Ord. 11-0329 § 3 (Exh.  
21    1).]

22    **18.20.2920 Street frontage.**

23    “Street frontage” means any portion of a *lot* or combination of *lots* which directly abut a *street*.  
24    [Ord. 11-0329 § 3 (Exh. 1).]

25    **18.20.2925 Street tree.**

26    “Street tree” means *trees* located within the *street* right-of-way, adjacent to public or *private*  
27    *streets*, including undeveloped areas. [Ord. 11-0329 § 3 (Exh. 1).]

28    **18.20.2930 Structure.**

29    “Structure” means anything permanently constructed in or on the ground, or over the water;  
30    excluding *fences* eight feet or less in height, decks less than 18 inches above grade, paved areas,  
31    and structural or nonstructural fill. [Ord. 11-0329 § 3 (Exh. 1).]

32    **18.20.2935 Structural diversity.**

33    “Structural diversity” means the relative degree of diversity or complexity of vegetation in a wildlife  
34    habitat area as indicated by the stratification or layering of different plant communities (e.g., ground  
35    cover, shrub layer, and tree canopy), the variety of plant species, and the spacing or pattern of  
36    vegetation. [Ord. 24-0624 § 4 (Exh. B).]

37    **18.20.2945 Subdrainage basin or sub-basin.**

1 “Subdrainage basin” or “sub-basin” means the drainage area of the highest  
2 order *stream* containing the subject property impact area. “Stream order” is the term used to  
3 define the position of a *stream* in the hierarchy of tributaries in the watershed. The  
4 smallest *streams* are the highest order (first order) tributaries. These are the upper  
5 watershed *streams* and have no tributaries of their own. When two first order *streams* meet, they  
6 form a second order *stream*, and when two second order *streams* meet they become a third  
7 order *stream*, and so on. [Ord. 11-0329 § 3 (Exh. 1).]

8 **18.20.2955 Substantial damage.**

9 For purposes of flood hazard area regulations, “substantial damage” means damage of any origin  
10 sustained by a structure whereby the cost of restoring the structure to its before-damaged  
11 condition would equal or exceed 50 percent of the market value of the structure before the damage  
12 occurred. [Ord. 19-0488 § 4 (Exh. 2).]

13 **18.20.2960 Substantial improvement.**

14 “Substantial improvement” means any maintenance, repair, structural modification, addition or  
15 other improvement of a *structure*, the cost of which equals or exceeds 50 percent of the market  
16 value of the *structure* either before the maintenance, repair, modification or addition is started or  
17 before the damage occurred, if the *structure* has been damaged and is being restored. [Ord. 11-  
18 0329 § 3 (Exh. 1).]

19 **18.20.2963 Supportive living facility.**

20 “Supportive living facility” means an assisted living facility, continuing care facility, convalescent  
21 center, or nursing home. Supportive living facility does not include an adult family home,  
22 community residential facility, hospital, or secure facility.

23 May include NAICS 6231 (Nursing Care Facilities) and 6233 (Community Care Facilities for the  
24 Elderly). [Ord. 14-0391 § 2 (Exh. 1).]

25 **18.20.2965 Taxi stand.**

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

27 **18.20.2968 Temporary lodging.**

28 “Temporary lodging” means a hotel, motel, bed and breakfast guesthouse, or other facility  
29 providing temporary accommodations for travelers for compensation.

30 May include NAICS 721 (Accommodation), except 72112 (Casino Hotels) and 7212  
31 (RV/Recreational Vehicle Parks and Recreational Camps). [Ord. 14-0391 § 2 (Exh. 1).]

32 **18.20.2970 Theater.**

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

34 **18.20.2980 Theatrical production services.**

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

1     **18.20.2990 Tower.**

2     “Tower” means any wireless communications structure that is designed and constructed primarily  
3     for the purpose of supporting one or more antennas. “Tower” includes a lattice tower or monopole.  
4     “Tower” does not include a replacement utility pole or an amateur (ham) radio facility. [Ord. 16-  
5     0426 § 4 (Att. B).]

6     **18.20.3000 Trails.**

7     “Trails” means manmade pathways designed and intended for use by pedestrians, bicyclists,  
8     equestrians, and/or recreational users. [Ord. 11-0329 § 3 (Exh. 1).]

9     **18.20.3010 Transfer station.**

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

11    **18.20.3020 Transit bus base.**

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

14    **18.20.3022 Transit, high capacity.**

15    “High capacity transit” means a transit stop that receives transit services from at least one route  
16    that provides service at least four times per hour for 12 or more hours per day. [Ord. 24-0621 § 2  
17    (Exh. A).]

18    **18.20.3023 Transit center.**

19    “Transit center” means any facility designed for accommodating large numbers of public  
20    transportation passengers to wait, board, and disembark at the intersection of multiple transit  
21    routes. [Ord. 11-0329 § 3 (Exh. 1).]

22    **18.20.3025 Transit stop, major.**

23    “Major transit stop” means:

24    A. A stop on a high capacity transportation system funded or expanded under the provisions of  
25    chapter 81.104 RCW;

26    B. Commuter rail stops;

27    C. Stops on rail or fixed guideway systems; or

28    D. Stops on bus rapid transit routes, including those stops that are under construction.

29    **18.20.3030 Transitional housing facilities.**

30    “Transitional housing facilities” means housing units within the City owned by public housing  
31    authorities, nonprofit organizations or other public interest groups that provide housing to persons  
32    on a temporary basis for a duration not to exceed 24 months in conjunction with job training, self  
33    sufficiency training, and human services counseling; the purpose of which is to help persons make  
34    the transition from homelessness to placement in permanent housing. [Ord. 11-0329 § 3 (Exh. 1).]

1     **18.20.3040 Transmission equipment.**

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

3     **18.20.3060 Transmission support structure.**

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

5     **18.20.3065 Transmission support structure, alternative.**

6     *Recodified to KMC [18.20.147](#) by Ord. 16-0426. [Ord. 11-0329 § 3 (Exh. 1).]*

7     **18.20.3067 Transmission support structure, guyed.**

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

9     **18.20.3070 Transmitter building.**

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

11    **18.20.3075 Transportation.**

12    “Transportation” means establishments providing transportation of passengers or cargo, such as  
13    taxi and limousine services, scenic and sightseeing transportation businesses, motor vehicle  
14    towing, trucking, shipping, or freight hauling businesses. This use includes related support  
15    activities, such as cargo handling and packing and crating of cargo. Transportation does not  
16    include *air transportation service* or *airport* (classified as a *regional land use*).

17    May include NAICS Sector 48 (Transportation and Warehousing), except the following: 481 (Air  
18    Transportation), 486 (Pipeline Transportation), 4881 (Support Activities for Air Transportation), and  
19    493 (Warehousing and Storage). May include 62191 (Ambulance Services). [Ord. 17-0438 § 2 (Att.  
20    A); Ord. 14-0391 § 2 (Exh. 1).]

21    **18.20.3077 Transportation concurrency.**

22    “Transportation concurrency” means the transportation improvements or strategies to  
23    accommodate the impacts of development are made concurrent with the development, as  
24    described in KMC [12.80.010](#)(A). Transportation concurrency shall be measured by mobility units,  
25    comparing the amount of transportation capital facilities constructed or programmed in the next  
26    six years (mobility unit capacity) to the amount of mobility units that would be generated by new  
27    development (mobility unit demand). If the City’s mobility unit capacity is larger than the mobility  
28    units that would be generated by new development, then the transportation system will be deemed  
29    concurrent. [Ord. 16-0420 § 4 (Exh. 2).]

30    **18.20.3082 Tree.**

31    “Tree” means a self-supporting woody perennial plant characterized by one main stem or trunk of  
32    at least six inches d.b.h., or a multiple stemmed or trunk system with a definite *crown*, maturing at  
33    a height of at least 12 feet above ground level. The *department* shall determine whether any  
34    specific woody plant shall be considered a tree. [Ord. 11-0329 § 3 (Exh. 1).]

35    **18.20.3083 Tree, exceptional.**

1 “Exceptional tree” means a tree which because of its unique combination of size, species, and age  
2 is worthy of long-term retention for the purposes and values set forth in KMC [18.57.015](#), and that  
3 has been determined to constitute an important community resource and may not be *removed* or  
4 damaged.

5 A. All healthy specimens of *tree* species in Table 1 are *exceptional trees* if they have a diameter at  
6 breast height (d.b.h.) equal to or greater than that listed for the respective species. For *trees* with  
7 multiple leaders at four and one-half feet above the ground, the d.b.h. shall be the combined  
8 cumulative total of branches greater than six inches diameter at four and one-half feet above the  
9 ground. For *trees* that have been removed and whereas only the stump remains, the size of  
10 the *tree* shall be measured from the diameter of the top of the stump.

11 B. Any healthy *tree* with a d.b.h. of 48 inches or greater is an *exceptional tree* except those in Table  
12 2 that are never considered exceptional.

13

**Table 1: Exceptional Tree Species and Required Diameters at Breast Height**

| Tree Species (Common Name) | Scientific Name                | Threshold d.b.h. (in inches)   |
|----------------------------|--------------------------------|--------------------------------|
| American Elm               | <i>Ulmus americana</i>         | 30"                            |
| Bigleaf Maple              | <i>Acer macrophyllum</i>       | 42"                            |
| Douglas Fir                | <i>Pseudotsuga menziesii</i>   | 30"                            |
| Giant Sequoia              | <i>Sequoiadendron giganteu</i> | 30"                            |
| Grand Fir                  | <i>Abies grandis</i>           | 24"                            |
| Madrona                    | <i>Arbutus menziesii</i>       | 12"                            |
| Oregon Ash                 | <i>Fraxinus latifolia</i>      | 24"                            |
| Oregon White Oak           | <i>Quercus garryana</i>        | 24"                            |
| Pacific Dogwood            | <i>Cornus nuttallii</i>        | 24"                            |
| Pacific Yew                | <i>Taxus brevifolia</i>        | Determined by the city manager |
| Pine (any species)         | <i>Pinus</i> family            | 30"                            |
| Shore Pine                 | <i>Pinus contorta</i>          | 12"                            |

**Table 1: Exceptional Tree Species and Required Diameters at Breast Height**

| Tree Species (Common Name) | Scientific Name           | Threshold d.b.h. (in inches) |
|----------------------------|---------------------------|------------------------------|
| Sitka Spruce               | <i>Picea sitchensis</i>   | 24"                          |
| Western Hemlock            | <i>Tsuga heterophylla</i> | 24"                          |
| Western Red Cedar          | <i>Thuja plicata</i>      | 30"                          |
| Willow (any species)       | <i>Salix</i> family       | 24"                          |

**Table 2: Tree Species That Are Not Exceptional Trees**

| Tree Species (Common Name) | Scientific Name              |
|----------------------------|------------------------------|
| Alder (any species)        | <i>Alnus</i> family          |
| Black Cottonwood           | <i>Populus trichocarpa</i>   |
| English Holly              | <i>Ilex aquifolium</i>       |
| Leyland Cypress            | <i>Cupressus x leylandii</i> |

[Ord. 24-0621 § 2 (Exh. A); Ord. 23-0593 § 3 (Exh. B).]

**18.20.3084 Tree, hazard.**

“Hazard tree” means any *tree* with any structural defect, disease, damage, or combinations of these which make it subject to a high probability of failure which might cause damage to persons or property. A “hazard tree” includes, but is not limited to, any isolated *tree(s)* that have a high probability of failure due to low *wind-firmness* in post-construction conditions as determined by a *qualified tree protection professional*. [Ord. 11-0329 § 3 (Exh. 1).]

**18.20.3088 Tree, remove or removal.**

“Remove” or “removal” with regard to *trees* means the act of removing a *tree* by digging up, cutting down, or any act which causes a *tree* to die within a period of three years from such act. [Ord. 11-0329 § 3 (Exh. 1).]

**18.20.3090 Tree windthrow.**

“Tree windthrow” means the process of uprooting, breaking, and overthrowing of a *tree* by force of wind during a storm event. [Ord. 15-0409 § 2 (Att. B).]

**18.20.3095 Unavoidable impact.**

“Unavoidable impact” means adverse impacts to a *critical area* that remain after all appropriate and practicable avoidance and minimization have been achieved. [Ord. 11-0329 § 3 (Exh. 1).]

1 **18.20.3100 Unit Density.**

2 “Unit density” means the number of dwelling units allowed on a lot, regardless of lot size.

3 **18.20.3110 Use.**

4 “Use” means activity or function carried out on an area of land, or in a *building* or *structure* located  
5 thereon. Any use subordinate or incidental to the primary use on a *site* is considered an *accessory*  
6 *use*. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.3111 Uses, classified.**

8 “Uses, classified” means a use which appears in any list of permitted, conditional, accessory or  
9 prohibited *uses* in this title. [Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.3112 Uses, permitted.**

11 “Uses, permitted” means land *uses* allowed outright within a zone. [Ord. 11-0329 § 3 (Exh. 1).]

12 **18.20.3114 Uses, prohibited.**

13 “Uses, prohibited” means any land *use* not specifically enumerated or permitted as allowable in  
14 that district. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.3117 Uses, unclassified.**

16 “Uses, unclassified” means a *use* which does not appear in any list of permitted, conditional,  
17 accessory, or prohibited *uses* in this title, but which is interpreted by the *city manager* as similar to  
18 a listed permitted, conditional, accessory, or prohibited *use*. [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.3118 Utility.**

20 “Utility” means an enterprise or facility serving the public by means of an integrated system of  
21 collection, transmission, distribution, and processing facilities through more or less permanent  
22 physical connections between the plant of the serving entity and the premises of the customer.  
23 Included are systems for the delivery of natural gas, electricity, telecommunications services, and  
24 water, and for the disposal of sewage. [Ord. 19-0488 § 4 (Exh. 2).]

25 **18.20.3120 Utility facility.**

26 “Utility facility” means a smaller-scale facility for the distribution or transmission of services to a  
27 limited area, including, but not limited to:

28 A. Telephone exchanges (not including communication facilities);

29 B. Water pumping or treatment stations or distribution systems;

30 C. *Electrical substations*;

31 D. Water storage reservoirs or tanks;

32 E. Stormwater management facilities;

33 F. *Repealed by Ord. 14-0391.*



- 1 G. Natural gas gate stations and limiting stations;
- 2 H. Propane, compressed natural gas and liquefied natural gas storage tanks serving  
3 multiple *lots* or *uses* from which fuel is distributed directly to individual users;
- 4 I. Sewer lift stations and wastewater treatment or distribution systems; and
- 5 J. Pipes, electrical wires and associated structural supports.
- 6 Utility facility does not include larger-scale regional facilities that are classified as a regional land  
7 use.
- 8 May include NAICS Sector 22 (Utilities). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]
- 9 **18.20.3130 Vector waste.**
- 10 “Vector waste” means liquid or solid waste material collected from catch basins,  
11 retention/detention facilities or drainage pipes. [Ord. 11-0329 § 3 (Exh. 1).]
- 12 **18.20.3140 Vector waste receiving facility.**
- 13 “Vector waste receiving facility” means a facility where *vector waste* is brought for treatment and  
14 storage prior to final disposal. [Ord. 11-0329 § 3 (Exh. 1).]
- 15 **18.20.3150 Variance.**
- 16 “Variance” means an adjustment in the application of standards of a zoning code to a particular  
17 property. [Ord. 11-0329 § 3 (Exh. 1).]
- 18 **18.20.3155 Variety store.**
- 19 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]
- 20 **18.20.3160 Vegetation.**
- 21 “Vegetation” means any and all plant life growing at, below or above the soil surface. [Ord. 11-0329  
22 § 3 (Exh. 1).]
- 23 **18.20.3165 Vehicle or equipment rental.**
- 24 “Vehicle or equipment rental” means an establishment that provides vehicles, machinery or  
25 equipment to customers in return for a rental payment.
- 26 May include NAICS Sectors 5321 (Automotive Equipment Rental and Leasing), 5323 (General  
27 Rental Centers), and 5324 (Commercial and Industrial Machinery and Equipment Rental and  
28 Leasing). [Ord. 14-0391 § 2 (Exh. 1).]
- 29 **18.20.3168 Vehicle refueling station.**
- 30 “Vehicle refueling station” means an establishment retailing automotive fuels, sometimes in  
31 combination with convenience store items.
- 32 May include NAICS 447 (Gasoline Stations). [Ord. 14-0391 § 2 (Exh. 1).]

1     **18.20.3170 Vocational school.**

2     “Vocational school” means establishments offering training in a skill or trade to be pursued as a  
3     career. [Ord. 11-0329 § 3 (Exh. 1).]

4     **18.20.3180 Warehousing.**

5     “Warehousing” means establishments providing warehousing and storage of goods, including  
6     standalone outdoor storage. Warehouses are distinguished from wholesale trade as warehouses  
7     do not sell goods.

8     May include NAICS Sector 49 (Transportation and Warehousing), except 491 (Postal Service) and  
9     492 (Couriers and Messengers). May include 53113 (Lessors of Miniwarehouses and Self-Storage  
10    Units). [Ord. 14-0391 § 2 (Exh. 1).]

11    **18.20.3190 Warehousing and wholesale trade.**

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

13    **18.20.3200 Wastewater treatment facility.**

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

15    **18.20.3220 Water-dependent use.**

16    “Water-dependent use” means a *use* or portion of a *use* that cannot exist in a location that is not  
17    adjacent to the water, but is dependent on the water by reason of the intrinsic nature of its  
18    operations. A *use* that can be carried out only on, in, or adjacent to water. Examples of water-  
19    dependent uses include ship cargo terminal loading areas; fishing; ferry and passenger terminals;  
20    barge loading, ship building, and dry docking facilities; *marinas*, moorage, and *boat launching*  
21    facilities; aquaculture; float plane operations; surface water intake; and sanitary sewer and storm  
22    drain outfalls. [Ord. 11-0329 § 3 (Exh. 1).]

23    **18.20.3225 Water resource inventory area (WRIA).**

24    “Water resource inventory area (WRIA)” means one of 62 watersheds in the State of Washington,  
25    each composed of the drainage areas of a *stream* or *streams*, as established in Chapter [173-](#)  
26    [500](#) WAC as it existed on January 1, 1997. Kenmore is located in WRIA 8, Lake  
27    Washington/Cedar/Sammamish River. [Ord. 11-0329 § 3 (Exh. 1).]

28    **18.20.3227 Weather protection.**

29    “Weather protection” means awnings, canopies, *arcades* or marquees which are permanently  
30    fixed to *buildings* and which cover the public sidewalks to provide protection from the weather for  
31    pedestrians. Weather protection should allow light and transparency into *ground floor uses*. [Ord.  
32    11-0329 § 3 (Exh. 1).]

33    **18.20.3240 Wetland edge.**

34    “Wetland edge” means the line delineating the outer edge of a *wetland*, consistent with the 1987  
35    U.S. Army Corps of Engineers Wetlands Delineation Manual in use on January 1, 1995, by the

United States Army Corps of Engineers and the United States Environmental Protection Agency as implemented through and consistent with the May 23, 1994, “Washington Regional Guidance on the 1987 Wetland Delineation Manual” document issued by the Corps of Engineers and the Environmental Protection Agency. When the State of Washington, Department of Ecology, adopts a manual as required pursuant to a new Section 11 of Engrossed Senate Bill 5776, *wetlands* regulated under development regulations shall be delineated pursuant to said manual. [Ord. 11-0329 § 3 (Exh. 1).]

**18.20.3245 Wetland, establishment (creation).**

“Establishment” or “creation” of a wetland means the manipulation of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site, where a wetland did not previously exist. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species. [Ord. 24-0624 § 4 (Exh. B).]

**18.20.3250 Wetland, forested.**

“Forested wetland” means a *wetland* which is characterized by woody *vegetation* at least 20 feet tall. [Ord. 11-0329 § 3 (Exh. 1).]

**18.20.3260 Wetland functions.**

“Wetland functions” means natural processes performed by *wetlands* including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian *species*, maintaining the availability and quality of water, acting as recharge and discharge areas for groundwater aquifers and moderating surface and stormwater flows, as well as performing other functions including, but not limited to, those set forth in [33 CFR 320.4\(b\)\(2\)](#), 1988. [Ord. 11-0329 § 3 (Exh. 1).]

**18.20.3280 Wetlands.**

“Wetlands” means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of *vegetation* adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, *street*, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands. For identifying and delineating a wetland, local governments shall use the most recently adopted Wetland Rating System for Western Washington. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329 § 3 (Exh. 1).]

**18.20.3282 Wetland class.**

“Wetland class” means a hierarchy of systems, subsystems, classes, and subclasses used by the U.S. Fish and Wildlife Service wetland classification scheme to describe wetland types (refer to

1 USFWS, December 1979, Classification of Wetlands and Deepwater Habitats of the United States,  
2 for a complete explanation of the wetland classification scheme). Eleven class names are used to  
3 describe wetland and deepwater habitat types. These include the following examples which may  
4 be found in Kenmore: forested wetland, scrub-shrub wetland, emergent wetland, moss-lichen  
5 wetland, unconsolidated shore, and aquatic bed. [Ord. 24-0624 § 4 (Exh. B).]

6 **18.20.3284 Wetland determination.**

7 “Wetland determination” means a report prepared by a qualified consultant that identifies,  
8 characterizes, and analyzes potential impacts to wetlands consistent with applicable provisions of  
9 these regulations. [Ord. 24-0624 § 4 (Exh. B).]

10 **18.20.3286 Wetland delineation manual.**

11 “Wetland delineation manual” means a guideline document used to identify and delineate wetland  
12 boundaries. This is the approved federal wetland delineation manual and applicable regional  
13 supplements. [Ord. 24-0624 § 4 (Exh. B).]

14 **18.20.3288 Wetland mitigation banking.**

15 “Wetland mitigation banking” means the act of restoring, establishing, or enhancing a wetland,  
16 stream, or other aquatic resource for the purpose of providing compensation in advance for  
17 unavoidable impacts to similar aquatic resources. [Ord. 24-0624 § 4 (Exh. B).]

18 **18.20.3290 Wholesale trade.**

19 “Wholesale trade” means an establishment that sell goods for resale by other wholesalers or  
20 retailers, capital or durable nonconsumer goods, or raw and intermediate material and supplies  
21 used in production. Wholesalers normally operate from a warehouse characterized by little or no  
22 display of merchandise. Neither the design nor the location of the premises is intended to solicit  
23 walk-in traffic.

24 May include NAICS Sector 42 (Wholesale Trade). [Ord. 14-0391 § 2 (Exh. 1).]

25 **18.20.3295 Wildlife report.**

26 “Wildlife report” means a report, prepared by a qualified consultant, that evaluates plan  
27 communities and wildlife functions and values on a site. [Ord. 24-0624 § 4 (Exh. B).]

28 **18.20.3300 Wildlife shelter.**

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

30 **18.20.3305 Wind-firm.**

31 “Wind-firm” means a *tree* which is capable of withstanding windstorms. [Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.3306 Wireless communication facility (WCF).**

33 “Wireless communication facility” or “WCF” generally means an unmanned facility for the  
34 transmission and/or reception of radio frequency (RF) signals or other wireless communications,  
35 typically consisting of one or more antennas, a transmission or alternative transmission support

1 structure, cables and other transmission equipment, and an equipment enclosure or cabinets.  
2 Wireless communication facility shall not include equipment intended solely for internal  
3 household or business use such as wireless modems, cellular signal boosters, or personal cellular  
4 cellspots. [Ord. 16-0426 § 4 (Att. B).]

5 **18.20.3307 Wireless services.**

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

7 **18.20.3310 Work release facility.**

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

9 **18.20.3320 Wrecked, dismantled or inoperative vehicle.**

10 “Wrecked, dismantled or inoperative vehicle” means a motor vehicle or the remains or remnant  
11 parts of a motor vehicle which is mechanically inoperative and cannot be made operative without  
12 the addition of vital parts or mechanisms or the application of a substantial amount of labor and is  
13 certified by the *department* as meeting at least three of the following requirements:

14 A. Is three years old or older;

15 B. Is extensively damaged, such damage including but not limited to any of the following: missing  
16 wheels, tires, motor, or transmission;

17 C. Is apparently inoperable;

18 D. Has an approximate fair market value equal only to the approximate value of the scrap in it. [Ord.  
19 11-0329 § 3 (Exh. 1).]

