

City of Kenmore



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

Planning Commission Meeting

ON-SITE

Tuesday, June 4, 2024 - 7:00 PM

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

ZOOM LINK: <https://kenmorewa-gov.zoom.us/j/83525069872>

Or Telephone: Dial US: +12532050468
Callers please dial *9 to Raise/Lower Hand
Webinar ID: 835 2506 9872

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.

Land Acknowledgement to Honor First Peoples

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

1. **CALL TO ORDER**
2. **LAND ACKNOWLEDGEMENT**
3. **FLAG SALUTE**
4. **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.

5. CONSENT AGENDA

Approval of Previous Meeting Minutes

[05.07 Planning Commission Meeting Minutes](#)

Planning Commissioner Excusals

6. AGENDA ITEMS

Middle Housing Policy & Code Update

[Staff Memo](#)

[Briefing memorandum from Kimley-Horn \(consultant\)](#)

[Middle Housing slide deck](#)

7. ADJOURNMENT

UPCOMING MEETINGS:

June 18, 2024, 7:00 p.m.

**City of Kenmore
Joint Planning Commission Meeting Minutes
May 7, 2024 @ 7:00 PM**

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

Dwight Thompson, Chair (Virtual)
Mike Vanderlinde, Vice Chair
Tracy Banaszynski
David Dorrian
Saad Qadri
Chris Olson
Derek Wyckoff

Staff

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

1. CALL TO ORDER

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

2. LAND ACKNOWLEDGEMENT

The Land Acknowledgement was read.

3. FLAG SALUTE

The Flag Salute was done.

4. PUBLIC COMMENT

Rhys Dorrian gave a public comment.

5. CONSENT AGENDA

The minutes from April 2nd were unanimously approved.
There were no Commissioner excusals.

- **MOTION:** Commissioner Dorrian moved to accept the consent agenda.
Commissioner Banaszyznski seconded the motion.
VOTE: 7 For, 0 Against, 0 Abstain. Motion Carried.

6. AGENDA

Todd Hall and Debbie Bent gave a presentation on the Natural Environment Element

Questions/Comments:

- How old is the map used? Can we see if there is an updated layer on critical areas and boundary changes.

Staff answer: it is from 2019 but for guidance only. Unless some large event has happened, these maps are for guidance only. Critical areas are kept on a separate, specific layer. This map is high level, not detailed.

- Can additional changes be made to the document after this update?

Staff answer: It is a living document so if new developments come up it can be changed. We will probably look at it again when we update the Shoreline Element.

Are there any surprises coming in the document?

Staff answer: Shouldn't be anything glaring. This is a chance for wording shifts etc.

- Leading with a stronger purpose statement about the built environment being in balance with the natural environment.

- Have wording up front at what policies are in the document.

- What is "best available science"?

Staff answer: Current scientific information derived from a valid scientific process including that used in the process to designate, protect or restore critical areas as defined by the state.

There was high level discussion on the Natural Environment Element including:

- Tree canopies and mitigation.
- Water quality and treatment.
- Air quality and the changes that might come with climate change. The industry in our area and its effect on it.
- Auto emissions and density and mitigating the effects. Looking through a more forward-looking lens in the document.
- Sedimentation ponds and dredging.
- Sewage treatment and septic systems.
- Grammatical changes and individual suggestions should be sent directly to Todd for updating.
- The Commissioners were complimentary to staff on their work on the Element.

At 9pm Todd suggested adjourning the meeting and revisiting the Natural Environment Element at a future meeting.

Todd and Debbie gave closing comments.

Upcoming Planning Commission meetings:

May 22 – Middle Housing Open House, 6-8pm

June 4 – Housing and Land Use Elements, Middle Housing (2nd review), 7pm

June 18 – Surface Water, Capital Facilities Plan, Natural Environment, 7pm

- **MOTION:** Chair Thompson moved to cancel the May 21st meeting due to the Middle Housing Open House on May 22nd. Vice Chair Vanderlinde seconded the motion.

VOTE: 7 For, 0 Against, 0 Abstain. Motion Carried.

There will be a potential quorum for the Middle Housing Open House on May 22nd.

