

City of Kenmore



City of Kenmore - 18120 68th Avenue NE - Kenmore, WA 98028
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City of Kenmore Planning Commission Meeting Agenda

Tuesday, November 6, 2018 @ 7:00 p.m.

**Kenmore City Hall
18120 68th Ave. NE, Kenmore, WA 98028**

If you have any questions or to confirm agenda items prior to the meeting, or if you require special accommodations, please call Bridgit Baker at 425-398-8900. You may also stop by City Hall at 18120 68th Avenue NE, Kenmore. Planning Commission agendas are also available on our website at www.kenmorewa.gov.

- 1. CALL TO ORDER**
- 2. CITIZEN COMMENTS**
- 3. APPROVAL OF MINUTES**

[August 21, 2018 Planning Commission Meeting Minutes](#)
[October 16, 2018 Planning Commission Meeting Minutes](#)

- 4. PUBLIC HEARING**

[2018 Comprehensive Plan Amendments](#)
[Attachment 1](#)
[Attachment 2](#)

- 5. AGENDA ITEMS**

A. Final Recommendations on Comprehensive Plan Amendments
B. Critical Areas and Shoreline Master Program Amendments
[Critical Areas and Shoreline Master Program Amendments Memo](#)
[Attachment 1 - Streams](#)
[Attachment 2 - Fish and Wildlife Habitats](#)

- 6. ADJOURNMENT**

7. **UPCOMING MEETINGS:**
November 20, 2018, 7:00 p.m.
December 4, 2018
December 18, 2018

**City of Kenmore
Planning Commission Meeting
August 21, 2018 @ 7:00 p.m.**

Planning Commission Members – In Attendance

Douglas Nugent, Chair
Mark Ohrenschall, Vice Chair
Carol Baker
Scott McDonald
Mike Mulcare
Dennis Olson
Mike Vanderlinde

Consultants & Staff

Debbie Bent, Community Development Director
Bridgit Baker, Admin Assistant
Amy Summe, Shannon & Wilson

1. CALL TO ORDER

The meeting was called to order by Chair Nugent at 7:00 p.m.

2. CITIZEN COMMENTS

No citizens rendered comments.

3. AGENDA ITEMS:

Debbie Bent stated the correction to the Bothell-Kenmore Reporter was made and submitted. She relayed that if someone wanted to submit individually or as a group they could. Chair Nugent motioned to submit a letter to the editor that corrects what the City misstated as a whole group, which was seconded by Vice Chair Ohrenschall. The motion passed 7-0 with no abstentions. Chair Nugent motioned to amend the letter he previously submitted to staff and include that it was not meant to challenge the City Council, but only to clarify what was mis-stated. The motion was seconded by Commissioner McDonald. After discussion of the motion, Chair Nugent added to his motion to address the content of the submission. Chair Nugent motioned to send a letter to the editor or a guest column piece (whichever the newspaper was willing to do) which includes as much of the Planning Commission statement as possible. The opening of the piece would essentially state the following: The Planning Commission is an advisory body to the Kenmore City Council, they were appointed by the City Council and they are not challenging the City Council. The City Council is currently considering this issue and to their knowledge has yet to make a final decision.

The second part of the piece would state: When the Planning Commission presented to the City Council on July 9th the Bothell-Kenmore Reporter reported this and made mis-statements. The point of the Planning Commission's submission is to correct those mis-statements and give the correction.

The last part of the piece would state: There was an omission of the material point that they felt was important to bring up. That is the reasoning behind the Planning Commission's recommendations for limiting the overlay or extended preservation was because affordable housing shouldn't be the burden of the Mobile Home Park owners, but by the greater community. The Mobile Home Park owners have already been providing affordable housing in this city for decades.

The second part of the motion was to delegate authority to Chair Nugent and Vice Chair Ohrenschall to work on the final product and follow up with the Bothell-Kenmore Reporter. The motion was seconded by Commissioner McDonald and passed 7-0 with no abstentions. Commissioner Olson volunteered as a third person on this committee. There were no objections.

Amy Summe presented the 3 policy questions with regards to the Critical Areas and Shoreline update that staff/consultants were looking for direction on; Question #7 that related to increasing the reduced buffer width, Question #8 that related to transfer of density and Question #9 related to criteria governing allowed roadway expansion that would not require a Conditional Use Permits. The Planning Commission agreed to the staff's recommendation on all three.

Amy Summe also presented some follow up information on topics that were previously discussed. The Planning Commission agreed that the priority habitat of importance for the pileated woodpecker be allocated to WDFW mapped polygon. Additionally, the Planning Commission agreed the biodiversity area and corridor in St. Edward State Park be designated as a habitat of importance. They also agreed that the bald eagle habitat be removed from the list of habitats of importance and the City should add "just in case" regulations to address groundwater protection.

Amy Summe reviewed the 2 focus group ideas that were planned, in addition to an Open House. The first focus group will be discussing the Sammamish River Regulations. The second focus group will be discussing the Public Facility and Utility Review and Performance Standards.

Commissioner Baker motioned to cancel all Planning Commission meetings in September which was seconded by Commissioner Olson. The motion passed 7-0 with no abstentions.

4. ADJOURNMENT

Chair Nugent adjourned the meeting at 9:05 p.m.

Planning Commission
Approved by Planning Commission on: _____

**City of Kenmore
Planning Commission Meeting
October 16, 2018 @ 7:00 p.m.**

Planning Commission Members – In Attendance

Mark Ohrenschall, Vice Chair
Carol Baker
Scott McDonald
Dennis Olson
Mike Vanderlinde

Consultants & Staff

Debbie Bent, Community Development Director
Lauri Anderson, Senior Planner
Bridgit Baker, Admin Assistant
Amy Summe, Shannon & Wilson

1. CALL TO ORDER

The meeting was called to order by Vice Chair Ohrenschall at 7:00 p.m.

2. CITIZEN COMMENTS

Robert Spurlock, 7021 NE 181st #3, Kenmore. He has been a 31-year resident of Kenmore and voted in favor of incorporation since he saw it as progress. He asked the Planning Commission not to forget about the people affected by the up-zoning. He would like to know of the timeline of the mobile home park zoning.

3. APPROVAL OF MINUTES

Commissioner Vanderlinde motioned to approve the August 7, 2018 minutes which was seconded by Commissioner McDonald. The motion passed 5-0 with no abstentions.

4. AGENDA ITEMS

Lauri Anderson responded to Mr. Spurlock's comment regarding the mobile home park zoning. On September 17th the City Council supported the Planning Commission's recommendation for long term preservation for the 2 mobile home parks on NE 175th St. For the remaining 4 mobile home parks, the City Council asked for a 10-year protection. After the 10 years, an up-zone would occur with affordability requirements. The Land Use element, Housing element and Downtown sub-element have been edited in the Comprehensive Plan to reflect this direction.

These amendments also include adding a new land use designation – (Manufactured Housing Community - MHC).

Commissioner McDonald recommended that the last sentence in the Land Use element amendment be changed to: The Manufactured Housing Community District promotes residential development that is higher density than single family, but single family in character. The Planning Commission agreed to this change.

Vice Chair Ohrenschall recommended adding verbiage to the Housing Element 5.6 to include that future redevelopment could provide opportunities for additional housing with affordability units.

After reviewing the Natural Environment element, Commissioner Vanderlinde recommended the title “State Requirements” be changed to “Federal and State Requirements”. The Planning Commission agreed.

In the review of the Critical Areas and Shoreline Master Program Forums and Open House, Lauri Anderson reminded the Planning Commission why the PAUE was important and why staff is interested in putting the option back in the Code. Additionally, staff will be providing the redrafted standards back to the forum participants reflecting feedback they provided.

The next steps will be to hold a public hearing on November 6th for the Comprehensive Plan amendments. Additionally, the Planning Commission will need to hold a public hearing in December on the Critical Areas and Shoreline Master Program amendments.

5. ADJOURNMENT

Vice Chair Ohrenschall adjourned the meeting at 8:25 p.m.

Planning Commission

Approved by Planning Commission on: _____



18120 68TH AVENUE NE
KENMORE, WASHINGTON 98028

MEMO

TO: Planning Commission

FROM: Debbie Bent, Community Development Director *DB*
Lauri Anderson, Senior Planner *lwk*

DATE: October 31, 2018

SUBJECT: 2018 Comprehensive Plan Amendments

At your October 16 meeting, staff introduced the 2018 Comprehensive Plan amendments for your consideration. November 6 is the scheduled public hearing on the amendments.

The changes you requested on the 16th have been incorporated into the text. As the City can amend the Comprehensive Plan only once a year, your final recommendations on the amendments are scheduled for introduction to the City Council at their November 19 meeting.

Following is an explanation of the proposed 2018 amendments.

Mobile Home Parks

The proposed Comprehensive Plan amendments to the Land Use Element, Downtown Sub-Element and Housing Element (see Attachment 1) provide additional background information on the mobile home parks and address preservation. The amendment to the Comprehensive Plan map would put a new "MHC" (Mobile Home Community) designation over the two parks on NE 175th Street (Inglewood East and Lakewood Villa) that are proposed for long-term preservation.

The MHC designation has not been placed over the other four mobile home parks in the City (Lakewood, Lake Terrace, the unnamed park on NE 181st Street and Kenmore Village) as no change to the long-term land use designations for these parks is proposed. Instead, these parks would have protective zoning for a period of 10 years, at which point an upzoning, with affordability requirements, would be applied.

Natural Environment

Recommended amendments to the Natural Environment Sub-Element (see Attachment 2) update background information on critical areas and make minor revisions to associated policies. Stream, wetland and geologic hazard area maps are provided in draft and will be finalized as soon as additional information is ready, but before ordinance adoption.

It is anticipated that future amendments to the Shoreline Sub-Element will be more extensive. As you know, Comprehensive Plan Shoreline Sub-Element amendments may be adopted outside of the annual amendment cycle as part of the Shoreline Master Program update.

Approval Criteria

The Zoning Code sets forth several amendment decision criteria:

1. The proposed amendment is consistent with the Growth Management Act and the countywide planning policies; and
2. The proposed amendment eliminates an inconsistency or does not create an inconsistency within the comprehensive plan; and
3. The proposed amendment meets at least one of the following criteria:
 - a. The proposed amendment is beneficial to the City as a whole and will not adversely affect public health, safety, and welfare; or
 - b. The proposed amendment addresses changed circumstances within the City as a whole; or
 - c. The proposed amendment accommodates new policy direction from the city council.

Staff has reviewed these criteria and concludes that the recommended amendments comply.

Attachments

Attachment 1: Comprehensive Plan Amendments related to the mobile home parks

Attachment 2: Comprehensive Plan Natural Environment Sub-Element amendments

DOWNTOWN SUB-ELEMENT

INTRODUCTION

The Growth Management Act (GMA) does not require the creation or retention of a downtown area within communities. However, several GMA goals, as well as Countywide Planning Policies, address the containment of sprawl, and the provision of efficient services and utilities, which can be met through development of “centers” such as a downtown. Downtown areas also can function as a community-enhancing central place, particularly in a community like Kenmore dominated by regional traffic flows along SR-522.

The Vision Statement foresees Kenmore as:

- A fun, vibrant waterfront community that has its own sense of place and an identifiable, walkable downtown offering commercial, civic, cultural and park spaces, integrated with multifamily housing.

EXISTING CONDITIONS

Current Development Conditions and Trends

Most of Kenmore’s existing commercial development is concentrated along SR-522, including the Kenmore Square and Safeway complexes. Recent construction of City Hall and the Kenmore Library, and the proposed construction of the Kenmore Village mixed use project, the Town Green and the Community Building, are the first steps to creating a walkable Downtown core, surrounding the intersection of 68th Avenue NE and NE 181st Street.

There is recent residential development on the periphery of the core, with redevelopment of single-family sites east of 68th Avenue NE on NE 182nd Street and redevelopment of a former park-and-ride lot into the Spencer 68 apartment project on the west side of 68th Avenue NE near NE 182nd Street.

Existing manufactured housing communities in the Downtown provide higher density, more affordable, single-family housing.

The future Lakepointe development on Lake Washington at the southwest corner of SR-522 and 68th Avenue NE could have a dramatic impact on the City from both a physical and economic point of view. With a current permit for over 650,000 square feet of commercial/office/hotel development and 1,200 housing units in a waterfront setting, the development could represent one of only four or five waterfront mixed-use developments on Lake Washington.

Market Area

The City of Kenmore has the potential to provide retail goods and services for an area beyond its own boundaries. The market area for any commercial district is determined by several factors:

- Distance to surrounding population.
- Natural boundaries and impediments to travel.
- Transportation links.
- Competing development.
- Scope of existing development in the district.

The projected market area for Kenmore lies within an approximate 3 mile radius around the City Center. The area extends west to approximately I-5; south into Lake City; north into Snohomish County; and east

to I-405. The existence of regional commercial centers largely determines these boundaries. Kenmore currently loses a significant portion of retail spending by Kenmore residents to businesses outside of Kenmore.

Lakepointe or a similar development on that site has the potential to serve a much wider area. As noted above, it will be one of only a few mixed-use concentrations on Lake Washington. As such, it has the potential to provide a mix of restaurants, shops, office, and lodging, which could attract users from a much wider radius. This is significant because it increases the commercial potential of Lakepointe, as well as targeting a different type of commercial activity from the existing core businesses.

Opportunities for Development

The opportunities for development in Downtown Kenmore can be considered in terms of the relationship to Lakepointe, and the types of uses which are supportable:

Relationship to Lakepointe

As noted above, Lakepointe has the potential to offer a high amenity setting for various specialty retail and other commercial uses, serving a broad market area. Comparable developments include Downtown Kirkland and Carillon Point. Factors affecting its relationship to the Downtown Core are its lakefront site, and the barriers represented by SR-522. While Lakepointe may include a grocery store and other traditional neighborhood scale uses, the existing core should continue to capture the food and miscellaneous retail spending by residents north of SR-522. The role of the core should be enhanced with growth in single-family housing to the north and multi-family development to the east and west.

Demand by Development Type

The types of development likely to be supported within the area are described in a summary fashion below.

- Multi-family residential. Such development is already occurring in the area and reflects the need for increasing density throughout the urbanized area. The area to the east is particularly well suited for such development, located between the commercial core and the public service concentration on 73rd Avenue NE to the east.
- Manufactured housing communities. The existing manufactured housing communities provide more affordable, unsubsidized single-family homeownership for seniors and lower-income households.
- Neighborhood commercial development. Additional grocery, drugstore, eating/drinking, miscellaneous retail, personal and business services will be required as the local area and larger market area grow over time. These uses should be increasingly accessible to pedestrians as well as automobiles.
- Mixed-use development (residential with office and retail). Horizontal mixed-use, with residential next to commercial is favorable in the area, and conditions allowing for vertical mixed use developments are likely favorable in the near future.
- Corridor commercial. Such development along SR-522 will continue to be viable given the volume of traffic on SR-522. However, the overall vision is to convert the area from a commercial strip corridor to a mix of non-auto-oriented uses, taking advantage of lake views and proximity to transit.
- Light manufacturing. Small-scale advanced or artisanal manufacturing could offer significant new employment opportunities.

Long Term Opportunities

The large parcels like the Plywood Supply site south of SR-522 and east of 68th Avenue NE provide an important resource for large-scale planned development in the future.

Kenmore Urban Design Inventory and Analysis

The location, frequency and quality of buildings, parking lots, pole signs, sidewalks, crosswalks, landscaping and street trees are elements of urban form that individually and collectively determine visual cohesiveness, comfort, and pedestrian-orientation in urban areas. With regard to the Downtown area, issues impacting design include:

- Many of the buildings are not built to the edge of the street, and are of discontinuous size, location, and shape. These buildings do not form a consistent or recognizable urban form or a continuity of pattern. Typically buildings that are set back from the street or have parking lots separating them from the street, discourage pedestrian activity and are simply less pleasant for walking. Many such buildings are found within the Downtown area. However, new development must comply with adopted site and building design standards that address these issues.
- Pole signs are mostly found on the north side of SR-522 between 61st Avenue NE and 80th Avenue NE, where automobile-oriented retail uses predominate. Frequent use of pole signs can create visual clutter, particularly when competing with other street elements such as billboards, telecommunication towers, utility poles, streetlights, etc.
- The predominance of parking lots in the Downtown area is indicative of the overall auto-oriented nature of the region. The numerous access points to and from the parking lots of establishments along SR-522 create potentially hazardous situations as vehicles enter and exit the traffic flow from SR-522.
- There are few sidewalks in the Downtown area.
- There are little or no street trees along major arterials and along portions of SR-522, with the exception of those separating SR-522 from the Burke-Gilman trail.
- Parks and open space uses include Log Boom Park and the Burke-Gilman Trail. Nearby parks include Rhododendron Park, Squire's Landing Park, and the State Boat Launch facility.
- Several major natural features exist within the Downtown area, including Swamp Creek, the Sammamish River, and Lake Washington. Steep hillsides sloping to the north offer views to the Lake.
- In Kenmore, pedestrian destinations and generators include bus stops, grocery stores and other retail establishments, City Hall, the Burke-Gilman Trail, Kenmore Library, the Park and Ride lot, Log Boom Park, and Rhododendron Park. Nearby mobile home parks, apartments, and senior housing complexes also function as pedestrian generators. The Lakepointe mixed-use development will be a major pedestrian generator in the future.
- The high speed and volume of traffic, the lack of sidewalks, the width of the roadway, and the lack of other pedestrian amenities in some portions make SR-522 a significant barrier to pedestrian travel in Kenmore. 68th Avenue NE also functions as a barrier, though less significantly than SR-522. These road corridors essentially "divide" central Kenmore into four quadrants.

- Key pedestrian crossings exist at the intersections of SR-522 and 61st, 68th, 73rd and 80th Avenues NE, with crosswalks and pedestrian signalization in place. Additional pedestrian crossings along Bothell Way could help break up the considerable distance pedestrians must currently travel to cross SR-522.

Figures LU-4 and LU-5 portray the above conclusions.

Figure LU-4
Downtown Inventory (NO CHANGE)

Figure LU-5
East Study Area Inventory (NO CHANGE)

DOWNTOWN PLANS

The Kenmore Comprehensive Plan focuses upon the establishment of a Downtown core. During the development of Downtown Strategies, the following guiding principles were considered:

General

- Plan for and implement an attractive, vital, pedestrian-oriented, transit friendly, city center offering commercial, civic, cultural and park spaces, integrated with higher density housing.
- Address the different characteristics of Downtown by encouraging regional serving development south of SR-522 and local serving development north of SR-522.¹
- Support redevelopment in accordance with the Vision for the Downtown through investment in public infrastructure including transportation, utility, and civic infrastructure.
- Give priority to creating indoor and outdoor public spaces; promote community activities meeting the needs of a range of ages and interests. Outdoor spaces should include plazas, parks, and public green spaces. Encourage the efficient use of space and shared uses where appropriate.
- Give priority consideration to strong linkages between the four Downtown quadrants and the surrounding neighborhoods. Pedestrian crossings, including a grade-separated crossing of SR-522, linking the north and south quadrants, should be readily accessible, functional, visually attractive, safe, and inviting links to key destinations, and should provide a Kenmore identity.
- Create a Downtown circulation system that promotes mobility for all modes of travel, emphasizing a loop road circulation system.
- Create an interconnected system of trails, sidewalks, bikeways, and open spaces in Downtown.
- Promote the revitalization and expansion of business and retail compatible with the character of the Downtown districts. Encourage businesses that draw patrons during both the day and evening. Provide an adequate mix of on-street, surface, and structured parking, and encourage shared parking options.
- Provide high density, high amenity (includes public spaces and private facilities) pedestrian oriented residential neighborhoods meeting the housing needs of a variety of income levels, and developed at densities high enough to support transit and commercial uses. Off-street parking should be encouraged.
- Coordinate public and private investment to achieve optimal leverage of public funds.
- Create an identity for the Downtown and SR-522 by giving priority consideration to improving the appearance of the physical environment through design guidelines, sidewalks, landscaping, street trees, public art and signage.
- The Downtown should acknowledge and create a beneficial and symbiotic relationship with SR-522.

¹ Regional serving development generally refers to mixed-use compact development recognizing Kenmore's position as a regional transportation center and featuring larger scale commercial, office, and multi-family developments, attracting people from a much larger area than just Kenmore. Local serving development generally refers mixed-use developments including high-density housing, civic and governmental, offices, small-scale commercial and retail, and locally oriented professional and personal services, primarily serving the Kenmore community.

- Integrate and manage Downtown development to support sound ecological principles by responding to natural landforms, providing storm water management, improving water quality and retaining and adding green spaces.
- Identify Downtown view corridors of significant off-site features (i.e. Lake Washington, Cascades, and surrounding hillsides), giving priority consideration to provision of public physical and visual access from the Downtown quadrants to the waterfront.
- Locate new Civic Center facilities (including the Town Green and Community Building) in the northwest quadrant to provide the greatest stimulus to redevelopment. If there is a truly unique opportunity in another quadrant of the Downtown that would meet the balance of Civic Center criteria, it should not be ruled out.
- Locate a multi-modal transportation facility Downtown, linked with other public facilities and spaces, functioning as a key node within a larger regional system.
- A large, functional, open, outdoor space should be created to function as a focal point and “public square,” providing opportunities for public and private gatherings.

Given these principles, the City has developed a Downtown strategy (Kenmore Downtown Plan, April 2003) with four key components:

DOWNTOWN STRATEGY

- Component 1: Land Use Districts
- Component 2: Circulation Plan
- Component 3: Strategic Civic Investment Area
- Component 4: Implementation Strategies

Land Use Districts

Recognizing the different character of the quadrants around the 68th Avenue NE and SR-522 intersection, the City has applied ~~three~~four districts in the Downtown.

- Downtown – Commercial: To promote a community-serving mixed use area, north of SR-522, the Downtown Commercial District features a mix of private and public uses designed to create a small-town feel, and pedestrian-friendly environment. Public places, sidewalks, extensive landscaping, transit-orientation, shared or structured parking, protection of environmentally sensitive areas, and high quality design and signage are key features. Permitted uses emphasize mixed or multiple use developments, and include high-density housing, civic and governmental, offices, small-scale commercial and retail, and locally oriented professional and personal services. Uses not compatible with the Downtown Commercial intent such as those which require vehicle or materials storage, service bays, wide curb cuts, expanses of exterior product display or storage, or produce little customer or visitor activity are discouraged. Park-and-Ride/Transit Centers are promoted along SR-522.
- Downtown – Residential: The Downtown Residential District in the northeast and northwest quadrants provides higher density residential development in support of the Downtown Commercial Zone. Limited retail and office uses are also allowed as part of mixed-use developments. The District represents an opportunity to provide a range of housing types in the community with attention to appearance and scale.

- **Manufactured Housing Community:** The existing manufactured housing communities in the Downtown provide higher density single-family housing that is more affordable for seniors and lower-income residents. Some of the communities may be appropriate for long-term preservation; others may not be compatible with the future Downtown vision, particularly as high capacity transit comes to the City.
- **Regional Business with Mixed-Use Master Plan Requirements:** The Regional Business District encompasses the southwest and southeast quadrants of the 68th Avenue NE/SR-522 intersection and includes areas commonly referred to as the Lakepointe (Kenmore Pre-Mix) and the Plywood Supply areas. Property conditions and overlay districts, and in some locations, design standards, not only recognize Kenmore's position as a regional transportation center for larger scale commercial, office, and multi-family developments, but also promote a mixed-use, compact development with coordinated internal circulation, shared or structured parking, compatible design and signage, and direct access to public transportation. Emphasis is placed on public access to the waterfront, protection of environmentally sensitive areas, building modulation and façade treatments that help create a human scale, and land use/design transitions and linkages to neighboring districts.

Circulation Plan

The three Downtown Special Districts would be linked together by a circulation system shown in **Figures LU-6 and LU-7** (provided later in this Chapter), with the following features:

- Loop road system around intersection of 68th Avenue and SR-522
- Walking paths / trail loop around Downtown
- Increased shoreline public access pedestrian links
- Pedestrian bridge(s) or underpass crossing SR-522
- Large blocks broken up with pedestrian walkways
- Existing street pattern remains with revisions of intersections at:
 - 65th Avenue NE and NE 181st Street
 - 68th Avenue NE and NE 181st Street
 - 68th Avenue NE and NE 175th Street
 - NE 181st Street and 73rd Avenue NE
- Sidewalks and street trees added throughout

Strategic Civic Investment Area

Revitalization of Downtown will involve a public/private partnership. The vast majority of property in Downtown is and will remain in private ownership. Private property owners will determine their property investment and development. City plans and regulations will guide and encourage development to meet the community vision. It is anticipated that private development will occur according to market forces in the southwest and southeast quadrants of the 68th Avenue NE and SR-522 intersection, due to the desirability of the Lake Washington and Sammamish River location, and with the spillover effects of the Lakepointe development. It is likely that incentives will be needed to stimulate development in the northwest and northeast quadrants of the intersection, due to the numerous, small, privately owned parcels. To provide a "central place" for the community and to stimulate complementary private investment, the City intends to focus its future civic investment in the northwest quadrant of 68th Avenue NE and SR-522 intersection, as shown on **Figure LU-8** (provided later in this Chapter). Strategic civic investment is planned to include a Town Green and Community Building as part of the Civic Center complex that includes City Hall and the Kenmore Library. Other civic investments proposed include street and

infrastructure improvements such as road realignment, sidewalks, and street trees. These improvements would support existing businesses and be complemented by private investment in commercial, office, and multi-family uses. While the priority location for civic investment is the northwest quadrant, City policies and the implementing Downtown Plan allow for the City to balance multiple City goals and consider unique opportunities in other Downtown locations.

Implementation Strategies

Implementation strategies are an identification of key actions or activities that, if pursued, would further the concepts found in the Comprehensive Plan and implementing plans and regulations, and may be essential to success of the overall strategies. A key implementation guide to this Downtown Element includes the separate Downtown Plan that addresses near-term and long-term activities including, Business Retention, Economic Development, Infrastructure/Services, and Regulations/Permitting. Key regulations that have been developed in response to this Downtown Element and as part of the Downtown Plan include land use/zoning districts described generally above and design standards. Implementation Strategies are summarized further at the conclusion of this Chapter.

GOALS, OBJECTIVES, AND POLICIES

Following are the Downtown goals, objectives and policies. In some cases, policies are cross-referenced in more than one Element or Sub-Element, and this is noted by a policy reference in italics (e.g., *Policy LU-2.5.1*).

GOAL 4. MAKE DOWNTOWN THE FOCAL POINT OF THE COMMUNITY.