20 **18.20.3330 Yard or organic waste processing.**

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

22 **18.20.3340 Zero-lot-line development.**

23 “Zero-lot-line development” means a *development* that sites a *building* so that a wall is on the  
24 property boundary. Lot segregations for zero-lot-line development are discussed in  
25 KMC [17.20.125](#). [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.3350 Zero-rise floodway.**

27 “Zero-rise floodway” means the channel of the stream and that portion of the adjoining floodplain  
28 which is necessary to contain and discharge the base flood flow without increasing the base flood  
29 elevation. The zero-rise floodway will always include the FEMA floodway. [Ord. 24-0624 § 4 (Exh.  
30 B).]

31

**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> <sup>1</sup>    | <i>Ambulatory surgery center</i> <sup>25</sup>          | <i>Adult entertainment business</i>             |
| <i>Arts, entertainment, indoor</i> <sup>2,3</sup> | <i>Arts, entertainment, outdoor</i> <sup>26</sup>       | <i>Animal kennel/shelter</i>                    |
| <i>Cottage housing</i> <sup>38, 39</sup>          | <i>Cemetery, columbarium or mausoleum</i> <sup>27</sup> | <i>Auction house</i>                            |
| <i>Courtyard apartments</i> <sup>38</sup>         | <i>College/university</i> <sup>25</sup>                 | <i>Automotive sales and service, marine</i>     |
| <i>Day care</i> <sup>4</sup>                      | <i>Community residential facility</i> <sup>28</sup>     | <i>Automotive sales and service, non-marine</i> |
| <i>Duplex</i> <sup>38</sup>                       | <i>Eating and drinking place</i> <sup>3,29</sup>        | <i>Business service, intensive</i>              |

**Table A. R-1, R-4 and R-6 Zones Use Allowances**

| PERMITTED                                          | CONDITIONALLY PERMITTED                          | PROHIBITED                  |
|----------------------------------------------------|--------------------------------------------------|-----------------------------|
| Educational service <sup>5</sup>                   | Hospital <sup>25</sup>                           | Business service, standard  |
| Family child-care home <sup>6</sup>                | Manufactured housing community <sup>30</sup>     | Cannabis business           |
| Fire or police facility <sup>7,8</sup>             | Personal service <sup>31</sup>                   | Cannabis cooperative        |
| <del>Fourplex<sup>38</sup></del>                   | Recreational facility, indoor <sup>3,16,32</sup> | Construction and trade      |
| Health care and social assistance <sup>9,10</sup>  | Regional land use <sup>33,34,35</sup>            | Funeral home/crematory      |
| <del>Multiple-family dwelling<sup>44</sup></del>   | Retail sales <sup>31,36</sup>                    | Laboratory                  |
| Office <sup>12</sup>                               | Temporary lodging <sup>37</sup>                  | Manufacturing, heavy        |
| Park <sup>13</sup>                                 |                                                  | Manufacturing, light        |
| Recreational facility, outdoor <sup>14,15,16</sup> |                                                  | Mobile food service         |
| Religious institution <sup>17</sup>                |                                                  |                             |
| Resource land use <sup>18</sup>                    |                                                  | Retail sales, bulk          |
| Single detached dwelling unit <sup>19,20</sup>     |                                                  | Secure facility             |
| <del>Stacked flats<sup>38</sup></del>              |                                                  | Transportation              |
| Standalone parking <sup>21</sup>                   |                                                  | Vehicle or equipment rental |
| Supportive living facility <sup>22</sup>           |                                                  | Vehicle refueling station   |
| <del>Triplex<sup>38</sup></del>                    |                                                  | Warehousing                 |
| <del>Townhouse<sup>38</sup></del>                  |                                                  | Wholesale trade             |
| Utility facility <sup>23,24</sup>                  |                                                  |                             |

- 1 1. One single-engine, noncommercial seaplane shall be permitted only on lots that abut a
- 2 waterbody, provided there are (a) no aircraft sales, service, repair, charter, or rental; and (b) no
- 3 storage of aviation fuel except that contained in the tank or tanks of the aircraft. A *helistop* at
- 4 an *emergency* medical evacuation site in conjunction with a police, fire or health service facility is a
- 5 conditional use. All other *air transportation service uses* are prohibited.
- 6 2. Only (a) in a *building* listed on the National Register as a historic site or designated as
- 7 a *City* landmark; (b) as a re-use of a surplus nonresidential facility; or (c) as a joint use of an existing
- 8 public school facility. All subject to Chapter [18.50](#) KMC. Otherwise, a conditional use.
- 9 3. *Social card games* are prohibited.

- 1 4. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC, or  
2 an *accessory use* to a school, *religious institution*, *park*, *sports club* or public housing administered  
3 by a *public agency*, and:
- 4 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no openings  
5 except for gates and have a minimum height of six feet;
- 6 b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines  
7 adjoining residential zones;
- 8 c. Direct access to a developed arterial *street* shall be required in any residential zone; and
- 9 d. Hours of operation may be restricted to assure compatibility with surrounding development.
- 10 All other *day care uses* require a *conditional use permit*.
- 11 5. K-12 facilities only. All other *educational service uses* require a *conditional use permit*.
- 12 6. A *family child-care home* is subject to the requirements established by the Washington State  
13 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the  
14 following requirements:
- 15 a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;
- 16 b. A safe passenger loading area shall be provided;
- 17 c. The *family child-care home* shall comply with all applicable building, fire, safety, and health  
18 codes enforced by the *City*;
- 19 d. The *family child-care home* shall comply with all applicable development standards of  
20 the *City*, unless determined to be legally nonconforming;
- 21 e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC;
- 22 f. The *City* has the authority to limit the hours of operation to facilitate neighborhood  
23 compatibility; and
- 24 g. Prior to receiving State licensing, the family child-care provider shall provide the *City* with  
25 proof of written notification informing immediately adjoining property owners of the intent to  
26 locate and maintain the *family child-care home*. The notification shall inform the notified  
27 parties that comments may be submitted to the DEL and provide contact information for  
28 submitting such comments to the DEL. The proof of notification shall be in the form of a  
29 written affidavit containing (1) the date and means of notification; (2) a copy of the  
30 notification; and (3) a list of the parties to whom the notification was distributed.
- 31 7. Limited to “storefront” police offices. Such offices shall not have:
- 32 a. Holding cells;
- 33 b. Suspect interview rooms; or
- 34 c. Long-term storage of stolen properties.



- 1 All other *fire or police facility uses* require a *conditional use permit*, except police or fire training  
2 facilities, such as shooting ranges, auto test tracks, and fire suppression simulations, which are  
3 prohibited.
- 4 8. For conditionally permitted fire facilities:
- 5 a. All *buildings* and *structures* shall maintain a minimum distance of 20 feet from property  
6 lines adjoining residential zones;
- 7 b. Any *buildings* from which firefighting equipment emerges onto a street shall maintain a  
8 distance of 35 feet from such *street*; and
- 9 c. No *outdoor storage*.
- 10 9. Only as a re-use of a public school facility. May be permitted as a *conditional use* if proposed as  
11 re-use of a surplus nonresidential facility. All subject to Chapter [18.50](#) KMC.
- 12 10. Veterinary clinics are prohibited.
- 13 ~~11. *Townhouse units* only permitted and only on lots in a subdivision or short subdivision designed~~  
14 ~~for *townhouse units*. Other *townhouse units* require a *conditional use permit*. *Apartments* are~~  
15 ~~prohibited. Reserved~~
- 16 12. *Public agency or utility office* permitted only as a re-use of a public school facility or a surplus  
17 nonresidential facility subject to the provisions of Chapter [18.50](#) KMC. Otherwise, *public agency or*  
18 *utility office* is a *conditional use*. All other office *uses* are prohibited.
- 19 13. The following conditions and limitations shall apply, where appropriate:
- 20 a. Lighting for *structures* and fields shall be directed away from residential areas;
- 21 b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines  
22 adjoining residential zones, except for *structures* in on-site recreation areas provided under  
23 KMC [18.30.130](#) or Chapter [20.47](#) KMC. Setback requirements for *structures* in these on-site  
24 required recreation areas shall be maintained in accordance with the zoning standards for  
25 the underlying residential zone.
- 26 14. Limited to *stable* and covered riding arena. All other *outdoor recreational facility uses* require  
27 a *conditional use permit* except campground, RV park, and shooting range which are prohibited.
- 28 15. Covered riding arenas are subject to KMC [18.70.030](#) and shall not exceed 20,000 square feet  
29 unless a *conditional use permit* is obtained. Stabling areas, whether attached or detached, shall  
30 not be counted in this calculation.
- 31 16. Conditionally permitted recreational facilities are subject to the following conditions and  
32 limitations:
- 33 a. The bulk and scale shall be compatible with residential character of the area;

- 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 subdivisions,  
12       short subdivisions, unit lot subdivisions, or binding site plans approved as multiple unit *lots* or  
13       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 permitted  
20       nonresidential *uses* which have excess capacity available during commuting hours; and
- 21       b. The *site* is adjacent to a designated arterial that has been improved to a standard  
22       acceptable to the *department*.
- 23       Other *commuter parking lots* require a *conditional use permit*. All other *standalone parking*  
24       *uses* are prohibited.
- 25       22. Only in a *building* listed on the National Register as an historic site or designated as a King  
26       County landmark subject to the provisions of Chapter [2.20](#) KMC. Otherwise, a *conditional use*  
27       *permit* is required.
- 28       23. Excluding utilities using *bulk gas storage tanks*, which are a *conditional use*. Liquefied natural  
29       gas storage tanks are prohibited.
- 30       24. *Private stormwater management facilities* permitted except when participating in an approved  
31       shared facility drainage plan. *Private stormwater management facilities* shall be located on the  
32       same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside  
33       a separate tract for such facilities. For shared facilities, such facilities which are not located on  
34       the *lot* they are designed to serve shall be located on a *lot* with the same or more intensive zoning  
35       designation.
- 36       25. Only as a re-use of a public school facility or a surplus nonresidential facility subject to  
37       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 square  
6 feet of gross floor area and subject to KMC [18.21.070](#).
- 7 30. *Manufactured housing communities* are not permitted in the R-1 zone.
- 8 31. Not permitted in R-1 and limited to a maximum of 5,000 square feet of gross floor area and  
9 subject to KMC [18.21.070](#).
- 10 32. Bowling center and shooting range are prohibited.
- 11 33. *Hydroelectric generation facilities* limited to those that comply with the following:
- 12 a. Any new diversion structure shall not: (1) exceed a height of eight feet as measured from the  
13 streambed; or (2) impound more than three surface acres of water at the normal maximum  
14 surface level;
- 15 b. There shall be no active storage;
- 16 c. The maximum water surface area at any existing dam or diversion shall not be increased;
- 17 d. An exceedance flow of no greater than 50 percent in mainstream reach shall be maintained;
- 18 e. Any transmission line shall be limited to a: (1) right-of-way of five miles or less; and (2)  
19 capacity of 230 kV or less;
- 20 f. Any new, permanent access road shall be limited to five miles or less; and
- 21 g. The facility shall only be located above any portion of the *stream* used by *anadromous fish*.
- 22 34. *Nonhydroelectric generation facilities* limited to *cogeneration* facilities for on-site use only.
- 23 35. Fairground, amusement park, and stadium/arena are prohibited.
- 24 36. Pet shops and auto supply stores are prohibited.
- 25 37. Bed and breakfast guesthouse only, subject to the following conditions:
- 26 a. The guesthouse shall be owner-occupied;
- 27 b. Meals shall be served to paying guests only (no restaurant use permitted);
- 28 c. The number of guestrooms shall not be greater than that authorized by the International  
29 Building and Fire Codes;
- 30 d. Parking shall be provided as required by this title; and

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<br>O<br>N<br>E<br>S |                     |                                   |                                   |
|--------------------------------------------------------------|-----------------------|---------------------|-----------------------------------|-----------------------------------|
|                                                              |                       | R-1 <sup>1</sup>    | R-4                               | R-6                               |
| Base Density: <i>Dwelling Unit/Acre</i> <sup>2</sup>         |                       | 1 du/ac             | 4 du/ac <sup>3,18</sup>           | 6 du/ac <sup>18</sup>             |
| Maximum Density: <i>Dwelling Unit/Acre</i> <sup>4</sup>      |                       |                     | 6 du/ac                           | 9 du/ac                           |
| Minimum Density                                              |                       |                     |                                   |                                   |
| Minimum Lot Width <sup>6</sup>                               |                       | 35 ft. <sup>7</sup> | 30 ft.                            | 30 ft.                            |
| Minimum <i>Street Setback</i>                                |                       | 20 ft. <sup>7</sup> | 15 ft. <sup>8,9</sup>             | 15 ft. <sup>8,9</sup>             |
| Minimum <i>Side Setback</i> <sup>5,10</sup>                  |                       | 5 ft. <sup>7</sup>  | 15 ft. total <sup>11</sup>        | 15 ft. total <sup>11</sup>        |
| Minimum <i>Rear Setback</i> <sup>5,10</sup>                  |                       | 5 ft. <sup>7</sup>  | 20 ft.                            | 20 ft.                            |
| Maximum Height <sup>12</sup>                                 |                       | 35 ft.              | 35 ft.                            | 35 ft.<br>45 ft. <sup>13</sup>    |
| Base <i>Impervious Surface</i> : Percentage                  |                       | 30%                 | 45%                               | 60%                               |
| Maximum <i>Impervious Surface</i> : Percentage <sup>14</sup> |                       | 30% <sup>15</sup>   | 55%                               | 70%                               |
| Minimum Lot Size                                             |                       | 2,500 sq. ft.       | 7,200 sq.<br>ft. <sup>16,17</sup> | 5,400 sq.<br>ft. <sup>16,17</sup> |

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) A *floodplain*;

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

- 1 (2) A regionally or locally significant resource area;
- 2 (3) Existing or planned public *parks* or *trails*, or connections to such facilities;
- 3 (4) A Category I or II *wetland* or Type S or F *stream*;
- 4 (5) A “greenbelt/urban separator” or “wildlife corridor” area designated by the
- 5 comprehensive plan.
- 6 b. The *development* shall be *clustered* away from *critical areas* or corridors such as urban
- 7 separators or the wildlife habitat network to the extent possible and the *open space* shall be
- 8 placed in a separate tract that includes at least 50 percent of the *site*. *Open space* tracts
- 9 shall be permanent and meet the provisions of KMC [17.20.130](#).
- 10 2. Density applies only to *dwelling units* and not to sleeping units.
- 11 3. *Manufactured housing communities* shall be allowed a base density of six *dwelling units* per
- 12 acre.
- 13 4. This maximum density may be achieved only through the application of residential density
- 14 incentives pursuant to Chapter [18.80](#) KMC or *transfers of density credits*, or any combination of
- 15 density incentive or density transfer. Maximum density may only be exceeded pursuant to
- 16 KMC [18.80.040](#)(E)(1)(f).
- 17 5. These standards may be modified under the provisions for *zero-lot-line developments*.
- 18 6. The *building envelope* is determined through meeting minimum lot size and minimum lot width
- 19 measurement requirements (KMC [18.30.110](#)).
- 20 7. The standards of the R-4 zone shall apply if a *lot* is less than 15,000 square feet in area.
- 21 8. If *development* provides *alleys* or consists of *townhouses*, then the *street setback* may equal 10
- 22 feet.
- 23 9. At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced
- 24 parking area and the *street* property line. The linear distance shall be measured along the
- 25 centerline of the driveway from the access point to such garage, carport or fenced area to
- 26 the *street* property line.
- 27 10. Vehicle access points from garages, carports or fenced parking areas shall be set back from the
- 28 property line on which a *joint use driveway* is located to provide a straight line length of at least 26
- 29 feet as measured from the centerline of the garage, carport or fenced parking area, from the access
- 30 point to the opposite side of the *joint use driveway*.
- 31 11. Any side yard shall equal a minimum of five feet but the two side yards combined must equal a
- 32 minimum of 15 feet.
- 33 12. Reserved.
- 34 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 maximum *impervious*  
11 *surface* percentage, provided low impact development strategies are implemented subject  
12 to approval by the *city manager*.

13 15 *Lots* smaller than one-half acre in area shall comply with standards of the nearest comparable  
14 R-4 through R-6 zone. For *lots* that are one-half acre in area or larger, the maximum *impervious*  
15 *surface* area allowed shall be at least 10,000 square feet. On any *lot* over one acre in area, an  
16 additional five percent of the lot area may be used for *buildings* related to agricultural or forestry  
17 practices. For *lots* smaller than two acres but larger than one-half acre, an additional 10 percent of  
18 the lot area may be used for *structures* which are determined to be medically necessary, provided  
19 the *applicant* submits with the permit application a notarized affidavit, conforming with the  
20 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 short  
23 plat of four *lots* or less, may contain an area less than the prescribed minimum for this zoning  
24 district. In no case shall any *lots* be created which contain an area more than 10 percent less than  
25 the prescribed minimum for this zoning district. These smaller *lots* shall be located so as to have  
26 the least impact on surrounding properties in terms of consistency of *street frontages* and privacy  
27 of abutting properties.

28 17 This excludes any area required for public or *private streets*, access easements, access tracts,  
29 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 purposes  
8 of this section. If middle housing uses, including duplexes, triplexes, fourplexes,  
9 townhouses, stacked flats, courtyard apartments, or cottage housing developments are  
10 proposed, those are subject to the unit lot density requirements listed in subsection (a)(1-3)  
11 of this footnote.
- 12 b. The standards of footnote 18 do not apply to lots after subdivision below 1,000 square feet  
13 unless the city has enacted an allowable lot size below 1,000 square feet in the zone.
- 14 c. The lot lines applicable to a parent lot shall be used to determine dimensional standards  
15 that relate to lot dimensions, including but not limited to: minimum lot size, setbacks,  
16 maximum gross floor area, maximum hardscape area and maximum lot coverage any  
17 created unit lot. These dimensional standards shall not be measured off individual unit 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 (Exh.  
22 1).]

23 **18.21.035 Residential zones R-4 and R-6 - Middle Housing**

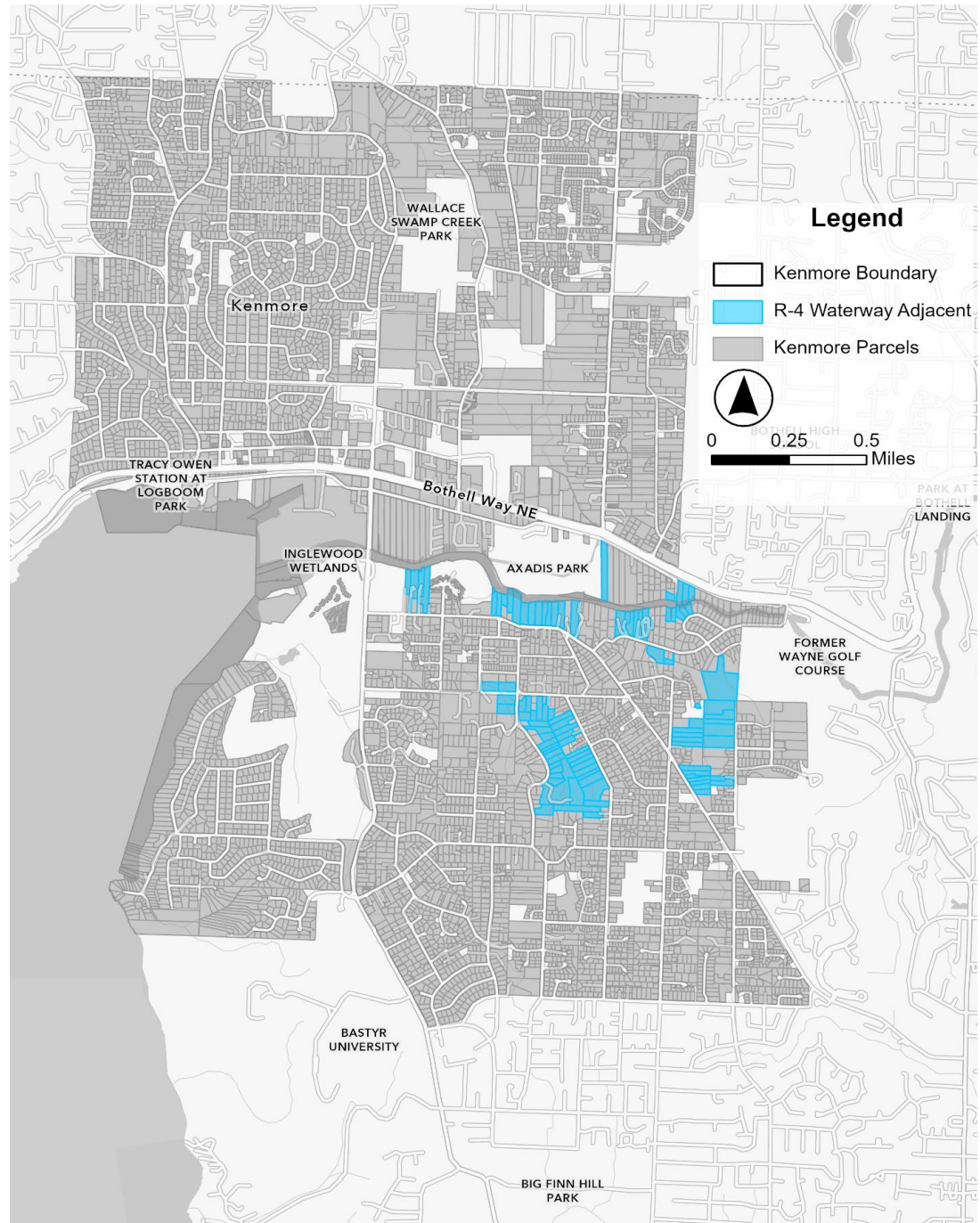
24 A. Middle housing shall be subject to the same development regulations as detached single-family  
25 homes for the purpose of review for consistency with this chapter. Middle housing includes  
26 duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, or cottage  
27 housing developments.

28 B. The provisions of this section shall apply to all lots in the R-4 and R-6 zones, except:

- 29 1. Specific R-4 lots directly as identified in the exhibit within this subsection.  
30



### Middle Housing – Excluded Areas Portions of R-4 Zone





1  
2 C. To qualify for additional units under the affordable housing provisions of KMC 18.21.030,  
3 Footnote 18(A), an applicant shall commit to renting or selling the required number of units as  
4 affordable housing and meeting the standards of subsections (D) through (H) below.

5 D. Dwelling units that qualify as affordable housing shall have costs, including utilities other than  
6 telephone, that do not exceed 30 percent of the monthly income of a household whose income  
7 does not exceed the following percentages of median household income adjusted for household  
8 size, for the county where the household is located, as reported by the United States Department  
9 of Housing and Urban Development:

10       1. Rental housing: 60 percent.

11       2. Owner-occupied housing: 80 percent.

12 E. The units shall be maintained as affordable for a term of at least 50 years, and the property shall  
13 satisfy that commitment and all required affordability and income eligibility conditions.

14 F. The applicant shall record a covenant or deed restriction that ensures the continuing rental or  
15 ownership of units subject to these affordability requirements consistent with the conditions in  
16 chapter 84.14 RCW for a period of no less than 50 years.

17 G. The covenant or deed restriction shall address criteria and policies to maintain public benefit if  
18 the property is converted to a use other than that which continues to provide for permanently  
19 affordable housing.

20 H. The units dedicated as affordable housing shall:

21       1. Be provided in a range of sizes comparable to other units in the development.