7. ADJOURNMENT

Chair Thompson adjourned the meeting at 9:11 PM.

Planning Commission
Approved by Planning Commission on: _____



City Of Kenmore, Washington

Memorandum

Date: June 4, 2024
To: Planning Commission
From: Todd Hall, Principal Planner
Regarding: Middle Housing Policy and Code Update

At the June 4 Planning Commission meeting, Clay White from Kimley-Horn (consultant) will provide a briefing regarding the Middle Housing Policy and Code Update. The City Council and Planning Commission held a joint meeting on April 8, and an open house was held on May 22. Clay and staff will provide a brief update on those two events, and then begin discussions on the code and policy approaches.

The City is required to amend both the Housing Element and Land Use Element of the Comprehensive Plan (adopted in 2022) to be consistent with recent state law passed on middle housing and accessory dwelling units (ADUs) by December 31, 2024. The City must also develop and implement new zoning regulations for middle housing and ADUs by June 2025.

Attachment 1: Briefing memorandum from Kimley-Horn (consultant)
Attachment 2: Middle Housing slide deck

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

FROM: Clay White, Director of Planning

DATE: May 24, 2024

RE: June 4 2024, Kenmore Planning Commission– Middle Housing Policy and Code update project briefing

I look forward to the opportunity to brief the Kenmore Planning Commission on June 3, regarding the Middle Housing Policy and Code update project. The briefing will focus on providing a:

- Short project overview and review of the project schedule
- Recap of May 22 community open house
- Opportunity for discussion of project policy approach
- Overview of project next steps

Background

The Washington Legislature passed Engrossed 2nd Substitute [House Bill 1110](#) (“E2SHB 1110”, commonly referred to as “HB 1110”) in 2023. HB 1110 requires 77 cities across the State of Washington to adopt development regulations allowing for middle housing on all lots zoned predominantly for residential use. The City of Kenmore is required to adopt new zoning and development regulations in compliance with these new requirements by June 30, 2025. If no action is taken, the legislation will become effective.

Overview of Bill requirements

House Bill 1110 has different requirements for cities that have a population under/over 25,000. In 2023, the City of Kenmore population estimate was 24,230. It is likely that Kenmore will grow past the 25,000 thresholds within the next two or three years. When a city moves into a new population tier, it must comply with the new requirements.

Based upon the discussion at the April 8, 2024, joint City Council/Planning Commission meeting, we are proposing to implement the over 25,000 requirements.

Requirements for population over 25,000
At least six of nine middle housing building types must be allowed
2 units per lot
4 units per lot when near major transit or when at least 1 affordable housing unit is provided

Joint City Council and Planning Commission meeting recap

The City Council and Planning Commission held a Joint Study Session on the Middle Housing Policy and Code update project on April 8, 2024. Based upon feedback provided, draft policy and code will align with Tier 2 city requirements and align with House Bill 1110 standard requirements vs. alternative density or the alternative local action option. This can certainly be modified as the project moves forward but this initial direction gives us a foundation to build off.

The project team was also provided feedback in response to asking:

- What do you see as the project opportunities or issues the project team needs to consider?
- What can you share upfront that may assist and help guide the project team as new policies and code is developed?

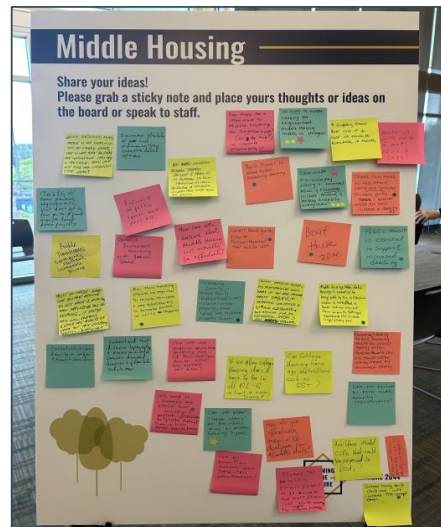
The following is a high-level summary of comments received which will be very helpful as the project moves forward.

