



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

Phone: 425-398-8900 - E-mail: cityhall@kenmorewa.gov

City Council Regular Meeting

ON-SITE

MONDAY, JUNE 9, 2025 - 7:00 PM

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

ZOOM LINK: <https://kenmorewa-gov.zoom.us/j/89934117629>

ZOOM PASSWORD: 060925

Or One tap Mobile: US: +12532158782,,89934117629#

Or Telephone Dial US: +1 253 205 0468

Webinar ID: 899 3411 7629

ZOOM PASSWORD: 060925

SIGN UP FOR VIRTUAL PUBLIC COMMENT HERE: www.kenmorewa.gov/virtualpubliccomment

Technical Difficulties? Contact the Deputy City Clerk at mkang@kenmorewa.gov.

Listen to the Clerks' Podcast Episode: [What to Expect at City Council Meetings](#)

Land Acknowledgement to Honor First Peoples

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

I. CALL REGULAR MEETING TO ORDER - 7:00 PM

II. ROLL CALL

III. LAND ACKNOWLEDGEMENT

IV. FLAG SALUTE

V. AGENDA APPROVAL

VI. PROCLAMATION

- A. Youth Poet Laureate Day - June 9, 2025, to be accepted by Jadie Hwang

[Youth Poet Laureate Day - June 9, 2025](#)

VII. WHERE'S THE FUN?

VIII. PUBLIC COMMENTS

Welcome to the Council's meeting. Please address your comments to the Mayor and Council. You'll have three minutes to speak. If there are more than 20 speakers, time will be reduced to two minutes per speaker. The Clerk will call your name when it's your turn. The Presiding Officer may choose to alternate between in-person and online comments. Please state your name and city of residence and keep within the allotted time. To make every person feel welcome and safe here, please refrain from booing, clapping, heckling, yelling, or other interruptions. Please note: Under Washington State law (RCW 42.17A.555), public comment time may not be used to support or oppose candidates or ballot measures. Thank you for keeping remarks focused on City business. The meeting is recorded for transparency. Thank you for being here, and for sharing your input respectfully.

VIRTUAL PUBLIC COMMENT PRE-REGISTRATION PROCESS: To provide public comments virtually, please fill out the [Virtual Public Comment Request Form](#) in advance of the meeting. The form opens Tuesdays at 12:00 Noon and closes Mondays at 12:00 Noon. You will be confirmed by the City Clerk. If you are having difficulty, please reach out to the City Clerk at awarhol@kenmorewa.gov.

IX. CONSENT AGENDA

- A. Approve City Council Special and Regular Meeting Minutes of Monday, May 12, 2025.
to be uploaded the week of 6/2
- B. Approve the City Council Special and Regular Meeting Minutes of Monday, May 19, 2025.
to be uploaded the week of 6/2
- C. Adopt Proposed Resolution No. 25-429, amending the Council Rules and Procedures: Resolution No. 21-360 to clarify vacancy for nonattendance as set forth in state law.
[Agenda Bill - Amending Council Rules and Procedures](#)
[Attachment 1 - Proposed Resolution No. 25-429](#)

X. PUBLIC HEARING

VIRTUAL PUBLIC COMMENT PRE-REGISTRATION: To provide public comments virtually, please fill out the [Virtual Public Comment Request Form](#) in advance of the meeting. The form opens Tuesdays at 12:00 Noon and closes Mondays at 12:00 Noon. You will be confirmed by the City Clerk. If you are having difficulty, please reach out to the City Clerk at awarhol@kenmorewa.gov.

- A. Proposed Amendments to the Kenmore Municipal Code (KMC) for Middle Housing, Accessory Dwelling Unit (ADU), and Affordable Housing (Inclusionary Zoning) Regulations, presented by Assistant City Manager/Community Development Director Debbie Bent and Principal Planner Todd Hall, *for public hearing*
[Agenda Bill - Amendments to KMC for Middle Housing, etc.](#)

[Attachment 1 - Draft Middle Housing and Accessory Dwelling Unit \(ADU\) Amendments](#)

[Attachment 2 - Draft Affordable Housing \(Inclusionary Zoning\) Amendments](#)

XI. BUSINESS AGENDA

- A. Kenmore Automated Photo Enforcement (KAPE) Program Performance and Recommendations, presented by Traffic Engineer Tobin Bennett-Gold, *for discussion and approval*
attachments to be uploaded the week of 6/2
[Agenda Bill - KAPE Program](#)