22       2. The number of bedrooms in affordable units shall be in the same proportion as the  
23       number of bedrooms in units within the entire development.

24       3. Be distributed throughout the development and have the same functionality as the other  
25       units in the development.

26       4. Exterior finishes for affordable units shall be comparable to units within the entire  
27       development.

28       5. Comply with the requirements of KMC 18.77.015, unless otherwise stated in this  
29       section.

30 I. Consistent with all residential uses, building design standards for middle housing shall meet the  
31 requirements of KMC 18.52 Article III and Article V.

32 J. Public Benefits and Development Incentives

33       1. The purpose of this section is to:

34           a. Promote development of a variety of middle housing types by providing a method for  
35           flexibility in development standards;

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.

| <b>APPLICABLE MIDDLE HOUSING TYPE</b>   | <b>NEIGHBORHOOD BENEFIT</b>                                                                                                               | <b>DEVELOPMENT INCENTIVE</b>                                                   |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <u>Duplex, Triplex, Cottage Housing</u> | <u>Building height limited to 27' with a maximum of two stories.</u>                                                                      | <u>Reduce rear and street setbacks to 10'.</u>                                 |
| <u>Duplex, Stacked Flat</u>             | <u>Redevelop an existing single-family unit with a duplex or stacked flat and maintain the base floor footprint of the existing home.</u> | <u>Density bonus of two additional units totaling up to four units per lot</u> |
| <u>Cottage housing</u>                  | <u>Gross floor area for an individual cottage set to a maximum of 1,200 square feet.</u>                                                  | <u>Density bonus of up to 50% of the unit density</u>                          |

**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**

| <b>PERMITTED</b>                                 | <b>CONDITIONALLY PERMITTED</b>                         | <b>PROHIBITED</b>                               |
|--------------------------------------------------|--------------------------------------------------------|-------------------------------------------------|
| <i>Air transportation service<sup>1</sup></i>    | <i>Ambulatory surgery center<sup>25</sup></i>          | <i>Adult entertainment business</i>             |
| <i>Arts, entertainment, indoor<sup>2,3</sup></i> | <i>Arts, entertainment, outdoor<sup>26</sup></i>       | <i>Animal kennel/shelter</i>                    |
| <i>College/university<sup>4,5</sup></i>          | <i>Cemetery, columbarium or mausoleum<sup>27</sup></i> | <i>Auction house</i>                            |
| <i>Community residential facility</i>            | <i>Eating and drinking place<sup>3,28</sup></i>        | <i>Automotive sales and service, marine</i>     |
| <i>Construction and trade<sup>6</sup></i>        | <i>Hospital<sup>5</sup></i>                            | <i>Automotive sales and service, non-marine</i> |

**Table C. R-12, R-18, and R-24 Zones Use Allowances**

| PERMITTED                                                  | CONDITIONALLY PERMITTED                                 | PROHIBITED                         |
|------------------------------------------------------------|---------------------------------------------------------|------------------------------------|
| <i>Day care</i> <sup>7</sup>                               | <i>Personal service</i> <sup>29</sup>                   | <i>Business service, intensive</i> |
| <i>Educational service</i> <sup>8</sup>                    | <i>Recreational facility, indoor</i> <sup>3,30,31</sup> | <i>Business service, standard</i>  |
| <i>Family child-care home</i> <sup>9</sup>                 | <i>Regional land use</i> <sup>32</sup>                  | <i>Cannabis business</i>           |
| <i>Fire or police facility</i> <sup>10,11,12</sup>         | <i>Retail sales</i> <sup>29,33</sup>                    | <i>Cannabis cooperative</i>        |
| <i>Health care and social assistance</i> <sup>4,5,13</sup> | <i>Temporary lodging</i> <sup>34</sup>                  | <i>Funeral home/crematory</i>      |
| <i>Manufactured housing community</i>                      | <i>Warehousing</i> <sup>35</sup>                        | <i>Laboratory</i>                  |
| <i>Multiple-family dwelling</i>                            |                                                         | <i>Manufacturing, heavy</i>        |
| <i>Office</i> <sup>14</sup>                                |                                                         | <i>Manufacturing, light</i>        |
| <i>Park</i> <sup>15</sup>                                  |                                                         | <i>Mobile food service</i>         |
| <i>Recreational facility, outdoor</i> <sup>16,17</sup>     |                                                         | <i>Resource land use</i>           |
| <i>Religious institution</i> <sup>18</sup>                 |                                                         | <i>Retail sales, bulk</i>          |
| <i>Single detached dwelling unit</i> <sup>19,20</sup>      |                                                         | <i>Secure facility</i>             |
| <i>Standalone parking</i> <sup>21</sup>                    |                                                         | <i>Transportation</i>              |
| <i>Supportive living facility</i>                          |                                                         | <i>Vehicle or equipment rental</i> |
| <i>Utility facility</i> <sup>22,23,24</sup>                |                                                         | <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 is a
- 5 conditional use. All other *air transportation service uses* are prohibited.
- 6 2. Museums and libraries permitted only as accessory to a *park* or in a *building* listed on the
- 7 National Register as an historic site or designated as a *City* landmark subject to
- 8 Chapter [18.50](#) KMC; otherwise, a *conditional use permit* is required. Artist studios permitted only
- 9 as a re-use of a surplus nonresidential facility subject to Chapter [18.50](#) KMC or as a joint use of an
- 10 existing public school facility; otherwise a *conditional use permit* is required. For all
- 11 other *arts, entertainment, indoor uses*, a *conditional use permit* is required, except theater, which
- 12 is prohibited.
- 13 3. *Social card games* are prohibited.

- 1 4. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC.
- 2 5. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to  
3 Chapter [18.50](#) KMC.
- 4 6. Permitted when:
- 5 a. Located in the R-24 zone; and
- 6 b. On a *site in office or construction and trade office uses* as of May 8, 2003; and
- 7 c. Part of a *mixed use development*; and
- 8 d. Limited to 15,000 square feet; and
- 9 e. No *outdoor storage* of equipment occurs.
- 10 Otherwise, prohibited.
- 11 7. *Day care II* permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC, or  
12 an *accessory use* to a school, *religious institution*, *park*, *sports club* or public housing administered  
13 by a *public agency*, and:
- 14 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no openings  
15 except for gates and have a minimum height of six feet;
- 16 b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines  
17 adjoining residential zones;
- 18 c. Direct access to a developed arterial *street* shall be required in any residential zone; and
- 19 d. Hours of operation may be restricted to assure compatibility with surrounding development.
- 20 Otherwise, *day care II* requires a *conditional use permit*.
- 21 8. K-12 facilities only, except vocational school which is permitted only as a re-use of a surplus  
22 nonresidential facility subject to Chapter [18.50](#) KMC unless a *conditional use permit* is obtained.  
23 All other *educational service uses* require a *conditional use permit*.
- 24 9. A *family child-care home* is subject to the requirements established by the Washington State  
25 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the  
26 following requirements:
- 27 a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;
- 28 b. A safe passenger loading area shall be provided;
- 29 c. The *family child-care home* shall comply with all applicable building, fire, safety, and health  
30 codes enforced by the *City*;
- 31 d. The *family child-care home* shall comply with all applicable development standards of the *City*,  
32 unless determined to be legally nonconforming;
- 33 e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC; and

- 1 f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility.
- 2 10. Limited to “storefront” police offices. Such offices shall not have:
- 3 a. Holding cells;
- 4 b. Suspect interview rooms; or
- 5 c. Long-term storage of stolen properties.
- 6 All other police facilities require a *conditional use permit*.
- 7 11. Fire facilities require a *conditional use permit*, subject to the following:
- 8 a. All *buildings* and *structures* shall maintain a minimum distance of 20 feet from property lines
- 9 adjoining residential zones;
- 10 b. Any *buildings* from which fire-fighting equipment emerges onto a *street* shall maintain a distance
- 11 of 35 feet from such *street*; and
- 12 c. No *outdoor storage*.
- 13 12. Fire or police training facilities such as shooting ranges, auto test tracks, and fire suppression
- 14 simulations are prohibited.
- 15 13. Veterinary clinics are prohibited.
- 16 14. *Public agency* or *utility office* is permitted only as a re-use of a public school facility or a surplus
- 17 nonresidential facility subject to the provisions of Chapter [18.50](#) KMC. All other *office uses* require
- 18 a *conditional use permit*.
- 19 15. The following conditions and limitations shall apply, where appropriate:
- 20 a. Lighting for *structures* and fields shall be directed away from residential areas;
- 21 b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines
- 22 adjoining residential zones, except for *structures* in on-site recreation areas provided under
- 23 KMC [18.30.130](#) or Chapter [20.47](#) KMC. Setback requirements for *structures* in these on-site
- 24 required recreation areas shall be maintained in accordance with the zoning standards for the
- 25 underlying residential zone.
- 26 16. Golf course facility only permitted. Clubhouses, maintenance *buildings*, equipment storage
- 27 areas and driving range tees shall be at least 50 feet from residential property lines. Lighting for
- 28 practice greens and driving range ball impact areas shall be directed away from adjoining
- 29 residential zones. Applications shall comply with adopted best management practices for golf
- 30 course development. All other *outdoor recreational facility uses* are conditional *uses*,
- 31 except *stable*, RV park, and shooting range, which are prohibited.
- 32 17. Conditional *uses* are subject to the following conditions and limitations:
- 33 a. The bulk and scale shall be compatible with residential character of the area;

- 1 b. Use is limited to residents of a specified residential *development* or to *sports clubs* providing  
2 supervised instructional or athletic programs.
- 3 18. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC.  
4 Other *religious institutions* require a *conditional use permit*.
- 5 19. More than one *single detached dwelling unit* may be allowed on an individual *lot* through  
6 the *conditional use permit* process. A *conditional use permit* is not required for *lots* in subdivisions,  
7 short subdivisions or binding site plans approved as multiple unit *lots* or for *accessory dwelling*  
8 *units*.
- 9 20. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing*  
10 *communities*. *Designated manufactured homes* are not restricted to *manufactured housing*  
11 *communities*.
- 12 21. Limited to commuter parking facilities for users of transit, carpools or ride-share programs,  
13 provided:
- 14 a. They are located on existing parking lots for *religious institutions*, schools, or other permitted  
15 nonresidential uses which have excess capacity available during commuting hours; and
- 16 b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable to  
17 the *department*.
- 18 Otherwise a *conditional use permit* is required.
- 19 22. *Bulk gas storage tanks* which pipe to individual residences require a *conditional use permit*. All  
20 other *bulk gas storage tanks*, including liquefied natural gas storage tanks, are prohibited.
- 21 23. *Private stormwater management facilities* permitted except when participating in an approved  
22 shared facility drainage plan. *Private stormwater management facilities* shall be located on the  
23 same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside  
24 a separate tract for such facilities. For shared facilities, such facilities which are not located on  
25 the *lot* they are designed to serve shall be located on a *lot* with the same or more intensive zoning  
26 designation.
- 27 24. *Hydroelectric generation facilities* are prohibited. A *nonhydroelectric generation facility* may be  
28 conditionally permitted as a *cogeneration* facility for on-site use only.
- 29 25. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to  
30 Chapter [18.50](#) KMC.
- 31 26. Arboretum only.
- 32 27. *Structures* shall maintain a minimum distance of 100 feet from property lines adjoining  
33 residential zones.
- 34 28. Excluding drinking places, and limited to a maximum of 5,000 square feet of gross floor area  
35 and subject to KMC [18.21.070](#).

- 1 29. Limited to a maximum of 5,000 square feet of gross floor area and subject to the additional  
2 requirements in KMC [18.21.070](#).
- 3 30. Conditional *uses* are subject to the following conditions and limitations:
- 4 a. The bulk and scale shall be compatible with residential character of the area;
- 5 b. For *sports clubs*, the gross floor area shall not exceed 10,000 square feet unless the *building* is  
6 on the same *site* or adjacent to a *site* where a public facility is located or unless the *building* is a  
7 nonprofit facility; and
- 8 c. Use is limited to residents of a specified residential *development* or to *sports clubs* providing  
9 supervised instructional or athletic programs.
- 10 31. Bowling center and shooting range are prohibited.
- 11 32. Amusement park, fairground, and stadium/arena are prohibited.
- 12 33. Auto supply stores and pet shops are prohibited.
- 13 34. Bed and breakfast guesthouse only, subject to the following conditions:
- 14 a. The guesthouse shall be owner-occupied;
- 15 b. Meals shall be served to paying guests only (no restaurant *use* permitted);
- 16 c. The number of guestrooms shall not be greater than that authorized by the International Building  
17 and Fire Codes;
- 18 d. Parking shall be provided as required by this title; and
- 19 e. The guesthouse shall be compatible with the neighborhood character as determined by the *city*  
20 *manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.
- 21 35. *Self-service storage* only permitted and only if accessory to an *apartment development* of at  
22 least 12 units, provided:
- 23 a. The gross floor area in *self-service storage* shall not exceed the total gross floor area of  
24 the *apartment* dwellings on the *site*;
- 25 b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
- 26 c. The use of the facility shall be limited to dead storage of household goods;
- 27 d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
- 28 e. No *outdoor storage* or storage of flammable liquids, highly combustible or explosive materials or  
29 hazardous chemicals;
- 30 f. No residential occupancy of the storage units;
- 31 g. No business activity other than the rental of storage units; and

1 h. A resident director shall be required on the site and shall be responsible for maintaining the  
 2 operation of the facility in conformance with the conditions of approval.  
 3 [Ord. 24-0607 § 2 (Exh. A(VI)); Ord. 19-0481 § 2 (Exh. A); Ord. 18-0463 § 3 (Exh. 2); Ord. 17-0438 § 2  
 4 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 16-0421 § 2 (Att. A); Ord. 14-0384 § 5; Ord. 11-0329 § 3 (Exh.  
 5 1).]

6 **18.21.045 Residential zone MHC – Use allowances.**

7 The following uses listed in Table D are identified as *permitted*, conditionally permitted,  
 8 or *prohibited uses* in residential zone MHC:

**Table D. MHC Zone Use Allowances**

| PERMITTED                                           | CONDITIONALLY PERMITTED                   | PROHIBITED                                     |
|-----------------------------------------------------|-------------------------------------------|------------------------------------------------|
| <i>Day care</i> <sup>1</sup>                        | <i>Community residential facility</i>     | <i>Adult entertainment business</i>            |
| <i>Family child-care home</i> <sup>2</sup>          | <i>Cemetery, columbarium or mausoleum</i> | <i>Air transportation service</i>              |
| <i>Manufactured housing community</i> <sup>8</sup>  | <i>Educational service</i> <sup>6</sup>   | <i>Ambulatory surgery center</i>               |
| <i>Park</i> <sup>3</sup>                            | <i>Religious institution</i>              | <i>Animal kennel/shelter</i>                   |
| <i>Single detached dwelling unit</i> <sup>4,5</sup> | <i>Supportive living facility</i>         | <i>Arts, entertainment, indoor</i>             |
|                                                     | <i>Temporary lodging</i> <sup>7</sup>     | <i>Arts, entertainment, outdoor</i>            |
|                                                     |                                           | <i>Auction house</i>                           |
|                                                     |                                           | <i>Automotive sales and service, marine</i>    |
|                                                     |                                           | <i>Automotive sales and service, nonmarine</i> |
|                                                     |                                           | <i>Business service, intensive</i>             |
|                                                     |                                           | <i>Business service, standard</i>              |
|                                                     |                                           | <i>Cannabis business</i>                       |
|                                                     |                                           | <i>Cannabis cooperative</i>                    |
|                                                     |                                           | <i>College/university</i>                      |
|                                                     |                                           | <i>Construction and trade</i>                  |
|                                                     |                                           | <i>Eating and drinking place</i>               |
|                                                     |                                           | <i>Fire or police facility</i>                 |
|                                                     |                                           | <i>Funeral home/crematory</i>                  |



**Table D. MHC Zone Use Allowances**

| PERMITTED | CONDITIONALLY PERMITTED | PROHIBITED                               |
|-----------|-------------------------|------------------------------------------|
|           |                         | <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

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

- 1 d. Hours of operation may be restricted to assure compatibility with surrounding *development*.  
2 Otherwise, *day care II* requires a *conditional use permit*.
- 3 2. A *family child-care home* is subject to the requirements established by the Washington State  
4 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the  
5 following requirements:
- 6 a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;  
7 b. A safe passenger loading area shall be provided;  
8 c. The *family child-care home* shall comply with all applicable building, fire, safety, and health  
9 codes enforced by the *City*;  
10 d. The *family child-care home* shall comply with all applicable development standards of the *City*,  
11 unless determined to be legally nonconforming;  
12 e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC; and  
13 f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility.
- 14 3. The following conditions and limitations shall apply, where appropriate:
- 15 a. Lighting for *structures* and fields shall be directed away from residential areas;  
16 b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines  
17 adjoining residential zones.
- 18 4. One *single detached dwelling unit* only per existing legal lot as of April 23, 2019.
- 19 5. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing*  
20 *communities*. *Designated manufactured homes* are not restricted to *manufactured housing*  
21 *communities*.
- 22 6. K-12 facilities only. All other *educational service uses* are prohibited.
- 23 7. Bed and breakfast guesthouse only, subject to the following conditions:
- 24 a. The guesthouse shall be owner-occupied;  
25 b. Meals shall be served to paying guests only (no restaurant use permitted);  
26 c. The number of guestrooms shall not be greater than that authorized by the International Building  
27 and Fire Codes;  
28 d. Parking shall be provided as required by this title; and  
29 e. The guesthouse shall be compatible with the neighborhood character as determined by the *city*  
30 *manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.
- 31 8. For properties continuing in an existing *manufactured housing community use* after April 23,  
32 2019, a *transfer of density credits* shall be permitted. See Chapter [18.80](#) KMC.

[Ord. 24-0607 § 2 (Exh. A(VII)); Ord. 19-0481 § 2 (Exh. A).]

**18.21.050 Residential zones R-12, R-18, R-24, R-48, and MHC – Development standards.**

The following zone-specific development standards in Table E apply in the R-12, R-18, R-24, R-48, and MHC residential zones:

**Table E. R-12, R-18, R-24, R-48, and MHC Residential Zones Development Standards**

| STANDARDS                                                       | Z<br>O<br>N<br>E<br>S | R-12                | R-18                          | R-24                          | R-48                          | MHC <sup>12</sup> |
|-----------------------------------------------------------------|-----------------------|---------------------|-------------------------------|-------------------------------|-------------------------------|-------------------|
|                                                                 |                       |                     |                               |                               |                               |                   |
| Base Density: <i>Dwelling Unit/Acre</i> <sup>1</sup>            |                       | 12 du/ac            | 18 du/ac                      | 24 du/ac                      | 48 du/ac                      | 12 du/ac          |
| Maximum Density: <i>Dwelling Unit/Acre</i> <sup>2</sup>         |                       | 18 du/ac            | 27 du/ac                      | 36 du/ac                      | 72 du/ac                      | 18 du/ac          |
| Minimum Density <sup>11</sup>                                   |                       | 80%                 | 75%                           | 70%                           | 65%                           | 80%               |
| Minimum Lot Width <sup>4</sup>                                  |                       | 30 ft.              | 30 ft.                        | 30 ft.                        | 30 ft.                        | --                |
| Minimum <i>Street Setback</i>                                   |                       | 10 ft. <sup>6</sup> | 10 ft. <sup>6</sup>           | 10 ft. <sup>6</sup>           | 10 ft. <sup>6</sup>           | 10 ft.            |
| Minimum Side <i>Setback</i> <sup>3,5</sup>                      |                       | 5 ft. <sup>7</sup>  | 5 ft. <sup>7</sup>            | 5 ft. <sup>7</sup>            | 5 ft. <sup>7</sup>            | 5 ft.             |
| Minimum Rear <i>Setback</i> <sup>3,5</sup>                      |                       | 5 ft. <sup>7</sup>  | 5 ft. <sup>7</sup>            | 5 ft. <sup>7</sup>            | 5 ft. <sup>7</sup>            | 5 ft.             |
| Base Height <sup>8</sup>                                        |                       | 60 ft.              | 60 ft.<br>80 ft. <sup>9</sup> | 60 ft.<br>80 ft. <sup>9</sup> | 60 ft.<br>80 ft. <sup>9</sup> | 35 ft.            |
| Maximum <i>Impervious Surface</i> :<br>Percentage <sup>10</sup> |                       | 85%                 | 85%                           | 85%                           | 90%                           | 85%               |
| Minimum Lot Size                                                |                       | --                  | --                            | --                            | --                            | --                |

<sup>1</sup> Density applies only to *dwelling units* and not to sleeping units.

<sup>2</sup> This maximum density may be achieved only through the application of residential density incentives pursuant to Chapter [18.80](#) KMC or *transfers of density credits*, or any combination of density incentive or density transfer. Maximum density may only be exceeded pursuant to KMC [18.80.040](#)(E)(1)(f).

<sup>3</sup> These standards may be modified under the provisions for *zero-lot-line developments*.

<sup>4</sup> The *building envelope* is determined through meeting minimum lot size and minimum lot width measurement requirements (KMC [18.30.110](#)).

<sup>5</sup> Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a *joint use driveway* is located to provide a straight line length of at least 26 feet as measured from the centerline of the garage, carport or fenced parking area, from the access point to the opposite side of the *joint use driveway*.

1 <sup>6</sup> At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced  
2 parking area and the *street* property line. The linear distance shall be measured along the  
3 centerline of the driveway from the access point to such garage, carport or fenced area to  
4 the *street* property line.

5 <sup>7</sup> a. For *developments* consisting of three or more single detached dwellings located on a single  
6 parcel, the *setback* shall be 10 feet along any property line abutting R-1 through R-6, except  
7 for *structures* in on-site recreation areas required in KMC [18.30.130](#), which shall have a *setback* of  
8 five feet.

9 b. For *townhouse* and *apartment development*, the *setback* shall be 20 feet along any property line  
10 abutting R-1 through R-6, except for *structures* in on-site recreation areas required in  
11 KMC [18.30.130](#), which shall have a *setback* of five feet, unless the *townhouse* or *apartment*  
12 *development* is adjacent to property upon which an existing *townhouse* or *apartment*  
13 *development* is located.

14 <sup>8</sup> In the R-12, R-18, R-24 and R-48 zones, height limits may be increased when portions of  
15 the *structure* which exceed the base height limit provide one additional foot of *street* and  
16 interior *setback* for each foot above the base height limit, provided the maximum height may not  
17 exceed 75 feet. Netting or fencing and support *structures* for the netting or fencing used to contain  
18 golf balls in the operation of golf courses or golf driving ranges are exempt from the additional  
19 interior *setback* requirements; provided, that the maximum height shall not exceed 75 feet.

20 <sup>9</sup> The base height to be used only for projects as follows:

21 a. In R-18, R-24 and R-48 zones using residential density incentives and *transfer of density*  
22 *credits* pursuant to this title.

23 <sup>10</sup> Applies to each individual *lot*. *Impervious surface* area standards for:

24 a. Regional *uses* shall be established at the time of permit review;

25 b. Nonresidential *uses* in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);

26 c. *Lots* may be increased beyond the total amount permitted in this chapter subject to approval of  
27 a *conditional use permit*.

28 <sup>11</sup> Minimum density is determined by multiplying the allowable number of dwelling units, as  
29 calculated using KMC [18.30.020](#), by the percentage shown for each zone.

30 <sup>12</sup> See also the standards in KMC [18.50.140](#).

31 [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

32 **18.21.055 MHC zoning exception.**

33 A. A *manufactured housing community* landowner may request an exception from the application  
34 of the MHC zoning to their property through a Type 4 permit process as described in  
35 Chapter [19.25](#) KMC.

1 B. Along with other information required by the *department*, the application shall include  
2 information demonstrating that:

3 1. There is no *reasonable use* of the MHC property under the MHC zoning;

4 2. The *uses* authorized by the MHC zoning are not economically viable at the property's  
5 location; and

6 3. The proposal meets the zone reclassification criteria in KMC [18.115.060](#).