- Importance of balancing new housing requirements with environmental standards.
- Need to plan for infrastructure improvements, such as sidewalks, in neighborhoods where redevelopment may occur.
- Consideration of new impervious surface impacts and options to mitigate such as current driveway length standards.
- Options to incentivize new middle housing that helps accomplish important community goals.
- Connecting this project with working taking place with the DEIA and Climate Actions Committees.
- How new regulations sync with Accessory Dwelling Unit (ADU) regulations.

Community Engagement

The consultant team has assembled a high-level project charter, project schedule, and community engagement plan. This project is building on the community outreach completed in Phase 1 (available on the City's website, [Framing the Future of Housing](#)). The project team's approach to community engagement will be to provide the space for residents and stakeholders to learn about the state requirements and the subsequent process to modify housing policy and codes.

On May 24, 2024, an open house was held at Kenmore City Hall. The event was well attended and terrific feedback was provided by those in attendance. At the June 3 briefing, we will provide an overview of what we heard from the community at the open house.



Project schedule

We have developed a project schedule that will guide our efforts. The primary goal is to align the development of both policy and code with the ongoing comprehensive plan update which will conclude in December 2024. Milestones for this project are also aligned with the grant timelines Kenmore has established with the Department of Commerce.

Project next steps

To meet Department of Commerce grant requirements, we will be preparing a summary of proposed housing policy changes and an outline of possible code changes the City of Kenmore will consider. This will be completed in June. This does not bind the City of Kenmore to any policy or code outcome but will frame up the range of issues the City will consider as part of this process. As the summer progresses, we will be preparing draft policies and implementing regulations which will be considered by the Planning Commission through public meetings as hearings.

As part of the June 3 project briefing, we will be asking for feedback on draft policy concepts the City may want to consider, in addition to those we will prepare to implement new statutory requirements. Feedback provided will not bind the Planning Commission to any particular outcome will provide the project team some direction as we prepare draft policies and code for your consideration.

We will primarily focus on topics including development of policies focused on:

- Consideration of a future permit ready program for Accessory Dwelling Units and/or middle housing. This could be similar to the City of Renton [Permit Ready ADU program](#). The program would not occur as part of this project but providing policy support could set the stage for a future project to move this forward.

Question: Should a policy be developed which provides support for the development of a permit ready program?

- Code incentives which could provide flexibility when important development standards are met. This could include reduction of setbacks or increasing impervious maximums when retaining the existing home, providing more parking, or when higher design standards are met. This is an exercise to just think about how to facilitate future development which will best harmonize with the community. A policy or policies focused on this issue would provide the basis for implementing this through new development standards.

Question: Should a policy or policies be developed which focus on consideration of development flexibility when certain development standards are met?

Additional policy areas could include preservation of existing housing, planning for future capital facility investments, such as sidewalks, in middle housing neighborhoods, and policies to encourage future corner commercial nodes. At the June 4 meeting, we will discuss policy areas the City of Kenmore may want to explore. We can then prepare draft policies for consideration later this summer.

CITY OF KENMORE
Planning Commission briefing

Middle Housing Policy and Code Update project

June 4, 2024



Briefing overview

- Provide the Planning Commission:
 - Short project overview
 - Recap of City Council/Planning Commission study session
 - Recap of community open house
 - Policy approach discussion
 - Overview of project next steps/schedule
 - Answer Planning Commission questions



House Bill 1110 Background



House Bill 1110

- 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.
- Must be completed by June 30, 2025, or model code will apply.
- Requirements modified by city population.

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1110

Chapter 332, Laws of 2023

68th Legislature
2023 Regular Session

GROWTH MANAGEMENT ACT—MINIMUM DEVELOPMENT DENSITIES IN RESIDENTIAL ZONES

EFFECTIVE DATE: July 23, 2023

Passed by the House April 18, 2023
Yeas 79 Nays 18

LAURIE JINKINS
Speaker of the House of Representatives

Passed by the Senate April 11, 2023
Yeas 35 Nays 14

DENNY HECK
President of the Senate

Approved May 8, 2023 1:11 PM

JAY INSLEE
Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1110 as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN
Chief Clerk