OBJECTIVE 4.1 Identify and support Kenmore’s Downtown as a center for commercial, civic, cultural, park, and higher density housing uses and activities.

Policy LU-4.1.1 Consistent with the districts identified in Policy LU-2.1.2, encourage a mix of uses in Downtown including several or all of the following:

- a. Government, educational, health, human service, and public safety facilities;
- b. Retail stores and services;
- c. Professional offices;
- d. Business/office parks;
- e. Multi-family housing, **manufactured housing communities** and mixed-use developments;
- f. Underground, under-building, structured, and/or shared parking; and,
- g. Parks and open space.

Policy LU-4.1.2 Identify Downtown Kenmore as a Larger City pursuant to Vision 2040 and the King County Countywide Planning Policies. Larger Cities are locally defined central places providing an array of land uses with sufficient densities and intensities to encourage transit and non-motorized transportation.

Policy LU-4.1.3	Work with other organizations to promote civic and community events which foster community pride and promote the Downtown.
OBJECTIVE 4.2	Define Downtown Land Use District Character.
Policy LU-4.2.1	Provide for land use districts that address the different characteristics of downtown by encouraging regional serving development south of SR-522 and local serving development north of SR-522.
Policy LU-4.2.2	Focus public investment and civic uses, as well as mixed uses, in the northwest quadrant of the 68 th Avenue NE and SR-522 intersection as conceptualized in Figure LU-8 . If there is a truly unique opportunity in another quadrant of the Downtown that would meet multiple City goals and other City evaluation criteria, it should not be ruled out.
OBJECTIVE 4.3	Define varying development intensities and scales within the Downtown.
Policy LU-4.3.1	Create and apply different intensity or density standards that address the different characters of different areas of Downtown. Types of land uses allowed may be more intensive in regional-serving districts than in local-serving districts.
Policy LU-4.3.2	Vary design and development standards by district such as floor area ratios, building heights, ground-level and upper-story setbacks, building modulation, and façade treatments, dependent upon the regional-serving or local-serving nature of the differing areas. Development standards also should consider topography, view corridors, and compatibility with adjacent residential uses surrounding the different areas of the Downtown.
OBJECTIVE 4.4	Identify development and redevelopment incentives and infrastructure phasing in the Downtown.
Policy LU-4.4.1	Invest in transportation, surface water, civic, and park infrastructure and facility improvements in portions of the Downtown where public investment has the most potential to stimulate private reinvestment and redevelopment.
Policy LU-4.4.2	Identify Downtown as a receiving area for density transfers from properties with environmentally sensitive areas <u>or to preserve existing affordable housing</u> .
Policy LU-4.4.3	Give Downtown locations the highest priority when siting City and government facilities which have significant employment or destination potential.
Policy LU-4.4.4	Encourage innovative, quality development and redevelopment through a variety of regulatory, incentive, and program strategies. Possible approaches include: a. Special development standards for infill or redevelopment sites; b. Assembly and resale of sites to providers of affordable housing or mixed-use developments; c. Impact mitigation fee structures that favor infill or redevelopment; d. Expedited permit processes;

- e. Greater regulatory flexibility;
- f. Reduced permit fees and/or delayed fees; and
- g. Joint public/private loan guarantee pools.

Policy LU-4.4.5 Implement a Downtown plan to facilitate development in the Downtown that meets the community vision. Guide Downtown implementation strategies with input from key Downtown and community stakeholders.

OBJECTIVE 4.5 Beautify Downtown with attractive, functional, and enduring buildings and places.

Policy LU-4.5.1 Focus design review standards and guidelines towards Downtown as well as commercial and multi-family development Citywide. Ensure that provisions allow for creativity and flexibility while meeting common design principles. (*see Policy LU-10.1.2*)

Policy LU-4.5.2 Promote the concept of a “center” through the use of common design themes such as street and landscape materials, and building style and materials.

Policy LU-4.5.3 Enhance the aesthetic quality and compatibility among land uses through landscaping, building orientation and setbacks, traffic control and other measures to reduce potential conflicts. Distinctive or historical local character and natural features should be reflected in development design to provide variety within Downtown.

Policy LU-4.5.4 Identify and encourage the creation of parks, plazas, and public green spaces which enhance the aesthetics and character of Kenmore.

Policy LU-4.5.5 Require screening of unsightly views, such as heavy machinery, storage areas, loading docks, and parking areas to minimize their visibility from adjacent properties and from arterials.

Policy LU-4.5.6 Provide locations for public gatherings in civic and commercial developments where appropriate. (*see Policy LU-12.1.2*)

Policy LU-4.5.7 Regulate signs to contribute to the color and character of Downtown, while reducing glare and other adverse visual impacts on nearby residents. Sign requirements may vary by the nature of regional-serving versus local-serving districts.

GOAL 5. PROMOTE DOWNTOWN AS A VITAL, PEDESTRIAN-FRIENDLY CENTER.

OBJECTIVE 5.1 Increase pedestrian activity in the city center, and encourage pedestrian-oriented uses and designs.

Policy LU-5.1.1 Encourage transit, bicycle, and pedestrian travel through compact development patterns. Multistory construction, structured parking, and other techniques to use land efficiently should be encouraged.

Policy LU-5.1.2	Through zoning regulations, master plan and site plan reviews, or other methods, group compatible uses to reduce conflicts among uses and to increase convenience for businesses, employees, users and pedestrians.
Policy LU-5.1.3	Provide routes for pedestrian, auto, bicycle, transit and truck travel with convenient access to each major destination. Buildings should be close to sidewalks to promote walking and browsing, with parking areas located on the side or rear of buildings.
Policy LU-5.1.4	Off-street parking should not disrupt pedestrian access to commercial uses. Front yard parking should be discouraged and interconnection of parking lots should be required.
Policy LU-5.1.5	Identify the most desirable placement and orientation of new buildings to improve the overall pedestrian activity and improve the aesthetics of the center.
Policy LU-5.1.6	Improve and add sidewalks in the Downtown in accordance with Transportation Element goals, objectives, and policies.
OBJECTIVE 5.2	Create a Downtown circulation system that promotes mobility for all modes of travel to and within Downtown.
Policy LU-5.2.1	Create a loop road circulation system around Downtown providing for automobile and non-motorized travel, as shown in Figure LU-6 .
Policy LU-5.2.2	Design and implement a sidewalk system in the Downtown. Ensure that crosswalks are identifiable and contribute to the design and intended character of the Downtown.
Policy LU-5.2.3	Provide trail connections to the Burke-Gilman Trail through a pedestrian bridge crossing SR-522 and at signalized intersections.
Policy LU-5.2.4	In cooperation with Metro, Sound Transit, and Community Transit, establish Downtown as an intra-community transit hub allowing for intra-community and regional transportation connections. Structured facilities with ground floor retail should be promoted.
Policy LU-5.2.5	Implement a Transportation Improvement Program that emphasizes improvements facilitating Downtown redevelopment and traffic movement consistent with the Transportation and Capital Facility Elements.
Policy LU-5.2.6	Promote pedestrian-friendly streets with street furniture and trees. Develop street trees and vegetation standards that unify the Downtown, define Downtown streets, and allow for appropriate business visibility. Incorporate street furniture and art into Downtown street standards, including benches, trash and recycling receptacles, tree grates, street lamps, and other amenities.
Policy LU-5.2.7	For safety and aesthetic purposes, promote the use of landscaped buffers between curbs and sidewalks, particularly along arterials. Ensure appropriate levels of illumination. Encourage bus stops to have shelters and benches. Provide crosswalks at key locations in Downtown, as well as on SR-522 near Park and Ride lots and transit stops.

OBJECTIVE 5.3 Encourage mixed-use development which contains a variety of uses having activity levels at different times of day.

Policy LU-5.3.1 Adopt land use and zoning regulations that encourage a mix of uses either within the same structures or within an overall site development. Incentives could include density bonuses, reduced parking rates for uses with alternate peak parking utilization, or other mechanisms.

Policy LU-5.3.2 Encourage housing development within and surrounding the Downtown to encourage evening utilization of the Downtown.

Policy LU-5.3.3 Encourage concentrations of housing and commercial and service activities with complementary activity levels such as office and entertainment complexes, housing and office uses, and other combinations.

OBJECTIVE 5.4 Provide housing and commercial development that supports transit.

Policy LU-5.4.1 Establish minimum housing densities for Downtown development districts.

Policy LU-5.4.2 Establish minimum floor area ratios or employment levels, and/or implement business retention and expansion activities, for Downtown development districts to support transit.

Policy LU-5.4.3 Allow joint parking facilities in the vicinity of the development they serve.

OBJECTIVE 5.5 Provide a range of housing opportunities within and surrounding Downtown to support commercial businesses and alternative modes of transportation.

Policy LU-5.5.1 Designate appropriate locations for multi-family land use and zoning districts accommodating a variety of housing types such as townhomes and, apartments and manufactured housing communities.

Policy LU-5.5.2 Encourage multi-family housing as part of mixed-use developments within Downtown.

Policy LU-5.5.3 Allow multi-family housing in stand-alone complexes within Downtown districts subject to locational criteria, such as sites along secondary access points or sites that would not inhibit commercial or mixed-use development in prime locations.

GOAL 6. LINK DOWNTOWN TO THE REST OF THE COMMUNITY.

OBJECTIVE 6.1 Strengthen the connections between Downtown and the neighborhoods.

Policy LU-6.1.1 Develop an integrated and hierarchical street tree, signage, and public art program to identify Downtown, government facilities, and parks throughout the community.

Policy LU-6.1.2 Ensure that appropriate development, design, and buffering techniques allow for a graduated transition between the Downtown and adjacent neighborhoods.

OBJECTIVE 6.2 Provide safe pedestrian, bicycle, and automobile connections across SR-522 and the Sammamish River.

Policy LU-6.2.1	Consider sidewalk priorities consistent with the Transportation Element, and provide a continuous sidewalk system on 68 th Avenue NE and Juanita Drive.
Policy LU-6.2.2	Establish an identifiable and safe bicycle route across SR-522 and the Sammamish River.
Policy LU-6.2.3	Endeavor to reduce traffic volumes through an intra-community transit system and a loop road around Downtown.
Policy LU-6.2.4	Consider capacity improvements cautiously to ensure that the improvements will not attract significantly greater pass-through traffic.
OBJECTIVE 6.3	Connect Downtown to the Lake Washington and Sammamish River waterfronts, and to area parks and open spaces.
Policy LU-6.3.1	Ensure the sidewalk system is improved to allow for connections to the Burke-Gilman trail and to shoreline access areas established through the Shoreline Master Program permit process.
Policy LU-6.3.2	Establish a primary and secondary path network in and around Downtown with connections to the waterfront. The primary network consists of sidewalks along streets and the Burke-Gilman Trail. The secondary network consists of off-street non-motorized paths encircling and bisecting Downtown blocks. The primary and secondary network is shown in Figure LU-6 . The circulation concept for the northwest quadrant in particular is shown in FigureLU-7 .

IMPLEMENTATION STRATEGIES

The Kenmore Downtown Plan includes implementation strategies which should be considered. Strategies are included in the areas of:

- Business Retention
- Economic Development
- Infrastructure/Services, and
- Regulations/Permitting.

REFERENCES

- Berk & Associates (June 2009). Capitalizing on Kenmore's Potential: An Economic Development Strategy. Prepared for City of Kenmore, Seattle, WA.
- Berk (September 2013). City of Kenmore Regional Business Zone Market Analysis. Prepared for City of Kenmore, Seattle, WA.
- City of Kenmore (April 2003). Kenmore Downtown Plan, Kenmore, WA.
- King County Growth Management Planning Council (December 2012). Countywide Planning Policies, Seattle, WA.

Property Counselors (October 2005). Kenmore Downtown Plan Market Study. Prepared for City of Kenmore, Seattle, WA.

Puget Sound Regional Council (December 2009). Vision 2040, Seattle, WA.

Figure LU-6
Downtown Circulation Concept (NO CHANGE)

Figure LU-7

Northwest Quadrant Circulation Plan (NO CHANGE)

Figure LU-8
Strategic Civic Investment Area (NO CHANGE)

HOUSING ELEMENT

INTRODUCTION

Purpose

This Housing Element is intended to promote and maintain residential neighborhoods, ensure a range of densities and housing types for all incomes, address special needs housing, and protect the quality of the residential environment. When the community was first incorporated, community visioning efforts showed some trends in housing preferences, including a preference for adding single-family dwellings at about the same lot size as surrounding lots, and acceptance of accessory dwelling units. Also indicated was a desire to control the location of attached housing by placing it in Central Kenmore, and not dispersing small-scale attached dwellings in neighborhoods.

Growth Management Act Requirements

The Growth Management Act (GMA) states that Comprehensive Plans are to encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock. Housing elements are to make an inventory and analysis of existing and projected housing needs; include a statement of goals, policies, and objectives for the preservation, improvement, and development of housing; identify sufficient land for housing, including low income, special needs, and multiple housing types; and make adequate provision for existing and projected housing needs of all economic segments of the community.

Countywide Planning Policies

The county-wide population growth forecast has been established by the Washington State Office of Financial Management (OFM), as required by the GMA. Each jurisdiction in King County agreed to a housing target (population allocations converted into households) for the years 2006-2031, in Countywide Planning Policies (CPPs). The household target for Kenmore is 3,500. The city is committed to ensuring there is capacity in the Comprehensive Plan and implementing regulations to meet this target. Actual growth would occur based upon market forces.

The CPPs identified the countywide housing needs of moderate-, low-, and very-low-income households, which are equal to 16 percent, 12 percent and 12 percent, respectively, of all housing. The CPPs also state that each city shall address the housing needs of all economic segments and strive to provide housing affordability to accommodate a proportionate amount of the countywide needs.

Beyond ensuring capacity for growth and support for affordable housing, the CPPs focus local government housing elements toward other objectives, such as:

- New housing accessible to employment, shopping, and transit.
- Neighborhoods that promote healthy human activity.
- Fair housing.
- Regional collaboration on inter-jurisdictional housing issues.

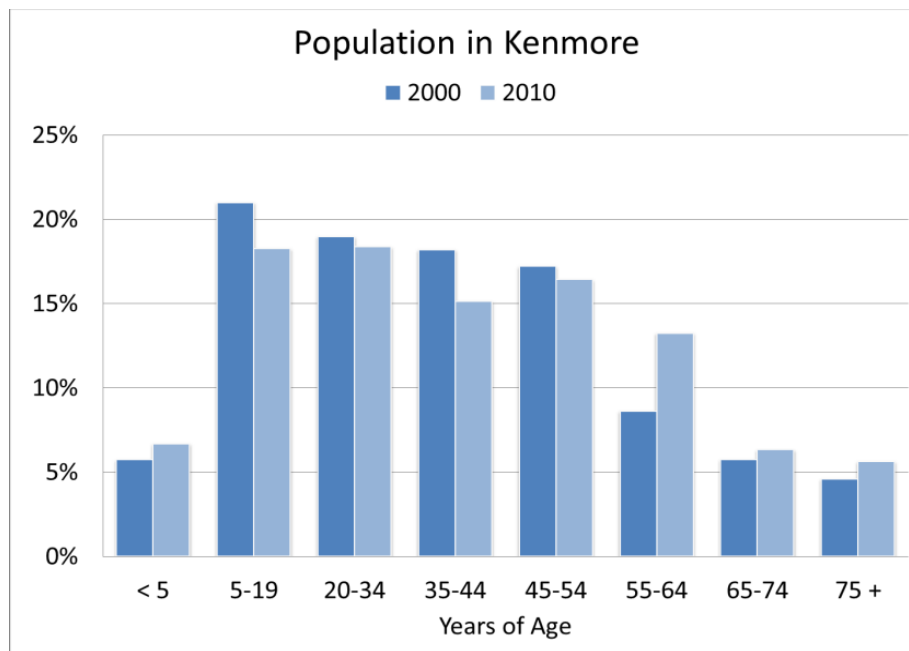
EXISTING CONDITIONS

The following discussion draws from the East King County Housing Analysis, produced for all member cities of A Regional Coalition for Housing (ARCH) and made a part of this Comprehensive Plan update.

Population and Households

Kenmore's population grew ten (10) percent in the 2000s, from 18,678 to 20,460. Population declined, however, among school-age children and adults 35 to 44 years old (Housing Analysis, Exhibit D-1; and Figure H-1, below). The city's proportion of senior citizens (65 years and older) is similar to countywide figures. As in other cities, the seniors' segment has not increased significantly as of 2010, but Baby Boomers (age 55 – 65) will increase that figure over the next decade.

FIGURE H-1



Kenmore had roughly 700 (14 percent) more households in 2011 than in 2000, but the types of households remained virtually unchanged (Housing Analysis, Exhibit B). The city has a greater percentage of married-couple families (56 percent) than King County overall (Figures H-2 and H-3, below), but is typical for east King County in that respect. ("East King County," or EKC, refers here to member cities of ARCH.) The city also maintains a somewhat lower proportion of one- and two-person households than the rest of east King County (58 percent; Housing Analysis, Exhibit C-2).

FIGURE H-2

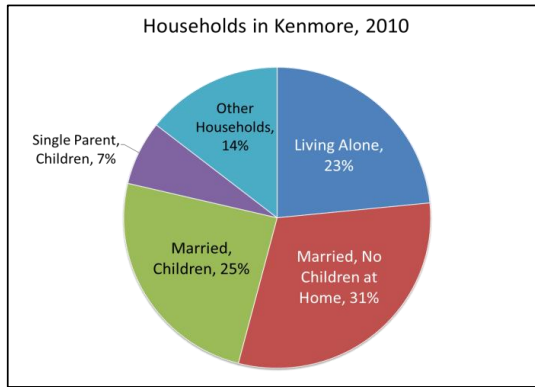
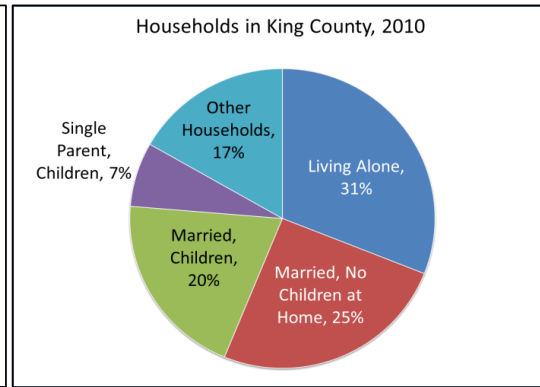


FIGURE H-3

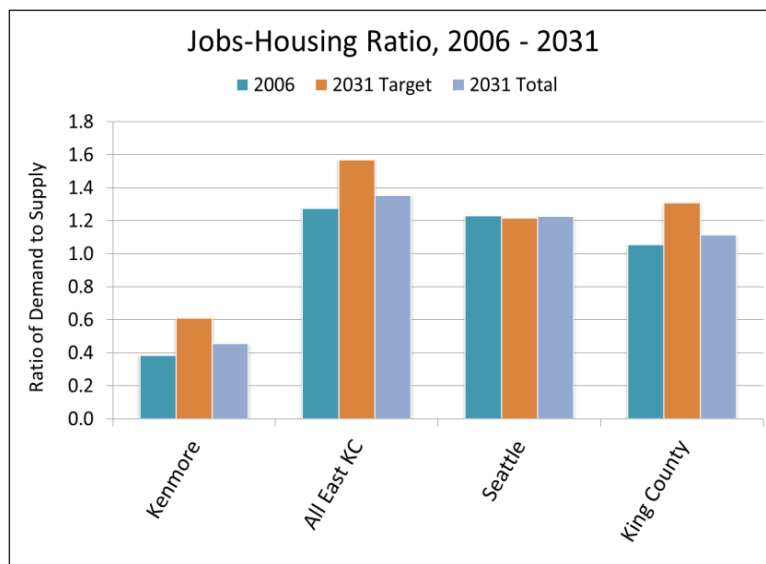


Source: 2010 Census (U.S. Census Bureau)

Kenmore Jobs and Wages

Employment can be an important contributor to housing demand within a community, both in terms of the amount and affordability of housing. Although Kenmore's employment growth during the 1990s was relatively high (24 percent), this was mostly offset by lost jobs (26 percent) between 2000 and 2010. The Jobs-Housing Ratio is a way to measure demand for housing from local employment relative to the local housing supply (a ratio less than 1.0 means less demand for housing from the local workforce than is available in the city). As of 2006, the city's jobs-housing ratio was just under 0.4 and based on growth projections would increase to just over 0.4 by 2031 (see Figure H-4). This is much lower than the countywide ratio and the ratio of most other cities in east King County. This means that most Kenmore residents work in other cities, compared to other areas, and the housing demand from existing jobs is relatively low.

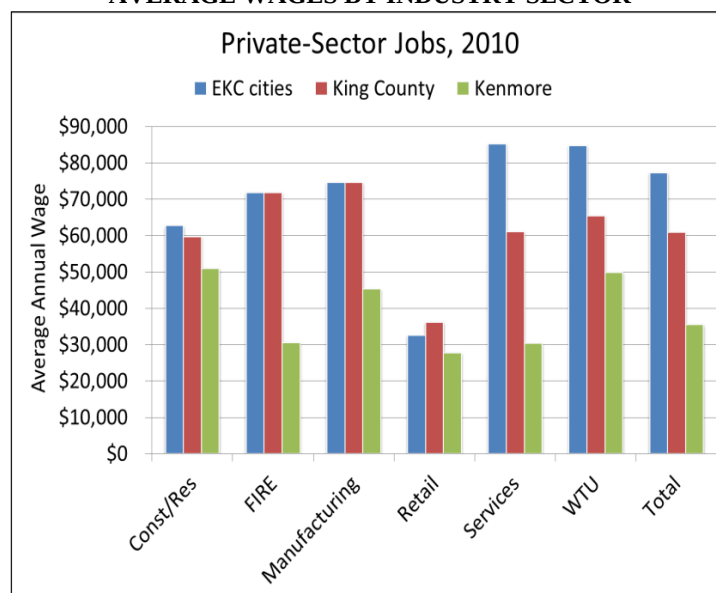
FIGURE H-4



Source: A Regional Coalition for Housing (ARCH).

While the demand for housing from local employment is lower than other nearby communities, jobs in Kenmore tend to pay less than jobs countywide in the same sector (Figure H-5, below), which implies a demand for relatively affordable housing from the local workforce.

**FIGURE H-5
AVERAGE WAGES BY INDUSTRY SECTOR**



Source: Puget Sound Regional Council.

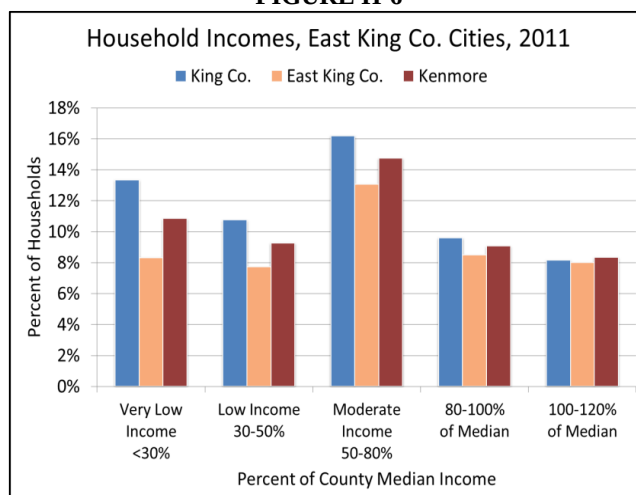
Household Incomes

Approximately 20 percent of the households in Kenmore fall within the standards defined as very low- or low-income. This is slightly lower than countywide figures, but higher than east King County (Figure H-6). The rental market is the primary source of housing for these populations.

**TABLE H-A
HOUSEHOLDS BY INCOME CATEGORY**

HOUSEHOLD INCOME CATEGORY		PERCENT OF TOTAL HOUSEHOLDS			
		KENMORE			KING CO.
		1990*	2000	2011	2011
< 30% of median:	Very Low-Income	17%	8%	11%	12%
30% to 50% of median:	Low-Income		8%	9%	12%
50% to 80% of median:	Moderate-Income		16%	15%	16%
> 80% of median:	Middle- and Higher-Income	83%	69%	65%	60%
"Median" refers to the (King County) Area Median Income. * "Kenmore Census Designated Place." The city was not incorporated until 1998, and the Kenmore CDP is a slightly different geographic area but the closest with available data. Income category break-outs not available for 1990.					

Source: 1990 and 2000 Census (U.S. Census Bureau) and 2006-2010 CHAS (Comprehensive Housing Affordability Strategy; U.S. Housing and Urban Development).

FIGURE H-6

Source: 2011 American Community Survey, 5-year Estimates (U.S. Census Bureau).

Northshore School District records show that 18 percent of the students qualify, based on income, for free or reduced lunches at school (Northshore website). Almost nine (9) percent of the students live in a household with an income below the poverty level (Housing Analysis, Exhibit G-3).

Number and Types of Housing Units

Kenmore added 12 percent more housing units during the 2000s—somewhat slower than the growth of the 1990s, but in line with projections in the 2005 Comprehensive Plan. Kenmore also grew a bit more slowly than King County and the rest of the Eastside. (See Exhibits A and L-1 of the East King County Housing Analysis.) The city's mix of housing types changed very little during that time (Table H-B, below).

**TABLE H-B
NUMBER AND TYPE OF HOUSING UNITS, KENMORE**

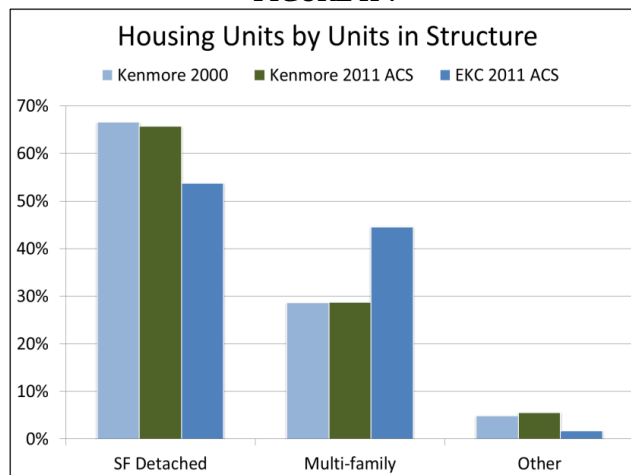
TYPE OF HOUSING	2000		2014	
	UNITS	% OF TOTAL	UNITS	% OF TOTAL
Single-family Detached	5,235	70%	6,276	71%
Multi-family	1,892	25%	2,268	26%
Mobile Homes	361	5%	291	3%
Total Units	7,488	100%	8,835	100%

Source: U.S. Census Bureau, 2000 Census, and
Washington State Office of Financial Management (OFM), 2014.