7 If, based on the information provided, the request is granted by the city council, the property shall  
8 revert to the zoning designation in place on April 23, 2019, without further action by the council. If  
9 necessary, a comprehensive plan map amendment to recognize that zoning designation shall be  
10 initiated by the *City*. [Ord. 19-0481 § 2 (Exh. A).]

11 **18.21.060 Nonresidential land uses in residential zones.**

12 Except for *utility facilities*, *regional land uses*, and nonresidential uses regulated by KMC [18.21.070](#),  
13 all nonresidential uses located in the R zones shall be subject to the following requirements:

14 A. *Impervious surface* coverage shall not exceed:

15 1. Seventy percent of the *site* in the R-1 through R-6 zones.

16 2. Eighty percent of the *site* in the R-12 through R-48 and MHC zones.

17 B. *Buildings* and *structures*, except *fences* and wire or mesh backstops, shall not be closer than 30  
18 feet to any property line, except as provided in subsection C of this section.

19 C. A single detached dwelling allowed as accessory to a church or school shall conform to  
20 the *setback* requirements of the zone.

21 D. Parking areas are permitted within the required *setback* area from property lines, provided such  
22 parking areas are located outside of the required landscape area.

23 E. *Sites* shall abut or be accessible from at least one public *street* functioning at a level consistent  
24 with the *City street* design standards. New *high school sites* shall abut or be accessible from a  
25 public *street* functioning as an arterial per the *City* design standards.

26 F. The base height shall conform to the zone in which the *use* is located.

27 G. *Building* illumination and lighted *signs* shall be designed so that no direct rays of light are  
28 projected into neighboring residences or onto any *street* right-of-way. [Ord. 19-0481 § 2 (Exh. A);  
29 Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

30 **18.21.070 Personal service, eating and drinking place and retail sales uses in R-4 through R-24**  
31 **zones.**

32 *Personal service uses*, *eating and drinking place uses*, and *retail sales uses* which are located in  
33 the R-4 through R-24 zones shall be subject to the following requirements:

1 A. Each individual establishment shall not exceed 5,000 square feet of gross floor area and the  
2 combined total of all contiguous commercial establishments shall not exceed 15,000 square feet  
3 of gross floor area;

4 B. Establishments shall not be located less than one mile from another commercial establishment,  
5 unless located with other establishments meeting the criteria in subsection A of this section;

6 C. Establishment *sites* shall abut an intersection of two public *streets*, each of which is designated  
7 as a neighborhood collector or arterial and which has improved pedestrian facilities for at least  
8 one-fourth mile from the *site*;

9 D. The maximum on-site parking ratios for establishments and *sites* shall be two per 1,000 square  
10 feet and required parking shall not be located between the *building(s)* and the *street*;

11 E. *Buildings* shall comply with the *building facade modulation* and roofline variation requirements  
12 in KMC [18.50.080](#) and at least one facade of the *building* shall be located within five feet of the  
13 sidewalk;

14 F. If the *personal service, eating and drinking place, or retail sales use* is located in a *building* with  
15 multifamily uses, then the commercial *use* shall be on the *ground floor* and shall not exceed 25  
16 percent of the total floor area of the *building*; and

17 G. *Sign* and *landscaping* standards for the *use* apply. [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3  
18 (Exh. 1).]

19 **18.21.073 Accessory uses.**

20 *Accessory uses*, when consistent with the definition in Chapter [18.20](#) KMC, are allowed as  
21 determined by the *city manager*. [Ord. 17-0438 § 3 (Att. B).]

22 **18.21.075 Drive-through service.**

23 *Drive-through service* is prohibited in these zoning districts. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-  
24 0438 § 3 (Att. B).]

25 **18.21.078 Outdoor storage.**

26 *Outdoor storage* is prohibited in these zoning districts. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 3  
27 (Att. B).]

28 **18.21.080 Wireless communication facilities.**

29 Use allowances and development regulations for *wireless communication facilities* are located in  
30 Chapter [18.60](#) KMC. [Ord. 16-0426 § 6 (Att. D).]  
31  
32

|    |                                                                                                       |
|----|-------------------------------------------------------------------------------------------------------|
| 1  | Chapter 18.30                                                                                         |
| 2  | DEVELOPMENT STANDARDS – GENERAL                                                                       |
| 3  | Sections:                                                                                             |
| 4  | <a href="#"><u>18.30.010 Purpose.</u></a>                                                             |
| 5  | <a href="#"><u>18.30.015 Burke-Gilman Trail.</u></a>                                                  |
| 6  | <a href="#"><u>18.30.020 Density calculations – Allowable dwelling units, lots or floor area.</u></a> |
| 7  | <a href="#"><u>18.30.040 Fences.</u></a>                                                              |
| 8  | <a href="#"><u>18.30.050 Height – Measurement method.</u></a>                                         |
| 9  | <a href="#"><u>18.30.060 Height – Exceptions to limits.</u></a>                                       |
| 10 | <a href="#"><u>18.30.070 Light and glare.</u></a>                                                     |
| 11 | <a href="#"><u>18.30.080 Lot area – Prohibited reduction.</u></a>                                     |
| 12 | <a href="#"><u>18.30.090 Lot area – Minimum lot area for construction.</u></a>                        |
| 13 | <a href="#"><u>18.30.100 Lot divided by zone boundary.</u></a>                                        |
| 14 | <a href="#"><u>18.30.110 Lot width – Measurement method.</u></a>                                      |
| 15 | <a href="#"><u>18.30.112 Cannabis businesses – Standards.</u></a>                                     |
| 16 | <a href="#"><u>18.30.113 Outdoor storage for nonresidential uses.</u></a>                             |
| 17 | <a href="#"><u>18.30.115 Public nuisance – Prohibited activities.</u></a>                             |
| 18 | <a href="#"><u>18.30.130 Recreation space – On-site areas.</u></a>                                    |
| 19 | <a href="#"><u>18.30.140 Recreation space – Maintenance.</u></a>                                      |
| 20 | <a href="#"><u>18.30.150 Recreation space – Financial guarantees.</u></a>                             |
| 21 | <a href="#"><u>18.30.155 Recreational vehicles.</u></a>                                               |
| 22 | <a href="#"><u>18.30.160 Setbacks – Measurement.</u></a>                                              |
| 23 | <a href="#"><u>18.30.170 Setbacks – Specific building or use.</u></a>                                 |
| 24 | <a href="#"><u>18.30.190 Setbacks – Modifications.</u></a>                                            |
| 25 | <a href="#"><u>18.30.200 Setbacks – From regional utility corridors.</u></a>                          |
| 26 | <a href="#"><u>18.30.210 Setbacks – From alley.</u></a>                                               |
| 27 | <a href="#"><u>18.30.220 Setbacks – Required modifications.</u></a>                                   |
| 28 | <a href="#"><u>18.30.230 Setbacks – Projections and structures allowed.</u></a>                       |
| 29 | <a href="#"><u>18.30.240 Sight distance requirements.</u></a>                                         |

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 residential  
8 density, dimensional requirements and specific rules for general application. The standards and  
9 rules are established to provide flexibility in project design, maintain privacy between  
10 adjacent uses and meet the on-site recreation needs of project residents. [Ord. 11-0329 § 3 (Exh.  
11 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 (Design  
19 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. Areas specified within KMC 18.21.035\(B\) are permitted at least 2 dwelling units per lot](#)  
25 [per the 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 units  
27 authorized by Chapter [18.80](#) KMC to the base units computed under subsection A of this section;

28 C. The allowed floor area shall be computed by applying the *floor area ratio* to the project *site area*;  
29 and

30 D. Except for short subdivisions of four or fewer *lots*, when density calculations result in a fraction,  
31 the fraction shall be rounded to the nearest whole number as follows:

32 1. Fractions of 0.50 or above shall be rounded up; and

33 2. Fractions below 0.50 shall be rounded down.

34 E. When density calculations result in a fraction, the permitted number of *lots* derived from short  
35 subdivisions of four or fewer *lots* shall be rounded as follows:



- 1           1. For a short subdivision resulting in less than two *lots* (base density) as described in  
2           subsection A of this section, fractions of 0.85 shall be rounded up to the nearest whole  
3           number and fractions below 0.85 shall be rounded down.
- 4           2. For a short subdivision resulting in more than two but less than three *lots* (base density)  
5           as described in subsection A of this section, fractions of 0.75 shall be rounded up to the  
6           nearest whole number and fractions below 0.75 shall be rounded down.
- 7           3. For a short subdivision resulting in more than three *lots* but less than four *lots* (base  
8           density) as described in subsection A of this section, fractions of 0.60 shall be rounded  
9           up to the nearest whole number and fractions below 0.60 shall be rounded down. [Ord.  
10          11-0329 § 3 (Exh. 1).]

11          ...  
12

- 1 Chapter 18.40
- 2 DEVELOPMENT STANDARDS – PARKING AND CIRCULATION
- 3 Sections:
- 4 [18.40.010 Purpose.](#)
- 5 [18.40.020 Authority and application.](#)
- 6 [18.40.030 Computation of required off-street parking spaces.](#)
- 7 [18.40.035 Parking in the urban residential zone, downtown commercial zone east of 73rd](#)
- 8 [Avenue NE, public and semi-public zone abutting SR-522, and the urban corridor zone, east](#)
- 9 [subarea.](#)
- 10 [18.40.038 Exceedance of minimum parking – Downtown commercial zone, downtown](#)
- 11 [residential zone, urban corridor zone, east subarea, and urban residential zone.](#)
- 12 [18.40.040 Shared parking requirements.](#)
- 13 [18.40.050 Exceptions for community residential facilities \(CRF\) and senior citizen assisted](#)
- 14 [living.](#)
- 15 [18.40.055 Parking for certain types of development served by transit.](#)
- 16 [18.40.060 Parking for the disabled.](#)
- 17 [18.40.070 Loading space and loading dock requirements.](#)
- 18 [18.40.080 Stacking spaces for drive-through facilities.](#)
- 19 [18.40.090 Transit and rideshare provisions.](#)
- 20 [18.40.100 Pedestrian and bicycle circulation and access.](#)
- 21 [18.40.110 Off-street parking plan design standards.](#)
- 22 [18.40.120 Off-street parking construction standards.](#)
- 23 [18.40.130 Compact car allowance requirements.](#)
- 24 [18.40.140 Internal circulation road standards.](#)
- 25 **18.40.010 Purpose.**
- 26 The purpose of this chapter is to provide adequate parking for all *uses* allowed in this title; to
- 27 reduce demand for parking by encouraging alternative means of transportation including public
- 28 transit, rideshare and bicycles; and to increase pedestrian mobility in urban areas by:
- 29 A. Setting minimum off-street parking standards for different land *uses* that assure safe,
- 30 convenient and adequately sized parking facilities within activity centers;
- 31 B. Providing incentives to rideshare through preferred parking arrangements;

- 1 C. Providing for parking and storage of bicycles;
- 2 D. Requiring the use of permeable surfacing unless infeasible;
- 3 E. Providing safe, direct pedestrian access from public rights-of-way to *structures* and
- 4 between *developments*; and
- 5 F. Requiring *uses* which attract large numbers of employees or customers to provide transit stops.
- 6 [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

7 **18.40.020 Authority and application.**

- 8 A. Before an occupancy permit may be granted for any new or enlarged *building* or for a change
- 9 of *use* in any existing *building*, the *use* shall be required to meet the provisions of this chapter.
- 10 B. If this chapter does not specify a parking requirement for a land *use*, the *city manager* shall
- 11 establish the minimum requirement based on a study of anticipated parking demand.
- 12 Transportation demand management actions taken at the *site* shall be considered in determining
- 13 anticipated demand. If the *site* is located in an activity center or community business center, the
- 14 minimum requirement shall be set at a level less than the anticipated demand, but at no less than
- 15 75 percent of the anticipated demand. In the study the *applicant* shall provide sufficient
- 16 information to demonstrate that the parking demand for a specific land *use* will be satisfied.
- 17 Parking studies shall be prepared by a professional engineer with expertise in traffic and parking
- 18 analyses, or an equally qualified individual as authorized by the *city manager*.
- 19 C. If the required amount of off-street parking has been proposed to be provided off-site,
- 20 the *applicant* shall provide written contracts with affected landowners showing that required off-
- 21 street parking shall be provided in a manner consistent with the provisions of this chapter. The
- 22 contracts shall be reviewed by the *city manager* for compliance with this chapter, and if approved,
- 23 the contracts shall be recorded with the county records and elections division as a deed restriction
- 24 on the title to all applicable properties. These deed restrictions may not be revoked or modified
- 25 without authorization by the *city manager*.
- 26 D. Where a neighborhood or subarea plan with design guidelines that includes the subject property
- 27 has been adopted, the *city manager* shall base allowable waivers or modifications on the policies
- 28 and guidelines in such plan. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.40.030 Computation of required off-street parking spaces.**

- 30 A. Except as modified in KMC [18.40.035](#), [18.40.040](#), [18.40.050](#), [18.40.055](#) or [18.40.090](#), off-street
- 31 parking areas shall contain at a minimum the number of *parking spaces* as stipulated in the
- 32 following table. Off-street parking ratios expressed as number of spaces per square feet means the
- 33 usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include
- 34 but are not limited to building maintenance areas, storage areas, closets, restrooms and exterior
- 35 walls. If the formula for determining the number of off-street *parking spaces* results in a fraction,
- 36 the number of off-street *parking spaces* shall be rounded to the nearest whole number with
- 37 fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

| LAND USE                                 | MINIMUM PARKING SPACES<br>REQUIRED                                                                                                                               | MINIMUM PARKING SPACES<br>REQUIRED                                                   |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                                          | Citywide, Except in Downtown<br>Commercial and Downtown<br>Residential Zones West of 68th<br>Avenue NE                                                           | Downtown Commercial and<br>Downtown Residential Zones<br>West of 68th Avenue NE      |
| <b>RESIDENTIAL:</b>                      |                                                                                                                                                                  |                                                                                      |
| <i>Single detached dwelling<br/>unit</i> | 2.0 per dwelling unit                                                                                                                                            | 2.0 per dwelling unit; tandem<br>stalls permitted                                    |
| <i>Duplex, Triplex, and<br/>Fourplex</i> | 1. 1.0 per dwelling unit; or<br>2. No required parking within one-<br>half mile walking distance of a<br>major transit stop.                                     | 1.5 per dwelling unit; tandem<br>stalls permitted                                    |
| <i>Townhouse</i>                         | 1. <del>2.0 per dwelling unit</del> 1.0 per<br>dwelling unit; or<br>2. No required parking within one-<br>half mile walking distance of a<br>major transit stop. | 1.5 per dwelling unit; tandem<br>stalls permitted                                    |
| Guest parking                            | 1 space for every 5 units                                                                                                                                        | 1 space for every 5 units                                                            |
| <i>Apartment:</i>                        |                                                                                                                                                                  |                                                                                      |
| <i>Microhousing dwelling<br/>unit</i>    | Within 1/4 mile of SR-522: 0.75 per<br>dwelling unit. Otherwise, 1.2 per<br>dwelling unit                                                                        | Within 1/4 mile of SR-522:<br>0.75:du. Otherwise, 1.0:du.<br>Tandem stalls permitted |
| Studio unit                              | 1.2 per dwelling unit                                                                                                                                            | 1.0:du; tandem stalls permitted                                                      |
| One-bedroom unit                         | 1.5 per dwelling unit                                                                                                                                            | 1.0:du; tandem stalls permitted                                                      |
| Two-bedroom unit                         | 1.7 per dwelling unit                                                                                                                                            | 1.5:du; tandem stalls permitted                                                      |
| Three-bedroom unit or<br>larger          | 2.0 per dwelling unit                                                                                                                                            | 1.7:du; tandem stalls permitted                                                      |
| Guest parking                            | 1 space for every 5 units                                                                                                                                        | 1 space for every 5 units                                                            |

| LAND USE                                                 | MINIMUM PARKING SPACES<br>REQUIRED                                                                                                                                                                                                                                                                               | MINIMUM PARKING SPACES<br>REQUIRED                                                                                |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
|                                                          | Citywide, Except in Downtown<br>Commercial and Downtown<br>Residential Zones West of 68th<br>Avenue NE                                                                                                                                                                                                           | Downtown Commercial and<br>Downtown Residential Zones<br>West of 68th Avenue NE                                   |
| <u><i>Courtyard Apartments<br/>and Stacked Flats</i></u> | Per Apartment standards listed in this<br>table; If located in areas specified in<br>KMC 18.21.035(B):<br>1. 1.0 per dwelling unit; or<br>2. No required parking within one-<br>half mile walking distance of a<br>major transit stop.<br>3. Guest parking required per the<br>apartment standard in this table. | Per Apartment standards listed<br>in this table.<br><br>Guest parking required per the<br>standard in this table. |
| <u><i>Cottage Housing</i></u>                            | 1.0 per two dwelling units; If located<br>in areas specified in KMC<br>18.21.035(B):<br>1. No required parking within one-<br>half mile walking distance of a<br>major transit stop.                                                                                                                             | 1.0 per two dwelling units.                                                                                       |
| <i>Manufactured housing<br/>community</i>                | 2.0 per dwelling unit                                                                                                                                                                                                                                                                                            | 2.0 per dwelling unit                                                                                             |
| <i>Senior citizen assisted<br/>living</i>                | 1 per 2 dwelling or sleeping units                                                                                                                                                                                                                                                                               | 1 per 2 dwelling or sleeping units                                                                                |
| <i>Community residential<br/>facility</i>                | 1 per 2 bedrooms                                                                                                                                                                                                                                                                                                 | 1 per 2 bedrooms                                                                                                  |
| <i>Dormitory, including<br/>religious</i>                | 1 per 2 bedrooms                                                                                                                                                                                                                                                                                                 | 1 per 2 bedrooms                                                                                                  |
| <i>Hotel/motel</i>                                       | 1 per bedroom                                                                                                                                                                                                                                                                                                    | 1 per bedroom                                                                                                     |
| <i>Bed and breakfast<br/>guesthouse</i>                  | 1 per guest room, plus 2 per facility                                                                                                                                                                                                                                                                            | 1 per guest room, plus 2 per<br>facility                                                                          |
| <i>Other residential land<br/>uses</i>                   | (city manager)                                                                                                                                                                                                                                                                                                   | (city manager)                                                                                                    |

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

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| <b>LAND USE</b>                            | <b>MINIMUM PARKING SPACES<br/>REQUIRED</b>                                                                                                                                     | <b>MINIMUM PARKING SPACES<br/>REQUIRED</b>                                                                                                                                        |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                            | <b>Citywide, Except in Downtown<br/>Commercial and Downtown<br/>Residential Zones West of 68th<br/>Avenue NE</b>                                                               | <b>Downtown Commercial and<br/>Downtown Residential Zones<br/>West of 68th Avenue NE</b>                                                                                          |
| <b>RECREATIONAL/CULTURAL:</b>              |                                                                                                                                                                                |                                                                                                                                                                                   |
| <i>Recreational/cultural land<br/>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<br>of clubhouse facilities                                                                                                              | –                                                                                                                                                                                 |
| Tennis club                                | 4 per tennis court, plus 1 per 300<br>square feet of clubhouse facility                                                                                                        | –                                                                                                                                                                                 |
| Golf driving range                         | 1 per tee                                                                                                                                                                      | –                                                                                                                                                                                 |
| Park/playfield                             | (city manager)                                                                                                                                                                 | (city manager)                                                                                                                                                                    |
| Theater                                    | 1 per 3 fixed seats                                                                                                                                                            | 1 per 3 fixed seats                                                                                                                                                               |
| Conference center                          | 1 per 3 fixed seats, plus 1 per 50<br>square feet used for assembly<br>purposes without fixed seats, or 1 per<br>bedroom, whichever results in the<br>greater number of spaces | 1 per 3 fixed seats, plus 1 per 50<br>square feet used for assembly<br>purposes without fixed seats, or<br>1 per bedroom, whichever<br>results in the greater number of<br>spaces |
| Artist studio                              | 0.9 per 1,000 square feet of area used<br>for studios                                                                                                                          | 0.9 per 1,000 square feet of area<br>used for studios                                                                                                                             |
| <b>GENERAL SERVICES:</b>                   |                                                                                                                                                                                |                                                                                                                                                                                   |
| <i>General services land<br/>uses</i>      | 1 per 300 square feet                                                                                                                                                          | 1 per 300 square feet                                                                                                                                                             |

| <b>LAND USE</b>                         | <b>MINIMUM PARKING SPACES<br/>REQUIRED</b><br><br><b>Citywide, Except in Downtown<br/>Commercial and Downtown<br/>Residential Zones West of 68th<br/>Avenue NE</b> | <b>MINIMUM PARKING SPACES<br/>REQUIRED</b><br><br><b>Downtown Commercial and<br/>Downtown Residential Zones<br/>West of 68th Avenue NE</b> |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| 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                                                                                     |
| 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                                                                                   |

| LAND USE                                          | MINIMUM PARKING SPACES<br>REQUIRED                                                                       | MINIMUM PARKING SPACES<br>REQUIRED                                                  |
|---------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
|                                                   | Citywide, Except in Downtown<br>Commercial and Downtown<br>Residential Zones West of 68th<br>Avenue NE   | Downtown Commercial and<br>Downtown Residential Zones<br>West of 68th Avenue NE     |
|                                                   |                                                                                                          | students, or 1 per 3 fixed seats in<br>stadium                                      |
| <i>Vocational school</i>                          | 1 per <i>school classroom</i> , plus 1 per 5<br>students                                                 | 1 per <i>school classroom</i> , plus 1<br>per 5 students                            |
| <i>Specialized instruction<br/>school</i>         | 1 per <i>school classroom</i> , plus 1 per 2<br>students                                                 | 1 per <i>school classroom</i> , plus 1<br>per 2 students                            |
| <i>College/university</i>                         | 1 per 2 commuting students, faculty<br>and staff                                                         | –                                                                                   |
| <b>GOVERNMENT/BUSINESS SERVICES:</b>              |                                                                                                          |                                                                                     |
| <i>Government/business<br/>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<br>0.9 per 1,000 square feet of indoor<br>storage or repair areas | –                                                                                   |
| <i>Public agency archive</i>                      | 0.9 per 1,000 square feet of storage<br>area, plus 1 per 50 square feet of<br>waiting/reviewing areas    | –                                                                                   |
| Court                                             | 3 per courtroom, plus 1 per 50 square<br>feet of fixed seat or assembly areas                            | 3 per courtroom, plus 1 per 50<br>square feet of fixed seat or<br>assembly areas    |
| <i>Fire or police facility</i>                    | (city manager)                                                                                           | (city manager)                                                                      |
| <i>Construction and trade</i>                     | 1 per 300 square feet of office, plus 1<br>per 3,000 square feet of storage area                         | 1 per 300 square feet of office,<br>plus 1 per 3,000 square feet of<br>storage area |

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| <b>LAND USE</b>                                                      | <b>MINIMUM PARKING SPACES<br/>REQUIRED</b>                                                                       | <b>MINIMUM PARKING SPACES<br/>REQUIRED</b>                                               |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|                                                                      | <b>Citywide, Except in Downtown<br/>Commercial and Downtown<br/>Residential Zones West of 68th<br/>Avenue NE</b> | <b>Downtown Commercial and<br/>Downtown Residential Zones<br/>West of 68th Avenue NE</b> |
| <i>Warehousing and storage</i>                                       | 1 per 300 square feet of office, plus<br>0.9 per 1,000 square feet of storage<br>area                            | 1 per 300 square feet of office,<br>plus 0.9 per 1,000 square feet of<br>storage area    |
| <i>Self-service storage</i>                                          | 1 per 3,500 square feet of storage<br>area, plus 2 for any resident<br>director's unit                           | 1 per 3,500 square feet of storage<br>area, plus 2 for any resident<br>director's unit   |
| Outdoor advertising<br>services                                      | 1 per 300 square feet of office, plus<br>0.9 per 1,000 square feet of storage<br>area                            | –                                                                                        |
| <i>Heavy equipment repair</i>                                        | 1 per 300 square feet of office, plus<br>0.9 per 1,000 square feet of indoor<br>repair areas                     | –                                                                                        |
| <b>RETAIL/WHOLESALE:</b>                                             |                                                                                                                  |                                                                                          |
| <i>Retail land uses</i>                                              | 1 per 300 square feet                                                                                            | 1 per 300 square feet                                                                    |
| Exceptions:                                                          |                                                                                                                  |                                                                                          |
| Food stores, less than<br>15,000 square feet                         | 3 plus 1 per 350 square feet                                                                                     | 3 plus 1 per 350 square feet                                                             |
| <i>Vehicle refueling<br/>stations w/o grocery</i>                    | 3 per facility, plus 1 per service bay                                                                           | 3 per facility, plus 1 per service<br>bay                                                |
| <i>Vehicle refueling<br/>stations w/grocery, no<br/>service bays</i> | 1 per facility, plus 1 per 300 square<br>feet of store                                                           | 1 per facility, plus 1 per 300<br>square feet of store                                   |
| Restaurants                                                          | 1 per 75 square feet in dining or<br>lounge areas                                                                | 1 per 75 square feet in dining or<br>lounge areas                                        |
| <i>Wholesale trade uses</i>                                          | 0.9 per 1,000 square feet                                                                                        | 0.9 per 1,000 square feet                                                                |

| LAND USE                                         | MINIMUM PARKING SPACES<br>REQUIRED                                                                     | MINIMUM PARKING SPACES<br>REQUIRED                                              |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
|                                                  | Citywide, Except in Downtown<br>Commercial and Downtown<br>Residential Zones West of 68th<br>Avenue NE | Downtown Commercial and<br>Downtown Residential Zones<br>West of 68th Avenue NE |
| Retail<br>sales and wholesale<br>trade mixed use | 1 per 300 square feet                                                                                  | 1 per 300 square feet                                                           |
| <b>MANUFACTURING:</b>                            |                                                                                                        |                                                                                 |
| Manufacturing land uses                          | 0.9 per 1,000 square feet                                                                              | –                                                                               |
| Exceptions:                                      |                                                                                                        |                                                                                 |
| Winery/brewery                                   | 0.9 per 1,000 square feet, plus 1 per<br>50 square feet of tasting area                                | –                                                                               |
| <b>RESOURCES:</b>                                |                                                                                                        |                                                                                 |
| Resource land uses                               | (city manager)                                                                                         | –                                                                               |
| <b>REGIONAL:</b>                                 |                                                                                                        |                                                                                 |
| Regional land uses                               | (city manager)                                                                                         | (city manager)                                                                  |

B. An *applicant* may request a modification of the minimum required number of *parking spaces* by providing a parking demand analysis demonstrating that parking demand can be met with a reduced parking requirement. In such cases, the *city manager* may approve a reduction of up to 50 percent of the minimum required number of spaces.