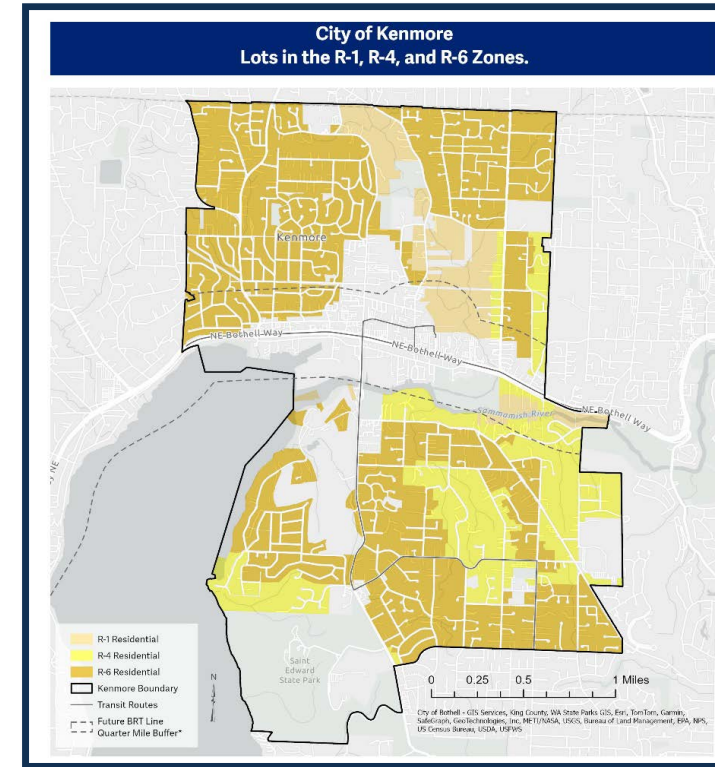
FILED
May 10, 2023

Secretary of State
State of Washington



High level details

- Applies to R-1, R-4, R-6 zones.
- Limits on more restrictive standards than single family housing.
- Design review must be administrative.
- Limits parking requirements.
- Permit subdivision of new units.



Bill requirements overview

- 2023 City of Kenmore population estimate – 24,230.
- Code updates will focus on Tier 2 requirements based upon initial feedback from City Council.
- “Units per lot” standard changes how density is calculated.

Requirements	Tier 2 – over 25,000 population	Tier 3 – under 25,000 population
Middle Housing Types	Allow at least six of nine middle housing types	Allow at least four of nine middle housing types
Base Unit Density	2 units per lot	2 units per lot
Increased Unit Density	4 units per lot when near major transit or when at least 1 affordable housing unit is provided	No additional density increase



Joint City Council and Planning Commission study session - recap

April 8, 2024



Study session - recap

- Provided project overview.
- Received feedback on key questions:
 - What do you see as the project opportunities or issues the project team needs to consider?
 - What can you share upfront that may assist and help guide the project team as new policies and code is developed?
- Based upon feedback propose to develop draft:
 - Policy and code aligned with Tier 2 city requirements.
 - Code to meet standard requirements vs. alternative density or alternative local action option.



Community Open House overview

May 22, 2024



Community Open

- Approximately 60 attendees
- Stations set up to provide information
- Opportunities to provide early feedback and ask questions



Open House Stations

Middle Housing

New State Requirements

House Bill 1110 was passed by the Washington State legislature in 2023 and focuses on increasing middle housing in areas traditionally dedicated to single-family housing. In the City of Kenmore, this includes the R-1, R-4, and R-6 zones.

The following are some of the requirements for the City of Kenmore based on applying the requirements of HB 1110 for cities with a population over 25,000 people:

Topic	House Bill 1110 requirement
Middle Housing Types	Allow at least six of nine middle housing building types (see station three for information on different housing types).
Increases Unit Density	Allow at least two units per lot.
Increased Unit Density	Allow at least four units per lot within 1/4 mile of a major transit stop or when at least one affordable housing unit is provided.
Subdivision of new lots	Allow subdivision of new lots so they may be owned fee simple rather than in a condominium form of ownership.
Development standards	Requires development standards for new development to be no more restrictive than those for single-family detached development.
Design review	If a design review board process is required, it must be an administrative process (requiring no discretionary decision for approval).
Parking	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. May not require more than two off street parking spaces for middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits. 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



Middle Housing

Frequently Asked Questions

When is the City of Kenmore required to implement these new requirements?