Compared to King County and most of east King County, Kenmore has a relatively low percentage of multi-family housing. Less than 30 percent of Kenmore's housing is multi-family (Figure H-7, below; Housing Analysis, Exhibit L-1). Approximately 25 percent of the multi-family units are condominiums.

Approximately 350 multi-family units have been built or begun construction since 2006, about 25 percent of overall housing growth in this period (2014 Buildable Lands Report; not all reflected in Figure H-7). About 40 percent of these newer units are condominiums.

FIGURE H-7



Source: 2000 Census and 2011 American Community Survey, 5-Year Estimates (U.S. Census Bureau).

Kenmore is one of the few communities in east King County with any significant number of manufactured homes (close to 300; Washington State OFM). Most of Kenmore's manufactured homes are located in six parks with a small number located on individual lots. Units are a mixture of primarily owner occupied, and rental units sited on rental pads. The manufactured housing communities are an important housing resource for many Kenmore residents. More than half of the households living in manufactured homes are low-income. Two of the manufactured housing communities are reserved for seniors. In many cases, manufactured housing communities provide the opportunity of unsubsidized home ownership to households that cannot afford to purchase other types of housing. Homes are in a wide range of physical condition, including some units that are getting past their useful life. Other concerns include long-term park maintenance and replacement of aging infrastructure. Overall availability of manufactured housing has been decreasing in King County as parks are redeveloped with other uses. One of concern is that manufactured housing has offered a relatively affordable form of housing and is being when parks are closed and replaced with more expensive housing, homeowners lose most of their investment. Future redevelopment of the mobile home parks to higher densities could provide additional housing units with affordability requirements.

Several multi-family housing projects are in the planning or construction stages. The largest proposed multi-family development is Lakepointe, which would provide 1,200 new housing units; the exact mix of owner-occupied and rental units in the project is yet to be determined.

Another project, which has been approved, is the first major residential redevelopment project in the Downtown district. Located on a former Metro park-and-ride site, the property will have up to 325 apartments within walking distance of shopping and transit. Pursuant to local zoning requirements, twenty-five (25) percent of the units will be affordable to moderate-income households. The first phase of 138 apartments started construction in 2014.

Kenmore has permitted 31 accessory dwelling units as of 2011, or about one for every 167 detached single-family homes—almost exactly the same as the average for all of east King County (Housing Analysis, Exhibit Q-1). (This compares to a rate of one for every 32 detached homes in Mercer Island, the city with the highest ratio of ADUs.)

Prices of Market Rate Housing

Homeownership

Kenmore has a homeownership rate of 74 percent, which is at the upper end of ownership rates for cities in east King County, and greater than the countywide average. Kenmore has also had a relatively significant increase in the rate of homeownership since the early 1990s, while most cities have seen homeownership rates stable or decreased in that period.

The average home sale price in the first quarter of 2014 in Kenmore was \$413,000 (Central Puget Sound Real Estate Research Committee). This is lower than the average prices in nearby communities and in King County overall (\$474,000). On average, Kenmore's home prices fell 14 percent during the recent recession, less than east King County in general (21 percent); but as seen across most of the Eastside, prices have more than recovered.

Condominium units provide a relatively affordable homeownership alternative for Kenmore residents. The average sale price for condominiums in early 2014 was \$169,000—similar to condo prices in Bothell and Woodinville, and low compared to the averages across east King County and King County overall (Central Puget Sound Real Estate Research Committee).

Rental Housing

Rental housing makes up about 25 percent of housing supply in Kenmore, a significantly smaller portion of overall housing than east King County as a whole and King County. Average rents are slightly higher in the Kenmore/Bothell market than in the Shoreline market (Table H-C, below), but low compared to the rest of east King County and the county overall.

**TABLE H-C
AVERAGE RENTS, 2014 (SPRING)
PROPERTIES WITH 20 OR MORE APARTMENTS**

LOCATION	SIZE OF UNIT (BEDROOMS/BATHROOMS)					AVERAGE
	0/1	1/1	2/1	2/2	3/2	All Units
Bothell/Kenmore	\$724	\$1,036	\$1,145	\$1,227	\$1,693	\$1,163
Shoreline/Lake Forest Park	\$815	\$946	\$1,084	\$1,230	\$1,562	\$1,070
Eastside	\$1,139	\$1,281	\$1,366	\$1,656	\$1,877	\$1,474

Source: The Apartment Vacancy Report (Dupre+Scott Apartment Advisors).

Rental vacancy data indicate that Kenmore has relatively few apartments available (Housing Analysis, Exhibit P-2; Table H-D, below).

TABLE H-D

**APARTMENT VACANCY RATES
PROPERTIES WITH 20 OR MORE APARTMENTS**

LOCATION	PERCENT OF TOTAL UNITS	
	Spring, 2013	Spring, 2014
Kenmore/Bothell	5.0%	3.6%
Shoreline/Lake Forest Park	2.3%	1.9%
Eastside	3.3%	3.7%
King County	3.3%	4.3%

Source: The Apartment Vacancy Report (Dupre+Scott Apartment Advisors).

Age of Housing

Kenmore's housing stock is somewhat older than the rest of east King County, but a bit younger than that of King County overall. Fifteen (15) percent of all homes in the community are less than 10 years old (similar to the rest of east King County), and 45 percent have been built since 1980 compared to 55 percent for the rest of east King County (Housing Analysis, Exhibit O).

Rental Housing for People Needing Supportive Services

Kenmore has a range of housing for people who need supportive services, particularly for the elderly and those individuals with physical disabilities. The housing includes adult family homes, assisted living facilities, boarding homes, group living, and nearby nursing homes.

An estimated six (6) percent of the people in Kenmore are over the age of 75 years (Housing Analysis, Exhibit D-1). Supplemental Security Income supports people with disabilities in over 200 (3 percent) Kenmore households (Housing Analysis, Exhibit K-1).

Kenmore has two licensed assisted living facilities (boarding homes) with 106 beds and 21 licensed adult family homes with 117 beds (Housing Analysis, Exhibit Q-2). Adult family home residents include elderly people, individuals with limited mobility (use of wheelchair), developmental disabilities, mental illness, diabetes, terminal illnesses, brain injury, and those recovering from strokes. The number of persons living in supported living situations (i.e., group quarters) has increased almost 50% since 2000 (Housing Analysis, Exhibit K-2). The closest nursing home to Kenmore is in Bothell. The North Creek Health and Rehab Center (10909 NE 185th) nursing home has 112 beds.

Assisted Rental Housing

A variety of publicly assisted rental housing is available in Kenmore, including the Greenleaf family housing and Northwood senior housing operated by the King County Housing Authority (KCHA), Heron Run family and Heron Landing senior housing operated by DASH, Copper Lantern (rental and ownership housing) operated by LIHI and Shadrack family shelter operated by Hopelink. In addition, the Housing Authority operates a voucher program for the rental of privately held units. This federal program currently assists approximately 20 Kenmore households with rental subsidies. (Lower income tenants in the City of Kenmore may also apply for emergency funding from King County in the event they are faced with eviction due to nonpayment of rent. This assistance is available through the Multi-Service Center of Northeast King County.)

Housing Affordability

According to policies established by the U.S. Department of Housing and Urban Development, a household should spend no more than 30 percent of its income on housing, including utilities. If they pay more than that, they are considered "housing cost burdened." Table H-E shows incomes and affordable housing costs for various income levels.

**TABLE H-E
AFFORDABLE HOUSING COSTS BASED ON KING COUNTY MEDIAN INCOME, 2014.**

	VERY LOW INCOME		LOW INCOME		MODERATE INCOME	
	30% of Area Median		50% of Area Median		80% of Area Median	
Household Size	Annual Income	Affordable Monthly Cost	Annual Income	Affordable Monthly Cost	Annual Income	Affordable Monthly Cost
1	\$18,522	\$463	\$30,870	\$772	\$49,392	\$1,235
2	\$21,168	\$529	\$35,280	\$882	\$56,448	\$1,411
3	\$23,814	\$595	\$39,690	\$992	\$63,504	\$1,588
4	\$26,460	\$662	\$44,100	\$1,103	\$70,560	\$1,764
5	\$28,577	\$714	\$47,628	\$1,191	\$76,205	\$1,905

Source (income figures): U.S. Department of Housing and Urban Development.

Using the federal affordability definition, 13% of Kenmore's housing is affordable to very low and low income households and 15% to moderate income households (Housing Analysis, Exhibit M-2). The amount of housing affordable to low- and very low-income families is similar to Bothell and slightly below King County, but higher than other cities in east King County. The amount of housing affordable at the moderate-income level is similar to the rest of east King County, but lower than Bothell and Countywide figures. Table H-G compares the housing affordability of Kenmore, east King County, and King County overall against countywide housing needs.

Most of Kenmore's housing affordable to lower incomes is rental housing. Thirty-five (35) percent of the rental units in Kenmore were affordable to very low and low-income families in 2014. This is similar to countywide figures, but a much higher rate of affordability in rental housing than other cities in east King County.

About seven (7) percent of the single-family owner-occupied housing units in Kenmore are affordable to families earning up to 80 percent of median income, and an additional 4 percent affordable to families earning 80 to 100 percent of median income (Housing Analysis, Exhibit M-2, and Table H-F, below). These figures are similar to east King County, but somewhat lower than King County. Note that Kenmore has a relatively high percentage of homes affordable to low income households, which may be partially attributable to the city's relatively high number of manufactured homes.

**TABLE H-F
AFFORDABLE HOUSING AND COUNTYWIDE HOUSING NEEDS, 2010**

HOUSEHOLD INCOME LEVEL		PCT OF TOTAL HOUSING UNITS AFFORDABLE AT INCOME LEVEL			COUNTYWIDE HOUSING NEED
		Kenmore	East King Co.	King County	
< 30% of median:	Very Low-Income	3%	2%	4%	12%
30% to 50% of median:	Low-Income	10%	5%	11%	12%
50% to 80% of median:	Moderate-Income	15%	17%	20%	16%
80% to 100% of median:	Middle-Income	7%	18%	15%	10%
> 100% of median:	Higher-Income	65%	59%	50%	50%

Source: 2006-2010 CHAS (Comprehensive Housing Affordability Strategy; U.S. Housing and Urban Development).

Cost-Burdened Households

Despite the relative affordability of Kenmore, 38 percent of the city's households, and 42 percent of the renting households, are housing cost-burdened (Housing Analysis, Exhibit H-1). Both figures are similar to countywide figures, but high for east King County. Moreover, of cities in east King County, Kenmore has the highest percentage of severely cost-burdened households (paying more than half their incomes on housing) at 17 percent.

HOUSING TARGETS AND CAPACITY

The city's 2006–2031 growth target established by the King County Countywide Planning Policies is 3,500 households. Subtracting actual development, the remaining growth target (2012–2031) is 2,980 households. On an annualized basis, this means the city should expect and plan for 149 additional units each year. The Kenmore Land Use Plan provides enough zoned capacity to exceed the 2031 household target, as shown in Table H-G. Mixed-use areas provide more than half of the city's present capacity for new housing.

**TABLE H-G
EXISTING HOUSING UNITS, CAPACITY, AND TARGETS, KENMORE**

Housing Type	2012 Existing		Remaining Capacity		Total if Built to Capacity	
	Units	Pct	Units	Pct	Units	Pct
Single-family Dwellings	6,471	74%	1,352	30%	7,823	59%
Multi-family Dwellings, total	2,264		3,151		5,415	
In residential-only zones	2,264	26%	742	16%	3,006	23%
In mixed-use zones	0	0%	2,409	53%	2,409	18%
Total	8,735		4,503		13,238	

Source: 2014 Buildable Lands Report (King County).

SUMMARY OF LOCAL HOUSING STRATEGIES

Since incorporation, the city has taken action in several areas to address local housing needs. These include:

- Updates to the Downtown area plan have increased opportunities for creating new housing in the Downtown. This has allowed the city to have sufficient capacity to meet its 2006–2013 housing growth targets.
- The city rezoned the old Park and Ride site to allow housing development, with a requirement that 25 percent address local affordable housing needs. The first phase of development of this property began in 2014. To help enhance affordability on the property, the city approved a twelve-year property tax exemption on residential improvements.
- The city adopted regulations to allow Accessory Dwelling Units, with over 30 ADUs permitted to date.
- The city has waived a portion of impact fees for a project that incorporated housing affordable to low-income households.
- The city has been an ongoing member of ARCH. Through the ARCH Trust Fund process, the city has regularly committed local funds for affordable housing projects in Kenmore and throughout the region, assisting over 170 units affordable to lower-income households.
- Through participation in the countywide CDBG Consortium, 25 local homeowners have received Housing Repair loans since 2005.
- The city, in 2017, approved a Housing Strategy Plan identifying potential strategies to address affordable housing needs and prioritizing them for future consideration.

GOALS, OBJECTIVES, AND POLICIES

RESIDENTIAL NEIGHBORHOODS SUB-ELEMENT

GOAL H-1. PROMOTE AND MAINTAIN STRONG RESIDENTIAL NEIGHBORHOODS.

OBJECTIVE H-1.1 Encourage repair and maintenance of existing housing.

Policy H-1.1.1 Encourage private reinvestment in residential neighborhoods and private rehabilitation of housing by providing information, technical assistance, and referrals to appropriate agencies and organizations.

Policy H-1.1.2 Provide regular and appropriate levels of investment in transportation, surface water, and parks maintenance and improvements within residential neighborhoods, consistent with the City's capital improvement priorities. Encourage special districts to provide services and maintain infrastructure within residential neighborhoods consistent with adopted service and capital improvement plans.

Policy H-1.1.3 In cooperation with King County, Puget Sound Energy, or other agencies, promote the use of weatherization programs in existing housing.

Objective H-1.2 Promote safe, physically accessible, well maintained, and well designed residential environments with associated open spaces.

Policy H-1.2.1 Encourage housing design and development that promotes public safety including "Crime Prevention through Environmental Design" components as described in the Land Use Element.

Policy H-1.2.2 Ensure development regulations address accessible housing and transportation services. Residential structures as well as physical improvements, such as parking, streets, and sidewalks, should allow for mobility and accessibility by all residents, including the elderly and persons with disabilities, consistent with the Transportation Element. Promote awareness of Universal Design improvements that increase housing accessibility.

Policy H-1.2.3 Prepare and implement development and design standards that acknowledge neighborhood character and address compatibility with surrounding development consistent with Land Use and Community Design Element goals and policies.

Policy H-1.2.4 Encourage energy and water efficiency in existing and new housing developments, as addressed in the Utilities Element.

Policy H-1.2.5 Ensure adequate setbacks, landscaping, and buffering are required between housing developments of significantly differing densities and between housing and commercial areas.

Policy H-1.2.6 Ensure critical area regulations provide sufficient buffer widths consistent with the quality and class of the environmentally sensitive area. Restrict intrusion into sensitive areas by nearby residents and visitors.

Policy H-1.2.7 Encourage cluster residential development along with open space, consistent with the Land Use Element.

Policy H-1.2.8	Encourage property consolidation in the Downtown, through density bonuses or other incentives, to create mixed-use and multi-family developments that offer a range of site and community benefits such as private and public open spaces and plazas, structured parking, and other amenities.
Policy H-1.2.9	Plan for residential neighborhoods that promote the health and well-being of residents by supporting active living and by reducing exposure to harmful environments.
OBJECTIVE H-1.3	Plan appropriate land use designations and zoning categories to accommodate projected household growth.
Policy H-1.3.1	Plan for an adequate supply of land to accommodate projected growth, including but not limited to, affordable housing, multifamily housing, and special needs housing.
Policy H-1.3.2	Ensure zoning regulations accommodate a range of housing styles and types in appropriate locations, such as single-family detached dwellings, townhouses, apartments, accessory dwellings, designated manufactured homes, and other types. Consider neighborhood character as well as housing needs when applying zones, land use, and development standards.
OBJECTIVE H-1.4	Identify and support Kenmore's Downtown as a center for commercial, civic, cultural, park, and higher density housing uses and activities.
Policy H-1.4.1	Develop mixed-use, higher density districts in Downtown Kenmore, meeting community goals to develop community identity, vital business and service opportunities, concentration of higher density housing, and multi-modal transportation services.
Policy H-1.4.2	Offer density bonuses and density transfers to achieve a compact, vital Downtown, as well as meet environmental and affordable housing goals.
GOAL H-2.	PROVIDE HOUSING OPPORTUNITIES IN KENMORE FOR PEOPLE WITH SPECIAL NEEDS.
OBJECTIVE H-2.1	Provide opportunities for the development of short-term and permanent housing for people with special needs.
Policy H-2.1.1	Allow opportunities for assisted housing, for people with special needs, by: - Permitting group living situations, including those where residents receive such supportive services as counseling, foster care or medical supervision in accordance with state and federal laws; and, - Encouraging developers and owners of assisted housing units to undertake activities to establish and maintain positive relationships with neighbors.
Policy H-2.1.2	Ensure that group home providers have received appropriate licenses from federal or state agencies where appropriate.

Policy H-2.1.3	Support housing options and services that enable seniors to stay in their homes or neighborhoods.
OBJECTIVE H-2.2	Support and promote community facilities and programs that are important to the safety, health, and social needs of families, children and persons with special needs.
Policy H-2.2.1	Increase coordination among providers of social, health, counseling, and other services to families, children, and persons with special needs including seniors citizens, persons with physical or mental disabilities, persons with terminal illness, or other special needs.
Policy H-2.2.2	Work with transit and transportation providers to increase access between special needs housing and community facilities and programs in Kenmore or the Northshore area.
Policy H-2.2.3	Support the location of social, recreational, health, safety and other services in Kenmore to serve people with special needs.
Policy H-2.2.4	Support a range of housing options and services to help homeless persons and families move to long-term financial independence.
Policy H-2.2.5	Work with other jurisdictions and health and social service organizations to develop a coordinated, regional approach to homelessness.

HOUSING AFFORDABILITY SUB-ELEMENT

GOAL H-3. MAKE ADEQUATE PROVISIONS FOR A PROPORTIONATE AMOUNT OF THE EXISTING AND PROJECTED COUNTYWIDE NEED FOR HOUSING AT ALL INCOME LEVELS.

OBJECTIVE H-3.1 Encourage retention of the existing housing stock in Kenmore as a source of affordable housing.

Policy H-3.1.1 Promote the use of housing rehabilitation assistance (from King County, for example) to lower-income homeowners and to landlords who rent to lower-income people.

Policy H-3.1.2 Consider measures to preserve and maintain existing manufactured housing communities.

Policy H-3.1.3 When displacement is unavoidable, encourage relocation assistance and replacement housing to be developed, where feasible, to help very low- and low-income households—when displacement is unavoidable. For mobile home parks in particular, consider a funding pool to assist low and moderate income residents in deteriorating and obsolete mobile homes to find alternative housing in the community, or help to establish preferences in nearby housing for persons giving up their obsolete homes.

OBJECTIVE H-3.2 Adopt programs and regulations that support housing affordable to very low, low, and moderate-income households, comparable to the countywide need.¹

Policy H-3.2.1 Support efforts of private developers, both for-profit and not-for-profit, to preserve or develop affordable housing, including housing with on site services, for very low-, low- and moderate-income families. Consider the following roles for the City's active participation:

- a. Whenever possible, integrate affordable housing plans into proposals for development of publicly-owned properties.
- b. Play a partnership role with nonprofit housing project sponsors by supporting applications for CDBG, HOME, and other Federal, State or local funding sources for the projects.
- c. Enter into a long-term partnership with one or more nonprofit housing developers to identify sites and decide on the timing of applications for public funding.
- d. Actively support affordable housing projects by expediting the permitting process, reducing development fees, or similar measures.

Policy H-3.2.2 Participate in A Regional Coalition for Housing (ARCH) to help develop and preserve affordable housing in the community and region.

Policy H-3.2.3 Identify and catalogue real property owned by the City that is no longer required for its purposes and is suitable for the development of affordable housing for very-low to moderate income households.

¹ See Countywide Planning Policies

Policy H-3.2.4	Use density bonuses, inclusionary programs, and other methods with mixed-use and multi-family developments to provide housing affordable to low- and moderate-income households.
Policy H-3.2.5	Use local resources, as available, to leverage other public and private funding for the creation or preservation of affordable housing.
Policy H-3.2.6	Ensure that affordable housing achieved through public incentives or assistance remains affordable for the longest possible term.
Policy H-3.2.7	Collaborate with other local governments directly and through membership associations (e.g. Puget Sound Regional Council) on regional housing strategies, especially related to providing low- and very-low income housing.
Policy H-3.2.8	Support legislation and funding at the county, state, and federal levels that would promote the city's housing goals and policies.
OBJECTIVE H-3.3	Provide zoning and development standards that integrate affordable housing compatibly into the community.
Policy H-3.3.1	Allow designated manufactured homes built to state standards on single-family lots.
Policy H-3.3.2	Allow and accommodate accessory dwelling units in single-family districts.
Policy H-3.3.3	Pursue land use policies and regulations that: - Result in lower development costs without loss of adequate public review, environmental quality or public safety; and, - Do not reduce design quality, inhibit infrastructure financing strategies, or increase maintenance costs for public facilities.
Policy H-3.3.4	Promote fair housing for all persons and ensure that no city policies, programs, regulations or decisions result in housing discrimination.

IMPLEMENTATION STRATEGIES

To organize and carry out these goals, objectives and policies, as well as to prepare the City for the next Comprehensive Plan update, the City will undertake the following:

- Work with neighborhoods when new policies, plans or programs are proposed to ensure that their unique issues are considered.
- ~~Adopt a~~ Continue to review the action steps and priorities from the Housing Strategy Plan that outlines action steps and priorities.
- Implement the Strategy Plan in coordination with ARCH.
- Maintain communications with, or participation in, regional agencies and projects.

- Monitor housing needs and supply over time, especially data that indicate progress toward meeting a proportionate share of the countywide needs for affordable housing.
- Evaluate and report results of the Strategy Plan and how the goals, objectives, and policies of this Housing Element have been achieved.
- Revise the Strategy Plan as needed to achieve more of the Housing Element's goals, objectives, and policies.

REFERENCES

A Regional Coalition for Housing (2014). East King County Housing Analysis, Redmond, WA.

LAND USE ELEMENT

INTRODUCTION

Purpose

The Land Use Element plays the central role of directing land use patterns and guiding land use decision-making. It provides the basis for housing, transportation, public service, utility, and capital facility plans. The Land Use Element is divided into sub-elements due to the variety and complexity of issues:

- Land Use
- Downtown
- Community Design
- Natural Environment
- Shorelines
- Economic Development.

Growth Management Act

The land use element is the central requirement in the Growth Management Act (GMA). It provides the basis for all the other required elements including housing, transportation, capital facilities, and utilities elements. These other elements rely on the future land use pattern and the population and housing accommodated by the land use pattern in determining needed improvements and strategies. The specific GMA requirements for the land use element include addressing:

- Distribution/location/extent of land uses: Agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, other
- Population densities, building intensities, and estimates of future population growth
- Protection of the quality and quantity of ground water used for public water supplies
- Urban planning approaches that promote physical activity
- Drainage, flooding, and stormwater runoff within and nearby the jurisdiction as well as guidance for corrective actions to mitigate or clean discharges to waters of the state.

Although the GMA directs growth at urban densities to the Urban Growth Area (including Kenmore), lower development densities may be used as a strategy to protect critical areas.

Vision 2040

Vision 2040 is a regional growth strategy prepared by the Puget Sound Regional Council (PSRC) addressing King, Kitsap, Pierce, and Snohomish Counties. Vision 2040 directs future development into the urban growth area, while focusing new housing and jobs in cities and within a limited number of designated regional growth centers. In Vision 2040, Kenmore is identified as a “Larger City,” which is described below:

Larger City A Larger City has a combined population and employment total over 22,500, but is smaller than a Metropolitan or Core City. Many of these 18 cities (which include Edmonds, Kenmore, Mountlake Terrace, Shoreline, and Woodinville) are home to important local and regional transit stations, ferry terminals, park-and-ride facilities, and other transportation connections. Central places within this group of cities are expected to become the more important subregional job, service, cultural, and housing centers over time. The Regional Growth Strategy envisions an expanding role for these cities in accommodating growth.

Vision 2040 contains the Multi-County Planning Policies required by the Growth Management Act and provides a common regionwide framework for countywide and local planning in the central Puget Sound region. Policies address the environment, development patterns, housing, economy, transportation, and public services. The policies reflect the commitment in the Vision 2040 vision statement to, “protect the environment, support and create vibrant, livable, and healthy communities, offer economic opportunities for all, provide for safe and efficient mobility, and use the region’s resources wisely and efficiently.”

Countywide Planning Policies

The 2012 King County Countywide Planning Policies define an Urban Growth Area within which urban development should occur. The City of Kenmore is included within the Urban Growth Area. Residential, commercial, and industrial development should occur in an urban context and be sufficiently dense to efficiently support urban services.

The policies establish a “centers” strategy. Growth is to be focused within cities with a countywide designated Urban or Manufacturing/Industrial Center such as Seattle’s Northgate and Kirkland’s Totem Lake areas. Local centers, including Kenmore, accommodate housing, employment and services in a compact form and at sufficient densities to support transit service and to make efficient use of urban land. As in Vision 2040, Kenmore is identified as a “Larger City.”

EXISTING CONDITIONS

History of Kenmore

Kenmore’s beginnings and cultural features help provide a context for understanding Kenmore today. This section addresses archaeological and historic resources in the City of Kenmore.

Native Americans

The Native Americans who lived in the Sammamish River Valley Area were known as the Simump Tribe. Local settlers called them the Squaks, a corruption of the word “Squowh.” According to historical accounts, not more than 200 Native Americans lived along Lake Sammamish or the Sammamish River Valley when white settlers arrived in the 1860s. Numerous arrowheads were found by early settlers at the mouth of the Sammamish River along Lake Washington.

According to the King County Office of Cultural Resources, there are no registered archaeological sites in Kenmore. However, the 1975 Washington Environmental Atlas, prepared by the US Army Corps of Engineers, indicates that along Lake Washington and the mouth of the Sammamish River are “areas known to contain large numbers of sites.” It is therefore possible that there are unknown archaeological sites in Kenmore due to its lake and river frontage and low elevations.