C. When the *City* has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or *uses* authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible *uses* results in different parking requirements, the *city manager* will establish the amount of parking based on a likely range of *uses*.

D. Where other provisions of this code stipulate maximum parking allowed or reduced minimum parking requirements, those provisions shall apply.

E. In any *development* required to provide six or more *parking spaces*, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise specified.



1 H. Critical Area or Buffer Protection. When unavoidable, the *city manager* may reduce minimum  
2 parking requirements in order to maximize the protection of a *critical area* or its *buffer*. The  
3 reduction in the number of parking stalls or alternative stall or drive aisle dimensional requirements  
4 shall be in proportion to the area to be retained in the *buffer* or *critical area*. [Ord. 24-0609 § 2 (Exh.  
5 A); Ord. 23-0574 § 2 (Exh. A); Ord. 19-0488 § 5 (Exh. 3); Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2  
6 (Att. A); Ord. 16-0428 § 13 (Att. I); Ord. 16-0415 § 2 (Att. B); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329  
7 § 3 (Exh. 1).]

8 **18.40.035 Parking in the urban residential zone, downtown commercial zone east of 73rd Avenue**  
9 **NE, public and semi-public zone abutting SR-522, and the urban corridor zone, east subarea.**

10 Parking in the urban residential zone, the downtown commercial zone east of 73rd Avenue NE, the  
11 public and semi-public zone abutting SR-522, and the urban corridor zone, east subarea, should be  
12 sufficient to support local businesses and residential development, while at the same time  
13 promoting transit ridership, walkable streets, and efficient use of land. Proposed development  
14 shall provide parking as follows:

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

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

- 18 1. One-half parking space per dwelling unit.
- 19 2. One-half additional parking space per every five dwelling units shall be provided and  
20 designated as guest parking for use by all guests.
- 21 3. There are no minimum parking requirements for multifamily residential developments  
22 specifically for housing senior citizens or people with disabilities. For  
23 residential developments specifically for housing senior citizens, an applicant shall  
24 prepare a parking demand analysis to determine parking requirements for staff and  
25 visitors. Parking requirements for senior citizen assisted living facilities are addressed in  
26 KMC [18.40.030](#)(A) and [18.40.050](#).

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

- 29 1. On-street parking immediately adjoining a property proposed for development or  
30 provided as part of the proposed development may be counted toward the minimum  
31 parking requirement.
- 32 2. Shared parking among uses is encouraged. Developments that propose shared parking  
33 arrangements shall submit a *parking management plan* that describes the terms and  
34 conditions of shared parking arrangements on site.

35 D. Maximum parking shall not exceed the minimum requirement calculated under the provisions of  
36 KMC [18.40.030](#).

- 37 1. Applicants may be allowed to exceed the maximum parking if the applicant can produce  
38 a parking study that demonstrates probable on-site parking needs that are significantly

1 higher than similar uses. This traffic study shall be subject to review by the *city*  
2 *manager* before approval for additional parking is granted. All parking granted in excess  
3 of the maximum shall be provided in a structured parking garage or under building and  
4 screened from the street frontage.

5 E. All other parking requirements shall be as provided in this chapter.

6 Exception: This section, as adopted by Ordinance No. 23-0574, shall not apply to certain real  
7 properties located within the area of the transit oriented development (TOD) district overlay as  
8 identified in KMC [18.29.020](#) and Figure 18.29.020.1, and as further identified by the following tax  
9 parcel numbers (TPN): TPN 011410-0889, TPN 011410-0881, TPN 011410-0870, TPN 011410-0885,  
10 TPN 011410-0865, TPN 011410-0860, and TPN 011410-0855. [Ord. 23-0574 § 2 (Exh. A).]

11 **18.40.038 Exceedance of minimum parking – Downtown commercial zone, downtown residential**  
12 **zone, urban corridor zone, east subarea, and urban residential zone.**

13 Provision of parking in excess of the minimum parking requirements shall require the excess  
14 parking be included in a structured parking garage, or under *building* and screened from the *street*  
15 *frontage*, unless the additional parking is associated with a phased, *mixed use development* and is  
16 interim in nature.

17 Exception: This section, as adopted by Ordinance No. 23-0574, shall not apply to certain real  
18 properties located within the area of the transit oriented development (TOD) district overlay as  
19 identified in KMC [18.29.020](#) and Figure 18.29.020.1, and as further identified by the following tax  
20 parcel numbers (TPN): TPN 011410-0889, TPN 011410-0881, TPN 011410-0870, TPN 011410-0885,  
21 TPN 011410-0865, TPN 011410-0860, and TPN 011410-0855. [Ord. 23-0574 § 2 (Exh. A).]

22 **18.40.040 Shared parking requirements.**

23 The amount of off-street parking required by KMC [18.40.030](#) may be reduced by an amount  
24 determined by the *city manager* when shared parking facilities for two or more *uses* are proposed,  
25 provided:

26 A. The total parking area exceeds 5,000 square feet;

27 B. The parking facilities are designed and developed as a single on-site common parking facility, or  
28 as a system of on-site and off-site facilities, if all facilities are connected with improved pedestrian  
29 facilities and no *building* or *use* involved is more than 800 feet from the most remote shared facility;

30 C. The amount of the reduction shall not exceed 10 percent for each *use*, unless:

- 31 1. The normal hours of operation for each *use* are separated by at least one hour; or
- 32 2. A parking demand study is prepared by a professional traffic engineer and submitted by  
33 the *applicant* documenting that the hours of actual parking demand for the  
34 proposed *uses* will not conflict and those *uses* will be served by adequate parking if  
35 shared parking reductions are authorized;
- 36 3. The *use* is a *mixed use development* pursuant to KMC [18.50.120](#), in which case a 25  
37 percent reduction may be granted;



- 1 at least two times per hour for 12 or more hours per day, residential parking  
2 requirements shall be no greater than 0.6 spaces per unit.
- 3 2. The *city manager* may require a *developer* to record a covenant that prohibits the rental  
4 of units subject to this parking restriction for any purpose other than providing for *very*  
5 *low-income affordable housing units* or *extremely low-income affordable housing units*.  
6 The covenant must address price restrictions and household income limits and policies  
7 if the property is converted to a use other than for such low-income housing, as part of  
8 an affordability agreement pursuant to KMC [18.77.050](#).
- 9 3. The *city manager* may require more than 0.6 spaces per unit if the city manager  
10 determines that particular *very low-income affordable housing units* or *extremely low-*  
11 *income affordable housing units* are located in an area with a lack of access to street  
12 parking capacity, physical space impediments, or other reasons supported by evidence  
13 that would make on-street parking infeasible for such units.
- 14 B. Transit Serving Market Rate Multifamily *Dwelling Units*.
- 15 1. For market rate multifamily *dwelling units* that are located within one-quarter mile (1,320  
16 feet), as measured linearly along *streets* or other pedestrian pathways, of a transit stop  
17 that receives transit service from at least one route that provides service at least four  
18 times per hour for 12 or more hours per day, residential parking requirements shall be no  
19 greater than 0.75 spaces per unit.
- 20 2. The *city manager* may require a *developer* to provide more than 0.75 spaces per unit if  
21 the *city manager* has determined a particular *dwelling unit* to be in an area with a lack of  
22 access to street parking capacity, physical space impediments, or other reasons  
23 supported by evidence that would make on-street parking infeasible for the *dwelling*  
24 *unit*.
- 25 C. Transit Serving Multifamily Housing for Seniors or People With Disabilities.
- 26 1. For multifamily *developments* specifically for housing seniors or people with disabilities  
27 that are located within one-quarter mile (1,320 feet), as measured linearly  
28 along *streets* or other pedestrian pathways, of a transit stop that receives transit service  
29 at least four times per hour for 12 or more hours per day, there shall be no minimum  
30 residential parking requirements for the residents of such *dwelling units*. Housing for  
31 seniors shall be defined as housing restricted to those meeting the definition of *senior*  
32 *citizen* as found in KMC [18.20.2500](#).
- 33 2. As an exception to subsection (C)(1) of this section, the *city manager* may require one or  
34 more parking spaces per bedroom for housing for seniors or people with disabilities if  
35 the *city manager* determines a particular unit to be in an area with a lack of access to  
36 street parking capacity, physical space impediments, or other reasons supported by  
37 evidence that would make on-street parking infeasible for the unit.
- 38 3. The *city manager* may require parking for staff and visitors of such multifamily housing  
39 for seniors or people with disabilities, consistent with the requirements of this title.





| GROSS FLOOR AREA                        | REQUIRED<br>NUMBER OF<br>LOADING<br>SPACES |
|-----------------------------------------|--------------------------------------------|
| 40,000 to 60,000 square feet            | 1                                          |
| 60,001 to 160,000 square feet           | 2                                          |
| 160,001 to 264,000 square feet          | 3                                          |
| 264,001 to 388,000 square feet          | 4                                          |
| 388,001 to 520,000 square feet          | 5                                          |
| 520,001 to 652,000 square feet          | 6                                          |
| 652,001 to 784,000 square feet          | 7                                          |
| 784,001 to 920,000 square feet          | 8                                          |
| For each additional 140,000 square feet | 1 additional                               |

1 C. Each *loading space* required by this section shall be a minimum of 10 feet wide, 30 feet long,  
2 and have an unobstructed vertical clearance of 14 feet, six inches, and shall be surfaced, improved  
3 and maintained as required by this chapter. *Loading spaces* shall be located so that trucks shall  
4 not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way.  
5 All *loading space* areas shall be separated from parking areas and shall be designated as  
6 truck *loading spaces*.

7 D. Any *loading space*, including loading docks, located within 100 feet of areas zoned for  
8 residential *use* shall be screened and operated as necessary to reduce noise and visual impacts.  
9 Noise mitigation measures may include architectural or structural barriers, *berms*, walls, or  
10 restrictions on the hours of operation.

11 E. Multi-story *self-service storage* facilities shall provide two *loading spaces*, and single-story  
12 facilities one *loading space*, adjacent to each building entrance that provides common access to  
13 interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an  
14 unobstructed vertical clearance of 14 feet, six inches, and shall be surfaced, improved and  
15 maintained as required by this chapter. Any floor area additions or structural alterations to  
16 a *building* shall be required to provide *loading space* or spaces as set forth in this chapter.

17 F. Loading docks shall be screened from view of the public right-of-way. Screening may include  
18 architectural or structural barriers, *berms*, walls or vegetation. [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-  
19 0329 § 3 (Exh. 1).]

1 **18.40.080 Stacking spaces for drive-through facilities.**

2 A. A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a  
3 service window of a drive-through facility. A stacking space shall be located to prevent any vehicles  
4 from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic  
5 maneuvering, or other *parking space* areas. Stacking spaces for drive-through or drive-in uses may  
6 not be counted as required *parking spaces*.

7 B. *Uses* providing drive-up or *drive-through services* shall provide vehicle stacking spaces as  
8 follows:

- 9 1. For each drive-through lane of a bank/financial institution, business service, or other  
10 drive-through *use* not listed, a minimum of five stacking spaces shall be provided; and  
11 2. For each drive-through lane of a restaurant, a minimum of seven stacking spaces shall  
12 be provided. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.40.090 Transit and rideshare provisions.**

14 A. *Government/business services land uses* and *manufacturing land uses, ambulatory surgery*  
15 *center, hospital, educational service* and *college/university* shall be required to reserve one *parking*  
16 *space* of every 20 required spaces for rideshare parking as follows:

- 17 1. The *parking spaces* shall be located closer to the primary employee entrance than any  
18 other employee parking except disabled;  
19 2. Reserved areas shall have markings and *signs* indicating that the space is reserved; and  
20 3. Parking in reserved areas shall be limited to vanpools and carpools established through  
21 rideshare programs by public agencies and to vehicles meeting minimum rideshare  
22 qualifications set by the employer;

23 B. The *city manager* may reduce the number of required off-street *parking spaces* when one or  
24 more scheduled transit routes provide service within one-quarter mile (1,320 feet) of the *site* as  
25 measured linearly along *streets* or other pedestrian pathways. The amount of reduction shall be  
26 based on the number of scheduled transit runs between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to  
27 6:00 p.m. each business day up to a maximum reduction as follows:

- 28 1. Four percent for each run serving *government/business service land*  
29 *uses* and *manufacturing land uses*, up to a maximum of 40 percent; and  
30 2. Two percent for each run serving *recreational/cultural land uses, general services land*  
31 *uses, retail land uses, and wholesale trade*, up to a maximum of 20 percent; and

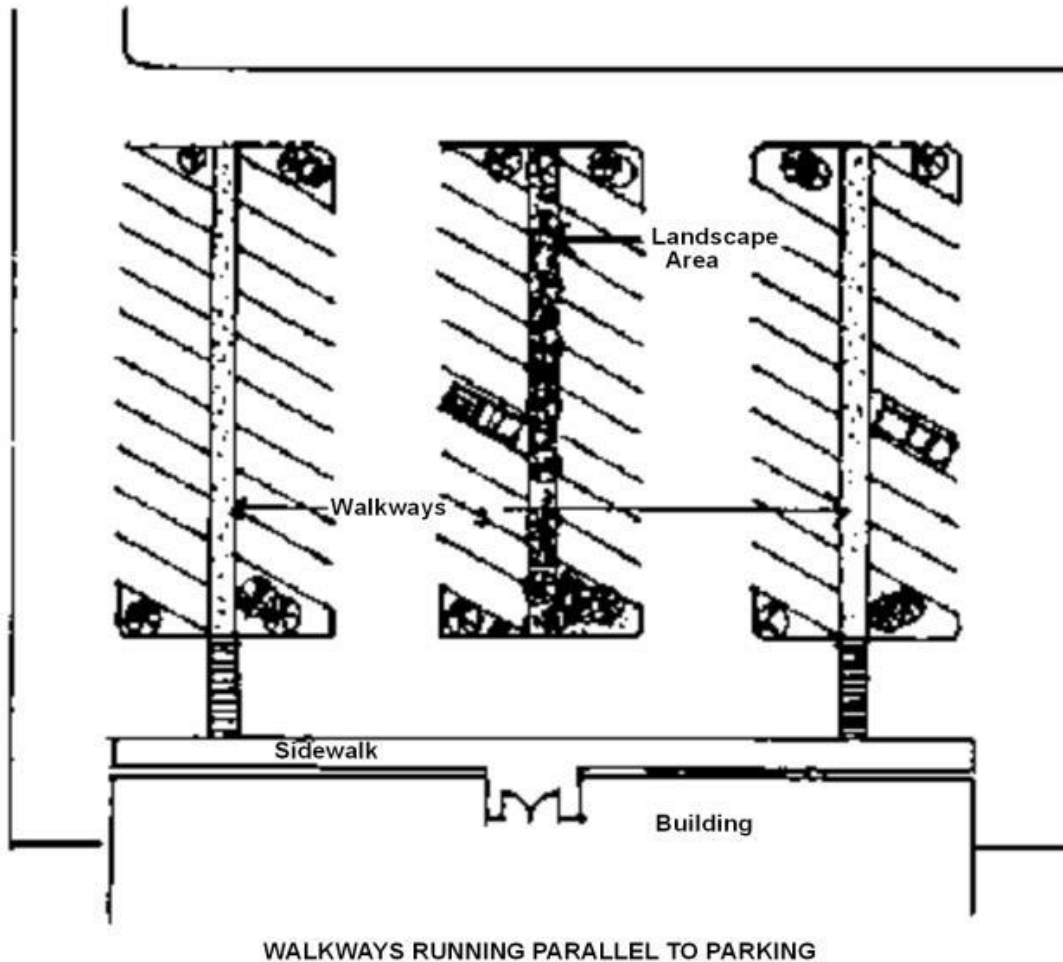
32 C. All uses which are located on an existing transit route and are required under the computation  
33 for required off-street *parking spaces* in KMC [18.40.030\(A\)](#) to provide more than 200 *parking*  
34 *spaces* may be required to provide transit shelters, bus turnout lanes or other transit  
35 improvements as a condition of permit approval. *Uses* which reduce required parking under  
36 subsection B of this section shall provide transit shelters if transit routes adjoin the *site*. [Ord. 17-  
37 0438 § 2 (Att. B); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

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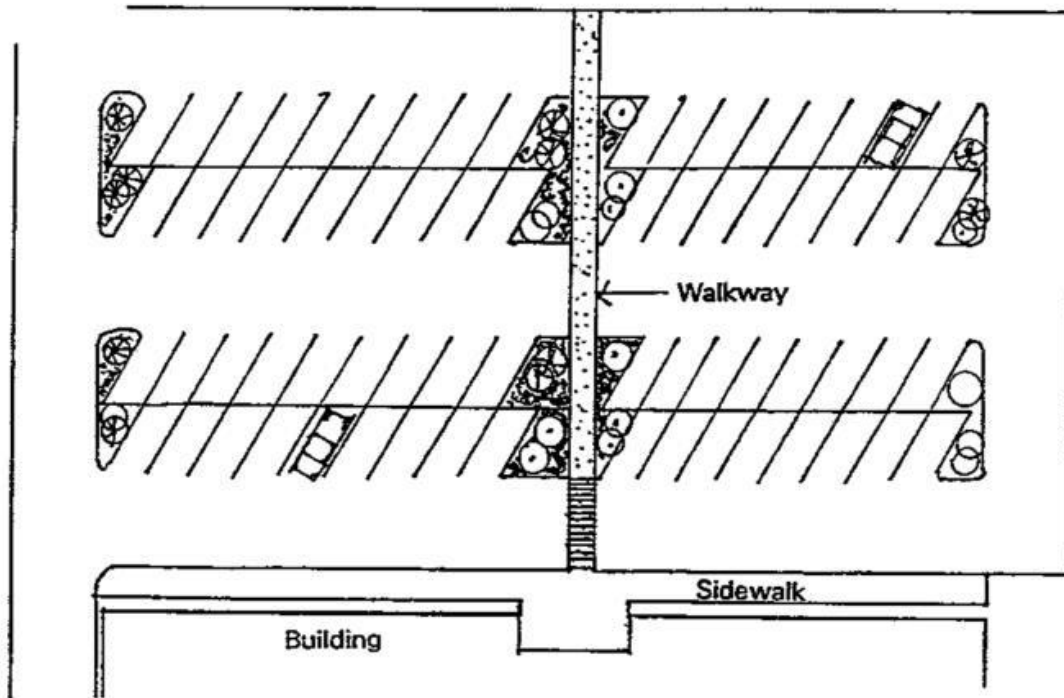
2 C. Walkways shall form an on-site circulation system that minimizes the conflict between  
 3 pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances.  
 4 Walkways shall be provided when the pedestrian access point onto the *site*, or any *parking space*,  
 5 is more than 75 feet from the building entrance or principal on-site destination and as follows:

- 6 1. All *developments* which contain more than one *building* shall provide walkways between  
 7 the principal entrances of the *buildings*;
- 8 2. All nonresidential *buildings* set back more than 100 feet from the public right-of-way  
 9 shall provide for direct pedestrian access from the *building* to *buildings* on adjacent *lots*;  
 10 and
- 11 3. Walkways across parking areas shall be located as follows:

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

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- 1 a. Walkways running parallel to the parking rows shall be provided for every six rows.
- 2 Rows without walkways shall be landscaped or contain barriers or other means to
- 3 encourage pedestrians to use the walkways; and
- 4 b. Walkways running perpendicular to the parking rows shall be no further than
- 5 20 *parking spaces*. Landscaping, barriers or other means shall be provided between
- 6 the parking rows to encourage pedestrians to use the walkways.



WALKWAYS RUNNING PERPENDICULAR TO PARKING

- 7
- 8 D. Pedestrian and bicycle access and walkways shall meet the following minimum design
- 9 standards:
- 10 1. Access and walkways shall be well lit and physically separated from driveways
- 11 and *parking spaces* by landscaping, *berms*, barriers, grade separation or other means to
- 12 protect pedestrians from vehicular traffic;
- 13 2. Access and walkways shall be a minimum of 48 inches of unobstructed width and meet
- 14 the surfacing standards of the *City street* standards for walkways or sidewalks;
- 15 3. The minimum standard for walkways required to be accessible for persons with
- 16 disabilities shall be designed and constructed to comply with the current State Building
- 17 Code regulations for barrier-free accessibility;

1 4. A crosswalk shall be required when a walkway crosses a driveway or a paved area  
2 accessible to vehicles.

3 E. Blocks in excess of 660 feet shall be provided with a crosswalk at the approximate midpoint of  
4 the block.

5 F. The *city manager* may waive or modify the requirements of this section when:

6 1. Existing or proposed improvements would create an unsafe condition or security  
7 concern;

8           2. There are topographical constraints, or existing or required *structures* effectively block  
9           access;

10 3. The *site* is not contiguous to an activity center, *park*, common tract, dedicated *open*  
11 *space*, school, transit stop or other public facility;

12 4. The land use would not generate the need for pedestrian or bicycle access; or

13            5. The public is not allowed access to the subject land use.