The City must adopt new regulations by June 30, 2025. However, the current project schedule would have new code provisions adopted by the end of 2025 to align with the City's Comprehensive Plan update.

What happens if the City of Kenmore does not adopt new regulations consistent with House Bill 1110?

If the City does not adopt regulations consistent with House Bill 1110 requirements by June 30, 2025, the requirements automatically apply through implementation of a model ordinance provided by the State.

Will new development be permitted, even if it does not comply with adopted critical areas requirements and other development standards?

No. The City's existing critical areas ordinance still applies to middle housing. New development will not be permitted that does not meet the critical areas requirements and other development standards. In addition, new middle housing will only be permitted when it complies with all adopted development regulations.

I have heard that these new regulations will not apply in neighborhoods that had Codes, Covenants, and Restrictions (CCRs) in place prior to this legislation that restrict this type of housing.

This is correct. Homeowners' association governing documents created before July 23, 2023, can restrict housing permitting under this project. However, note that cities do not have a role in regulating or enforcing private covenants. The City will work with applicants, however, to inform them on the importance of checking for any restrictions prior to submitting applications.

Does this mean that parking requirements will be reduced for new development?

It depends on the development being proposed. The City currently requires two off street parking spaces for single family homes or townhomes in the R-1, R-4, and R-6 zones. There are restrictions on how much on-site parking can be required, with a sliding scale for smaller sized lots. No on-site parking standards may be applied to middle housing located within a half-mile of a major transit stop.

I hear the term Middle Housing utilized a lot. How is Middle Housing defined?

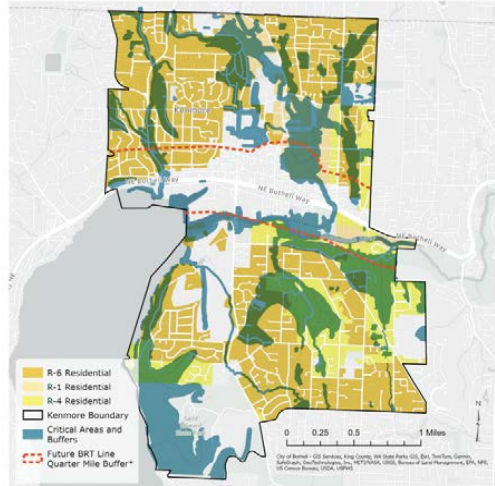
The Growth Management Act defines it as follows: "Middle housing" means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.



Middle Housing

Where does this apply?

The map below demonstrates where new regulations will apply and where new middle housing may be permitted if it meets all City of Kenmore development standards. Critical area regulations still apply to all new development.



*BRT means bus rapid transit. HB 1110 requires the jurisdiction to allow four units per lot within a 1/4 mile of a major transit stop. According to the Revised Code of Washington chapter 36.70A.030, a major transit stop means a stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104, commuter rails stops, stops on rail or fixed guideway systems; or stops on bus rapid transit (BRT) routes.



Open House Stations

Middle Housing

We asked residents about middle housing before but we would still like to hear from you. Place a sticker on the board to add your response.

Do you live in the City of Kenmore?

Yes ☐ No ☐ Other ☐

Do you currently own or rent?

I rent my home ☐ I own my home ☐ Other ☐

If you wanted to purchase a home in Kenmore, do you feel there are enough homes available that you could afford?

Yes ☐ No ☐ Other ☐

FRAMING THE FUTURE KENMORE 2044

Middle Housing

Which of the nine types of housing shown below do you think fit best in Kenmore? Place a sticker next to your favorite.