Kenmore Founders

Abundant timber lured settlers to the Kenmore area in the 1860s. The forest-covered hills were owned by investors in Washington timber lands. Philo Remington, gun inventor, purchased vast land holdings including some in Kenmore. His son-in-law Watson C. Squire moved west, settling in the Seattle area, and purchased most of Remington’s land holdings in Kenmore in 1880. Squire owned most of what is the northwest quadrant of Kenmore, from 62nd Avenue NE to 68th Avenue NE and from the waterfront to the top of the hill at NE 190th Street. He platted this land in 1892. Squire later became Territorial Governor in 1884, and then the first U.S. Senator from the State of Washington in 1889.

John McMasters leased property from Squire and operated McMasters’ Shingle Mill from 1900 to 1920, the first commercial business in Kenmore. The mill was located just east of the current Kenmore Pre-Mix site. It was McMasters who named the community Kenmore because it reminded him of his birthplace Kenmore, 40 miles south of Ottawa, in Canada. This in turn had been named after Kenmore, Scotland, which is similar to the study area with its large lake and surrounding mountains.

Kenmore was considered rural and was connected to the region via railroads and logging roads as far back as 1876. In 1887, Seattle’s Lake Shore and Eastern train went around Lake Washington along the route of today’s Burke-Gilman trail and was a major regional line serving Puget Sound logging areas.

Seattle residents would take Sunday train rides rather than risk primitive roads to visit Kenmore and its “wilderness.” There were early wagon roads between Seattle and Kenmore and by 1909 a road had been paved as far as Lake Forest Park. During 1913-1914, the brick road between Lake Forest Park and Bothell was opened and followed the original wagon trail. Other than travel by train or wagon, the area was accessible by steamboats that would stop at various landings on the lake.

After completion of the brick road (now Bothell Way) in 1913-1914, restaurants sprang up in the Kenmore portion of the road and it became a custom to drive out to Kenmore for Sunday dinner. A piece of the original brick road is still visible just north of the Wayne Golf Course clubhouse.

About the time of the completion of the brick road, Kenmore School District built its first school in 1914 on McMasters Street, now NE 181st Street. Classes ranged from eight to 12 students in one class, with a class for each age. When no longer used as a school, the Kenmore Community Club used the building from 1925 to 1930. The Kenmore School District joined with Bothell School District in 1916.

After the end of logging and in the days after World War I, Kenmore’s population increased when Puget Mill sold a number of small tracts for residential use. The mill owners held much of the land in what is now Kenmore and when lots were put on the market, many homes were built north of what would be Bothell Way. Even with this boost in residents, the town was still a small community of about 150 persons and a few businesses.

The area began to develop and increase its population in the early 1930s. This growth and development included restaurants, dance halls, and roadhouses along Bothell Way, and earned Kenmore a questionable reputation. The area was known as “Roadhouse Strip.”

In contrast to the development of the roadhouses, St. Edward Seminary was built in 1931 on 300 acres of Archdiocese property. Neighboring St. Thomas Seminary was built in 1959. Due to the lack of enrollment, St. Edward was closed in 1976 and St. Thomas was closed in 1977. A citizen campaign resulted in the State's purchase of the St. Edward portion of the property while the former St. Thomas seminary was leased to and eventually purchased by Bastyr University.

In the 1940s several businesses, many still operating, were established and provided local employment. Continuing Kenmore's connection to Lake Washington, in 1946 Bob Munro established Kenmore Air Harbor with one hangar and one two-seater aircraft.

Historic Structures and Places

The King County Historic Preservation Program maintains an inventory of over 1,000 historic resources located throughout the County. Development proposals for resources listed on the inventory are circulated to the King County Historic Preservation Officer for review and comment. The approximately 100 sites in Kenmore which are included in the 2010-2011 Historic Reconnaissance-Level Survey conducted by the King County Historic Preservation Program include:

- Kenmore Bridge over the Sammamish River
- Kenmore Community Clubhouse
- Aqua Club
- Inglewood Golf Course Clubhouse
- St. Edward Seminary
- St. Thomas Seminary (Bastyr University)
- Kenmore Air Harbor House
- Arnston-Hartlove Grocery
- Northlake Lutheran Church
- Church of the Redeemer
- Charles Thomsen House.

The above sites are located on **Figure LU-1**. Most are potentially eligible for local landmark status. The Kenmore Community Clubhouse was designated as a local landmark in 2015. The Thomsen House was designated as a King County Landmark prior to Kenmore's incorporation. Both of these local landmark properties are described more fully below.

According to the State of Washington Office of Archaeology and Historic Preservation, the St. Edward Seminary is listed on the State of Washington Heritage Register and in the National Register of Historic Places. The Charles Thomsen House may also be eligible for the Washington Heritage Register or the National Register.

The 2010-2011 reconnaissance survey also identified many homes in the Uplake Terrace neighborhood that may be eligible for local landmark status as representative of Mid-Century Modern architecture. Additional historic surveys would identify potential landmarks in other neighborhoods of the City.

Charles Thomsen House

The Charles M. Thomsen House was built in 1927 in the French Provincial Style. While the vast majority of Period Revival style residences in King County are located in Seattle, the handful of Period Revival homes in rural, unincorporated areas of the County consist of variations of the English Cottage and Colonial Revival Styles. The Thomsen Estate is notable as it is the only known example of a rural residence constructed in the French Provincial Style and it is considered to be in good condition with many original features.

Kenmore Community Club

The Kenmore Community Clubhouse was constructed in 1929-1930 for the Kenmore Community Club. The Landmarks Commission's landmark designation report states that the Clubhouse is a rare surviving building that exemplifies the importance of clubs and civic organizations in early to mid-20th century King County. The Clubhouse has served as a meeting space for a wide variety of organizations and activities, especially during the 1930s, 40s and 50s, and is still being used for its original purpose.

Figure LU-1

Historic Sites (NO CHANGE)

Land Use Patterns

This section analyzes existing land use patterns in the City of Kenmore. Both existing and planned land uses are addressed.

Existing Land Uses

The City of Kenmore boundaries encompass approximately 6.1 square miles of land. The City contains primarily single-family residential land uses, but also includes a variety of other uses as shown in **Table LU-A and Figure LU-2**. Kenmore is largely a built-out community with a limited amount of unconstrained vacant land suitable for development, but significant opportunities for redevelopment.

TABLE LU-A
2015 LAND USE BY PARCELS - CITY OF KENMORE

CATEGORY	ACRES	PERCENT
Single-family	1,944	55.02%
Multi-Family	182	5.14%
Commercial	278	7.87%
Industrial	144	4.07%
Public	27	.77%
Schools	147	4.17%
Utility	10	0.27%
Parks	455	12.88%
Golf Course	135	3.82%
Open Space/ Greenbelt/Tract	42	1.19%
Vacant	166	4.70%
TOTAL	3,530	100%
Note: Acreage figures have been rounded.		

Source: King County Department of Assessments

Figure LU-2
Existing Land Use (NO CHANGE)

Most of the Kenmore's single-family residential growth will occur on remaining vacant parcels, estimated at 102 acres net available in 2007, or as a result of infill development of partially developed properties. However, most of Kenmore's commercial growth would occur as redevelopment of developed lands.

Kenmore Air Harbor

Founded in 1946, Kenmore Air Harbor is a unique land use in the City. The seaplane base is located on a 5-acre property on the Lake Washington waterfront. The airline provides daily service to downtown Seattle, the San Juan Islands and Canada, and includes customs services for international flights.

The seaplane fleet has an average size of 20 single-engine planes. In 2015, about half of the fleet was made up of de Havilland Otters (the largest planes, accommodating up to 10 passengers). The other half was smaller de Havilland Beavers and two Cessna 180s. Given dock space constraints, the airport estimates that no more than 25 seaplanes will be based at Kenmore Air Harbor in the future, although the mix of planes may change to accommodate more of the larger aircraft. The Air Harbor also provides space for approximately 25 private airplanes.

During the summer season, approximately 110 "operations" per day (single takeoffs or landings) occur at Kenmore Air Harbor. On a typical winter day, 10 operations could be expected. In 2014, approximately 61,000 passengers were served. July and August are the Air Harbor's busiest months.

The seaplanes are able to fly from dawn to dusk, however, the airport has a voluntary curfew in place, restricting operations in Kenmore before 7:30 a.m. on weekdays and before 8:30 a.m. on weekends.

Although all Kenmore Air seaplanes are based and maintained in Kenmore, half of them travel to Kenmore Air's Lake Union passenger terminal before traveling north to Canada and the San Juan Islands. The balance of the fleet travels directly from Kenmore to northern Canada.

Along with passenger services, the Air Harbor does seaplane restoration and maintenance on its property. Annual inspections may involve engine testing or other noise. Kenmore Air has a full parts department for de Havillands and Cessnas. They are, in fact, one of the largest seaplane parts supplier in North America. They also provide parts and technical support for Edo floats, although float manufacturing is done off-site.

During its summer peak, the Air Harbor employs approximately 250 people.

Two runways on Lake Washington are used: Waterway 16-34 is 10,000' long and 1,000' wide; Waterway 18-36 is 3,000' long and 1,000' wide. Most of the time, the seaplanes take off to the southwest. If the north wind is strong, the planes taxi farther down the lake and take off to the north near the Air Harbor.

Landing patterns at Kenmore Air Harbor are determined by wind direction, as aircraft normally land into the prevailing wind. If the wind is from the north, as it is during a typical summer day, aircraft fly northbound up the middle of the lake from the Sand Point area, then land to the north at Kenmore and taxi in to the dock. If the wind is from the south, which is more common during the winter months, aircraft fly a standard left rectangular traffic pattern and land to the south on the lake. The downwind leg of this pattern is flown over the golf course, the base leg just east of 68th Avenue NE, and the final approach leg approximately over the CalPortland property. On an annual basis, approximately 75% of all landings are northbound and 25% southbound.

There is a speed limit to reduce boat speeds in the seaplane waterway area that is monitored by the King County Harbor Patrol.

FUTURE LAND USE

When comparing **Figure LU-2**, Existing Land Use, and **Figure LU-3**, the Kenmore Land Use Plan (provided later in this Chapter), the future development pattern would show:

- **Protection/maintenance of single-family residential areas.** This is a key concept of the Vision Statement to protect single-family areas and concentrate most multi-family in Downtown.
- **Concentration of commercial and business uses locations where they are currently located or in areas targeted for conversion.** New commercial development would primarily occur in the form of redevelopment in Downtown to minimize intrusion into single-family areas and to effectively concentrate these uses where alternative transportation modes are or will be available. The Community Business district provides additional opportunities for mixed use development to support Downtown and the local community.
- **Phasing out of heavy manufacturing and industrial uses in favor of mixed uses (commercial and residential) and clean light manufacturing.** Heavy manufacturing and industrial uses would be phased out over time through market and regulatory forces, and mixed uses and clean light manufacturing would replace them.
- **Creation of a central place in Kenmore.** Creating a Downtown is central to the Vision Statement provisions including a central place for the community, promotion of centrally located multi-family and mixed-use development with access to alternative modes of transportation, and other provisions. The northwest quadrant of the 68th Avenue and SR-522 intersection is identified as an area for a concentration of smaller-scale civic and mixed uses, while the southeast quadrant of the same intersection would be developed with larger-scale private mixed-use master planned developments. Lakepointe would develop as planned in the southwest quadrant of the intersection.
- **Retention of institutional uses including government, schools, and public park properties.** The purpose of this classification is to identify and retain key public and private institutional uses in the City, to promote master planning of facilities, and to prevent conversion of significant properties to other residential or commercial uses without benefit of the rezone process.

Development Capacity

Development capacity considers vacant, underdeveloped and redevelopable property. A relatively small portion (about 5 percent) of the City's land is vacant. Although some land is vacant due to property owner preferences, some is likely vacant due to environmental constraints such as wetlands, flood hazards, or steep slopes.

Partially vacant land, where perhaps one home is located on a large parcel that, according to zoning, could be further subdivided, is considered to be underdeveloped. Much of the City's platting activity is now occurring on such larger, partially developed residential lots.

As evidenced by the Kenmore Village project, redevelopment of developed properties also can occur in the future. However, it is usually difficult to achieve redevelopment of properties, particularly in a downtown context. Often parcels are small and under multiple ownerships. In order to create a viable project in the market, consolidation of properties is needed.

To determine future development capacity, vacant and partially developed lands were reviewed as part of the King County Buildable Lands project. The methodology for the jobs and housing capacity estimates is provided in the King County Buildable Lands Report 2014.

Assuming development in accordance with the Kenmore Land Use Plan and using 2012 as the base year, the City could accommodate an additional 4,503 housing units and an additional 3,945 jobs.

The City's 2012-2031 housing unit growth target established by the King County Countywide Planning Policies is 2,980 housing units. The adopted Land Use Plan would provide enough zoned capacity, and a more than sufficient market cushion, to exceed the 2031 housing unit target.

Jobs capacity also is greater than the City's 3,897 jobs target, although not by much.

PLAN AMENDMENTS

The Growth Management Act recognizes that Comprehensive Plans are dynamic rather than static, and should be evaluated regularly to ensure that they respond to changing needs of the community and respond to new Federal or State law. In accordance with the Growth Management Act, and Policy LU-2.1.5 of this Element, the City will allow for an amendment process to consider changes to the essential components of the Comprehensive Plan, including Goals, Objectives, and Policies.

The City is required to institute a public participation program identifying procedures whereby proposed amendments or revisions of the comprehensive plan are considered by the City Council no more frequently than once every year, except that amendments may be considered more frequently under the following circumstances:

- The initial adoption of a subarea plan that does not modify the comprehensive plan policies and designations applicable to the subarea
- The adoption or amendment of a Shoreline Master Program under the procedures set forth in chapter 90.58 RCW
- The amendment of the Capital Facilities Element that occurs concurrently with the adoption or amendment of the City budget
- Amendments or revisions to the City's comprehensive plan when an emergency exists or to resolve, if appropriate, an appeal of the Comprehensive Plan filed with the Growth Management Hearings Board or with the court.

Aside from the exceptions above, all proposals are to be considered by the City Council concurrently so the cumulative effect of the various proposals can be ascertained.

GOALS, OBJECTIVES, AND POLICIES

Following are the general land use goals, objectives and policies. In some cases, policies are cross-referenced in more than one Element or Sub-Element and this is noted by a policy reference in italics (e.g., *H-26.1.2*).

GOAL 1. *ENHANCE KENMORE'S QUALITY OF LIFE AS A PLACE TO LIVE, RAISE CHILDREN, RECREATE, WORK, SHOP, AND SOCIALIZE.*

OBJECTIVE 1.1	Provide a community atmosphere that is inclusive and family-friendly, with a small town feeling that fosters a sense of belonging and pride.
Policy LU-1.1.1	Encourage development within Kenmore that creates and supports a healthy and diverse community. Kenmore should contain affordable housing and employment opportunities and should protect the natural environment and significant cultural resources.
Policy LU-1.1.2	Through land use policies and development regulations that are consistent with state and federal laws, limit land uses and activities that may result in harmful secondary effects to the community, such as crime, vandalism, or neighborhood deterioration. Consider spacing requirements, buffers, landscaping, access, signage controls, business license and operating requirements, as well as other mechanisms to control secondary impacts.
Policy LU-1.1.3	Use incentives, regulations and programs to support land use patterns and development standards that encourage physical activity through walking and bicycling.
Policy LU-1.1.4:	Encourage businesses to locate in Kenmore so that residents have more opportunities to walk or bicycle to work.
OBJECTIVE 1.2	Endeavor to provide a complete community, compatible in character and design, containing housing, shops, work places, schools, parks, civic facilities, and community services.
Policy LU-1.2.1	Ensure that Kenmore's plans consider all the issues, resources and needs that make a community whole, including land use, civic, cultural, recreation, transit, health, human services, natural environment, and the provision of infrastructure and other services.
Policy LU-1.2.2	Provide adequate land capacity for residential growth, and for a full range of commercial uses in Kenmore. This land capacity should include both redevelopment opportunities as well as opportunities for development on vacant lands.
Policy LU-1.2.3	Integrate non-residential uses such as governmental, utility, religious, social, and other institutional uses, where appropriate, into residential neighborhoods to create quality communities which have a full range of public facilities and services. These uses should be sited, designed, and scaled to be compatible with existing residential character.
OBJECTIVE 1.3	Maintain and enhance the character of existing single-family neighborhoods by allowing compatible housing, improving infrastructure, and establishing appropriate site development standards.
Policy LU-1.3.1	Ensure that zoning regulations emphasize single-family dwellings as the principal use in the City's established single-family neighborhoods.
Policy LU-1.3.2	Provide development standards that create a consistent and compatible pattern of development within residential neighborhoods. Development standards should

address housing densities, lot dimensions, building setbacks and height, impervious surface limitations, access, parking, and other standards.

Policy LU-1.3.3 Provide regular and appropriate levels of investment in transportation, surface water and parks maintenance and improvements within residential neighborhoods, consistent with the City's capital improvement priorities. Encourage special districts to provide services and maintain infrastructure within residential neighborhoods consistent with adopted service and capital improvement plans. (see Policy H-26.1.2)

OBJECTIVE 1.4 Create a climate that fosters business creation and retention that positively contributes to the City's quality of life.

Policy LU-1.4.1 Provide adequate land for commercial development of a character which enhances the community's goals, augments the tax base, and does not adversely affect the natural environment.

Policy LU-1.4.2 Ensure zoning regulations accommodate a range of allowable business and commercial uses in appropriate locations at the neighborhood, community, and regional levels.

OBJECTIVE 1.5 Identify and prioritize properties for public acquisition and use.

Policy LU-1.5.1 During the 20-year planning period, identify community needs and site the following facilities or uses in accordance with the Downtown Sub-Element and the Parks, Recreation and Open Space Element:

- Town Green and Community Building
- Parkland, particularly on the waterfront or in under-served areas
- Environmentally sensitive areas, where regulatory measures alone are insufficient.

Policy LU-1.5.2 Encourage public and private community service providers, including the City of Kenmore, to share or reuse facilities when appropriate, to reduce costs, conserve land and provide convenience and amenity for the public. Joint siting and shared use of facilities should be encouraged for schools, community centers, health facilities, cultural facilities, libraries, swimming pools, institutional properties, and other social and recreational facilities.

Policy LU-1.5.3 Promote site development which provides utilities and infrastructure that are maintainable, aesthetically pleasing, and have several functions, such as surface water facilities designed as accessible open spaces for a development.

GOAL 1.1. DEVELOP AND MAINTAIN A SUSTAINABILITY ACTION PLAN, OUTLINING STEPS THE COMMUNITY (INCLUDING CITIZENS, BUSINESSES, CITY ADMINISTRATION AND THE CITY COUNCIL) CAN TAKE TO SUPPORT SUSTAINABLE ECONOMIC PROSPERITY, SOCIAL EQUITY AND ENVIRONMENTAL HEALTH IN KENMORE.

OBJECTIVE 1.1.1 Encourage the availability of healthy, affordable, culturally acceptable food for all community residents.

Policy LU-1.1.1.1 Through land use regulations and economic development, encourage locally-based food production, distribution and choice.

Policy LU-1.1.1.2 Where appropriate, encourage the development of community gardens and farmers' markets as a means to encourage community-building, support local agriculture and promote economic development.

GOAL 2. PROVIDE FOR ORDERLY DEVELOPMENT.

OBJECTIVE 2.1 Implement the Comprehensive Plan Land Use Map.

Policy LU-2.1.1 Designate the proposed general distribution, general location and extent of the uses of land, where appropriate, for housing, commerce, recreation, open spaces, public utilities, public facilities, and other land uses. The official Comprehensive Plan Land Use Map is included as **Figure LU-3**.

Policy LU-2.1.2 Implement a range of residential, commercial, and public land use classifications:

- a. Table of Districts and Densities. Utilize the following table to establish land use districts and basic and maximum densities allowed in the City.

LAND USE/ZONE DISTRICT	BASE DENSITY/ MAXIMUM DENSITY WITH BONUS ¹
Residential 1 Dwelling Unit Per Acre (R-1)	1 (4) ^{1/2}
Residential 4 Dwelling Units Per Acre (R-4)	4 (6)
Residential 6 Dwelling Units Per Acre (R-6)	6 (9)
Residential 8 Dwelling Units Per Acre (R-8)	8 (12)
Residential 12 Dwelling Units Per Acre (R-12)	12 (18)
Residential 18 Dwelling Units Per Acre (R-18)	18 (27)
Residential 24 Dwelling Units Per Acre (R-24)	24 (36)
Manufactured Housing Community (MHC)	12 to 20
Downtown Residential	48 to 72 (72)
Neighborhood Business (NB)	8 (24)

¹Maximum density may be exceeded when a significant public benefit is provided. Examples include transit-oriented development, MHC preservation, or an approved development agreement.

^{1/2} In the R-1 zone, the base density of 1 unit per acre may be transferred onsite to less constrained property. The bonus indicated in parentheses may only be transferred off-site to a density receiving area such as the Downtown. Bonus criteria are subject to requirements of the Kenmore Municipal Code.

LAND USE/ZONE DISTRICT	BASE DENSITY/ MAXIMUM DENSITY WITH BONUS ¹
Community Business (CB)	24 (36)
Waterfront Commercial (WC)	48 (72)
Urban Corridor (UC)	48 (72)
Regional Business (RB)	48 (72)
Downtown Commercial	48 to 72 (72)
Public and Private Facilities (PPF)	n/a
Special Study Area	Special District

b. District Descriptions. Utilize the following purpose statements to distinguish the land use districts.

- Residential: The purposes of the Residential Districts are to implement Comprehensive Plan policies for housing quality, diversity, and affordability, and to efficiently use land, public services, and energy. In the R-1 district, the primary uses are single detached dwellings clustered as appropriate in relation to environmental constraints. In the R-4 through R-8 districts, Residential District purposes are accomplished by providing for predominantly single detached dwelling units on lot sizes that vary according to district. In the R-12 through R-24 districts, Residential District purposes are accomplished by allowing for a mix of predominantly apartment and townhouse dwelling units with a variety of densities according to district. In the Residential Districts, accessory uses and complementary nonresidential uses that are compatible with residential communities may be allowed.

- Manufactured Housing Community: The Manufactured Housing Community District is intended to ensure consistency with RCW 36.70A.070(2)(c) which requires that sufficient land be available for all types of housing including manufactured housing. The Manufactured Housing Community District promotes residential development that is higher density than single-family, but single-family in character. The land use designation is assigned to existing manufactured housing communities.

- Downtown Residential: The Downtown Residential District provides higher density residential development in support of the Downtown Commercial District. Limited retail and office uses are also allowed as part of mixed-use developments. The District represents an opportunity to provide a range of housing types in the community with attention to appearance and scale. The Downtown Residential land use plan classification is implemented by the Downtown Residential zone.

Some limited existing uses requiring vehicle storage that continue to contribute to the economic vitality of downtown are permitted to

continue their business on existing properties, but are encouraged to transition the use of their properties to those more in keeping with the first paragraph of this intent statement.

- **Neighborhood Business:** The purposes of the Neighborhood Business District are to provide convenient daily retail and personal services for a limited service area, to minimize the impacts of commercial activities on nearby properties, and to provide for limited residential development.
- **Community Business:** The purpose of the Community Business District is to provide pedestrian-friendly, mixed-use development that both supports larger mixed-use and commercial areas with its residential development, and provides small-scale retail, educational, and personal service uses, and offices, for the local community. Allowable uses include office uses and mixed-use (housing and retail/service) developments. Commercial uses with extensive outdoor storage and industrial uses would be discouraged in the Community Business District.
- **Waterfront Commercial:** The purpose of the Waterfront Commercial District is to focus on existing water-dependent uses, but also to allow eating and drinking places, temporary lodging and other uses to support marina and airport development. Compatible light manufacturing would be appropriate. Office and mixed use multifamily development are desirable for the future.
- **Urban Corridor:** The Urban Corridor District is located along SR-522. The overall vision is to convert the area on the south side of the highway from a commercial strip corridor to an area of primarily office and multifamily development, taking advantage of lake views and proximity to transit.

On the north side of the highway, west of downtown, the area would continue to be a mix of restaurant, retail and service uses, with additional opportunities for office and mixed use multifamily development.

East of downtown, portions of the district (nearest the transit center) would be an enterprise zone, allowing for a wide range of commercial uses, including bulk retail, as well as standalone multifamily development. Farther to the east, near the city limits, office and multifamily uses are envisioned.

New auto-oriented businesses would be prohibited throughout the district.

- **Regional Business:** The purposes of the Regional Business District include to provide for the broadest mix of retail, office, wholesale, and service uses, with compatible storage and light manufacturing uses, serving regional market areas and offering significant employment opportunities. These purposes are accomplished by supporting existing businesses, while encouraging compact and mixed-use development that

is supportive of transit and pedestrian travel for the future. Industrial and heavy manufacturing uses are no longer appropriate in this district.

- **Downtown Commercial:** The Downtown Commercial District features a mix of private and public uses designed to create a small-town feel, and pedestrian-friendly environment. Public places, sidewalks, extensive landscaping, transit-orientation, shared or structured parking, protection of environmentally sensitive areas, and high quality design and signage are key features. Permitted uses emphasize mixed or multiple use developments, and include high-density housing, civic and governmental, offices, small-scale commercial and retail, and locally oriented professional and personal services.

Uses not compatible with the Downtown Commercial intent such as those which require vehicle or materials storage, service bays, wide curb cuts, expanses of exterior product display or storage, or produce little customer or visitor activity are discouraged. Park-and-Ride/Transit Centers are promoted along SR-522, particularly in the Northwest Quadrant of the 68th Avenue NE/SR-522 intersection.

Some limited existing uses that require vehicle storage and continue to contribute to the economic vitality of downtown Kenmore are permitted as existing uses on existing properties, though the use is encouraged to transition use of the property to those more in keeping with the first paragraph of this purpose statement. The Downtown Commercial land use plan classification is implemented by the Downtown Commercial zone.

- **Public and Private Facilities:** The purpose of the Public and Private Facilities District is to identify and retain public and private lands primarily utilized for parks, recreation, schools, medical facilities (e.g. hospitals, clinics, medical districts etc.), non-profit service uses and organizations, utilities, government buildings, and other administrative or institutional uses. Master plans would be encouraged to determine the type and extent of these primary uses as well as compatible accessory uses. Development regulations include a process to reclassify smaller properties to the zone most prevalent immediately surrounding the site subject to the provision of information by the institution about the need to convert to a different use.
- **Special Study Area – Bastyr University:** The City has designated the St. Thomas Seminary property, owned by Bastyr University as a Special Study Area recognizing the Bastyr University Master Plan approved in December 2009 that will guide the development of the property. The land use designation for the Campus is Public and Private Facilities and development activities on the Campus will be limited to activities and levels of use as specified in the approved Master Plan and implementing zone of Public and Semi-Public.