14 The *city manager's* waiver may not be used to modify or waive the requirements of this  
15 section relating to sidewalks and safe walking conditions for students.

16 G. The provisions of this section shall not apply on *school district* property. [Ord. 11-0329 § 3 (Exh.  
17 1).]

18 **18.40.110 Off-street parking plan design standards.**

19 A. Off-street parking areas shall not be located more than 600 feet from the *building* they are  
20 required to serve for all *uses* except those specified as follows; where an off-street parking area  
21 does not abut the *building* it serves, the required maximum distance shall be measured from the  
22 nearest building entrance that the parking area serves:

23 1. For all single detached dwellings the *parking spaces* shall be located on the  
24 same *lot* they are required to serve;

25           2. For all other residential dwellings at least a portion of parking areas shall be located  
26           within 150 feet from the *building or building(s)* they are required to serve;

27 3. For all nonresidential *uses* permitted in residential zones, the *parking spaces* shall be  
28 located on the same *lot* they are required to serve and at least a portion of parking areas  
29 shall be located within 150 feet from the nearest building entrance they are required to  
30 serve;

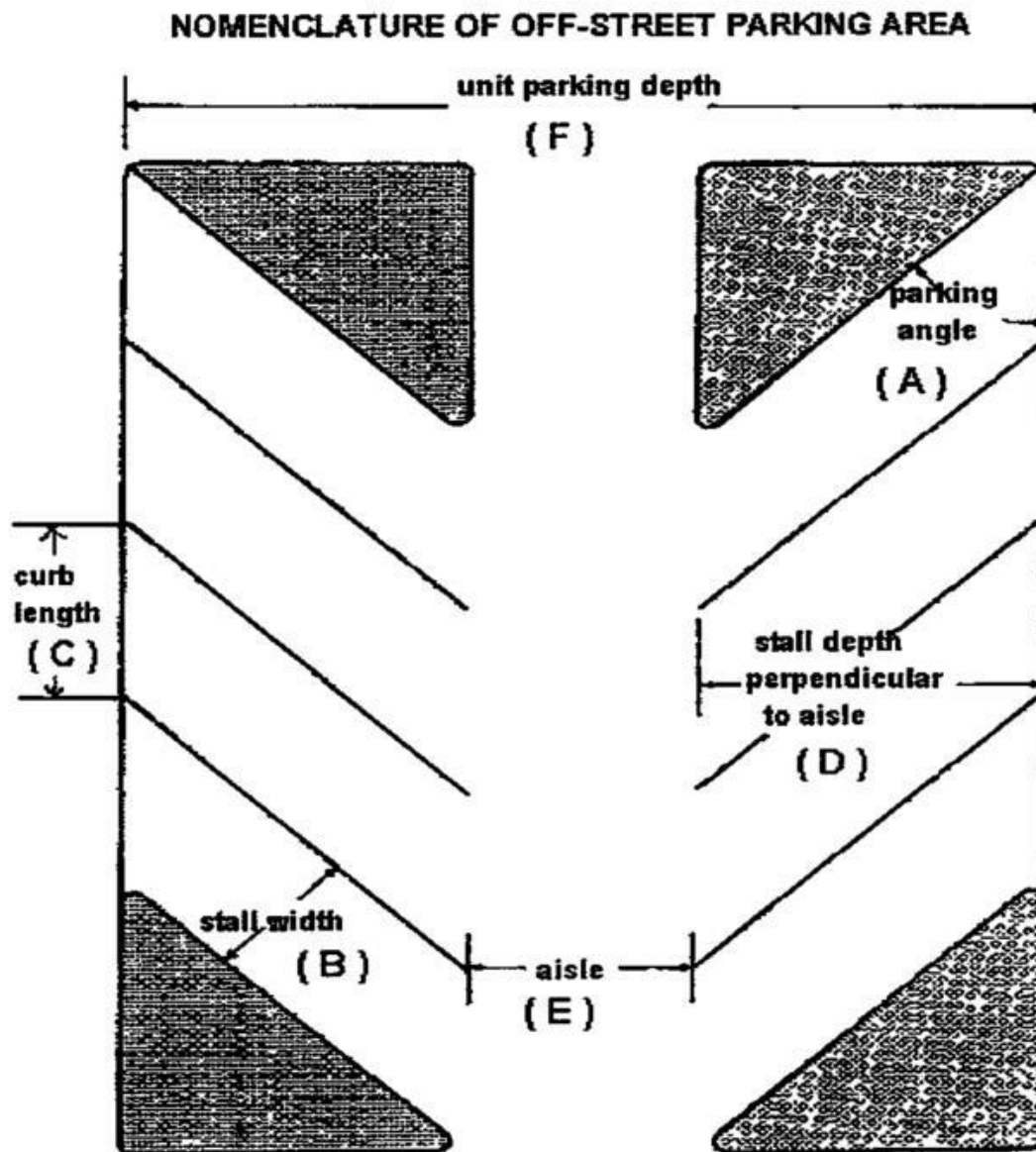
31 4. In the community business and neighborhood business zones, parking lots shall be  
32 located to the rear or sides of *buildings*. Relief from this subsection (A)(4) may be granted  
33 by the *city manager* only if the *applicant* can demonstrate that there is no practical site  
34 design to meet this requirement. The *city manager* may allow only the number of *parking*  
35 *spaces* that cannot be accommodated to the rear or sides of *buildings* to be located to  
36 the front of *buildings*;

- 1           5. Parking lots shall be so arranged as to permit the internal circulation of vehicles between  
2           parking aisles without re-entering adjoining public *streets*; and
- 3           6. Parking for the disabled shall be provided in accordance with KMC [18.40.060](#).
- 4    B. The minimum *parking space* and aisle dimensions for the most common parking angles are  
5    shown on the table in this subsection. For parking angles other than those shown on the chart, the  
6    minimum *parking space* and aisle dimensions shall be determined by the *city manager*. Regardless  
7    of the parking angle, one-way aisles shall be at least 10 feet wide, and two-way aisles shall be at  
8    least 20 feet wide. If dead-end aisles are used in the parking layout, they shall be constructed as  
9    two-way aisles. Parking plans for angle parking shall use space widths no less than eight feet, six  
10   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<br>ANGLE | STALL WIDTH | CURB<br>LENGTH | STALL<br>DEPTH | AISLE WIDTH |       | UNIT DEPTH |       |
|                  |             |                |                | 1-WAY       | 2-WAY | 1-WAY      | 2-WAY |
| 0                | 8.0*        | 20.0*          | 8.0            | 12.0        | 20.0  | **         | **    |
|                  | Min 8.5     | 22.5           | 8.5            | 12.0        | 20.0  | 29.0       | 37.0  |
|                  | Desired 9.0 | 22.5           | 9.0            | 12.0        | 20.0  | 30.0       | 38.0  |
| 30               | 8.0*        | 16.0*          | 15.0           | 10.0        | 20.0  | **         | **    |
|                  | Min 8.5     | 17.0           | 16.5           | 10.0        | 20.0  | 42.0       | 53.0  |
|                  | Desired 9.0 | 18.0           | 17.0           | 10.0        | 20.0  | 44.0       | 54.0  |
| 45               | 8.0*        | 11.5*          | 17.0*          | 12.0        | 20.0  | **         | **    |
|                  | Min 8.5     | 12.0           |                | 12.0        | 20.0  | 50.0       | 58.0  |
|                  | Desired 9.0 | 12.5           |                | 12.0        | 20.0  | 51.0       | 59.0  |
| 60               | 8.0*        | 9.6*           | 18.0           | 18.0        | 20.0  | **         | **    |
|                  | Min 8.5     | 10.0           | 20.0           | 18.0        | 20.0  | 58.0       | 60.0  |
|                  | Desired 9.0 | 10.5           | 21.0           | 18.0        | 20.0  | 60.0       | 62.0  |
| 90               | 8.0*        | 8.0*           | 16.0*          | 24.0        | 24.0  | **         | **    |
|                  | Min 8.5     | 8.5            | 18.0           | 24.0        | 24.0  | 60.0       | 60.0  |
|                  | Desired 9.0 | 9.0            | 18.0           | 23.0        | 24.0  | 60.0       | 60.0  |

- 1 \* for compact stalls only
- 2 \*\* variable with compact and standard combinations



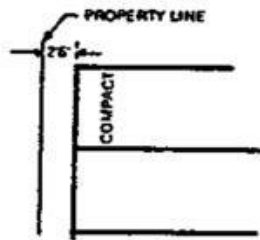
- 3
- 4 C. Any *parking spaces* abutting a required landscaped area on the driver or passenger side of the
- 5 vehicle shall provide an additional 18 inches above the minimum space width requirement to
- 6 provide a place to step other than in the landscaped area. The additional width shall be separated
- 7 from the adjacent *parking space* by a parking space division stripe.



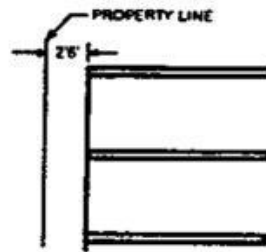
- 1 D. The *parking space* depth may be reduced if vehicles overhang a walkway or landscaping under  
2 the following conditions:
- 3 1. Wheel stops or curbs are installed;
- 4 2. The remaining walkway provides a minimum of 48 inches of unimpeded passageway for  
5 pedestrians;
- 6 3. The amount of space depth reduction is limited to a maximum of 18 inches; and
- 7 4. Landscaping is designed in accordance with KMC [18.35.070](#)(E).
- 8 E. Driveways providing ingress and egress between off-street parking areas and  
9 abutting *streets* shall be designed, located and constructed in accordance with the provisions of  
10 Chapter [12.50](#) KMC, Road Standards.
- 11 F. *Parking spaces* required under this title shall be located as follows:
- 12 1. For *single detached dwelling units* the required *parking spaces* shall be outside of any  
13 required *setbacks* or *landscaping*, but driveways crossing *setbacks* and  
14 required *landscaping* may be used for parking. However, if the driveway is a *joint use*  
15 *driveway*, no vehicle parked on the driveway shall obstruct any joint user's access to the  
16 driveway or *parking spaces*;
- 17 2. For all other *developments*, *parking spaces* may be permitted by the *city*  
18 *manager* in *setback* areas in accordance with an approved landscape plan; and
- 19 3. For nonresidential *uses* in residential zones, parking is permitted in *setback* areas in  
20 accordance with KMC [18.21.060](#).
- 21 G. Lighting shall be provided for safety of traffic and pedestrian circulation on the *site*. It shall be  
22 designed to minimize direct illumination of abutting properties and adjacent *streets*. The *city*  
23 *manager* shall have the authority to waive the requirement to provide lighting.
- 24 H. Tandem or end-to-end parking is allowed in residential *developments*. *Apartment* or *townhouse*  
25 *developments* may have tandem parking areas for each *dwelling unit* but shall not combine parking  
26 for separate *dwelling units* in tandem parking areas.
- 27 I. All vehicle parking and storage must be in a garage, carport or on an  
28 approved *impervious surface*. Any *impervious surface* used for vehicle parking or storage must  
29 have direct and unobstructed driveway access.
- 30 J. The total number of vehicles parked or stored outside of a *building* on a single-family *lot* in the R-4  
31 through R-6 zones, excluding *recreational vehicles* and trailers, shall not exceed six vehicles  
32 on *lots* 12,500 square feet or less and eight vehicles on *lots* greater than 12,500 square feet.
- 33 K. Vanpool or carpool parking areas shall meet the following minimum design standards:
- 34 1. A minimum vertical clearance of seven feet, three inches shall be provided to  
35 accommodate van vehicles if designated vanpool or carpool *parking spaces* are located  
36 in a parking structure; and

2. A minimum turning radius of 26 feet, four inches with a minimum turning diameter, curb to curb, of 52 feet, five inches shall be provided from parking aisles to adjacent carpool or vanpool *parking spaces*.
- L. Direct access from the *street* right-of-way to off-street parking areas shall be subject to KMC [18.45.070](#).
- M. No dead-end *alley* may provide access to more than eight off-street *parking spaces*.
- N. Any parking stalls located in enclosed *buildings* must be totally within the enclosed *building*. [Ord. 24-0609 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]
- 18.40.120 Off-street parking construction standards.**
- A. Off-street parking areas shall be paved in accordance with *City* street standards unless otherwise approved by the *city manager*.
- B. *Grading* work for parking areas shall meet the requirements of KMC Title [15](#). Drainage and erosion/sedimentation control facilities shall be provided in accordance with Chapter [13.35](#) KMC.
- C. Paved parking areas shall have *parking spaces* marked by surface paint lines or suitable substitute traffic marking material in accordance with the Washington State Department of Transportation Standards. Wheel stops are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way or landscaped areas. Typically approved markings and wheel stop locations are illustrated below.

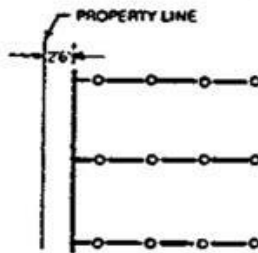
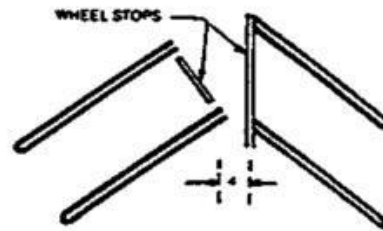
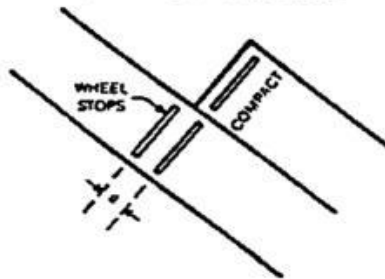
## STALL MARKINGS AND WHEEL STOP LOCATIONS



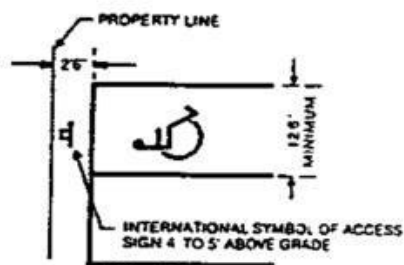
COMPACT MARKING



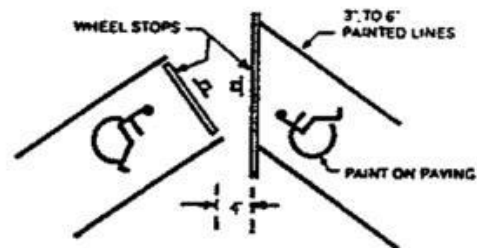
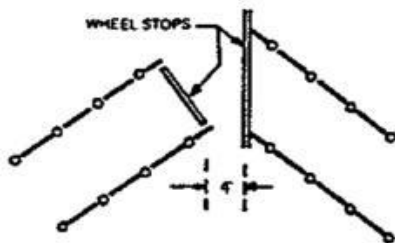
PAINTED HORSESHOE MARKING



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 number  
3     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 “COMPACT”  
5     in capital letters, a minimum of eight inches high, on the pavement at the base of the *parking*  
6     *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 of  
9     the required parking spaces as compact spaces. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh.  
10    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 in  
13    Chapter [12.50](#) KMC. [Ord. 11-0329 § 3 (Exh. 1).]

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**Chapter 18.73**  
**ACCESSORY DWELLING UNITS, HOME OCCUPATION, HOME INDUSTRY**

Sections:

- [18.73.100 Accessory dwelling units \(ADUs\).](#)
- [18.73.110 Home occupation.](#)
- [18.73.120 Home industry.](#)

**18.73.100 Accessory dwelling units (ADUs).**

- A. ~~Only one~~Up to two accessory dwelling units, either ~~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, ADUs must meet the bulk development standards applicable to the principal unit on the same lot 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:

| <b>Lot Size</b>                                              | <b>Maximum Floor Area for a Detached ADU</b>                           |
|--------------------------------------------------------------|------------------------------------------------------------------------|
| Lots with an area equal to or greater than 6,000 square feet | <del>1740</del> % of the lot area up to a maximum of 1,500 square feet |
| Lots with an area less than 6,000 square feet                | <del>1,000600</del> 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.

1 G. An *applicant* seeking to build an *accessory dwelling unit* shall file a notice approved by the  
2 department with the records and elections division which identifies the dwelling unit as accessory.  
3 The notice shall run with the land. The *applicant* shall submit proof that the notice was filed before  
4 the *department* shall approve any permit for the construction of the *accessory dwelling unit*. The  
5 required contents and form of the notice shall be set forth in administrative rules.

6 H. ~~The total number of occupants in the principal dwelling unit and the accessory dwelling~~  
7 ~~unit combined shall not exceed~~ the maximum number of occupants established for a single-  
8 family dwelling as defined in KMC 18.20.1010 is permitted per dwelling unit and accessory dwelling  
9 unit on a lot, regardless of whether that unit is owned separately or leased. ~~{Ord. 20-0510 § 2 (Exh.~~  
10 ~~A); Ord. 11-0329 § 3 (Exh. 1).}~~

11 I. Detached accessory dwelling units may be sited at a property line with no setback if the property  
12 line abuts a public alley.

13 J. Existing structures, including legally nonconforming structures, may be converted into accessory  
14 dwelling units provided they meet relevant existing building code requirements.

15 K. Public street improvements (e.g. frontage improvements) are not required as a condition of  
16 permitting accessory dwelling units.

17 L. Accessory dwelling units may be sold individually from the principal unit. Condominium units  
18 originally constructed as accessory dwelling units may be sold or otherwise conveyed individually  
19 from the principal unit.

20 **18.73.110 Home occupation.**

21 Residents of a *dwelling unit* may conduct one or more *home occupations* as accessory activities,  
22 provided:

23 A. The total area devoted to all *home occupation(s)* shall not exceed 20 percent of the floor area of  
24 the *dwelling unit*. Areas with attached garages and storage *buildings* shall not be considered part of  
25 the *dwelling unit* for purposes of calculating allowable *home occupation* area but may be used for  
26 storage of goods associated with the *home occupation*;

27 B. In residential zones, all the activities of the *home occupation(s)* shall be conducted indoors,  
28 except for those related to growing or storing of plants used by the *home occupation(s)*;

29 C. No more than one nonresident shall be employed by the *home occupation(s)*;

30 D. The following activities shall be prohibited in residential zones only:

- 31 1. Automobile, truck and *heavy equipment* repair;
- 32 2. Autobody work or painting;
- 33 3. Parking and storage of *heavy equipment*; and
- 34 4. Storage of building materials for use on other properties;

35 E. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:

- 1           1. One stall for a nonresident employed by the *home occupation(s)*; and
- 2           2. One stall for patrons when services are rendered on site.
- 3           3. For *specialized instruction schools*, the number of stalls shall be as required by
- 4           Chapter [18.40](#) KMC;
- 5   F. Sales shall be limited to:
- 6           1. Mail order sales; and
- 7           2. Telephone sales with off-site delivery;
- 8   G. *Specialized instruction schools* shall be limited to:
- 9           1. Twelve students per one-hour session;
- 10          2. *Structures* used for the school shall maintain a distance of 25 feet from property lines
- 11          adjoining residential zones;
- 12   H. Services to patrons shall be arranged by appointment or provided off site;
- 13   I. The *home occupation(s)* may use or store a vehicle for pickup of materials used by the *home*
- 14   *occupation(s)* or the distribution of products from the *site*, provided:
- 15          1. No more than one such vehicle shall be allowed;
- 16          2. Such vehicle shall not park within any required *setback* areas of the *lot* or on
- 17          adjacent *streets*; and
- 18          3. Such vehicle shall not exceed a weight capacity of one ton;
- 19   J. The *home occupation(s)* shall not use electrical or mechanical equipment that results in:
- 20          1. A change to the occupancy type of the *structure(s)* used for the *home occupation(s)*;
- 21          2. Visual or audible interference in radio or television receivers, or electronic equipment
- 22          located off-premises; or
- 23          3. Fluctuations in line voltage off-premises; and
- 24   K. Uses not allowed as *home occupations* may be allowed as a *home industry* pursuant to this
- 25   chapter. [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]
- 26   **18.73.120 Home industry.**
- 27   In all zones except R-12, R-18, R-24, UR, CB Juanita subarea, and NB, a resident may establish
- 28   a *home industry* as an accessory activity, provided:
- 29   A. In the R-1, R-4 and R-6 zones, a *conditional use permit* is obtained;
- 30   B. The *site area* shall be no less than one acre;
- 31   C. The area of the *home industry* shall not exceed 50 percent of the floor area of the *dwelling unit*.
- 32   Areas within attached garages and storage *buildings* shall not be considered part of

- 1 the *dwelling unit* for purposes of calculating allowable *home industry* area but may be used for  
2 storage of goods associated with the *home occupation*;
- 3 D. No more than four nonresidents shall be employed in a *home industry*;
- 4 E. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:
- 5 1. One stall for each nonresident employee of the *home industry*; and  
6 2. One stall for customer parking;
- 7 F. Additional customer parking shall be calculated for areas devoted to the *home industry* at the  
8 rate of one stall per:
- 9 1. One thousand square feet of *building* floor area; and  
10 2. Two thousand square feet of outdoor work or storage area;
- 11 G. Sales shall be limited to items produced on site, except for items collected, traded and  
12 occasionally sold by hobbyists, such as coins, stamps, and antiques;
- 13 H. Ten feet of Type I *landscaping* shall be provided around portions of parking and outside storage  
14 areas which are otherwise visible from adjacent properties or public rights-of-way; and
- 15 I. The *city manager* shall ensure compatibility of the *home industry* by:
- 16 1. Limiting the type and size of equipment used by the *home industry* to those which are  
17 compatible with the surrounding neighborhood;
- 18 2. Providing for *setbacks* or screening as needed to protect adjacent residential properties;  
19 3. Specifying hours of operation;
- 20 4. Determining acceptable levels of outdoor lighting; and  
21 5. Requiring sound level tests for activities determined to produce sound levels which may  
22 be excessive. [Ord. 23-0574 § 2 (Exh. A); Ord. 18-0454 § 2 (Exh. 1); Ord. 17-0438 § 2 (Att.  
23 A); Ord. 11-0329 § 3 (Exh. 1).]

24



**Chapter 18.75**  
**COTTAGE HOUSING**

**Sections**

18.75.010 Purpose

18.75.020 Cottage Housing Development Standards

18.75.030 Site Design Standards

18.75.040 Building Design Standards

18.75.050 Public Benefits and Development Incentives

**18.75.010 Purpose**

The purpose of this subchapter is to establish standards for cottage housing developments in the applicable areas within the R-4 and R-6 zones, as defined in 18.21.035(B).

**18.75.020 Cottage Housing Development Standards**

A. Development shall meet the bulk development and design standards for the parent lot, except as noted otherwise in this Chapter.

B. The building-to-building setback between units shall be a minimum of eight feet except for those units that area attached by common vertical walls.

C. Parking shall be provided as specified in KMC 18.40.030 and meet the following design requirements:

1. Parking shall be clustered within a common parking area that is accessible but peripheral to the units.

2. Parking shall be located to minimize visual impact on the site while limiting the amount of hardscape devoted to vehicles. Parking shall be screened from public view and shall not visually dominate the site frontage.

3. Parking shall be located in the rear of the development if accessed by an alley.

4. Parking shall be located on the side of the development if accessed by a private driveway, arterial or nonarterial street.

D. Each cottage shall be provided private open space. Private open space shall be directly contiguous to and accessed from each cottage.

1. Each cottage shall be provided with no less than 300 square feet of private open space.

2. No open space with a dimension less than six linear feet shall count towards private open space requirements.

3. Required porch areas may be counted as private open space.

4. Required perimeter landscaping shall not be counted as private open space.

1 E. A cottage development shall provide a minimum of 250 square feet of common open space per  
2 cottage.

3 1. A cottage development shall provide a minimum of 250 square feet of common open  
4 space per cottage.

5 2. Common open spaces may be comprised of lawns, gardens, plazas, seating areas,  
6 covered gazebos, trees, or similar features.