Duplex	Courtyard Apartments
Triplex	Townhomes
Fourplex	Cottage Housing
Fiveplex	Stacked Flats
Sixplex	

Examples: Duplex, Townhomes, Three-Sixplex, Courtyard Apartments, Stacked Flats, Cottage Housing

FRAMING THE FUTURE KENMORE 2044

Middle Housing

Understanding Tradeoffs in Implementation

Various housing options come with their own unique pros and cons. For instance, while some housing options provide off-street parking, they can have taller buildings compared to standard single-family homes. It's crucial to understand what aspects of housing and site design matter most to the community.

Do you support providing more flexible codes to encourage new middle housing if it is built with additional design standards that provide solutions to community concerns, like enough off-street parking?

Yes ☐ No ☐

Do you support finding ways to incentivize retention of existing homes as new middle housing is built? This could involve incentives such as increased square footage for units or decreased parking if existing homes are maintained on the lot.

Yes ☐ No ☐

If you support more cottage housing being built, would you support reducing parking standards or providing increased density incentives to promote this housing type?

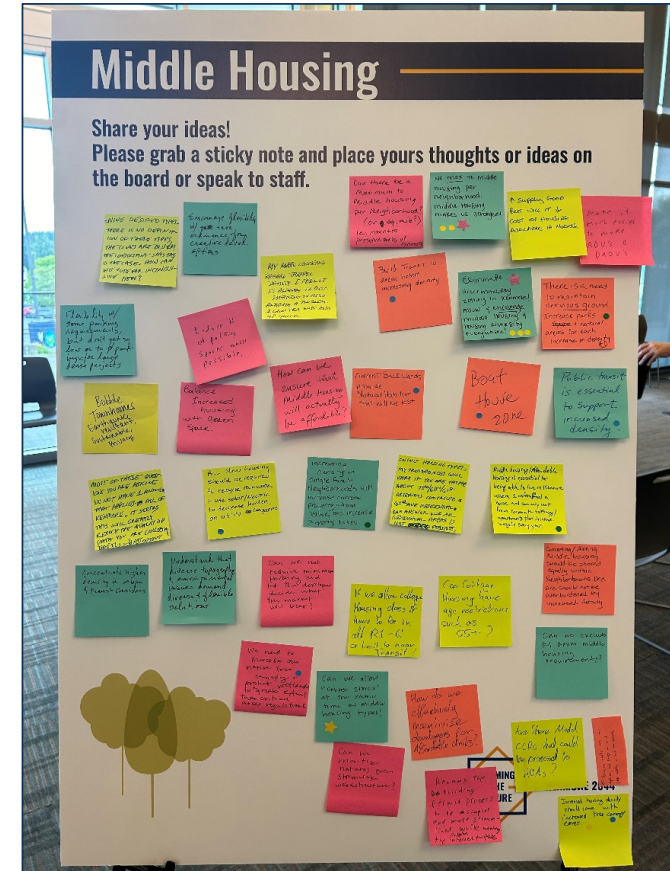
Yes ☐ No ☐

FRAMING THE FUTURE KENMORE 2044



Open House Stations

- Some of the ideas we heard:
 - Balance increased housing with open space.
 - Middle housing/affordable housing is essential for being able to live in Kenmore.
 - Public transit is essential to support increased density.
 - Can we exclude the R-1 from Middle Housing requirements?
 - New Middle Housing should be shared equally between neighborhoods.



Housing policy discussion



Early policy options

- Housing Element update completed in November 2022.
- Framing the Future Phase 1 Housing policy review:
 - Minor housing policy amendments identified.
 - Suggested amendments to be reviewed this summer.
- Consideration of additional policies:
 - Development incentives vs. static standards.
 - Permit ready program.
 - Preservation of existing housing.
 - Future capital facility investments such as sidewalks.
 - Corner commercial nodes.



From City of Renton permit ready ADU website



Project next steps and questions



Project next steps

- Develop draft Housing policies and outline of code changes – June 15

	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Task 1	Ongoing Coordination Meetings										
Task 2	Ongoing Engagement with Community and Stakeholders										
Task 3	Review										
Task 4			Draft Housing Element								
Task 5			Draft Regulations								
Task 6			★	Open House	★	Meetings			PC, Council, Hearings		

★ Potential check-in with Planning Commission and/or City Council.

- Questions?