The Bastyr University Campus Master Plan is adopted for the approximately 50-acre property in the City and is illustrated in **Figure**

LU-3A. The Bastyr University Master Plan and the applied zoning provide for a coordinated multi-use higher education center meeting the vision of the University and the City to support diverse and continuing education opportunities, strengthen the City's economic base, and protect natural features. **Figure LU-3A** is considered a conceptual graphic, and minor modifications (KMC 19.23.050.A) to site development consistent with City master plan and zoning regulations are considered consistent with the Comprehensive Plan. The City's long term interest in the property is to have continued use of the site by Bastyr University or a similar institution with public access/use maintained through the use of a purchase of development rights, out-right purchase of portions of the property, off-site density transfers or joint use agreements.

- **Special Study Area – Plywood Supply:** The City has designated the Plywood Supply property south of NE 175th Street as a Special Study Area while the City works with property owners to complete a master plan that will guide the development of the property. In order to allow the master planning process to proceed, the property will retain its underlying RB designation for comprehensive planning purposes while development of that master plan is proceeding.
- **Lakepointe Mixed Use Master Plan:** A site development permit and Master Plan are approved for the Lakepointe site specifying permitted uses and development consistent with the Property-Specific (P-suffix) Development Standards. Northshore Comprehensive Plan Policies K-11 and K-12, adopted in Exhibit "C" to Ordinance 98-0027 that was reaffirmed in Ordinance 03-0177, continue to be in effect for this property.

- Policy LU-2.1.3 Multi-family classifications should be applied as follows:
- a. Primarily located in the Downtown area in mixed-use developments and in neighboring areas already containing multi-family uses;
 - b. In or next to Regional, Community, or Neighborhood Business Centers; and,
 - c. Existing or planned transportation capacity should be adequate to accommodate projected travel demand.

- Policy LU-2.1.4 Commercial classifications should be:
- a. Located along Principal or Minor arterials or on collector streets that intersect with arterials within 1/2 mile. Existing or planned transportation capacity should be adequate to accommodate projected travel demand;
 - b. Located to provide convenient shopping or other services for nearby neighborhoods;

- c. Strategically located to maximize the potential success of the hierarchy of commercial classifications. The priority area for commercial development should be the Downtown;
- d. Sized appropriately to accommodate sufficient land to accommodate community business and services needs;
- e. Located in areas with current or planned pedestrian access; and
- f. Commercial designations should be expanded only when it can be demonstrated that conditions have changed since the original commercial classification boundaries were determined, and there is a demonstrated community need.

Policy LU-2.1.5 Consider proposed Comprehensive Plan Amendments each calendar year concurrently so that the cumulative effect of the proposals can be determined. The City may consider some amendments outside of the normal review cycle such as amendments to the Capital Facilities Element, Shoreline Master Program, adoption of a subarea plan, emergency amendments, or others as authorized in the Growth Management Act. All proposed Comprehensive Plan Amendments should include the following elements:

- a. A detailed statement of what is proposed to be changed and why;
- b. A statement of anticipated impacts of the change, including geographic area affected and issues presented;
- c. A demonstration of why existing Comprehensive Plan guidance should not continue in effect or why existing criteria no longer apply;
- d. A statement of how the amendment complies with the Growth Management Act's goals and specific requirements;
- e. A statement of how the amendment complies with the Kenmore Vision Statement;
- f. A statement of how functional plans and capital improvement programs support the change; and
- g. Public review of the recommended change, necessary implementation (including area zoning if appropriate) and alternatives.

Policy LU-2.1.6 Ensure proposed Comprehensive Plan policy amendments are accompanied by any changes to development regulations, modifications to capital improvement programs, subarea, neighborhood, and functional plans required for implementation so that regulations will be consistent with the Plan.

OBJECTIVE 2.2 Prepare clear development regulations consistent with the Comprehensive Plan.

- Policy LU-2.2.1 Prepare zoning maps, classifications, and development standards that are consistent with the Comprehensive Plan and functional plans.
- Policy LU-2.2.2 To provide flexibility as times and development conditions change, address possible amendments to the P-suffix and special district overlay requirements through the development agreement process. If development standards are modified or eliminated, offsetting public benefits must be provided.
- Policy LU-2.2.3 Kenmore’s regulation of land use should:
- a. Protect public health, safety, and general welfare;
 - b. Implement and be consistent with the Comprehensive Plan and other adopted land use goals, policies, and plans;
 - c. Be expeditious, predictable, clear, straightforward, and internally consistent;
 - d. Provide clear direction for resolution of regulatory conflict;
 - e. Be enforceable, efficiently administered, and provide appropriate incentives and penalties;
 - f. Be consistently and effectively enforced;
 - g. Create public and private benefits worth their cost;
 - h. Be coordinated with timely provision of necessary public facilities and services;
 - i. Be coordinated with special purpose districts and other public agencies to promote compatible development standards in Kenmore;
 - j. Be responsive, understandable, and accessible to the public;
 - k. Provide effective public notice and reasonable opportunities for the public (especially those directly affected) to be heard and to influence decisions;
 - l. Avoid intruding on activities involving constitutionally protected freedoms of speech, petition, expression, assembly, association and economic competition, except when essential to protect public health, safety and welfare (and then the restriction should be no broader than necessary);
 - m. Treat all members of the public equally and base regulatory decisions wholly on the applicable criteria and code requirements; and,
 - n. Provide for relief from regulations when they would deprive a property of reasonable use, and when such relief would neither endanger public health and safety nor conflict with adopted use policies.

OBJECTIVE 2.3	Establish a system of densities and development standards that allows for efficient infrastructure and service delivery while protecting environmental resources, and acknowledging neighborhood character.
Policy LU-2.3.1	Through future planning efforts over the next twenty years, seek to achieve an average zoning density of at least seven homes per acre in the City through a mix of densities and housing types, appropriately located. Higher density classifications should be applied primarily in and around the Downtown. Lower density classifications, generally no less than four dwelling units per acre, should be applied to established single-family neighborhoods. A lower density zone may be used to recognize significant environmentally sensitive areas.
Policy LU-2.3.2	Apply minimum density requirements to residential and mixed-use zones of twelve or more homes per acre when consistent with the vision for a given zone.
Policy LU-2.3.3	Review Uniform Building codes and make amendments to remove barriers to achieving desired densities, such as increased stories of wood frame construction.
Policy LU-2.3.4	Use regulations, incentives, open space acquisition, or, where these measures are not adequate, use low density zoning to protect floodplains, riparian corridors, high value wetlands, and unstable slopes from degradation, and to encourage linking these environmental features into a network of open space, fish and wildlife habitat. In sensitive areas, some density may be transferred onsite to less constrained areas, or density may be transferred off-site to specified receiving areas, such as the Downtown.
Policy LU-2.3.5	Through density incentives, encourage development to provide innovative low-cost housing, or significant open space, public parks and public trails. Where provided, encourage public parks and public trails to be part of a network consistent with the Parks, Recreation, and Open Space Element goals, objectives, and policies. Additionally, in the Downtown, density incentives or other incentives should be provided for shared and structured parking, or consolidation of lots. Consider performance-based measures to achieve this policy. Ensure benefits, for example, significant open space, are in proximity to the development site.
OBJECTIVE 2.4	Coordinate land use, road, and utility planning.
Policy LU-2.4.1	Establish priority areas for public facility and service improvements, especially for transportation. These priority areas should be located where public facility and service improvements would most effectively advance the City of Kenmore's growth, economic development, Downtown revitalization, energy efficiency or affordable housing objectives. Priority areas will shift over time as improvements are installed and adopted service level standards are attained.
Policy LU-2.4.2	Implement an annual monitoring program to assess land use development trends, and service and infrastructure provision. If service deficiencies, such as city, county and state roads, public water supply and wastewater treatment, or communication infrastructure are identified, the City of Kenmore and the affected service providers should adopt Capital Improvement Programs to remedy

identified deficiencies in a timely fashion, or the City of Kenmore should reassess the land use plan.

Policy LU-2.4.3 Ensure that infrastructure and facilities are sized appropriately to community needs and are located with attention to the desired neighborhood character.

Policy LU-2.4.4 Consider the effects of improved or new infrastructure such as roads and utilities as potential barriers between neighborhoods or as stimulators of development.

Policy LU-2.4.5 Through zoning and subdivision regulations, require that residential developments, including mobile home parks, whether new developments or substantial redevelopments, provide the following improvements:

- a. Paved streets (and alleys if appropriate), curbs and sidewalks, and internal walkways when appropriate;
- b. Adequate parking consistent with local transit service levels;
- c. Street lighting and street trees;
- d. Underground utilities;
- e. Stormwater control;
- f. Public water supply;
- g. Public sewers.

Policy LU-2.4.6 Provide water, sewer, surface water, transportation, and recreational facilities at the time of development.

OBJECTIVE 2.5 Encourage development on properties with existing or planned public services and utilities.

Policy LU-2.5.1 Encourage innovative, quality development and redevelopment through a variety of regulatory, incentive, and program strategies. Possible approaches include:

- a. Special development standards for infill or redevelopment sites;
- b. Assembly and resale of sites to providers of affordable housing or mixed-use developments;
- c. Impact mitigation fee structures that favor infill or redevelopment;
- d. Expedited permit processes;
- e. Greater regulatory flexibility; and
- f. Reduced permit fees and/or delayed fees.

OBJECTIVE 2.6 Require adequate transitions between land uses of differing intensities and between development and environmentally sensitive areas.

Policy LU-2.6.1	Review and amend zoning and subdivision regulations to ensure adequate setbacks, landscaping, and buffering are required where land use conflicts may occur.
Policy LU-2.6.2	Ensure critical area regulations provide sufficient buffer widths consistent with the quality and class of the environmentally sensitive area.
Policy LU-2.6.3	Locate zoning districts and prepare development regulations that result in gradual transitions between different building intensities.
OBJECTIVE 2.7	Participate in joint planning of services and utilities with special districts, private service providers, neighboring municipalities, King County and Snohomish County, and the State of Washington.
Policy LU-2.7.1	Plan in partnership with special districts, private service providers, neighboring municipalities, King and Snohomish Counties, and the State of Washington. The City should strive to balance the differing needs identified by planning partners at various geographic levels, and ensure that planning partners honor Kenmore's needs.
Policy LU-2.7.2	Prepare functional plans to identify City facility and service needs and define ways to fund these needs consistent with the land use plans and service and finance strategy. Independent special districts and other public agencies should also prepare functional plans which should be considered by Kenmore. The capital facility plans and capital improvement programs prepared by all other agencies which provide services to Kenmore should be consistent with the Kenmore Comprehensive Plan.
GOAL 3.	IDENTIFY, PRESERVE, AND ENHANCE THE CULTURAL RESOURCES OF KENMORE.
OBJECTIVE 3.1	Promote and support visual, literary, and cultural arts and activities in the community.
PolicyLU-3.1.1	Encourage King County to continue to provide arts and culturally-based services to the City of Kenmore through its existing programs, and to provide technical assistance for locally-generated programs.
Policy LU-3.1.2	Encourage shared, multipurpose use of regional and community facilities for cultural activities to maximize their efficient use and to expand public access to cultural opportunities.
Policy LU-3.1.3	Develop a public art program that provides art in public facilities, projects and places to enhance community character and quality of life. Priority locations should include Downtown, government facilities, and municipal parks. Maintenance and conservation should be considerations in the development and management of public art.
OBJECTIVE 3.2	Promote the preservation of significant historic and archaeological sites and structures.

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| Policy LU-3.2.1 | Establish a partnership between Kenmore, King County, the Kenmore Heritage Society and citizen volunteers in order to comprehensively inventory historic and archaeological resources. Use the inventory to guide decision-making in resource planning, environmental review, and resource management. |
| Policy LU-3.2.2 | Encourage land uses and development that retain and enhance significant historic and archaeological resources and sustain historic community character. |
| Policy LU-3.2.3 | Coordinate with Native American Tribes, the King County Historic Preservation Officer, and the State Office of Archaeology and Historic Preservation, as appropriate, to review public and private projects to protect and enhance historic and archaeological resources. |
| Policy LU-3.2.4 | Seek funding from King County, the State of Washington, or other agencies to acquire and preserve significant historic resources for use by City and other public agencies. |

OBJECTIVE 3.3 Encourage local activities which promote the community's history.

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| Policy LU-3.3.1 | Support the efforts of the Kenmore Heritage Society to document Kenmore's history, and provide educational materials and resources to all ages. |
| Policy LU-3.3.2 | Work in partnership with the Kenmore Heritage Society, other agencies and special districts to identify places or facilities where a museum or display of historic artifacts and information can be accomplished. |
| Policy LU-3.3.3 | When dedicating new civic facilities, consider naming them in honor of historical events or persons of significance to the community. |

IMPLEMENTATION STRATEGIES

The Land Use policies would require new, continuing or increased commitments of City resources to prepare new regulations, review/amend existing regulations, create educational or incentive programs, or coordinate with adjacent jurisdictions.

New programs, rules, or regulations would be needed to address:

- An annual monitoring program for assessing, development trends, services and infrastructure
- Historic resource preservation funding
- Public arts programs
- Partnerships with historic groups and agencies.

A review of existing programs, rules and regulations would be needed to ensure they meet the policies. Types of regulations and rules that should be reviewed include:

- Permitted uses in single-family zones
- Permitted uses in commercial zones

- Development standards addressing neighborhood character and compatibility with surrounding development
- Zoning categories – consistency with Comprehensive Plan
- Density bonuses, density transfer, and minimum density regulations
- Uniform Building Code review
- Infill development standards or incentives
- Permit procedures and fees.

Additional or continuing efforts would need to be made to coordinate with adjacent jurisdictions or participate in regional programs, including:

- Coordination with special districts and County regarding services
- Support of County historic resources programs
- Coordination with County/State agencies regarding historic/cultural resources during development review.

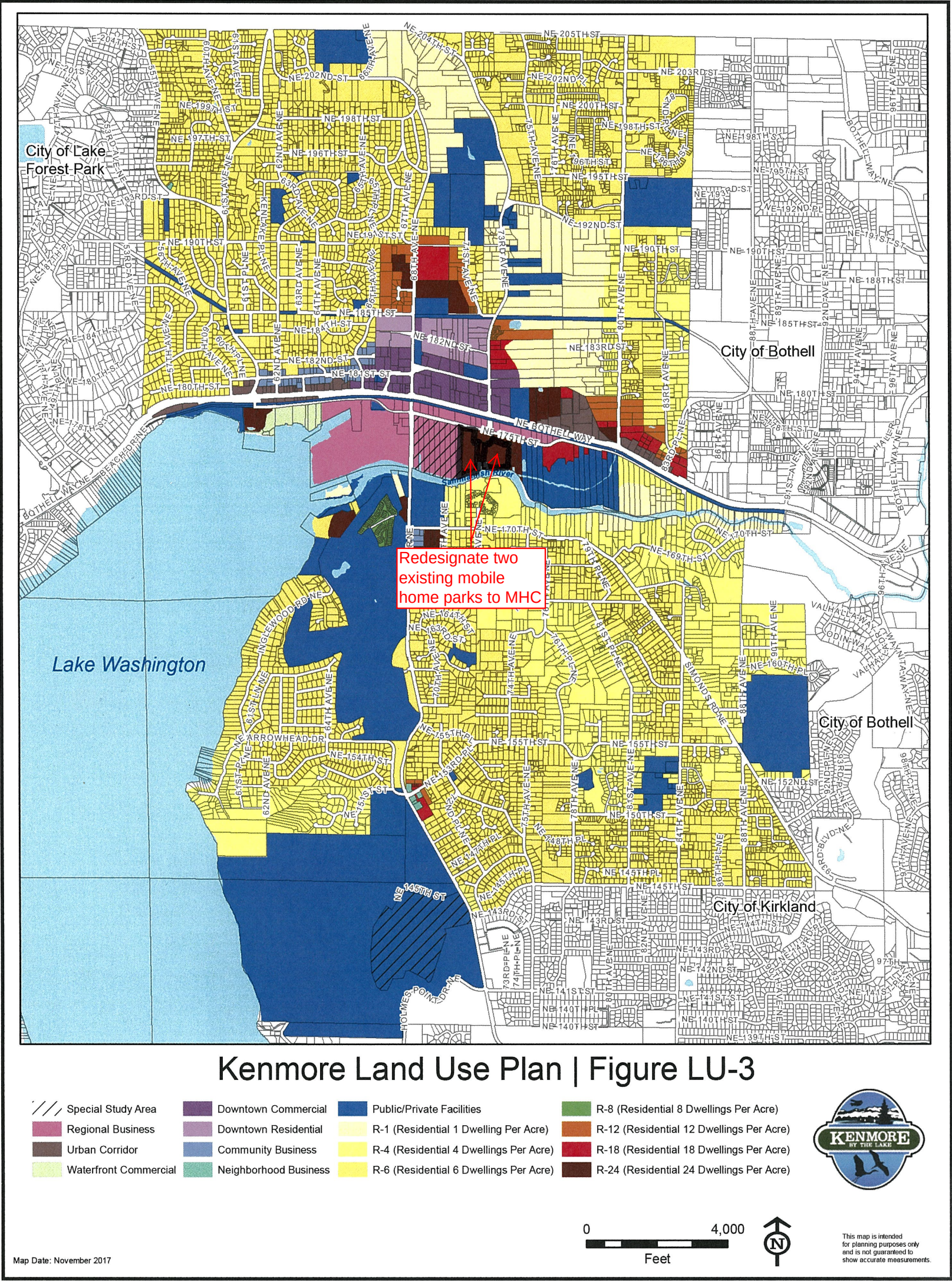
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Figure LU-3
Kenmore Land Use Plan (REPLACE MAP)

Figure LU-3A
Bastyr Master Plan



NATURAL ENVIRONMENT SUB-ELEMENT

INTRODUCTION

Natural systems play an important part in defining the character of the City of Kenmore. The different waterways provide recreational opportunities as well as visual amenities for the community. Some of the smaller, unnamed creeks perform an important role in surface water management by channeling runoff from impervious surfaces to the Sammamish River and/or Lake Washington. Streams and wetlands provide habitat for fish and wildlife and the tree-covered hillsides protect the slopes from erosional processes while also providing habitat. Future development will impact the natural systems and should be carefully reviewed to prevent undue adverse impacts that would lead to degradation of critical areas and to property damage.

Purpose

The purpose of the Natural Environment Sub-Element is to clarify the relationship between the natural environment and the built environment and to secure a balanced approach to future development. Sensitive areas such as wetlands, open spaces, and fish and wildlife habitat contain much of the natural wealth valued by City residents. Other sensitive areas, such as land prone to flooding and geologically hazardous areas are important because of the risk to lives and property posed by developing them.

Growth Management Act Federal and State Requirements

Under the Growth Management Act (GMA) all jurisdictions are required to protect and enhance the natural ecosystems through comprehensive plans and policies, and to develop regulations that reflect natural constraints and protect sensitive features. Land use and development is to be regulated in a manner that respects fish and wildlife habitat in conjunction with natural features and functions, including air and water quality. Natural resources and the built environment are to be managed to protect, improve and sustain environmental quality.

Additionally, under the federal Clean Water Act, administered by the Washington Department of Ecology, local waterways are to be managed for multiple beneficial uses, including flood and erosion hazard reduction, fish and wildlife habitat, agriculture, open space, water supply, and hydropower. Use of water resources for one purpose should, to the fullest extent possible, preserve and promote opportunities for other uses.

Countywide Planning Policies

The King County Countywide Planning Policies (CPP) seek to restore the quality of the natural environment and to protect it for future generations. The policies require all jurisdictions to manage natural drainage systems to improve water quality and habitat functions, minimize erosion and sedimentation, protect public health, reduce flood risks, and moderate peak storm water runoff rates. Jurisdictions in shared basins are to coordinate approaches and standards. Jurisdictions also are directed to encourage low impact development approaches and to plan for land use patterns and transportation systems that minimize air pollution and greenhouse gas emissions.

All jurisdictions are to collaborate with the Puget Sound Partnership to implement the Puget Sound Action Agenda for the benefit of Puget Sound and its watersheds.

EXISTING CONDITIONS

Geology

Much of the City of Kenmore is comprised of undulating uplands formed as a result of different glacial depositional processes. Stream erosion, subsequent to glaciation, carved gullies and ravines in the uplands. Drift plains and alternating valleys create a north-south trending “ridge and valley” regional topography, with one major east-west lowland bisecting Kenmore – the Sammamish River Valley where the river empties into Lake Washington. The general topography of Kenmore is varied, ranging from hills up to 500 feet in elevation to the Lake Washington shoreline at 20 feet above sea level.

The Vashon glaciation left a layer of till and recessional sand and gravel deposits that mantle the upland plateaus north and east of Lake Washington. The till and recessional deposits overlie Vashon outwash sand and gravel, and older glacial and nonglacial deposits that overlie bedrock at great depths.

The Vashon and older deposits in the Kenmore area form a sequence of sand and gravel layers separated by finer grained layers of clay and silt or tight, well-graded soils, which are exposed in places along the steep slopes that lie between the upland plateaus and the lowland drainages. The Vashon and older deposits comprise several aquifers and aquitards within the subsurface, which control subsurface water movement from the upland to the lowland as well as to the locations of streams and creeks that occupy former outwash channels.

Lodgment till from the Vashon glaciation mantles much of the upland area but is generally absent from the steeper slopes at the edge of uplands and in the lowland. Lodgment till is an unsorted mixture of sand, gravel, silt, and clay deposited at the base of a glacier that has been compacted to a very dense state by the great weight of the overriding ice. This type of till has very low permeability and typically acts as an aquitard, restricting the downward flow of groundwater and reducing recharge of deeper aquifers. Till occurs at or very near the ground surface in the higher elevations of the watershed where north-south ridges and swales left by the passage of glacial ice cross the upland surface.

The ground surface along the upland margins and within former large outwash channels is underlain by a veneer of recessional outwash and ice contact deposits. Ice contact deposits were deposited during stagnation and melting of the ice sheet. These deposits consist of sand and gravel, similar to recessional outwash, but are more variable and often contain lenses of very silty material, till, and lacustrine silt and clay, which impede infiltration and groundwater flow.

Recent, unconsolidated deposits of alluvium, organic-rich deposits, and fill overlie the Vashon glacial soils. Recent alluvium, consisting of sand and gravel with interbeds of organic silt, peat and silty clay, exists within the floodplains of the Sammamish River and Swamp Creek. In general, the recent alluvium is poorly drained and associated with hydric soil conditions.

Geologic Hazards

Geologic hazard areas in Kenmore include lands with erosion, landslide, and seismic hazards. Erosion hazard areas, identified on the City’s Geologic Hazard Areas map, occur along the northwest City limits, along 61st Avenue NE, land south of NE 170th Street, and along the shoreline in the Inglewood neighborhood and St. Edward State Park.

The identification of areas susceptible to landsliding is necessary in the assessment of grading, building, foundation design, housing density, and other land development regulations. Steeply sloping unconsolidated glacial deposits are highly susceptible to landslides. Landslide hazard areas are found

along 61st Avenue NE, the area south of NE 170th Street, and the Inglewood/St. Edward State Park area along Lake Washington.

Seismic hazard areas are those areas subject to severe risk of earthquake damage as a result of seismically induced settlement or soil liquefaction. The City's Geologic Hazard Areas map identifies the region of Swamp Creek, the Sammamish River basin and the northern end of Lake Washington north of NE 166th Place as a seismic hazard area primarily due to the potential of soil liquefaction during times of seismic activity. Refer to **Figure LU-11 NEW MAP TO BE INSERTED** for the map indicating geologic hazard areas in Kenmore.

Air Quality

Air quality is generally assessed in terms of concentrations of air-borne pollutants being higher or lower than ambient air quality standards set to protect human health and welfare. To measure existing air quality, the Washington State Department of Ecology and the Puget Sound Clean Air Agency (PSCAA) maintain a network of monitoring stations throughout the Puget Sound region. Based on monitoring information collected over time, state (Ecology) and federal (**EPA U.S. Environmental Protection Agency**) agencies designate regions as being "attainment" or "nonattainment" areas for particulate air pollutants. Attainment is a measure of whether National Ambient Air Quality Standards (NAAQS) are being met.

King County was designated as a nonattainment area in 1989. This designation brought about maintenance measures to bring the area back into attainment. The county now meets air quality standards and has a long-term plan for continuing to meet and maintain these standards and other requirements of the Clean Air Act. The county presently is designated as a "maintenance area."

Future Conditions

Air quality in Kenmore is predicted to remain much as it is today or to improve slightly. This is based on continuation of the State vehicle emissions inspection and monitoring program and decreased dependence on wood as a primary heating source as newer houses replace older ones.

Additionally, implementation of zoning responsive to air quality concerns can result in air pollution benefits Countywide and regionally. Decreased air pollution can be expected from zoning and development patterns that result in a reduction in vehicle miles traveled. Concentrated development and higher density development allows transit to serve people more efficiently and generally reduces the number of cars on the road. Although regional or Countywide emissions can be reduced with efficient land use patterns, air pollutant emissions would still occur in more populated areas and may affect more people.

Figure 11. Geologic Hazards

Water and Wetlands

Predominant water features in the City include Swamp Creek as well as its tributaries and associated wetlands, the Sammamish River, and Lake Washington. In addition to these major water bodies, numerous small unnamed streams drain to these features.

Numerous wetlands also are located in the City—many within public open spaces such as Wallace Swamp Creek Park, Squire’s Landing Park, and ~~Inglemoor~~Inglewood Wetlands. Wetlands are transitional areas between aquatic and upland habitats and are identified based upon three parameters: hydrology, soils and vegetation. Wetlands are formally identified and delineated in accordance with the approved federal wetland delineation manual and applicable regional supplements. Under normal circumstances, wetlands include the following three components:

- Presence of water (hydrology) or an indication of at least the seasonal presence of water on the surface or in the soils;
- Unique soils (hydric soils) that differ from upland soils due to anaerobic conditions resulting from prolonged or frequent saturation or flooding; and
- A dominance of plants adapted to growing in wet conditions (hydrophytic vegetation).