7 3. Community buildings, clubhouses, or structures are not required but can be counted as  
8 common open space provided they are on site and permanently affixed.

9 4. Common open space shall be located and made accessible to all residents of the  
10 cottage housing development.

11 5. Common open space shall be connected to other areas of the development through on-  
12 site pedestrian pathways.

13 6. Common open space shall be designed and located to protect existing stands of trees  
14 pursuant to KMC 18.57.

#### 15 **18.75.030 Site Design Standards**

16 A. Site design standards for cottage housing shall meet the requirements of KMC 18.52 Article II,  
17 except as noted otherwise in this Chapter.

18 1. Each cottage shall have a paved on-site pedestrian pathway, providing access to a  
19 public sidewalk, common open space, common parking areas, common buildings and  
20 common solid waste areas, if provided.

21 2. Parking outside of garages shall be screened per KMC 18.52.180.

22 3. Mechanical and utility equipment shall be located and designed to minimize visibility by  
23 the public. Preferred locations are abutting alleys, access drives, within, atop, or under  
24 buildings, underground, or other locations away from the public right-of-way. Equipment  
25 shall not intrude into required common open space or pedestrian pathways.

#### 26 **18.75.040 Building Design Standards**

27 A. Building design standards for cottage housing shall meet the requirements of KMC 18.52 Article  
28 III and Article V, except as noted otherwise in this Chapter.

29 1. Cottage front facades shall face a common open space or a right-of-way.

30 2. Cottages may be attached or detached.

31 3. Buildings should be oriented and designed to promote privacy between detached  
32 cottages, including the location of transparent features such as windows and doors.

33 4. Cottages with identical architectural designs should not be placed directly adjacent to  
34 one another and should be separated by at least one other nonidentical cottage.

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 visual  
5           impact through the use of fencing, lattices, landscaping, or other screening methods.

6           a. Garages may be detached from cottage units. Up to four garages may be attached to  
7           one another.

8           **18.75.050 Public Benefits and Development Incentives**

9           A. Development incentives permitted for cottage housing development are permitted as define in  
10          KMC 18.21.035(J).

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**Chapter 19.25**

**PROCEDURES FOR LAND USE DECISIONS, PUBLIC NOTICE, HEARINGS AND APPEALS**

Sections:

- [19.25.010 Chapter purpose.](#)
- [19.25.020 Classifications of land use decision processes.](#)
- [19.25.030 Preapplication conferences.](#)
- [19.25.040 Application requirements.](#)
- [19.25.050 Determination of completeness.](#)
- [19.25.055 Vesting.](#)
- [19.25.060 Notice of application.](#)
- [19.25.065 Public notice boards.](#)
- [19.25.080 Applications – Modifications to proposal.](#)
- [19.25.083 Application cancelled for inactivity.](#)
- [19.25.085 Type 2 decisions.](#)
- [19.25.090 Notice of decision.](#)
- [19.25.092 Appeals.](#)
- [19.25.095 Applications – Limitations on refiling of applications.](#)
- [19.25.100 Time limitations.](#)

**19.25.010 Chapter purpose.**

The purpose of this chapter is to establish standard procedures for land use decisions, including public notice, hearings and appeals. These procedures are designed to promote timely and informed public participation in discretionary land use decisions; eliminate redundancy in the application, permit review, hearing and appeal processes; provide for uniformity in public notice procedures; minimize delay and expense; and result in development approvals that implement the policies of the *comprehensive plan*. [Ord. 11-0329 § 3 (Exh. 1).]

**19.25.020 Classifications of land use decision processes.**

A. Land use decisions are classified into five types, based on the amount of discretion associated with each decision. Procedures for the five different types are distinguished according to who makes the decision, whether public notice is required, whether a public hearing is required before a decision is made and whether administrative appeals are provided. 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 that
- 5 are subject to administrative appeal.
- 6 3. Type 3 decisions are quasi-judicial decisions made by the *hearing examiner* following an open
- 7 record hearing. Type 3 decisions may be appealed directly to King County superior court, pursuant
- 8 to Chapter [36.70C](#) RCW, the Land Use Petition Act, based on the record established by the *hearing*
- 9 *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 would
- 15 require more than one type of land use decision process may be processed and decided together,
- 16 including any administrative appeals, using the highest-numbered land use decision type
- 17 applicable to the project application. KMC [16.75.060](#) sets out the combined hearing authority for
- 18 shoreline exemptions, shoreline substantial development permits, shoreline variances, and
- 19 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 significance
- 24 (DS)). For all other projects, the SEPA review procedures in Chapter [19.35](#) KMC are supplemental
- 25 to the procedures in this chapter.
- 26

## Exhibit A

### LAND USE DECISION TYPES

|                        |                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TYPE<br>1 <sup>2</sup> | Decision by <i>city manager</i> ; no<br>administrative appeal | Building; demolition; moving; engineering; clearing<br>and grading; sign; change of use and/or classification<br>under KMC Title <a href="#">15</a> ; accessory dwelling unit; home<br>occupation; boundary line adjustment; right-of-way;<br>street standards variance; adjustment under<br>Chapter <a href="#">13.35</a> KMC; shoreline exemption; temporary<br>use; binding site plan; preliminary subdivision or<br>short subdivision revision if not a substantial change;<br>short plat alteration if not a substantial change; |
|------------------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|           |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           |                                                                                                                                                                                                                                       | affordable housing project as described in KMC <a href="#">18.77.060(A)</a> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| TYPE<br>2 | Decision by <i>city manager</i> ; appealable to <i>hearing examiner</i> ; no further administrative appeal <sup>1,5</sup>                                                                                                             | Home industry; short subdivision; <a href="#">unit lot subdivision</a> ; 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 <a href="#">18.60</a> KMC; approval of residential density incentives under KMC <a href="#">18.80.060(A)(2)</a> or transfer of development credits under KMC <a href="#">18.80.090(A)</a> ; reuse of public schools; reasonable use exceptions under KMC <a href="#">18.55.180</a> ; public agency and utility exceptions under KMC <a href="#">18.55.160</a> ; other critical areas exceptions, variances and decisions to require studies or to approve, condition or deny a development proposal based on Chapter <a href="#">18.55</a> KMC; variances to <i>exceptional tree</i> regulations as set forth in KMC <a href="#">18.57.063</a> . |
| TYPE<br>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 <a href="#">36.70C</a> 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 <a href="#">18.60</a> KMC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| TYPE<br>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> <sup>3</sup> ; shoreline environment redesignation; plat vacation; short plat vacation; site plan review for uses not allowed by zone pursuant to Chapter <a href="#">18.105</a> 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<br>5 | Hearing and recommendation by planning commission or other city council-appointed advisory body <sup>4</sup> ; decision by city council on the record. Appealable to Growth                                                           | <i>Comprehensive plan</i> amendment; <i>development regulation</i> amendment; zoning map amendment related to a <i>site-specific comprehensive plan land use map amendment</i> ; master plans required in order to obtain a <i>comprehensive plan</i> amendment or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

|  |                                                                          |                                                                                      |
|--|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|  | Management Hearings Board pursuant to Chapter <a href="#">36.70A</a> RCW | related zoning map or text amendment pursuant to Chapter <a href="#">18.120</a> KMC. |
|--|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------|

1 <sup>1</sup> 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 <sup>2</sup> 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 copy  
6 of the permit.

7 <sup>3</sup> Approvals that are consistent with the *comprehensive plan* may be considered by the city council  
8 at any time. Zone *reclassifications* that are not consistent with the *comprehensive plan* land use  
9 map require a *site-specific comprehensive plan land use map amendment* and the city council's  
10 hearing, and consideration shall be considered a Type 5 land use decision and scheduled with the  
11 amendment to the *comprehensive plan* under Chapter [19.20](#) KMC.

12 <sup>4</sup> 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 the  
14 public participation process and makes the decision on the record.

15 <sup>5</sup> 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 (Att.  
18 F); Ord. 12-0334 § 18; Ord. 11-0329 § 3 (Exh. 1).]

19 ...



## 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: Mike Stanger, Senior Planner

Subject: Inclusionary Housing in Middle Housing Code Amendments

Date: April 8, 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 April 1 Planning Commission's meeting, ARCH staff presented the results from financial modeling of revised middle housing prototypes (and included here as Attachment 1). These show that middle housing would typically be feasible on 7,200 square foot lots with 4 or more units of:

- Detached homes, e.g., single-family, cottages, and ADUs, with combined floor area greater than about 0.6 FAR.
- Attached homes, e.g., townhomes and duplexes, with combined floor area greater than about 0.8 FAR.

With one exception, feasible prototypes remained feasible in the model when adding an affordability requirement of 80 percent of area median income (AMI) on 10 percent of the new units. A four-unit project, for example, would have an affordability requirement on 0.4 units, which the builder could meet by paying a fee per square foot of combined floor area in the new units.

The modeling suggested a value of \$6.00 per square foot for an in-lieu fee, which is approximately the midpoint of the values across the prototypes, as shown in Attachment 2 ("Difference per Sq Ft"). These were calculated from the difference between typical market-rate and affordable home prices of each prototype, multiplying by the required number of affordable units, and dividing by the total square footage of the project.

A four-townhouse prototype was the only scenario we modeled in which a \$6.00 per square foot fee in lieu of affordable housing made a feasible prototype infeasible. A builder facing this



scenario would be better off building four cottage homes or two duplexes, which are both still feasible after the in-lieu fees.

Also on April 1, the Planning Commission continued to discuss policy options concerning the applicability of the affordability requirement to small units and small projects, delaying implementation, and evaluating the fee rate in the future. The Commission agreed to delay implementation for builders who make vested applications by December 31, 2025, and to recommend that the Council reset the in-lieu fee rate (after re-modeling and evaluating effects of the program) no more frequently than every two years.

A majority of Commissioners preferred exempting projects of fewer than four units over exempting units of a certain square footage. ARCH staff pointed out that one- to three-unit projects are typically built by smaller builders or single homeowners and shown to be infeasible (or less feasible) in our modeling. The other option would have exempted only units up to a certain size (e.g., 1,000 or 1,200 square feet), encouraging construction of smaller units and requiring affordability from large homes regardless of project size.

### **Analysis**

ARCH staff, in collaboration with Community Development staff, prepared the code amendments in Attachment 3 and explanations in Attachment 4.

### **Recommendations**

ARCH staff recommend that the Kenmore Planning Commission consider the attached code amendments for incorporating housing affordability requirements in conjunction with middle housing density increases.

### **Attachments**

Attachment 1. Financial Modeling – Prototype Feasibility.

Attachment 2. Impacts on Prototypes of Fees In Lieu of Affordable Housing.

Attachment 3. Proposed Code Amendments for Inclusionary Zoning for Middle Housing.

Attachment 4. Summary of Proposed Amendments Related to Inclusionary Affordable Housing.

### ARCH Attachment 1. Financial Modeling – Prototype Feasibility.

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     |

|                  | 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        |
| Feasibility      | Feasible       | Infeasible          | Feasible                 | Feasible         |

\* Four cottage homes instead of three, as illustrated by Kimley Horn.

\*\* Not illustrated by Kimley Horn.

## ARCH Attachment 2. Impacts on Prototypes of Fees In Lieu of Affordable Housing

|                                   | Detached Single-Family | Duplex               | Triplex              | Cottage Housing | Townhouses          |
|-----------------------------------|------------------------|----------------------|----------------------|-----------------|---------------------|
| No. of Units                      | 1                      | 2                    | 3                    | 4               | 4                   |
| 10% Set-aside                     | 0.1                    | 0.2                  | 0.3                  | 0.4             | 0.4                 |
| Residual Profit                   | (\$253,389)            | (\$176,984)          | (\$97,159)           | \$112,076       | \$23,408            |
| Feasibility before Incl Zoning    | Infeasible             | Infeasible           | Infeasible           | Feasible        | Feasible            |
| Market Unit Size                  | 1,200                  | 1,200                | 1,000                | 800             | 1,000               |
| Market Price                      | \$651,840              | \$547,080            | \$455,900            | \$434,560       | \$455,900           |
| Affrd Unit Type                   | 4-bedroom              | 4-bedroom            | 3-bedroom            | 2-bedroom       | 3-bedroom           |
| Affrd Price                       | \$431,599              | \$431,599            | \$383,430            | \$327,232       | \$383,430           |
| Price Difference                  | \$220,241              | \$115,481            | \$72,470             | \$107,328       | \$72,470            |
| Total Sq Ft                       | 2,400                  | 4,240                | 4,800                | 4,800           | 5,600               |
| Difference per Sq Ft              | \$9.18                 | \$5.45               | \$4.53               | \$8.94          | \$5.18              |
| 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)          |
| Feasibility with Incl Zoning      | Prototype infeasible   | Prototype infeasible | Prototype infeasible | Feasible        | Infeasible with Fee |

|                                   | Two Duplexes | Three-flat, Stacked  | Existing SFR + Triplex | New SFR + 2 ADUs |
|-----------------------------------|--------------|----------------------|------------------------|------------------|
| No. of Units                      | 4            | 3                    | 3                      | 3                |
| 10% Set-aside                     | 0.4          | 0.3                  | 0.3                    | 0.3              |
| Residual Profit                   | \$229,751    | (\$796,438)          | \$71,157               | \$189,628        |
| Feasibility before Incl Zoning    | Feasible     | Infeasible           | Feasible               | Feasible         |
| Market Unit Size                  | 1,000        | 900                  | 900                    | 1,000            |
| Market Price                      | \$455,900    | \$436,500            | \$410,310              | \$543,200        |
| Affrd Unit Type                   | 3-bedroom    | 2-bedroom            | 2-bedroom              | 3-bedroom        |
| Affrd Price                       | \$383,430    | \$345,964            | \$345,964              | \$362,021        |
| Price Difference                  | \$72,470     | \$90,536             | \$64,346               | \$181,179        |
| Total Sq Ft                       | 6,336        | 3,240                | 3,240                  | 4,400            |
| Difference per Sq Ft              | \$4.58       | \$8.38               | \$5.96                 | \$12.35          |
| 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        |
| Feasibility with Incl Zoning      | Feasible     | Prototype infeasible | Feasible               | Feasible         |



**Attachment 3: Proposed Code Amendments for Middle Housing Inclusionary Zoning**

**Chapter 18.77  
AFFORDABLE HOUSING**

**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*.

1 E. Timing/Phasing. The affordable housing units shall be available for occupancy in a time  
2 frame comparable to the availability of the rest of the *dwelling units* in the *development*. [Ord.  
3 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]

4 **18.77.043 R-4 and R-6 zones.**

5 All residential developments on properties zoned R-4 or R-6 and producing four or more new  
6 dwelling units shall provide affordable housing as follows:

7 A. Ten percent of the total number of new residential units in the development shall be very low-  
8 income housing if renter-occupied or low-income housing if owner-occupied.

9 1. Development applications vested by December 31st, 2025, shall be exempt from this  
10 affordable housing requirement if the proposed development conforms to regulations in  
11 place before June 1st, 2025.

12 2. Development applications made under regulations adopted after May 31<sup>st</sup>, 2025, shall  
13 provide affordable housing as prescribed in this section.

14 B. Developments producing four to nine new dwelling units shall not have the number of  
15 affordable units rounded down to zero but may either provide an affordable unit on-site or pay a  
16 fee in lieu of the required fractional affordable unit.

17 1. Notwithstanding the provisions of KMC 18.77.045, fees in lieu of affordable housing  
18 required in R-4 and R-6 zones shall be calculated from a rate set by the city council in the  
19 city's development fee schedule.

20 a. Payment of a fee in lieu of fractional affordable units shall be the applicant's option  
21 and does not require a proposal or the city manager's approval.

22 b. The initial fee rate shall be based on the difference between typical market-rate  
23 housing expenses and affordable housing expenses in Kenmore as the city shall  
24 determine using commonly accepted methods.

25 c. The city council shall increase or decrease the fee annually to reflect the current  
26 published annual change in the Seattle Consumer Price Index for Wage Earners and  
27 Clerical Workers.

28 d. The city council may reset the fee rate, no more frequently than two years, based on  
29 updated analysis of market-rate and affordable housing expenses.

30 e. A written agreement is not necessary but charges and payments, including dates  
31 payable, may be administered as any other development fees.

32 2. Deposits and uses of payments in lieu of fractional affordable units shall follow the same  
33 policies established in KMC 18.77.045.

1 C. Developments producing ten or more new dwelling units shall have the number of affordable  
2 units rounded according to KMC 18.30.020(D).

3 **18.77.045 Alternative compliance.**

4 While the *City* prefers to achieve affordable housing on site, the *city manager* may approve a  
5 request for satisfying all or part of the affordable housing requirements with alternative  
6 compliance methods as follows:

7 A. Application. Applications for alternative compliance shall be submitted at the time of permit  
8 application, and must be approved prior to issuance of any building permit.

9 B. Off-Site Provision. A project proponent may propose to satisfy all or part of affordable  
10 housing requirements off site.

11 1. The project proponent must demonstrate that off-site provision of new affordable  
12 housing achieves a result equal to or better than providing affordable housing on site.

13 2. Affordable housing units provided through this method must be the same type of units  
14 as the units in the project which gave rise to the requirement.

15 3. Priority is for the project to be located within the same zoning district as the  
16 *development* responsible for providing affordable housing. However, the *city manager* may  
17 approve a project located outside the zoning district if the location has access to  
18 commercial *uses* and transit, does not result in an undue concentration of affordable  
19 housing, and has adequate infrastructure.

20 4. The proposal must demonstrate that the affordable units provided off site will be  
21 completed before or within the same time period as the *development* generating the  
22 affordable housing requirement. For projects approved for off-site affordable housing, there  
23 will be a recorded agreement on both the "sending" property and the "receiving" property.  
24 The covenant on the sending site will be released once the affordable housing is completed  
25 on the receiving property.

26 C. Contribution to Preservation of Existing Affordable Housing. A project proponent may  
27 propose to satisfy all or part of affordable housing requirements through purchase and long-  
28 term preservation of existing affordable housing, particularly in the *City's manufactured housing*  
29 *communities*. The *applicant* shall provide information demonstrating affordability of the units to  
30 be preserved and a long-term covenant shall be placed over the preserved units, ensuring  
31 preservation and maintenance of the affordable units.

32 D. Fee in Lieu. Cash payments in lieu of providing actual housing units may be proposed and, if  
33 approved by the *city manager*, shall be used only for the subsequent preservation or provision of  
34 affordable housing units by the *City* or other housing provider approved by the *city manager*.

- 1 1. Payments in lieu shall be based on the difference between the cost of construction for a  
2 prototype affordable housing unit on the subject property, including land costs and  
3 development fees, and the revenue generated by an affordable housing unit.
- 4 2. Prior to issuance of building permits for the project, the *City* and *applicant* shall execute a  
5 written agreement that establishes the *applicant's* payment obligations (amounts and due  
6 dates) for the project. The *City* may require the *applicant* to secure its payment obligations  
7 by irrevocable letter of credit or other form acceptable to the *City*.
- 8 3. The *City* shall deposit collected payments in an affordable housing fund established by  
9 the *City*.
- 10 4. Before the *city manager* approves or executes an agreement to accept payment in lieu of  
11 affordable housing, the *City* must have a plan for investing funds in affordable housing that  
12 supports *City* objectives. The *City* should make every effort to use these funds as quickly as  
13 possible.
- 14 5. The highest priority location for affordable housing funded wholly or in part with in-lieu  
15 fees is the subarea location of the project that generated the in-lieu fee; however, the *city*  
16 *manager* may authorize the use of these funds for affordable housing projects in other  
17 subareas of the *City* (as a second priority) or within another jurisdiction (as a third priority)  
18 with close proximity to commercial uses, transit services, and/or employment opportunities.  
19 [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]  
20



## Attachment 4:

## SUMMARY OF PROPOSED AMENDMENTS RELATED TO INCLUSIONARY AFFORDABLE HOUSING

| Page Number | Chapter/ Topic                          | Reason/Policy Decision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed Text Amendment                                               | Explanation/Impacts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1           | KMC 18.77.015.D. Duration.              | Both household income and household size are factors determining affordable housing eligibility. Minimum household sizes are based on the number of bedrooms in an affordable unit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | "Housing shall serve only <del>income</del> -eligible households ..." | This corrects a discrepancy between the text and actual practice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 2           | KMC 18.77.043. R-4 and R-6 zones. (new) | <p>State law allows cities to establish mandatory requirements for the inclusion of affordable housing for all residential developments where the city decides to increase residential capacity. There is flexibility to tailor policies and regulations to local conditions.</p> <p>Middle housing increases residential capacity in the R4 and R6 zones, so the City may require inclusion of affordable housing.</p> <p>Policy decisions to: exempt projects less than four housing units; provide a fee-in-lieu option for projects of 4 – 9 units and require on-site unit(s) for projects of 10 or more units (unless city approves an in-lieu fee).</p> | <u>"All new residential developments ..."</u>                         | <p>New section requires affordable housing in R-4- and R-6-zoned projects that create 4 or more new units.</p> <p>Exempts smaller scale projects with 3 or less units from affordable housing requirements (on-site affordable units and paying in-lieu fees).</p> <p>Residential projects of 4-9 units can pay a fee in lieu of fractional units.</p> <p>Projects of 10+ units provide on-site affordable units rounded to the nearest unit.</p> <p>KMC 18.77.015.B. requires adjacent projects by the same developer to be treated as a single project for the purpose of compliance.</p> |

| Page Number | Chapter/ Topic                        | Reason/Policy Decision                                                                                                                                                                                                                            | Proposed Text Amendment                                                                                                                                                                               | Explanation/Impacts                                                                                                                                                                                                                                                      |
|-------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2           | KMC 18.77.043.A.1. (new) and 2. (new) | Delaying implementation of affordable housing requirements provides notice of new regulations going into effect, which may benefit builders/applicants who are currently in the planning phase of development assuming current regulations apply. | <u>"Development applications vested by December 31<sup>st</sup>, 2025, shall be exempt ..."</u>                                                                                                       | Applicants can vest under the current (single-family) regulations until the end of 2025. Any application to build under the new middle housing regs will be subject to affordability requirements.                                                                       |
| 2           | KMC 18.77.043.A. (new)                | ARCH's financial modeling shows that prototypes that are feasible without affordability requirement are still feasible with a 10% set-aside at 80% AMI.                                                                                           | <u>"Ten percent of the total number of the total number of new residential units in the development shall be very low-income housing if renter-occupied or low-income housing if owner-occupied."</u> | Projects creating 4 – 9 new units will require 0.4 – 0.9 affordable units. Larger projects (>=10 units) will require one or more affordable units.<br><br>Homeownership units will be affordable at 80% of area median income (AMI), rental units affordable at 50% AMI. |
| 2           | KMC 18.77.015.A.                      | Unlike other zones, do not round fractional affordable units calculated in R-4 and R-6 zones when creating 4 – 10 new units.                                                                                                                      | <u>"... except for affordable housing required in R-4 and R-6 zones, as provided in KMC 18.77.043(B)."</u>                                                                                            | See explanation for 18.77.043.B.                                                                                                                                                                                                                                         |
| 2           | KMC 18.77.043.B. (new)                | Rounding fractions up to whole affordable units would be a greater financial challenge to projects of fewer than 10 units (compared to larger projects).                                                                                          | <u>"Developments producing four to nine new dwelling units shall not have the number of affordable units rounded down ..."</u>                                                                        | Enables projects of 4 – 9 units to contribute a cash payment in lieu of on-site affordable units.                                                                                                                                                                        |

| Page Number | Chapter/ Topic                  | Reason/Policy Decision                                                                                                                                                                                                                                                                                                                                                 | Proposed Text Amendment                                       | Explanation/Impacts                                                                                                                                                                                                                                                                               |
|-------------|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2           | KMC 18.77.043.B.1.a. through e. | Some provisions for alternative compliance aren't appropriate for fees in lieu of fractional units: <ul style="list-style-type: none"> <li>• Developer's option, not the City's.</li> <li>• No agreement needed because it can be tracked as a routine permitting procedure.</li> <li>• Fee will be a fixed rate, using a different formula and cost basis.</li> </ul> | <u>"Notwithstanding the provisions of KMC 18.77.045, ..."</u> | Council will set the initial rate based on difference between market-rate and affordable prices, and the rate will increase annually with CPI, unless "reset" based on new analysis.<br><br>Council not to reset the fee rate sooner than two years since previously set.                         |
| 2           | KMC 18.77.043.B.2.              | KMC 18.77.045 has regulations for deposits and uses of in-lieu fees that can also apply here.                                                                                                                                                                                                                                                                          | <u>"Deposits and uses of payments ..."</u>                    | The City can deposit fees to its own housing fund, which also allows transfer to the ARCH Trust Fund.<br><br>Highest priority use will be to subsidize housing in the Kenmore subarea of the originating project, but the city manager is authorized to use elsewhere for a suitable opportunity. |
| 3           | KMC 18.77.043.C. (new)          | Fractional affordable units not as compelling for projects of 10 or more units because larger projects are better able to handle the impact of on-site affordable units.                                                                                                                                                                                               | "Developments producing ten or more new dwelling units ..."   | Conventional rounding for projects creating 10 or more units; no fractional units and no in-lieu fees unless the applicant requests and the city approves payment as alternative compliance (KMC 18.77.045).                                                                                      |

**CITY OF KENMORE**

# **Middle Housing, Accessory Dwelling Units, and Affordable Housing Code**

**Amendments** Public Hearing  
April 15, 2025



# Hearing Overview

- Project Overview
- Summary of Proposed Code Amendments
- Next Steps



# Project Overview

- Kenmore is in the process of drafting code amendments to address requirements of HB 1110 (Middle Housing) and HB 1337 (Accessory Dwelling Units)
- Requires the City of Kenmore to adopt housing policies and implementing regulations to allow middle housing and ADUs in residential zones.
- Must be completed by June 30, 2025, or model code will apply.

| Requirements           | Tier 2 Requirements—<br>over 25,000<br>population                                                       |
|------------------------|---------------------------------------------------------------------------------------------------------|
| Middle Housing Types   | At least six of nine middle housing building types must be allowed                                      |
| Base Unit Density      | At least 2 units per lot                                                                                |
| Increased Unit Density | At least 4 units per lot when near major transit or when at least 1 affordable housing unit is provided |



# Project Overview

- 2024 Population – Just under 25,000
- Council directed staff in January 2024 to plan for Tier 2 requirements (Over 25,000, under 75,000 in population)

| Requirements              | Tier 2 Requirements–<br>over 25,000<br>population                                                                   |
|---------------------------|---------------------------------------------------------------------------------------------------------------------|
| Middle Housing<br>Types   | At least six of nine<br>middle housing building<br>types must be allowed                                            |
| Base Unit<br>Density      | At least 2 units per lot                                                                                            |
| Increased Unit<br>Density | At least 4 units per lot<br>when near major transit<br>or when at least 1<br>affordable housing unit<br>is provided |



# Project Timeline

- **2022: Comprehensive Plan Amendments** to Housing & Land Use Elements adopted but not middle housing Regulations. Council requested more community engagement.
- **2023: Community Engagement** “Framing the Future of Housing”. Final report to Council 9/25/23.
- **2024: Comprehensive Plan Amendments** to Housing & Land Use Elements adopted consistent with state law.
- **2024: Community Engagement:** Open house, booth at Farmers Market, website updates, newsletter posts, social media posts.