Wetlands provide habitat for a variety of aquatic and terrestrial plant and animal species. The extent to which a wetland will provide wildlife habitat will depend upon several features including the condition of the site, its size, presence of habitat features (e.g. open water, ~~dead~~snags, islands or perches), the variety and complexity of the different habitat types within the wetland, and the surrounding habitat in the immediate vicinity. The ability of a wetland to provide habitat can also be linked to the degree it has been fragmented by urbanization and the level of disruption of the hydrology and vegetative continuity with other wetland systems. See **Figure LU-11a** **NEW MAP TO BE INSERTED** for a map of streams and wetlands in Kenmore.

Figure 11a. Streams and Wetlands (with Typing)

Swamp Creek

The main stem of Swamp Creek is approximately 14.6 miles long, extending from headwaters wetlands in south Everett, through portions of Everett, Lynnwood, Brier, Mountlake Terrace, Bothell, unincorporated Snohomish County, and Kenmore to the Sammamish River. Within the city of Kenmore, there are 2.5 miles of shoreline along the stream.

Swamp Creek is typical of Puget Sound lowland streams. It originates in upland areas with gently sloping hillsides and eventually flows through a broad valley to the mouth. Topography along the stream course varies from 450 feet above sea level at the headwaters to 20 feet above sea level at the mouth of the creek. The stream has a low to moderate gradient of 1 to 6 percent. Site and vegetation clearing and grading, increased impervious surfaces, inadequate storm detention and other factors, particularly with development in the watershed upstream from Kenmore, have increased flood frequencies and severity. Despite these changes, the Swamp Creek floodplain contains some of the largest and highest quality wetlands and wildlife habitat in the City. Swamp Creek has actively migrated within its floodplain.

Little Swamp Creek and Muck Creek join with Swamp Creek in Kenmore, along with a third, unnamed tributary.

Water quality issues include sedimentation and pollutants associated with stormwater runoff. Temperature and dissolved oxygen exceed the water quality standards for most of the summer and early fall. There also are frequent exceedances of the fecal coliform bacteria standard. Swamp Creek at the mouth has consistently scored low on the King County Water Quality Index—rating it as a “high concern.” has been rated over time as either “moderate concern” or “high concern” since King County began monitoring water quality parameters in 2000.

To capture gravels and sediments, an in-stream sediment pond was created and is maintained in Wallace Swamp Creek Park.

Fish Habitat

Swamp Creek supports several salmonid fish species including coho salmon (federal species of concern), Chinook salmon (federally listed, threatened), coastal cutthroat trout (sea-run and resident), sockeye salmon, and steelhead trout (federally listed, threatened). Resident cutthroat trout are the dominant salmon species that spawn in the Swamp Creek basin. Swamp Creek also supports coho spawning and Little Swamp Creek is documented to support coho rearing. There is no designated critical habitat for any salmonid species in Swamp Creek or its tributaries.

Wildlife Habitat

Wildlife species are concentrated in small forested and wetland areas of the Swamp Creek watershed. The Swamp Creek Wetland #3 (Listed in the King County Sensitive Areas Map Folio; see Figure LU-11a) complex provides excellent forage and nesting habitat for birds and good forage and shelter habitat for amphibians, reptiles and small mammals. Ponded areas in the wetland provide resting sites for waterfowl. Of particular interest in Wetland #3 is the Great Blue Heron rookery, described further below.

Purple martin nest boxes (state priority species) are mapped at the Swamp Creek confluence.

Sammamish River

The Sammamish River begins at the outlet of Lake Sammamish and ends at its confluence with Lake Washington. The total length of the river mainstem is approximately 14 miles. Within the City limits, the shoreline extends approximately 1.8 miles. The river has a low gradient (approximately 0.02%), dropping only 14' in elevation over its length. The volume and rate of surface water discharge from Lake Sammamish is moderated by a weir at Marymoor Park.

The River has been altered over time to control flooding. The natural Sammamish River floodplain historically covered a very large area as the river meandered extensively across the valley floor. Prior to channelization, land use in the valley was predominately agricultural and spring flooding regularly caused extensive damage to seed crops. To reduce this damage and to help regulate the level of Lake Sammamish, the U.S. Army Corps of Engineers, with King County as a local sponsor, dredged a deeper and straighter channel in the 1960s, filling in the former meanders. Levees were typically placed on the riverbanks to maximize the flood protection area. Miles of streambank were lined with rip-rap and are devoid of vegetation. In the 1980s and 1990s, dredging at the mouth of the river was undertaken for navigational purposes.

Consequences of the flood control projects include reduced frequency of overbank flooding, reduced riparian habitat, and elimination of extensive wetland areas. In Kenmore, approximately 35.3 acres of wetlands are mapped on the Sammamish River shoreline. The City has undertaken community restoration efforts to control invasive plants and replant native species in portions of the Rhododendron Park wetlands, portions of Squire's Landing Park wetlands, and in wetlands near the Wildcliffe Shores community.

The water quality of the Sammamish River is largely influenced by the slow-moving nature of this lowland system and by the backwater effect from Lake Washington. The slow movement, while enhancing sediment deposition, also allows for development of dense stands of aquatic plants and higher algal productivity. The backwater affect means that warmer lake water with lower dissolved oxygen concentrations is significantly influencing the conditions in the lower reach of the river, especially during summer months. Temperatures are limiting for salmon. Fecal coliform bacteria and various pollutants are additional water quality issues.

The King County Water Quality Index rated the River at the Kenmore monitoring station as either of high or moderate concern with respect to water quality between 2000 and 2008.

Fish Habitat

The Sammamish River remains a major migratory pathway for salmon. The mouth of the River provides salmon rearing habitat and it is believed that outmigrating juvenile salmon may hold in the shallow beach area near the river mouth before moving into the lake. The basin supports rainbow trout, coho salmon (federal species of concern), Chinook salmon (federally listed, threatened), coastal cutthroat trout, kokanee salmon, sockeye salmon, and steelhead trout (federally listed, threatened).

Wildlife Habitat

Historically, the Sammamish River with its broad, shallow channels and numerous backwater sloughs and meanders provided prime habitat for a wide variety of animal species. This diversity of wildlife has been reduced and birds are the most visible form of wildlife along the river. Bald eagles, other raptors and cormorants have been observed flying along the River and great blue herons feed there.

Lake Washington

Lake Washington has a surface area of approximately 35 square miles. Kenmore's shoreline along the north end of Lake Washington is approximately 3.5 miles in length. The shoreline has little natural vegetation or habitat left due to urbanization. An exception is the waterfront along St. Edward State Park, which is roughly 3,000 feet in length and the longest undeveloped stretch of Lake Washington shoreline.

Construction of the Ship Canal in 1916 created the connection between Lake Washington and Puget Sound, causing the lake water surface elevation to drop approximately 9 feet. Currently the U.S. Army Corps of Engineers maintains the water level in the Lake within a 2-foot range between 20 and 22 feet. The minimum water elevation is maintained during winter to allow for annual maintenance of docks and other structures, minimize damage during winter storms, and provide flood storage volume.

Water quality in Lake Washington ~~is~~ has improved tremendously ~~improvement from just in the last~~ 50 years ~~ago~~. However, a continued concern is localized areas of eutrophication, wherein nutrients (particularly phosphorus) and bacteria from the watershed are transported to the lake, resulting in excessive plant growth including floating and attached algae and nuisance plants. Water quality concerns around increased water temperature, fecal coliform bacteria and chemical contaminants also are present.

Fish Habitat

Lake Washington supports over 30 fish species of which 12 are non-native and introduced to the lake. Native species of salmonids use the lake for migratory passage, rearing of juveniles, and foraging. No salmonid spawning typically occurs in Lake Washington. Salmonid species include Chinook (federally listed, threatened), coho (federal species of concern), sockeye salmon, steelhead trout (federally listed, threatened), resident rainbow trout, cutthroat trout, Dolly Varden/bull trout (federally listed, threatened) and kokanee salmon.

Wildlife Habitat

Mapped bald eagle nest sites are located on the east shore of Lake Washington and documented perch trees, including large black cottonwoods, are located along the lakeshore. Pileated woodpecker breeding (state candidate species) occurs in the forests of St. Edward State Park and extending onto forested portions of adjacent private and public properties. Other priority habitats associated with the lake include wetlands and riparian biodiversity areas and corridors.

Endangered, Threatened, Sensitive Species

Federally Listed Species

Several federally listed species are known to occur or could potentially occur within the City's shorelines. Federally listed species that have been documented include Chinook salmon, designated by National Oceanic and Atmospheric National Marine Fisheries Division (NOAA Fisheries) as Threatened in 1999 and re-confirmed in 2005; bull trout, designated by U.S. Fish and Wildlife Service as Threatened in 1999; and steelhead trout, designated by NOAA Fisheries as Threatened in 2007 and re-confirmed in 2014.

As defined in the Endangered Species Act, critical habitat is "specific geographic areas that contain features essential to the conservation of an endangered or threatened species and that may require special management and protection." In 2005, the National Oceanic and Atmospheric Administration National Marine NOAA Fisheries Division ~~designated~~ designated "critical habitat" for Chinook salmon in the region, which is

protected as essential to the conservation of listed salmon. Critical habitat for Puget Sound Chinook salmon includes the entire Kenmore's Lake Washington shoreline, including shoreline in Kenmore, and the lower portion of the Sammamish River.

In 2004, the U.S. Fish and Wildlife Service designated "critical habitat" for the Puget Sound Distinct Population Segment (DPS) of bull trout. The entire length of the, including Kenmore's Lake Washington shoreline, including areas within Kenmore, was designated as critical habitat for bull trout.

In 2007/2016, NOAA Fisheries designated "critical habitat" for the listed Puget Sound DPS steelhead as "threatened." Designation of potential critical habitat is underway which excludes all waters in the Lake Washington watershed, including in Kenmore.

State Priority Habitat and Species Program

The State of Washington Department of Fish and Wildlife has a Priority Habitat and Species (PHS) program which includes a catalog of habitats and species considered to be priorities for both conservation and management. Priority habitats are "habitat types or elements with unique or significant value to a diverse assemblage of species." In Kenmore priority habitats include wetlands, biodiversity areas and corridors, and freshwater ponds.

The State lists designate State-Endangered, Threatened, Sensitive, and Candidate Species. Priority species include those designations, as well as "animal aggregations (e.g., heron colonies, bat colonies) considered vulnerable; and species of recreational, commercial, or tribal importance that are vulnerable." Priority species documented in Kenmore include Chinook salmon, bull trout, coho salmon, sockeye salmon, kokanee salmon, steelhead trout, coastal cutthroat trout, bald eagle, pileated woodpecker, purple martin, and great blue heron. Recent information indicates that the purple martin is no longer nesting in Kenmore.

The bald eagle's population status has improved to levels that resulted in the removal of the eagle from both federal and state listing. However, the eagle is still protected by the federal Golden and Bald Eagle Protection Act.

Due to the importance and size of the Kenmore's great blue heron colony, the great blue heron species is addressed below.

Great Blue Heron

Great blue herons are a permanent resident in all of Washington except the higher Cascade and Olympic ranges. They are highly vulnerable to human disturbance, predation, and competition for nesting habitat.

More productive colonies tend to form near large areas of high quality foraging habitat. Most colonies are within 1.9 miles of key foraging grounds, although herons can nest anywhere within 6.2 miles of where they are foraging.

Ideal nesting habitat consists of mature forest. Although most colonies are found in forests free of human disturbance, some nesting occurs in areas of persistent human activity. The birds are less tolerant of disturbance in the pre-courtship and courtship periods between mid-February and mid-April.

Bald eagles are the heron's primary predator (Azerrad, 2012).

A heron rookery has been established near the north end of the Kenmore Park and Ride, within Swamp Creek wetlands. It housed approximately 40 nesting pairs in 2009.

The colony established itself after the Kenmore Park and Ride lot was developed. There is a water barrier between the lot and the colony which may create a sense of safety. Other than encroaching development, factors which may cause the birds to move in the future include bald eagle intrusion, damage to nesting trees (trees can be damaged by the nesting as well as by flooding), reduction in foraging areas, and other factors (Norman 1999).

The birds are colonial during the breeding season but are noncolonial in the winter when they stay in the immediate area but separate into smaller groups. The winter roosting areas have not been identified. In winter, the birds will switch from foraging in wetland areas to upland areas where they will feed, for example, on rodents (Norman 1999).

Colonies usually exist at the same location for many years, and productivity (the number of fledglings/nesting herons) may be positively related to the number of years colonies have been in use. The herons may relocate their colonies in response to increased predation on eggs and young by mammals and birds such as eagles, declines in food availability, or human disturbance (State of Washington Department of Fish and Wildlife 1999).

The City of Kenmore's Critical Area Regulations should require a year-round buffer of 900 feet radius around an active rookery, where unusually loud activities should be prohibited (Azerrad, 2012). Between January/February 1 and July/August 31, no clearing or grading or land disturbing activity is should be allowed within 900 feet of the rookery/the buffer unless approved by the Washington State Department of Fish and Wildlife (the SR-522 right of way is exempt from the buffer). Permits for activities within the heron rookery buffer require approval of a habitat management plan by the State and City.

Shoreline Master Program

The Shoreline Master Program applies to “shorelines of the State.” In Kenmore, these include Lake Washington, the Sammamish River, and the main stem of Swamp Creek. In addition, wetlands considered “associated” with State Shorelines, such as Swamp Creek No. 3, also are regulated by the Shoreline Master Program. The Shoreline Master Program regulations include Environment designations of Downtown Waterfront, Shoreline Residential, Urban Conservancy, ~~and Natural~~, ~~and Aquatic~~. The Downtown Waterfront environment is more permissive in terms of uses and development standards than the other designations. The most restrictive ~~E~~environment ~~designation~~ is the Natural ~~E~~environment. The Shoreline Sub-Element of the Land Use Element addresses shoreline goals, objectives and policies.

GOALS, OBJECTIVES, AND POLICIES

Following are the natural environment goals, objectives and policies. In some cases, policies are cross-referenced in more than one Element or Sub-Element, and this is noted by a policy reference in italics (e.g., *Policy SW-42.3.1*).

GOAL 13. PRACTICE ENVIRONMENTAL STEWARDSHIP BY PROTECTING, ENHANCING, AND PROMOTING THE NATURAL ENVIRONMENT IN AND AROUND THE CITY OF KENMORE.

OBJECTIVE 13.1 Cooperate regionally and strive locally to improve air quality.

- Policy LU-13.1.1 Protect air quality from adverse impacts through the following measures:
- a. Encourage alternative modes of transportation to reduce reliance on the automobile as the primary method of transportation.
 - b. Promote mixed-use and compact development forms, particularly in the Downtown, to help reduce the need for automobile use.
 - c. Require air quality impact analysis for major new developments, which could adversely impact the air quality levels in the vicinity.
 - d. Work with other agencies to educate the public about air quality impacts due to vehicular travel and due to improper use of woodstoves and fireplaces.
 - e. Work with other agencies to monitor air quality within the planning area.

- Policy LU-13.1.2 Through development standards, reduce air pollution emissions from construction and land clearing activities.

OBJECTIVE 13.2 Encourage a reduction in overall noise levels throughout the community.

- Policy LU-13.2.1 Require new developments which could generate substantial levels of noise or could expose people to substantial levels of noise from existing noise generators to submit an analysis of potential noise impacts and propose mitigation.

Policy LU-13.2.2 Implement noise and nuisance ordinances to address various noise sources and require cessation or mitigation of noise.

Policy LU-13.2.3 Encourage residential or other noise-sensitive development proposed for location in noise-impacted areas to be oriented away from noise source, or to be constructed with materials that will maximize noise reductions, or to incorporate fencing, landscaping, or other noise-reducing features, appropriate to the situation. Noise impacted areas may include the vicinity of SR-522, or the vicinity of the Air Harbor, or other areas that may be determined through environmental review.

OBJECTIVE 13.3 Encourage a reduction in light and glare impacts throughout the community.

Policy LU-13.3.1 Through design standards or educational opportunities, discourage the use of building materials or signage materials that cause glare impacts to substantial numbers of motorists or surrounding neighborhoods.

Policy LU-13.3.2 Require appropriate illumination levels and light shields, ~~and direction~~ for lighting standards along streets, and in public open spaces and parks.

Policy LU-13.3.3 Encourage residents to provide exterior lighting for security purposes which does not unduly impact their neighbors.

Policy LU-13.3.4 Restrict lights pointing up, affecting the view of the night sky.

OBJECTIVE 13.4 Cooperate regionally and strive locally to protect surface and ground water quality and quantity from degradation.

Policy LU-13.4.1 Actively work with communities upstream from Kenmore to develop and implement appropriate surface water regulations to adequately retain and detain surface water so as to minimize the adverse effects upon the environment in Kenmore.

Policy LU-13.4.2 Use incentives, regulations and programs to manage Kenmore's water resources (rivers, streams, lakes, wetlands and ground water) and to protect and enhance their multiple beneficial uses including fish and wildlife habitat, flood and erosion control, water supply, energy production, transportation, recreational opportunities and scenic beauty. Use of water resources for one purpose should, to the fullest extent practicable, preserve opportunities for other uses.

Policy LU-13.4.3 Allow development that supports continued ecological and hydrologic functioning of water resources. Development should not have a significant adverse impact on water quality or water quantity.

Policy LU-13.4.4 Participate in the development of watershed plans integrating surface water, ground water, drinking water and wastewater planning to provide efficient water resource management.

Policy LU-13.4.5 Actively encourage the use of environmentally safe methods of vegetation control.

OBJECTIVE 13.5 Adopt an urban forestry strategy to encourage the preservation and planting of trees on public and private property.

Policy LU-13.5.1 Adopt an urban forestry strategy which encourages the preservation and protection of trees on public and private properties.

Policy LU-13.5.2 Through urban forestry, street design standards and parks programs, encourage the planting of street trees throughout the City.

OBJECTIVE 13.6 Protect the natural, environmental, ecological, public access, aesthetic, and economic aspects of Lake Washington, the Sammamish River, and Swamp Creek.

Policy LU-13.6.1 In the City's Shoreline Sub-Element and Shoreline Master Program, balance the need to provide for shoreline protection, and public access, with the need to allow for water-oriented uses and economic development.

Policy LU-13.6.2 Allow development within designated Shoreline Environments the shoreline jurisdiction that preserves the resources and ecology of the water and shorelines; avoids natural hazards; promotes visual and physical access to the water; and preserves archeological resources, traditional cultural resources, and navigation rights. Protection of critical areas should be balanced with visual values and physical access as long as there is no net adverse impact to regulated shoreline ecological processes and functions.

Policy LU-13.6.3 Balance private property rights with the need for public physical and visual access to shorelines.

GOAL 14. PROTECT LIFE AND PROPERTY IN AREAS OF NATURAL HAZARDS.

OBJECTIVE 14.1 Strive to protect lives and public and private property from flooding.

Policy LU-14.1.1 Implement the Surface Water Element goals, objectives and policies and the Kenmore Surface Water Management Plan to minimize flood hazards in the community.

Policy LU-14.1.2 Recognize the Swamp Creek basin as an environmentally sensitive area that has sustained repeated flooding impacts. Densities and services should reflect the environmental sensitivity of the Swamp Creek basin.

OBJECTIVE 14.2 Strive to protect slopes from erosion and sliding.

Policy LU-14.2.1 Require land uses permitted in mapped Erosion Hazard Areas to minimize soil disturbance and maximize retention and replacement of native vegetative cover.

Policy LU-14.2.2 Require new development to protect natural vegetation coverage at levels sufficient to moderate surface water runoff and erosion and to protect the integrity of stream channels. When revegetation is required, appropriate native vegetation should be used.

- Policy LU-14.2.3 Require grading and construction activities to be conducted with erosion control Best Management Practices and other development controls as necessary to ~~reduce~~~~minimize~~ sediment discharge from construction sites ~~to minimal levels~~.
- Policy LU-14.2.4 Require increased surface water ~~requirements~~~~management~~ in areas draining over steep and erosive slopes.
- Policy LU-14.2.5 Limit development on slopes with a grade of 40 percent or more ~~to be developed~~ unless the risks and adverse impacts associated with such development can be reduced to a non-significant level.
- Policy LU-14.2.6 Limit development in Landslide Hazard Areas unless the risks and adverse impacts associated with such development can be reduced to a non-significant level.

OBJECTIVE 14.3 Minimize the potential for damage due to liquefaction and seismic hazards.

- Policy LU-14.3.1 In areas with severe seismic hazards, apply Uniform Building Code, and any other necessary special building design and construction measures to minimize the risk of structural damage, fire and injury to occupants and to prevent post-seismic collapse.

GOAL 15. PROTECT AND ENHANCE UNIQUE, VALUABLE, AND CRITICAL PLANTS AND WILDLIFE.

OBJECTIVE 15.1 Protect wetlands from encroachment and degradation, and encourage wetland restoration.

- Policy LU-15.1.1 Determine wetland boundaries in accordance with the approved federal wetland delineation manual and applicable regional supplements.
- Policy LU-15.1.2 ~~Provide~~~~Utilize~~ a ~~wetland~~ classification system ~~for wetlands~~ that ~~is based on best available science~~~~allows for the designation of both regionally and locally unique wetlands~~.
- Policy LU-15.1.3 Strive to achieve no-net-loss of wetland functions or values within each drainage basin. Acquisition, enhancement, regulations, and incentive programs may be used independently or in combination with one another to protect and enhance wetlands functions.
- Policy LU-15.1.4 Require development adjacent to wetlands to be sited such that wetland functions are protected, an adequate buffer around the wetlands is provided, and significant adverse impacts to wetlands are prevented.
- Policy LU-15.1.5 Protect areas of native vegetation that connect wetland systems. Whenever effective, incentive programs such as buffer averaging, density credit transfers, or appropriate non-regulatory mechanisms should be used.
- Policy LU-15.1.6 Protect the unique hydrologic cycles, soil and water chemistries, and vegetation communities of bogs, fens and other legislatively designated unique ~~wetland~~

ecosystems through the use of Best Management Practices to control and/or treat stormwater within the wetland **watershedbasin**.

- Policy LU-15.1.7 Allow public access to wetlands for scientific, recreational use, and traditional cultural use where public access trails are carefully sited, sensitive habitats and species are protected, and hydrologic continuity is maintained.
- Policy LU-15.1.8 Allow enhancement or restoration of degraded wetlands to maintain or improve wetland functions, provided that all wetland functions are evaluated in a wetland management plan, and adequate monitoring, code enforcement and evaluation is provided and assured by responsible parties. Restoration or enhancement must result in a net improvement to the functions of the wetland system. Technical assistance to small property owners should be considered.
- Policy LU-15.1.9 Alterations to wetlands may be allowed, only after all wetland functions are evaluated, the least harmful and reasonable alternatives are identified, and affected significant functions are appropriately mitigated, in order to:
- a. Accomplish a public agency or utility development;
 - b. Provide necessary utility and road crossings;
 - c. **Maintain and improve a wetlandEnhance an ecological function**; or,
 - d. Avoid a denial of all reasonable use of the property.
- Policy LU-15.1.10 Approve wetland mitigation proposals if they would result in improved overall wetland functions within a drainage basin. All wetland functions should be considered. Ensure mitigation sites replace or augment the functions that would be lost as a result of the project proposal. Further, mitigation sites should be located strategically to alleviate habitat fragmentation.
- Policy LU-15.1.11 Promote mitigation projects that contribute to an existing wetland system or restore an area that was historically a wetland. The goal for these mitigation projects is no net loss of wetland functions per drainage basin.
- Policy LU-15.1.12 Preserve land used for wetland mitigation in perpetuity. Monitoring and maintenance should be provided until the success of the site is established.
- Policy LU-15.1.13 Support a cooperative multi-jurisdictional effort to develop a plan for the establishment **and utilization** of a wetland mitigation banking program **or in lieu fee program**.
- Policy LU-15.1.14 Apply appropriate penalties for current as well as previous wetland alteration violations, such as requiring wetland restoration, through code enforcement and stricter standards for development on sites where wetlands have been illegally filled.

OBJECTIVE 15.2 Protect streams from encroachment and degradation, and encourage stream restoration.

Policy LU-15.2.1 River and stream channels should be preserved, protected and enhanced for their hydraulic, ecological and aesthetic functions.

Policy LU-15.2.2 In partnership with other jurisdictions and interested parties, continue restoring stream and river channels and surrounding riparian areas to enhance water quality and fish and wildlife habitat and to mitigate flooding and erosion.

OBJECTIVE 15.3 Maintain and promote a diversity of native species and habitat within the City.

Policy LU-15.3.1 Protect native plant communities by encouraging management and control of non-native invasive plants, including aquatic plants. Environmentally sound methods of vegetation control, including appropriate use of approved herbicides, should be used to control noxious weeds.

~~Policy LU-15.3.2 Actively encourage the use of environmentally safe methods of vegetation control. Herbicide use should be minimized.~~

Policy LU-15.3.32 Recognize that aquatic weeds and toxic algae are a regional issue. Lobby King County to take the lead on a solution to control aquatic weeds and algae on the Sammamish River, Swamp Creek and Lake Washington. At the same time, facilitate the use of local resources, including volunteers, to reduce aquatic weeds.

Policy LU-15.3.43 Encourage the use of native plants in landscaping requirements, erosion control projects, and in the restoration of stream banks, lakes, shorelines, and wetlands. Provide incentives for using native plants, mature plantings, and higher densities of biomass.

Policy LU-15.3.54 Maintain fish and wildlife through conservation and enhancement of terrestrial, air, and aquatic habitats.

Policy LU-15.3.65 Preserve habitats for species which have been identified as endangered, threatened, or sensitive by the state or federal government.

Policy LU-15.3.76 Designate and protect the following Fish and Wildlife Habitats of Importance, including Conservation Areas found in Kenmore:

- a. Habitat for federal or state listed ~~E~~ndangered, or ~~T~~hreatened species;
- b. Habitat for ~~S~~state ~~S~~sensitive, and ~~C~~candidate species; animal aggregations considered vulnerable; and those species of recreational, commercial, or tribal importance that are vulnerable as identified and mapped by the State Priority Habitats and Species Listprogram.
- c. Habitat for ~~Herons of Local Importance~~; great blue herons;
- d. Habitat for bald eagles;
- e. Urban natural open spaces~~Biodiversity areas and corridors~~ designated and mapped in the Priority Habitats and Species Projectprogram by the State Department of Fish and Wildlife; and,

ef. Riparian corridors.

Policy LU-15.3.8 ~~Conduct a local process to determine fish, wildlife, and plant species of local importance, and address these in Policy LU 15.3.7~~Provide a mechanism for nomination and consideration of additional Fish and Wildlife Habitats of Importance.

Policy LU-15.3.9 Identify species which need protection during the development review process.

Policy LU-15.3.10 Stream and wetland buffer requirements may be increased to protect ~~Endangered, Threatened, and Priority wildlife species~~Fish and Wildlife Habitats of Importance. Whenever possible, density transfers and/or buffer averaging should be allowed.

Policy LU-15.3.11 Protect salmonid habitats by ensuring that land use and facility plans (transportation, water, sewer, electricity, gas) include riparian and stream habitat conservation measures developed by the County, cities, tribes, service providers, and/or state and federal agencies. Development within basins that contain fish enhancement facilities should consider significant adverse impacts to those facilities.

Policy LU-15.3.12 Work with adjacent jurisdictions, state and federal governments and tribes during land use plan development and site development review to identify and protect habitat networks at jurisdictional boundaries.

~~Policy LU 15.3.13 Encourage incorporating native plant communities into development proposals.~~

Policy LU-15.3.~~14~~13 Integrate fish and wildlife habitats into capital improvement projects whenever feasible.

Policy LU-15.3.~~15~~14 Promote voluntary fish and wildlife habitat enhancement projects by private individuals and businesses through educational and incentive programs.

Policy LU-15.3.~~16~~15 Actively participate in the Watershed Resource Inventory Area (WRIA) 8 Council to ensure that the City's planning, implementation, and enforcement efforts regarding surface and groundwater, environmentally sensitive areas, and development regulations are consistent with regional efforts. A central purpose of the watershed planning and implementation should be the recovery of endangered, threatened, or sensitive species such as ~~the c~~Chinook salmon, steelhead trout and bull trout.

Policy LU-15.3.~~17~~16 Regularly review the City's capital projects, and planning and regulatory efforts to ensure consistency with the Federal 4(d) rule.

IMPLEMENTATION STRATEGIES

The Natural Environment Sub-Element policies would require new, continuing or increased commitments of City resources to prepare new regulations, review/amend existing regulations, create educational or incentive programs, or coordinate with adjacent jurisdictions.

New programs, rules, or regulations would be needed to address:

- Air quality and noise analyses for major new developments
- Urban forestry strategies
- Habitat enhancement educational, volunteer and incentive programs
- Aquatic weed and algae control.

A review of existing programs, rules and regulations would be needed to ensure they meet the policies, including:

- Control of air emissions from construction and land clearing activities
- Erosion control Best Management Practices
- Increased surface water **management** requirements on steep and erosive slopes
- Sufficiency of wetland, stream, fish and wildlife habitat, flood hazard, **steep slopes seismic hazard**, landslide hazard, and erosion hazard regulations
- Sufficiency of design standards for building materials, critical area signage and lighting
- Sufficiency of noise standards
- Sufficiency of native vegetation requirements and tree management and protection requirements
- Sufficiency of aquatic weed prevention and invasive plant prevention
- Sufficiency of protection against pollutants, including fertilizer, entering streams, the **R**iver and the **L**ake.

Additional or continuing efforts would need to be made to coordinate with adjacent jurisdictions or participate in regional programs, including:

- Working with adjacent, upstream communities on water quality and flooding issues
- Participating in the development of watershed plans
- Working with King County and the Sammamish River cities to control aquatic weeds and algae on the Sammamish River and Lake Washington
- Establishing a wetland mitigation banking program **or in lieu fee program**
- Restoring stream channels.

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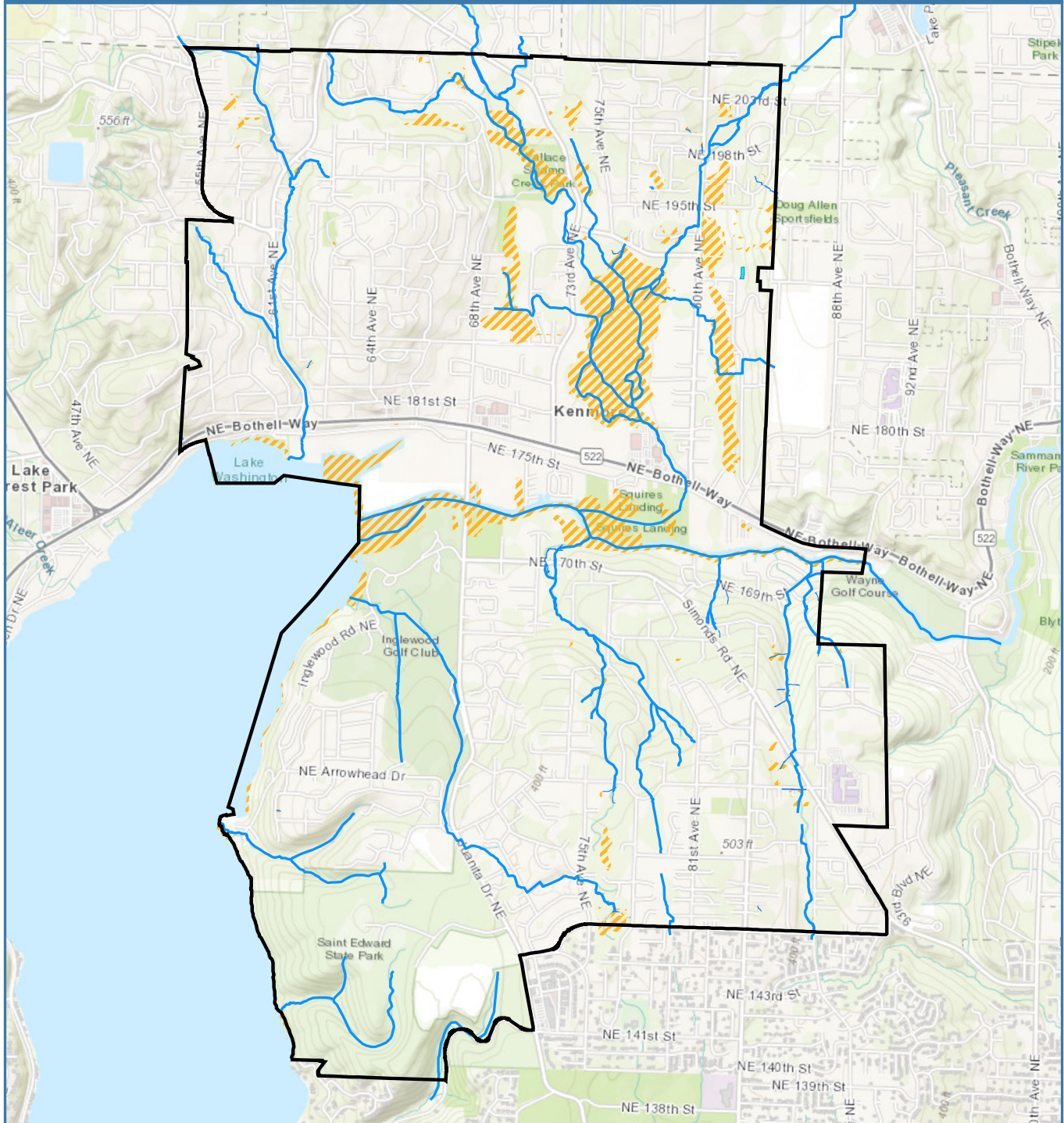
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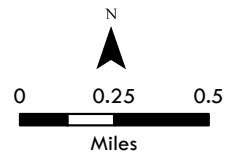
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Kenmore Critical Areas Regulations & Shoreline Master Program Update

Streams and Wetland Features



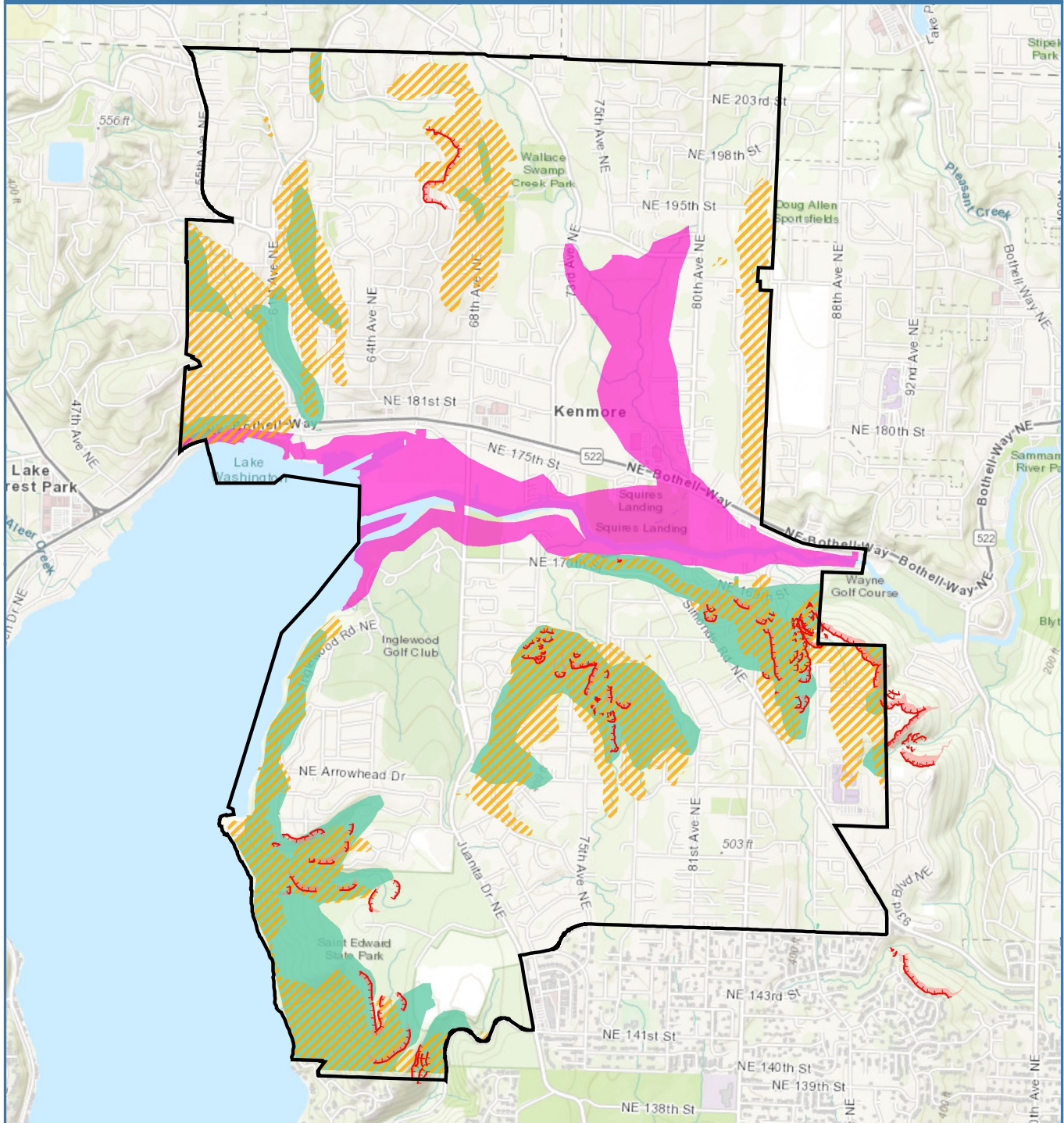
- Kenmore City Boundary
- Wetlands
- Streams (Adopted CAO)
- Stream Updates



Sources: City of Kenmore, 2018.
Notes: Data shown is in draft form and subject to revision, provided for planning purposes only.
 Map Date: October 2018

Kenmore Critical Areas Regulations & Shoreline Master Program Update

Geologic Hazard Features



Kenmore City Boundary

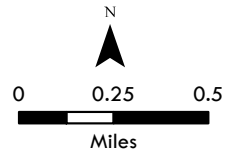
Erosion Hazard Areas - Updated

Landslide Hazard Areas - Updated

Seismic Hazard Areas - Updated

WA DNR - Scarps (Draft)

WA DNR - Scarp Flanks (Draft)



Sources: City of Kenmore, 2018; Washington Department of Natural Resources, 2018.

Notes: Data shown is in draft form and subject to revision, provided for planning purposes only.

Map Date: October 2018



18120 68TH AVENUE NE
KENMORE, WASHINGTON 98028

MEMO

TO: Planning Commission

FROM: Debbie Bent, Community Development Director 
Lauri Anderson, Senior Planner

DATE: October 31, 2018

SUBJECT: Critical Areas and Shoreline Master Program Amendments

The agenda for your November 6 discussion on the critical areas and Shoreline Master Program amendments is focused on three items: (1) draft stream regulations; (2) draft regulations for fish and wildlife habitats of importance; and (3) policy questions related to geologically hazardous areas regulations. For the stream and fish and wildlife habitat amendments, the changes reflect discussions you had during the Gap Analysis review. For geologically hazardous areas, staff needs direction on alternative approaches, as described below.

Geologically Hazardous Areas

The critical area rules regulate a number of geologically hazardous areas (erosion hazards, landslide hazards, seismic hazards, etc.). Staff is considering a different approach to regulating landslide hazard areas. Currently, the code allows development in all landslide hazard areas if a critical areas report (special study), prepared by a qualified engineer or geologist, certifies that the development will be safe as designed and will not increase the threat of the hazard to adjacent properties. Although permit review staff take a conservative approach to proposal review, in no case has an applicant failed to submit a critical areas report meeting code standards. Safety concerns have arisen from some of these permitted developments, however, including ongoing slide activity and damage to transportation infrastructure.

New science, including Lidar imaging of high landslide hazard areas, along with lessons learned from the Oso slide, may allow the City to refine these regulations. Given the seriousness of potential damage in high landslide hazard areas, staff is considering a prohibition on new development in these areas unless permitted through a reasonable use exception. A reasonable use exception is a process that permits development in cases where application of the rules would deny all reasonable use of the subject property. King County regulates high landslide hazard areas in this way.

To ease the burden on existing development in high landslide hazard areas, remodeling or expansion could be allowed if a geotechnical analysis was provided showing that the proposal

would be safe as designed. More formal regulations related to clustering of allowable density outside of the high landslide hazard area also would be recommended.

Fundamental questions for the Planning Commission to consider related to regulations in high landslide hazard areas follow. At your November 6 meeting, staff will take your responses to these policy questions as direction for revising the geologically hazardous areas code. The City's geotechnical consultant will be at the meeting to offer his expertise.

1. Should the City's rules differentiate between high and other landslide hazard areas?
2. Should new development be prohibited in high landslide hazard areas except through a reasonable use exception?
3. Should allowances be made for the remodeling and expansion of existing structures in high landslide hazard areas?
4. Should smaller lot sizes be allowed to support clustering of development away from a high landslide hazard area?

Attachments

Attachment 1: Proposed amendments to stream regulations

Attachment 2: Proposed amendments to fish and wildlife habitat regulations

Article X. Streams and Lakes – Designation and Rating

18.55.400 Designation and rating of streams and lakes.

Article XI. Streams and Lakes – Additional Report Requirements

18.55.410 Critical areas report.

Article XII. Streams and Lakes – ~~Performance Standards~~ Allowed Uses and Alterations

18.55.415 Allowed Uses.

18.55.420 Performance standards – General Alterations.

18.55.430 Performance standards – Mitigation requirements.

Article X. Streams and Lakes – Designation and Rating

18.55.400 Designation and rating of streams and lakes.

A. Stream and Lake Classification. ~~Streams~~ Streams and lakes shall be designated ~~Type 1, Type 2, Type 3, and Type 4~~ Type S, Type F, Type Np, and Type Ns according to the following criteria ~~in this section~~ identified in WAC 222-16-030.

1. Type ~~1S~~ streams ~~Waters~~ are those streams ~~segments of natural waters~~ identified as “shorelines of the State” under Chapter 90.58 RCW, including the Sammamish River and the main stem of Swamp Creek, as well as Lake Washington.

~~2. Type 2 streams are those streams that are:~~

~~a. Natural streams that have perennial (year-round) flow and are used by salmonid fish; or~~

~~b. Natural streams that have intermittent flow and are used by salmonid fish.~~

~~3. Type 3 streams are those streams that are:~~

~~a. Natural streams that have perennial flow and are used by fish other than salmonids; or~~

~~b. Natural streams that have intermittent flow and are used by fish other than salmonids.~~

4. Type 4 streams are those natural streams with perennial or intermittent flow that are not used by fish.

2. Type F Waters means segments of natural waters other than Type S Waters, which are within the bankfull widths of defined channels and periodically inundated areas of their associated wetlands, or within lakes, ponds, or impoundments having a surface area of 0.5 acre or greater at seasonal low water and which in any case contain fish habitat.

3. Type Np Waters means all segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are flowing waters that do not go dry any time of a year of normal rainfall and include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.

4. Type Ns Waters means all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np Waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np Water. Ns Waters must be physically connected by an above-ground channel system to Type S, F, or Np Waters.

B. Ditches. Ditches are artificial drainage features created in uplands through purposeful human action, such as irrigation and drainage ditches, grass-lined swales, and canals. Purposeful creation must be demonstrated through documentation, photographs, statements and/or other evidence. Ditches are excluded from regulation as *streams*, unless they are used by fish. Drainage setbacks are required as per the City's surface water runoff policy (Chapter [13.35](#) KMC).

C. Lakes and ponds, which terms can be used interchangeably and are loosely differentiated in common use by the larger size of lakes, are surface water bodies distinguished from wetlands by the presence of deep water, typically 2 meters (6.6 feet) or greater.

D. Lakes, ponds and impoundments deliberately designed and created from dry sites, such as canals, detention facilities, wastewater treatment facilities, farmponds, temporary construction ponds (of less than three years duration), and landscape amenities, are not regulated by this chapter unless they are used by fish. Purposeful creation must be demonstrated through documentation, photographs, statements and/or other evidence. However, lakes, ponds and impoundments intentionally created from dry areas as mitigation for a critical areas impact are regulated by this chapter.

~~EB~~. Stream and Lake Buffers.

A1. Establishment of Stream Buffers. The establishment of *buffer* areas shall be required for all *development proposals* and activities in or adjacent to *streams and lakes*. The purpose of the *buffer* shall be to protect the integrity, function, and value of the *stream or lake* and provide habitat for heron and other wildlife. *Buffers* shall be protected during construction by placement of a temporary barricade, on-site notice for construction crews of the presence of the *stream or lake*, and implementation of appropriate *erosion* and sedimentation controls. *Native vegetation removal or disturbance is not allowed in established buffers.*

Required buffer widths shall reflect the sensitivity of the stream or the risks associated with development and, in those circumstances permitted by these regulations, the type and intensity of human activity and site design proposed to be conducted on or near the critical area.

1. The following *buffers* are established for *streams and lakes* to protect *functions and values*, including heron habitat:

Stream Type	Buffer Width (Feet)
Type 1S - and Swamp Creek, Lake Washington and Sammamish River	150 See KMC 16.65.020
Type F – Little Swamp Creek	150
Type 2F (other waterbodies used by or containing habitat suitable for salmonid fish)	100
Type 3F (waterbodies used by or containing habitat suitable for fish other than salmonids)	50
Type 4Np or Ns	25
Any type stream restored from a pipe	25

2. Measurement of *Stream Buffers*. *Stream bB* buffers shall be measured perpendicularly from the ordinary high water mark.

7. Building Setback. A building setback is required from the edge of the *buffer* per KMC 18.55.270.

3. Increased *Stream Buffer Widths*. The *city manager* shall require increased *buffer widths* in accordance with the recommendations of a *qualified professional* and the *best available science* on a case-by-case basis when a larger *buffer* is necessary to protect *stream or lake functions and values* based on site-specific characteristics. This determination shall be based on one or more of the following criteria:

- a. A larger *buffer* is needed to protect other *critical areas* or their functions;
- b. The *buffer* has a slope greater than 30 percent or is susceptible to *erosion* and standard *erosion-control* measures will not prevent adverse impacts to the *stream* or lake. The *buffer* should be measured from the toe of the slope. In such cases, the *buffer* shall be increased to include the slope or the standard *buffer* shall be drawn from the top of the slope, whichever provides greater protection.

Article XI. Streams and Lakes – Additional Report Requirements

18.55.410 Critical areas report.

Requirements for *critical areas* reports for *streams* and lakes are available from the *city manager*.

Article XII. Streams and Lakes – ~~Performance Standards~~ Allowed Uses and Alterations

18.55.415 – Allowed Uses

5A. *Buffer Conditions Shall Be Maintained.* Except as otherwise specified or allowed in accordance with this chapter and Title 16 KMC (Shoreline Management), *stream* and lake *buffers* shall be retained in an undisturbed condition.

B. *Native vegetation* removal or disturbance is not allowed in established *buffers*.

6C. *Buffer Uses.* The following *uses* may be permitted within a *stream* or lake *buffer* in accordance with the review procedures of this chapter and Title 16 KMC (Shoreline Management), provided they are not prohibited by any other applicable law and they are conducted in a manner so as to minimize impacts to the *buffer* and adjacent *stream* or lake:

1a. *Conservation and Restoration Activities.* Conservation or *restoration* activities aimed at protecting the soil, water, *vegetation*, or wildlife;

2b. *Passive Recreation.* Passive recreation facilities designed in accordance with an approved *critical areas* report, including:

(1)a. ~~Private walkways and trails~~; provided, that those pathways that are generally parallel to the perimeter of the *stream* or lake shall be located in the outer 25 percent of the *buffer* area;

(2) Walkway and trail surfaces in buffers shall be made of pervious materials and shall be a maximum of 5 feet wide ~~except that public multipurpose trails may be of impervious materials if they meet all other requirements, including water quality~~;

b. Public walkways and trails; provided, that those pathways are located and designed based on existing site-specific conditions to minimize native vegetation removal, and are part of an approved public park or trail plan. The trail proposal shall be accompanied by a plan demonstrating that the ecological functions of the overall required buffer area on a project site would be improved. Walkway and trail surfaces in buffers shall be made of pervious materials except that public multipurpose trails may be of impervious materials if they meet all other requirements, including water quality. In order to allow for a waterfront promenade area along the inner harbor area of the Downtown Waterfront shoreline environment on Lake Washington, public access improvements may extend to the water's edge.

c. Walkways and trails proposed in stream and lake buffers by private parties as part of subdivisions, multifamily development, or commercial or institutional uses may be allowed subject to subsection C.2.b, if they will be accessible to the general public, identified with visible signage, and are recorded on title. Providing connectivity to existing City or regional trail systems or completing or contributing to a trail linkage identified in the City's Parks, Recreation and Open Space Plan or Walkways & Waterways Plan is encouraged.

d.(3) Wildlife viewing structures; and

e.(4) Fishing access areas; and

f. Interpretive and other signs, benches, railings, and similar accessories to passive recreation that do not require significant ground disturbance, native vegetation removal, or concrete foundations.

C3. Stormwater Management Facilities. Stormwater dispersion outfalls and bioswales Grass-lined swales and dispersal trenches may be located in the outer 25 percent of the *buffer* area. All other surface water management facilities are not allowed within the *buffer* area.

7. Building Setback. A building setback is required from the edge of the *buffer* per KMC 18.55.270.

18.55.420 Performance standards — General Alterations.

A. Establishment of *Stream Buffers*. The establishment of *buffer* areas shall be required for all development proposals and activities in or adjacent to streams. The purpose of the *buffer* shall be to protect the integrity, function, and value of the stream and provide habitat for heron and other wildlife. Buffers shall be protected during construction by placement of a temporary barricade, on-site notice for construction crews of the presence of the stream, and implementation of appropriate erosion and sedimentation controls. Native vegetation removal or disturbance is not allowed in established buffers.

Required *buffer* widths shall reflect the sensitivity of the *stream* or the risks associated with *development* and, in those circumstances permitted by these regulations, the type and intensity of human activity and site design proposed to be conducted on or near the *critical area*.

B. Stream Buffers.

1. The following *buffers* are established for *streams* to protect *functions and values*, including heron habitat:

Stream Type	Buffer Width (Feet)
Type 1 and Little Swamp Creek	150
Type 2	100
Type 3	50
Type 4	25

2. Measurement of *Stream Buffers*. *Stream buffers* shall be measured perpendicularly from the *ordinary high water mark*.

3. Increased *Stream Buffer* Widths. The *city manager* shall require increased *buffer* widths in accordance with the recommendations of a *qualified professional* and the *best available science* on a case-by-case basis when a larger *buffer* is necessary to protect *stream functions and values* based on site-specific characteristics. This determination shall be based on one or more of the following criteria:

- a. A larger *buffer* is needed to protect other *critical areas*;
- b. The *buffer* has a slope greater than 30 percent or is susceptible to *erosion* and standard *erosion*-control measures will not prevent adverse impacts to the *stream*. The *buffer* should be measured from the toe of the slope. In such cases, the *buffer* shall be increased to include the slope or the standard *buffer* shall be drawn from the top of the slope, whichever provides greater protection.

A. Modification of Standard *Buffer*.

1. The City may approve a modification of the minimum required buffer in cases where an improved right-of-way, associated with a legally established roadway, transects the stream or lake buffer. The buffer may be reduced to match the edge of the right-of-way closest to the

stream or lake if the portion of the buffer on the other side of the roadway meets the following criteria:

a. Does not provide additional protection to the proposed development from flooding or other hazard, or to the lake or stream; and

b. Provides insignificant biological, geological or hydrological buffer functions relating to the other portion of the buffer adjacent to the lake or stream.

Improved rights-of-way are those that are maintained out of necessity as a cleared, graded, paved, mowed or otherwise altered surface to allow for access, maintenance, or safety.

2. The City may approve a modification of the minimum required buffer width where the proposed development or use is isolated from the critical area and its contiguous buffer by an existing legally-established building, detached garage, accessory dwelling unit, commercial parking area, retaining wall over six (6) feet in height, or similar structure. The modification may not be requested for such improvements as fences, sheds, patios, decks, driveways, or other similar structures and impervious surfaces. For the buffer modification to be approved, the applicant must demonstrate conclusively in a critical area report that all of the following criteria are met:

a. The existing legal improvement between the proposed development or use and the stream or lake creates a substantial barrier to buffer function;

b. The isolated section of buffer does not provide additional protection of the critical area from the proposed development; and

c. The isolated section of buffer does not provide significant hydrological, water quality, and wildlife buffer functions relating to the portion of the buffer adjacent to the critical area.