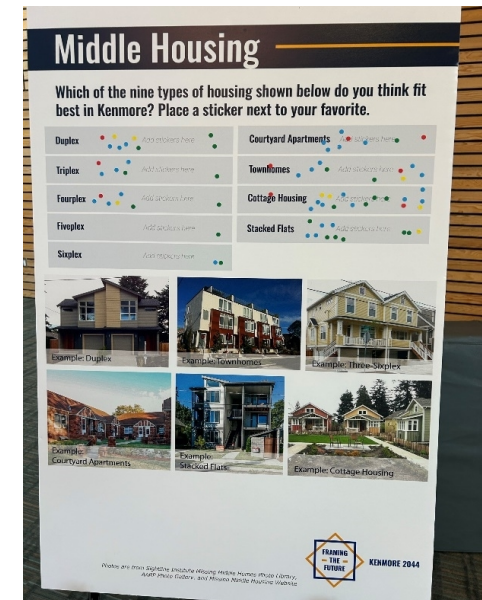
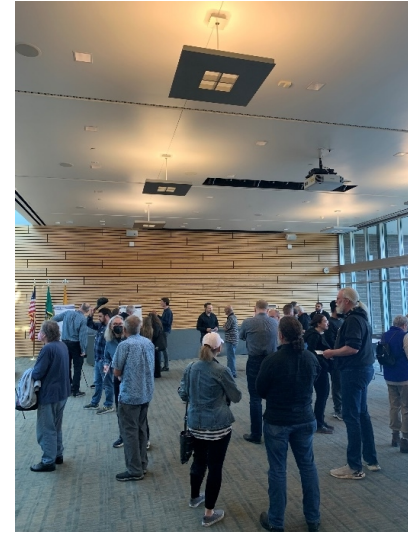




# Project Timeline

## 2025 Code Amendments

- Reviewed code amendments with Development Services & Public Works Departments
- Planning Commission meetings to develop and refine code amendments considering community input received through community engagement.
- Planning Commission Public Hearing: To receive community comments and feedback on proposed amendments to city codes.



# Middle Housing Amendments

- Passed by legislature in 2023
- Requires the City of Kenmore to adopt housing policies and implementing regulations to allow more middle housing in residential zones.
- Units include duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, and cottage housing as permitted uses
- Maintain base development standards consistent with underlying single-family use
- Add new definitions for:
  - Permitted housing types (noted above)
  - Major transit stops
  - Parent and Unit Lots
  - Unit Density



# Types of Middle Housing



Duplex



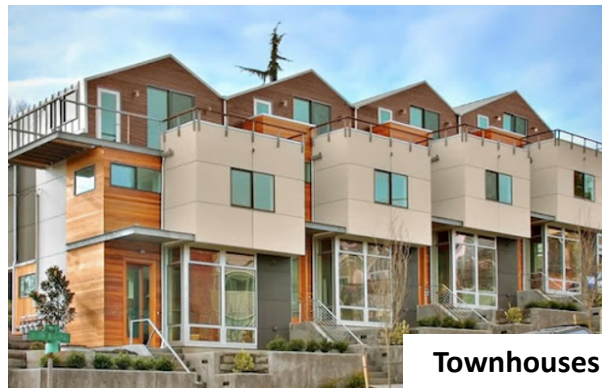
Triplex



Stacked Flats



Cottages



Townhouses



Courtyard Apartments



# Middle Housing Amendments

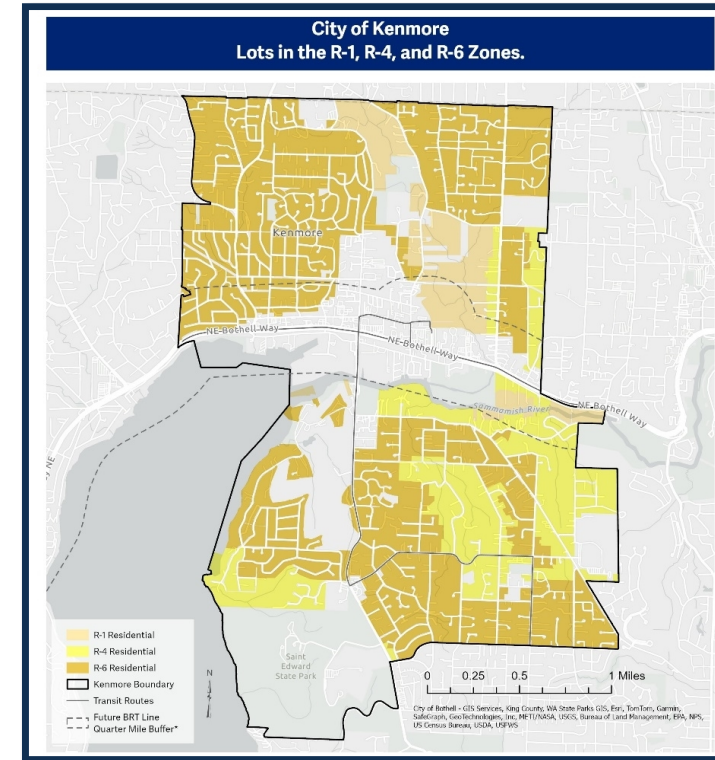
- Establish unit density standards
  - 2-units per lot and 4-unit per lot standards, including applicability
- Establish affordability requirements (term, affordability levels, and covenants and deed restriction)
- Establish parking requirements for middle housing types





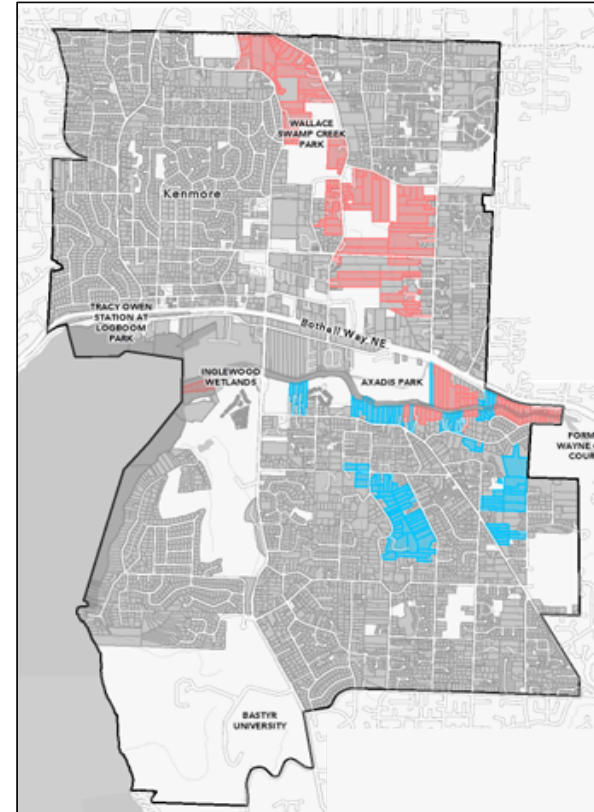
# Middle Housing – Where Permitted

- Applies to R-6 zoned parcels and parcels in R-4 zone that are not adjacent to waterways (streams, rivers)
- Planning Commission recommended pursuing the Alternate to Density approach and excluding all R-1 areas and portions of R-4 areas adjacent to waterways



# Middle Housing – Where Permitted

- Alternate to Density Requirements:  
Permits a city to implement the unit per lot density requirements for “at least” 75 percent of lots in the city that are primarily dedicated to single-family detached residential
- Middle housing regulations **do not** apply to R-1 and R-4 parcels adjacent to waterways
- Protection of critical areas (wetlands, streams, buffers)



# Public Benefits and Development Incentives

- Public benefits and development incentives include:
  - Promoting a variety of housing types
  - Increasing flexibility through setbacks
  - Promoting smaller unit types and retaining existing primary units

| APPLICABLE MIDDLE HOUSING TYPE   | NEIGHBORHOOD BENEFIT                                                                                                               | DEVELOPMENT INCENTIVE                                                   |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| Duplex, Triplex, Cottage Housing | Building height limited to 27' with a maximum of two stories.                                                                      | Reduce rear and street setbacks to 10'.                                 |
| Duplex, Stacked Flat             | 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 |
| Cottage housing                  | Gross floor area for an individual cottage set to a maximum of 1,200 square feet.                                                  | Density bonus of up to 50% of the unit density                          |



# Unit Lot Subdivisions

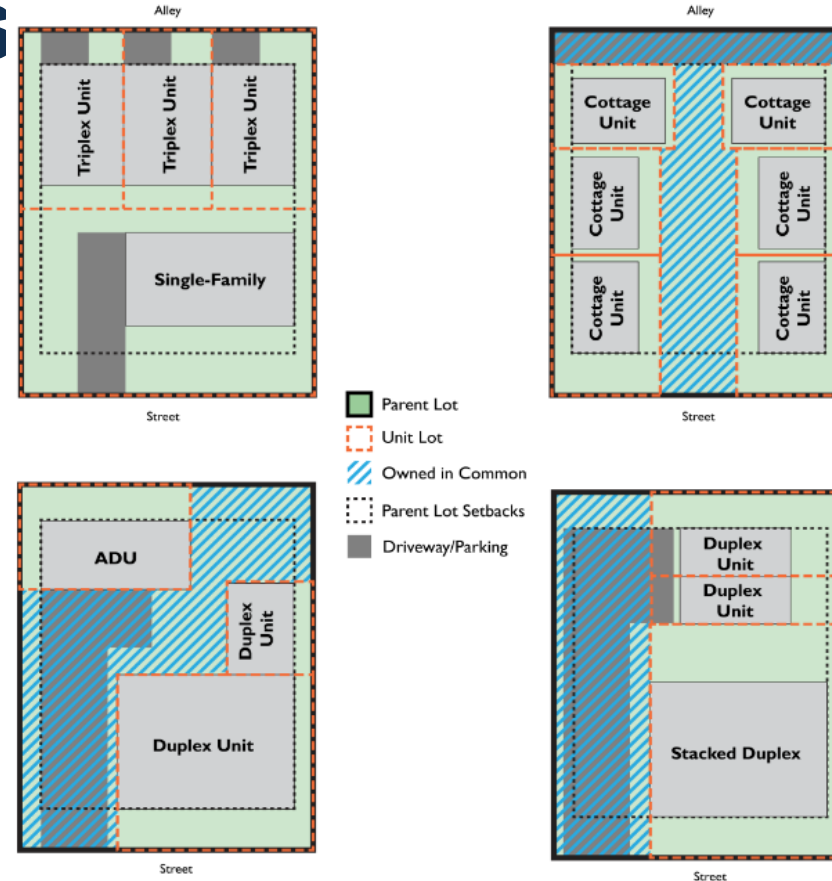
- New Chapter 17.20 in KMC
- Required by SB 5258 (2023), cities shall include in short plat regulations procedures for unit lot subdivisions. This process allows the division of a parent lot into separately-owned (fee simple) unit lots.
- Requires development of the overall parent lot to meet bulk development standards
- Follows processes and requirements for short plats





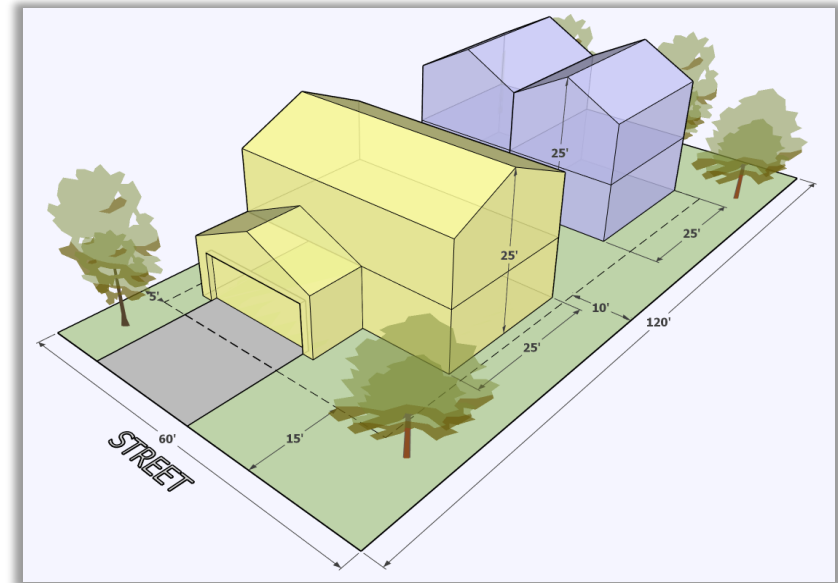
# Unit Lot Subdivisions

- Provides flexibility of zoning standards, such as lot size, setbacks, and lot coverage
- Allows fee simple ownership of land for middle housing type



# House with Two Accessory Dwelling Units

- Required by HB 1337 (2023), cities shall allow for up to two ADUs on all single-family zoned properties
- Requirements outlined in the bill include:
  - Remove owner occupancy requirement
  - Revise floor area maximum requirements to allow at least 1,000 square feet
  - Remove public street improvement requirement



# Affordable Housing Requirements

- Apply to all residential housing developments in the R4 and R6 zones of four units or more.
- Projects creating 4 – 9 new units will require 0.4 – 0.9 affordable units. Larger projects ( $\geq 10$  units) will require one or more affordable units.
- Homeownership units will be affordable at 80% of area median income (AMI), rental units affordable at 50% AMI.



## Next steps

- Hold public hearing to hear public testimony
- Make a formal recommendation to City Council and present at April 21 meeting
- Code amendments need to be adopted by the City of Kenmore by June 30, or State model ordinance will take effect July 1



# Inclusionary zoning: Does it increase costs?

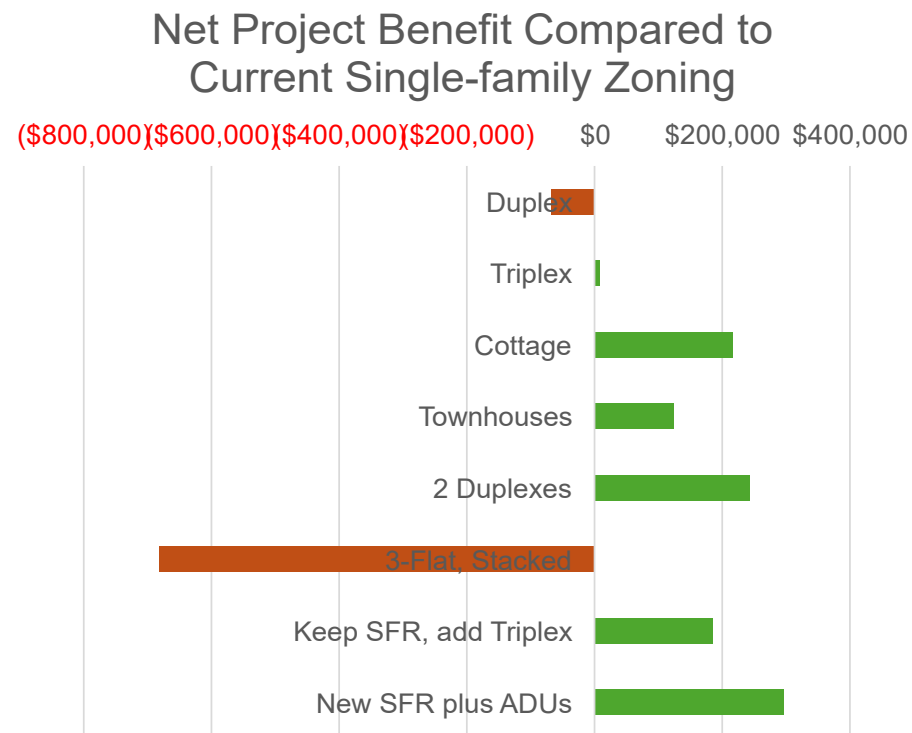


- In Washington state, affordable housing requirements on new development must be accompanied by “zoning changes, bonus densities, height and bulk increases, parking reductions, or other regulatory changes or other incentives” (RCW 36.70A.540(3)).
- ARCH staff recommend affordability requirements only when reasonably certain, after careful analysis, that most projects will gain more from upzoning than they “lose” in affordable housing.
- Critics will focus on cost of an in-lieu fee and ignore the value created by upzoning.

# Net benefits of middle housing densities with inclusionary zoning



- All scenarios except Duplex and Stacked 3-Flat perform better than one Single-family Detached home, even when paying \$6.00 per sq ft for affordable housing.
  - Fees in these examples range from \$18,000 - \$38,016.



Used 3,000 sq ft instead of 2,400 sq ft SFR.

# Modeling questions



- How did ARCH calculate market prices for feasibility?
  - BAE Urban Economics: Redfin.com data, Sept 2023 – April 2024.
  - Detached = \$560 per sq ft.
  - Attached = \$470 per sq ft.
  - Stacked = \$500 per sq ft.
- How did ARCH calculate market prices for in-lieu fees?
  - Same per-sq-ft prices.
  - Smaller homes for accurate comparison to affordable units.
- Why is the single-family home assumed to be 2,400 sq ft?
  - Scaled down when we changed scenario from 3,000 sq ft home on 10,000 sq ft lot.
  - Increasing home to 3,000 sq ft does not change the key results.
- How did ARCH determine lot prices (acquisition costs, \$3.5 million per acre)?
  - BAE Urban Economics: Redfin.com data.
    - Lots < 1 acre.
    - Single home built before 1980.
    - Cost < \$1.5 million.
  - Median price = \$80 per sq ft.

# Modeling questions



## Vetting

- Has ARCH's model, assumptions, and inputs been properly vetted?

## ARCH's response

- The study's inputs and findings were vetted with generous help from interviews with a dozen builders, architects, or realtors of the east King County community.
- See [https://www.archhousing.org/s/Middle-Housing-Affordability-Report\\_Final.pdf](https://www.archhousing.org/s/Middle-Housing-Affordability-Report_Final.pdf) (esp. pp 16 – 18) for more.





# Modeling questions

## Mandatory affordability

- Seattle's Mandatory Housing Affordability (MHA) program suppressed townhouse development and led to many city staff layoffs.

## ARCH's analysis

- ARCH communities have over 30 years experience with inclusionary zoning (mandatory affordability) and nothing shows that it has suppressed development.

**Kirkland: successful middle housing inclusionary zoning since 2009.**

**> 30 projects, > 50 on-site affordable units, and \$5.2 million in-lieu fees.**

**Redmond: successful inclusionary requirements in MF zones since 1993, SF zones since 2002.**

**30 projects and 90 on-site affordable units.**

# Builders' comments



## Square footage exemption

- Fee of \$6.00 per sq ft will discourage builders from building smaller homes.
  - 1,200 sq ft cottages.
  - 1,500 sq ft 3-bedroom homes.

## ARCH's analysis

- Fixed rate already an incentive for smaller units; fees increase in proportion to other costs as homes get larger.

| Sq Ft | In-lieu Fee | TDC            | Fee Pct of TDC |
|-------|-------------|----------------|----------------|
| 1,200 | \$7,200     | \$1.18 million | 0.6%           |
| 1,500 | \$9,000     | \$1.27 million | 0.7%           |
| 2,000 | \$12,000    | \$1.43 million | 0.8%           |
| 3,000 | \$18,000    | \$1.75 million | 1.0%           |

# Builders' comments



## Unit threshold

- Would like project threshold raised from 4 to 10 units.
- New report on Seattle MHA says, “the fewer units in the development, the larger the negative impact to project feasibility,” with viability only emerging in the 14- to 20-unit range.

## ARCH's analysis

- Seattle report not directly relevant; the quoted section discusses on-site affordability, not in-lieu fees.
- IZ proposed for Kenmore would not require on-site affordable units for projects smaller than 10 units.

# Builders' comments



## **Code clarity – KMC 18.77.043(B)(1)(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.”

## **ARCH's analysis**

- Planned to use same method for Council as used for PC.
- Options:
  - Delete “using commonly accepted methods.”
  - Add “light” details to describe the formula.
  - Replace “based on ...” with a specific rate (e.g., \$6.00 per sq ft).

# Builders' comments



## Defer collection of the fee

- Delaying payment until certificate of occupancy (C/O) or initial sale is better for builders' cash flow than payment at building permit issuance.

## ARCH's analysis

- Proposed KMC 18.77.043(B)(1)(e) directs staff to administer "charges and payments ... as any other development fee."
  - Impact fees and most/all others collected at permit issuance.
- Kirkland fees payable at C/O.
  - 2-year delay are common and de-value the payments.
- If PC wants to recommend delay, staff suggests adding a factor for time value.