~~7. Building Setback. A building setback from the buffer edge is required per KMC 18.55.270.~~

4B. Buffer Reduction with Enhancement. Standard buffer widths for degraded buffers of Type F, Ns, or Np waters may be reduced a maximum of 25 percent of the standard width through a combination of buffer enhancement and low impact development strategies. The applicant shall demonstrate that through enhancing the buffer and use of low impact development strategies the reduced buffer will function at a higher level than the standard buffer. Type S buffers and setbacks may only be reduced as outlined in KMC 16.60.030 or under the Shoreline Variance requirements of KMC 16.75.030. Buffers may be reduced in the following manner according to stream type:

The following table describes the maximum buffer reduction and minimum buffer width when a degraded buffer is enhanced:

Stream Type	Maximum Buffer Reduction	Minimum Buffer Width (Feet)
Type S - Swamp Creek, Lake Washington and Sammamish River	See KMC 16.60.030 or 16.75.030	
Type F - Type 1 and Little Swamp Creek	25 percent	112.5 feet
Type F (other waterbodies used by or containing habitat suitable for salmonid fish) Type 2	25 percent	75 feet
Type F (waterbodies used by or containing habitat suitable for fish other than salmonids) Type 3	25 percent	37.5 feet
Type Np or Ns Type 4	25 percent	18.75 feet
Any type stream restored from a pipe	25 percent	18.75 feet

A1. Prior to approval of a reduced buffer, a critical areas application shall meet all of the decisional criteria listed below. A reduced buffer will be approved in a degraded stream or lake buffer only if:

(1)a. It will provide an overall improvement in water quality;

(2)b. It will provide an overall enhancement to fish, wildlife, or their habitat;

~~(3)c.~~ It will provide a net improvement in drainage and/or stormwater detention capabilities;

~~(4)d.~~ It will not lead to unstable earth conditions or create an *erosion* hazard;

~~(5)e.~~ It will not be materially detrimental to any other property or the *City* as a whole; and

~~(6)f.~~ All exposed areas are stabilized with *native vegetation*, as appropriate.

~~b2.~~ As part of the *buffer* reduction request, the *applicant* shall submit a *buffer enhancement* plan prepared by a *qualified professional* and fund a review of the plan by the *City's wetland and critical areas* consultant. The plan shall assess the habitat, water quality, stormwater detention, ground water recharge, shoreline protection, and *erosion* protection functions of the *buffer*; assess the effects of the proposed modification on those functions; and address the six criteria listed in subsection ~~(F)(4)(e)B.1~~ of this section.

~~5. Buffer Conditions Shall Be Maintained. Except as otherwise specified or allowed in accordance with this chapter, stream buffers shall be retained in an undisturbed condition.~~

~~6. Buffer Uses. The following uses may be permitted within a stream buffer in accordance with the review procedures of this chapter, provided they are not prohibited by any other applicable law and they are conducted in a manner so as to minimize impacts to the buffer and adjacent stream:~~

~~a. Conservation and Restoration Activities. Conservation or restoration activities aimed at protecting the soil, water, vegetation, or wildlife;~~

~~b. Passive Recreation. Passive recreation facilities designed in accordance with an approved critical areas report, including:~~

~~(1) Walkways and trails; provided, that those pathways that are generally parallel to the perimeter of the stream shall be located in the outer 25 percent of the buffer area;~~

~~(2) Walkway and trail surfaces shall be made of pervious materials except that public multipurpose trails may be of impervious materials if they meet all other requirements, including water quality;~~

~~(3) Wildlife viewing structures; and~~

~~(4) Fishing access areas.~~

e. Stormwater Management Facilities. Grass lined swales and dispersal trenches may be located in the outer 25 percent of the *buffer* area. All other surface water management facilities are not allowed within the *buffer* area.

7. Building Setback. A building setback is required from the edge of the *buffer* per KMC 18.55.270.

C. *Stream* Crossings. *Stream* crossings may be allowed and may encroach on the otherwise required *stream buffer* if:

1. All crossings are designed using the most recent version of Washington Department of Fish and Wildlife's *Water Crossing Design Guidelines* (Barnard and others, 2013, or as revised), prioritizing use bridges or other construction techniques which do not disturb the *stream* bed or bank, except that bottomless culverts or other appropriate methods demonstrated to provide fisheries protection may be used for Type 2 or 3 *streams* if the *applicant* demonstrates that such methods and their implementation will pose no harm to the *stream* nor inhibit migration of fish;
2. All crossings are constructed during the summer low flow and are timed to avoid *stream* disturbance during periods when use is critical to *salmonids*;
3. Crossings do not occur over *salmonid* spawning areas unless the *City* determines that no other possible crossing site exists;
4. Bridge piers or abutments are not placed within the *Federal Emergency Management Agency (FEMA) floodway* or below the *ordinary high water mark*;
5. Crossings do not diminish the flood-carrying capacity of the *stream*;
6. Underground utility crossings are laterally drilled and located at a depth of four feet below the maximum depth of scour for the *base flood* predicted by a civil engineer licensed by the State of Washington. Temporary bore pits to perform such crossings may be permitted within the *stream buffer* established in this chapter; and
7. Crossings are minimized and serve multiple purposes and properties whenever possible.

D. *Stream* Relocations.

1. *Stream* relocations may be allowed only for:
 - a. All Type F, Type Np, and Type Ns *streams* types as part of a public project for which a public agency and utility exception is granted pursuant to this chapter; or

b. Type 3 or 4F streams with fish use other than salmonids, Np or Ns streams for the purpose of enhancing resources in the *stream* if:

(1) Appropriate floodplain protection measures are used; and

c. The location occurs on-site except that relocation off-site may be allowed if the *applicant* demonstrates that any on-site relocation is impracticable, the *applicant* provides all necessary easements and waivers from affected property owners and the off-site location is in the same drainage *sub-basin* as the original *stream*.

2. For any relocation allowed by this section, the *applicant* shall base the design on the most recent version of the multi-agency Stream Habitat Restoration Guidelines (Cramer, 2012 or as revised), and demonstrate, based on information provided by a civil engineer and a qualified *biologist*, that:

- a. The equivalent *base flood* storage volume and function will be maintained;
- b. There will be no adverse impact to local ground water;
- c. There will be no increase in velocity;
- d. There will be no interbasin transfer of water;
- e. There will be no increase in the sediment load;
- f. There is an overall increase in habitat function and value for *salmonids* and other fish;
- g. Requirements set out in the *mitigation* plan are met;
- h. The relocation conforms to other applicable laws; and
- i. All work will be carried out under the direct supervision of a qualified *biologist*.

E. *Stream or Lake Enhancement/Restoration*. *Stream or lake enhancement and restoration* not associated with any other *development proposal* may be allowed if:

- 1. aAccomplished according to a plan consistent with the most recent version of the multi-agency Stream Habitat Restoration Guidelines (Cramer, 2012 or as revised) for its design, implementation, maintenance and *monitoring* prepared by a civil engineer and a qualified *biologist* and carried out under the direction of a qualified *biologist*.

~~F. Minor Stream Restoration. A minor stream restoration project for fish habitat enhancement may be allowed if:~~

- ~~21. The project results in a net increase in stream or lake functions and values;~~
- ~~2. The restoration is sponsored by a public agency with a mandate to do such work;~~
- ~~3. The enhancement or restoration is not associated with mitigation of a specific development proposal; and~~
- ~~4. The enhancement or restoration is limited to removal of non-native vegetation and enhancement of riparian vegetation, placement of rock weirs, log controls, spawning gravel and other specific salmonid habitat improvements;~~
- ~~5. The restoration only involves the use of hand labor and light equipment; or the use of helicopters, cranes, or aerial equipment which deliver supplies to the project site; provided, that they have no contact with critical areas or their buffers; and~~
- ~~6. The restoration is performed under the direction of a qualified biologist.~~

18.55.430 Performance standards – Mitigation requirements.

A. ~~Stream or Lake Mitigation.~~ Mitigation of adverse impacts to aquatic or riparian habitat areas shall result in equivalent functions and values on a per function basis, be located as near to the alteration as feasible, and be located in the same subdrainage basin as the impacted habitat unless mitigation will be implemented via a City-approved in-lieu fee program or mitigation bank. See also KMC 18.55.200, 18.55.210 and 18.55.220.

~~B. Alternative Mitigation for Stream Areas.~~ The performance standards set forth in this section may be modified at the City's discretion if the applicant demonstrates that greater habitat functions, on a per function basis, can be obtained in the affected subdrainage basin as a result of alternative mitigation measures.

~~B. Advance Mitigation.~~ Mitigation for projects with pre-identified impacts to streams, lakes or their buffers may be constructed in advance of the impacts if the mitigation is implemented according to federal rules, state policy on advance mitigation, and state water quality regulations.

~~C. Alternative Mitigation Plans.~~ The city manager may approve alternative critical areas mitigation plans that are based on best available science, such as priority restoration plans that achieve restoration goals identified in the SMP. Alternative mitigation proposals shall provide an equivalent or better level of

protection of critical area functions and values than would be provided by the strict application of this chapter and shall contain all of the standard components of a mitigation plan. The *city manager* shall consider the following for approval of an alternative mitigation proposal:

1. The proposal uses a watershed approach consistent with the joint U.S. Environmental Protection Agency and U.S. Army Corps of Engineers *Compensatory Mitigation for Losses of Aquatic Resources* (33 CFR Part 33, April 2008).
2. Creation or enhancement of a larger system of natural areas and open space is preferable to the preservation of many individual habitat areas.
3. There is clear potential for success of the proposed mitigation at the proposed mitigation site.
4. Mitigation in a different sub-basin is justified based on regional needs or functions and values; the replacement ratios may not be reduced or eliminated unless the reduction results in a preferred environmental alternative.

D. Mitigation Banking. The City may consider and approve *mitigation banking* as a form of compensatory *mitigation* for stream or lake impacts when the provisions of this chapter require *mitigation* and when it is clearly demonstrated that the use of a certified bank will provide equivalent or greater replacement of *critical area functions and values* when compared to on-site *mitigation*; provided, that all of the following criteria are met:

1. Banks shall only be used when they provide significant ecological benefits including long-term conservation of *critical areas*, important *species*, habitats, and when they are consistent with the City comprehensive plan and create a viable alternative to the piecemeal *mitigation* for individual project impacts to achieve ecosystem-based conservation goals.
2. The bank shall be established in accordance with applicable provisions of the Washington State Wetland Mitigation Banks Rule (Chapter 173-700 WAC) or as revised.
3. Preference shall be given to *mitigation banks* that implement *restoration actions* that have been identified formally by an adopted shoreline *restoration plan* or the *Lake Washington/Cedar/Sammamish (WRIA 8) Watershed Chinook Salmon Conservation Plan*.

E. In Lieu Fee Programs. To aid in the implementation of off-site mitigation, the City may develop an in-lieu fee (ILF) program or allow participation in an ILF program, such as King County's Mitigation Reserves Program. ILF programs shall be developed and approved through a public process and be consistent with federal rules, state policy on in-lieu fee mitigation, and state water quality regulations. An approved

ILF program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the in-lieu program sponsor, a governmental or non-profit natural resource management entity. Credits from an approved in-lieu-fee program may be used when paragraphs 1-6 below apply:

1. The city manager determines that it would provide environmentally appropriate compensation for the proposed impacts.
2. The mitigation will occur on a site identified using the site selection and prioritization process in the approved ILF program instrument.
3. The proposed use of credits is consistent with the terms and conditions of the approved ILF program instrument.
4. Land acquisition and initial physical and biological improvements of the mitigation site shall be completed within three years of the credit sale. A one-year extension to this requirement may be granted by the *city manager* if the need for additional mitigation because of possible temporal loss is evaluated and addressed.
5. Projects using ILF credits shall have debits associated with the proposed impacts calculated by the applicant's qualified stream or lake scientist using the method consistent with the credit assessment method specified in the approved instrument for the ILF program.
6. Credits from an approved ILF program may be used to compensate for impacts located within the service area specified in the approved ILF instrument.

Chapter 18.55 CRITICAL AREAS

Sections:

Article XIII. Fish and Wildlife Habitats of Importance – Designation

18.55.500 Designation of fish and wildlife habitats of importance.

Article XIV. Fish and Wildlife Habitats of Importance – Report Requirements

18.55.510 Critical areas report – Habitat Management Plan.

Article XV. Fish and Wildlife Habitats of Importance – Performance Standards

18.55.520 Performance standards – General requirements.

18.55.530 Performance standards – Specific habitats.

Article XVI. Geologically Hazardous Areas – Designation

18.55.600 Purpose.

18.55.610 Designation of geologically hazardous areas.

18.55.620 Designation of specific hazard areas.

Article XVII. Geologically Hazardous Areas – Report Requirements

18.55.630 Critical areas report.

Article XVIII. Geologically Hazardous Areas – Performance Standards

18.55.640 Performance standards – General requirements.

18.55.650 Performance standards – Specific hazards.

Article XIII. Fish and Wildlife Habitats of Importance – Designation

18.55.500 Designation of fish and wildlife habitats of importance.

A. Fish and wildlife habitats of importance are those habitat areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. In the City, habitats of importance meet any of the following criteria:

1. Documented presence of *species* listed by the federal government or the State of Washington as *endangered*, *or threatened* *or sensitive*; or
2. *Great blue h*Heron rookeries or active nesting trees; or
3. *Pileated woodpecker breeding habitat as mapped by the Washington Department of Fish and Wildlife in its Priority Habitats and Species Program**Class 1 wetlands as defined in these regulations*; or
4. *Biodiversity areas and corridors as mapped by the Washington Department of Fish and Wildlife in its Priority Habitats and Species Program; or**Type 1 streams as defined in these regulations.*
5. Bald eagle habitat~~shall be~~ protected pursuant to ~~the Washington State Bald Eagle Protection Rules (WAC 232-12-292)~~*Federal Bald and Golden Eagle Protection Act; or*
6. *Anadromous fish habitat; or*
7. *Habitat for species nominated and approved by the City per KMC 18.55.500.C.*

B. All areas within the *City* meeting one or more of these criteria, regardless of any formal identification, are hereby designated *critical areas* and are subject to the provisions of this chapter.

C. The *City* may accept and consider nominations *by Kenmore residents or property owners* for habitat areas and *species* to be designated as fish and wildlife habitats of importance. Nominations will be accepted *by the city manager* on an annual basis *and will be considered for approval by the City Council following a public hearing on the nomination.* ~~Guidelines for nomination are available from the city manager.~~*Information to be included with a nomination request includes:*

1. *Specific geographic boundaries and list of species proposed, including a list of functions;*
2. *Rationale for nomination based on best available science, including the viability of the population in Kenmore and the contribution to biodiversity;*
3. *Causes for vulnerability, including a description of activities that compromise these areas, as well as a list of proposed management and protection measures;*
4. *Regulatory gaps regarding protection of the habitat or species; and*
5. *Non-environmental impacts affecting the habitat area and species (e.g., legal, cultural, recreational, and economic significance).*

Article XIV. Fish and Wildlife Habitats of Importance – Report Requirements

18.55.510 Critical areas report – Habitat Management Plan.

Requirements for critical areas reports for fish and wildlife habitats of importance are available from the city manager.

A. Habitat Management Plan. A habitat management plan is required when the priority habitats and species available maps or natural heritage program maps provided by the City, or other information, indicate the presence of fish and wildlife habitats of importance areas with which critical species listed as endangered or threatened under federal or State law have a primary association.

1. All habitat management plans shall be prepared by a qualified professional and are encouraged to be prepared in consultation with the State Department of Fish and Wildlife. Habitat management plans for critical species listed as endangered or threatened shall be approved by the Department of Fish and Wildlife.
2. Habitat Management Plan Content Requirements. Based on the characteristics of the site and information submitted by the applicant, the city manager may require that all or a portion of the following be included in a habitat management plan. Requirements for habitat management plans are available from the city manager. Plans also shall include:

a. A map drawn to scale or survey showing the following information:

(1) All lakes, ponds, streams, and wetlands on, or adjacent to, the subject property, including the name (if named), ordinary high water mark of each, and the stream type or wetland class consistent with this chapter.

(2) The location and description of the fish and wildlife habitats of importance on the subject property, as well as any potential fish and wildlife habitats of importance within 200 feet of the subject property as shown on maps maintained by the City.

(3) The location of any observed evidence of use by a listed species.

ba. An analysis of how the proposed development activities will affect the fish and wildlife habitats of importance and listed species of importance.

eb. Provisions to reduce or eliminate the impact of the proposed development activities on any fish and wildlife habitats of importance and listed species. An analysis of mitigation sequencing per KMC 18.55.210, including a mitigation plan.

dc. The habitat management plan should also address Consideration of the following issues:

(1) Prohibition or limitation of *development* activities within the fish and wildlife habitats of importance;

(21) Establishment of a *buffer* around the fish and wildlife habitat *conservation area* of importance;

(32) Retention of certain *vegetation* or areas of *vegetation* critically important to the *listed species* of importance;

(43) Limitation of access to the fish and wildlife habitats of importance and *buffer*;

(54) Seasonal restrictions on construction activities on the subject property; and

(65) Clustering of *development* on the subject property; and.

(7) The preservation or creation of a habitat area for the listed species.

d. Discussion of how the project complies with published Washington Department of Fish and Wildlife management recommendations for the species' habitat, if available.

3. When bald eagle habitat is the only potential fish and wildlife habitat of importance on a site, applicants may self-certify that they are in compliance with the Federal Bald and Golden Eagle Protection Act by submitting a document generated online through the U.S. Fish and Wildlife Service's *Bald and Golden Eagle Permit Recommendation Tool*. Washington Department of Fish and Wildlife no longer maps bald eagle nest sites, so applicants would complete the certification based on their knowledge of their site and local conditions. The City may review the applicant's certificate and require modification if more accurate information or updated standards for protection are available.

4. The applicant may combine a habitat management plan with any studies required by other laws and regulations (e.g. a Biological Assessment or Biological Evaluation).

Article XV. Fish and Wildlife Habitats of Importance – Performance Standards

18.55.520 Performance standards – General requirements.

A. Habitat Management Plan. A habitat management plan is required when the *priority habitats* and *species maps* or *natural heritage program maps* provided by the City, or other information, indicate the presence of areas with which critical species listed as *endangered* or *threatened* under federal or State law have a primary association.

1. All habitat management plans shall be prepared in consultation with the State Department of Fish and Wildlife. Habitat management plans for critical *species* listed as *endangered* or *threatened* shall be approved by the Department of Fish and Wildlife.

2. Habitat Management Plan Content Requirements. Based on the characteristics of the *site* and information submitted by the *applicant*, the *city manager* may require that all or a portion of the following be included in a habitat management plan:

a. A map drawn to scale or survey showing the following information:

(1) All lakes, ponds, *streams*, and *wetlands* on, or adjacent to, the subject property, including the name (if named), *ordinary high water mark* of each, and the *stream type* or *wetland class* consistent with this chapter.

(2) The location and description of the fish and wildlife habitats of importance on the subject property, as well as any potential fish and wildlife habitats of importance within 200 feet of the subject property as shown on maps maintained by the *City*.

(3) The location of any observed evidence of use by a listed *species*.

b. An analysis of how the proposed *development* activities will affect the fish and wildlife habitats of importance and listed *species*.

c. Provisions to reduce or eliminate the impact of the proposed *development* activities on any fish and wildlife habitats of importance and listed *species*.

d. The habitat management plan should also address the following issues:

(1) Prohibition or limitation of *development* activities within the fish and wildlife habitats of importance;

(2) Establishment of a *buffer* around the fish and wildlife habitat conservation area;

(3) Retention of certain *vegetation* or areas of *vegetation* critically important to the listed *species*;

(4) Limitation of access to the fish and wildlife habitats of importance and *buffer*;

(5) Seasonal restrictions on construction activities on the subject property;

~~(6) Clustering of development on the subject property; and~~

~~(7) The preservation or creation of a habitat area for the listed species.~~

GA. Buffers.

1. Establishment of *Buffers*. The *city manager* shall require the establishment of *buffer* areas for activities in, or adjacent to, fish and wildlife habitats of importance, when needed to protect fish and wildlife habitats of importance. *Buffers* shall consist of an undisturbed area of *native vegetation*, or areas identified for *restoration*, established to protect the integrity, *functions and values* of the affected habitat. *Buffer enhancement* may be required. Required *buffer* widths shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby, and shall be consistent with the management recommendations issued by the Washington State Department of Fish and Wildlife.
2. Seasonal Restrictions. When a *species* is more susceptible to adverse impacts during specific periods of the year, seasonal restrictions, as determined by the Washington State Department of Fish and Wildlife in a permit or in its management recommendations, or by another state or federal agency with expertise in the species or its habitat, may apply. Larger *buffers* may be required and activities may be further restricted during the specified season.

B. *Alterations* shall not degrade the *functions and values* of habitat. ~~Fish and wildlife~~ habitat areas of importance may be altered only if the proposed *alteration* of the habitat or the *mitigation* proposed does not degrade the quantitative and qualitative *functions and values* of the habitat. Fish habitat areas of importance may be altered only when necessary to install water-dependent developments that are mitigated consistent with this chapter and the Title 16 KMC (Shoreline Management), when applicable.
~~All new structures and land alterations shall be prohibited from habitat areas of importance, except in accordance with this chapter.~~

C. *Nonindigenous* species shall not be introduced. No plant, wildlife, or fish species not indigenous to the region shall be introduced into a fish and wildlife habitat ~~area~~ of importance unless authorized by a State or federal permit or approval.

D. *Mitigation* shall result in contiguous habitat. When feasible, mitigation sites shall be located to achieve contiguous wildlife habitat corridors in accordance with a *mitigation* plan that is part of an approved *critical areas* report to minimize the isolating effects of *development* on habitat areas, so long as *mitigation* of aquatic habitat is located within the same aquatic ecosystem as the area disturbed.

E. *Mitigation* shall achieve equivalent or greater biological functions. *Mitigation* of *alterations* to habitat areas of importance shall achieve equivalent or greater biologic functions and shall include *mitigation* for adverse impacts upstream or downstream of the *development proposal* site. *Mitigation* shall address each function affected by the *alteration* to achieve functional equivalency or improvement on a per function basis.

F. Approvals shall be supported by the *best available science*. Any approval of *alterations* or impacts to a fish and wildlife habitat of importance shall be supported by the *best available science*. Special consideration shall be given to conservation or protection measures necessary to preserve or enhance anadromous fish and their habitat, such as salmon and bull trout, as required by WAC 365-195-900 through 365-195-925.

G. Buffers.

1. Establishment of Buffers. The city manager shall require the establishment of buffer areas for activities in, or adjacent to, fish and wildlife habitats of importance, when needed to protect fish and wildlife habitats of importance. Buffers shall consist of an undisturbed area of native vegetation, or areas identified for restoration, established to protect the integrity, functions and values of the affected habitat. Buffer enhancement may be required. Required buffer widths shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby, and shall be consistent with the management recommendations issued by the State Department of Fish and Wildlife.

2. Seasonal Restrictions. When a species is more susceptible to adverse impacts during specific periods of the year, seasonal restrictions, as determined by the Washington State Department of Fish and Wildlife, may apply. Larger buffers may be required and activities may be further restricted during the specified season.

18.55.530 Performance standards – Specific habitats.

A. Endangered, Threatened, and Sensitive Species.

1. No development shall be allowed within a fish and wildlife habitat of importance or buffer with which State or federally endangered, threatened, or sensitive species have a primary association except as otherwise approved through this chapter. For fish habitat of importance on lands regulated under the Kenmore shoreline master program, development also must meet the use and development requirements of the Kenmore shoreline master program.

2. Whenever activities are proposed adjacent to a fish and wildlife habitat of importance with which State or federally *endangered, threatened, or sensitive species* have a primary association, such area shall be protected through the application of protection measures in accordance with a *critical areas report* prepared by a *qualified professional* and approved by the City. Approval for alteration of land adjacent to the fish and wildlife habitat of importance or its *buffer* shall not occur prior to consultation with the Department of Fish and Wildlife and the appropriate federal agency.

3. Bald eagle habitat shall be protected pursuant to the Washington State Bald Eagle Protection Rules (WAC 232-12-292). Whenever activities are proposed adjacent to a verified nest territory or communal roost, a habitat management plan shall be developed by a *qualified professional*. Activities are adjacent to bald eagle sites when they are within 800 feet of an active nest, or within a quarter mile (2,640 feet) of an active nest and in a shoreline foraging area. The City shall verify the location of eagle management areas for each proposed activity. Approval of the activity shall not occur prior to approval of the habitat management plan by the City and the Washington State Department of Fish and Wildlife.

BA. Great Blue Heron Rookery.

1. A *buffer* equal to the distance of a 900656-foot radius measured from the outermost nest *tree* in the rookery will be established around an active rookery. This area will be maintained in *native vegetation*. For the Kenmore heron rookery located adjacent to the Kenmore park-and-ride lot, the *buffer* excludes the area south of the north edge of the State Route 522 right-of-way and west of the east edge of the 73rd Avenue NE right-of-way.
2. Between January 1st and July 31st, no *clearing, grading* or land disturbing activity shall be allowed within 900656 feet of the rookery unless approved by the City and Washington State Department of Fish and Wildlife. For the Kenmore heron rookery located adjacent to the Kenmore park-and-ride lot, the area south of the north edge of the State Route 522 right-of-way and west of the east edge of 73rd Avenue NE right-of-way is excluded.
3. Approval of permits for activities within the heron rookery *buffer* shall not occur prior to the approval of a habitat management plan by the City and the Washington State Department of Fish and Wildlife.

CB. *Anadromous Fish.*

1. All activities, *uses*, and *alterations* proposed to be located in waterbodies used by *anadromous fish* or in areas that affect such water bodies shall give special consideration to the preservation and

enhancement of *anadromous fish habitat*, including, but not limited to, adhering to the following standards:

- a. Activities shall be timed to occur only during the allowable work window as designated by the Washington State Department of Fish and Wildlife for the applicable *species*;
 - b. ~~Applicant must demonstrate that a~~ An alternative alignment or location for the activity is not feasible;
 - c. The activity is designed so that it will ~~provide an overall improvement in~~ *not degrade* the functions or values of the *fish habitat* or other *critical areas*; and
 - d. Any impacts to the functions or values of the *anadromous fish* habitat ~~conservation area~~ are mitigated in accordance with an approved ~~critical areas report~~ *habitat management plan*.
2. Structures that prevent the migration of *salmonids* shall not be allowed in the portion of water bodies currently or historically used by *anadromous fish*. Fish bypass facilities shall be provided that allow the upstream migration of adult fish and shall prevent fry and juveniles migrating downstream from being trapped or harmed. See also KMC 18.55.420.C.
- ~~3. Fills, when authorized by the City's shoreline management master program, shall not adversely impact *anadromous fish* or their habitat or shall mitigate any *unavoidable impacts*, and shall only be allowed for a *water dependent use*.~~