XII. STAFF REPORTS

XIII. COUNCILMEMBER REPORTS & COMMENTS

XIV. ADJOURNMENT

UPCOMING MEETINGS

- A. Monday, June 16, 2025 7:00 PM - City Council Regular Meeting
Monday, June 23, 2025 7:00 PM - City Council Regular Meeting
Monday, July 14, 2025 7:00 PM - Town Hall Meeting
Monday, July 21, 2025 7:00 PM - City Council Regular Meeting

NOTICE OF POTENTIAL QUORUMS

[Click here for information about Potential Quorums of the City Council.](#) Now found on the City website under City Council Meetings.

City of Kenmore, Washington Proclamation

WHEREAS, The Arts of Kenmore is committed to lifting the voices of emerging youth poets, written and spoken word artists, supporting career and college readiness, and engaging youth through civic and community leadership; and

WHEREAS, the Arts of Kenmore conducted a thorough adjudication under the purview of the National Scholastic Competition guidelines; and

WHEREAS, Jadie Hwang was selected and has accepted the title of “Youth Poet Laureate” to represent the community of Kenmore, Washington, with utmost distinction to the best of her ability throughout her life; and

WHEREAS, Jadie will release a selection of her original works to be published by East Point West Press; and

WHEREAS, Jadie will create a community service project expanding the reach and platform of Youth Poet Laureate by engaging peers and audiences in the region around an issue and/or theme that holds special significance for her; and

WHEREAS, Jadie will promote National Poetry Month in April and participate in a variety of community and regional opportunities and platforms engaging community in accessible poetry, arts, and culture; and

WHEREAS, Miki Hoe was also selected and has accepted the title of “Youth Poet of Distinction” to represent the community of Kenmore, Washington, with utmost distinction to the best of her ability throughout her life, releasing a selection of her original works to be published by East Point West Press; and

WHEREAS, both Jadie and Miki will dedicate a Year of Service to represent the Kenmore community and their peers from May 2025 through May 2026.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **June 9, 2025** to be **Youth Poet Laureate Day** throughout the City of Kenmore and encourage our community to engage and support the Art of Poetry.

IN WITNESS WHEREOF, signed this 9th day of June 2025.

Signed: _____ Attested: _____
Nigel Herbig, Mayor Anastasiya Warhol, City Clerk

City Council Agenda Bill City of Kenmore, WA



Meeting Date: 6/9/2025

Subject/Topic: Proposed Resolution No. 25-429, Amending the Council Rules and Procedures Department: City Council Prepared by: Michelle Kang Deputy City Clerk Attachments: 1. Proposed Resolution No. 25-429	Proposed Council Action/Motion: ☐ Information Only ☐ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☒ Adopt/Approve ☐ Authorize ☐ Other: Adopt Proposed Resolution No. 25-429, amending Resolution No. 21-360 to clarify vacancy for nonattendance as set forth in state law.
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Approvals:

Department	City	Finance	City
Head <u>TC 5/29/2025</u>	Attorney <u>DR 5/29/2025</u>	Director <u>N/A</u>	Manager <u>SLL 5/28/2025</u>
			Optional <u>N/A</u>

Summary/Background:

At the direction of the City Council on May 19, staff are presenting proposed Resolution No. 25-429, amending the Council Rules and Procedures to include references to state law regarding vacancy, leave of absence, and nonattendance. Section 4 of the Council Rules and Procedures has been revised to include the statutory language, citing RCW 42.12.010, RCW 35A.13.020, and RCW 35A.12.060 (Attachment 1).

Previous Council Action(s):

February 22, 2021	Resolution No. 21-360, establishing the current Council Rules and Procedures
July 11, 2022	Resolution No. 22-388, amending the Council Rules and Procedures
December 4, 2023	Resolution No. 23-408, amending the Council Rules and Procedures
January 4, 2024	Resolution No. 24-411, amending the Council Rules and Procedures

Fiscal Consideration:

N/A

City Council Priorities or Budget Objective Being Addressed:

Supporting all City Council Priorities and City Business

**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 25-429**

**A RESOLUTION OF THE CITY COUNCIL OF KENMORE, WASHINGTON,
AMENDING RESOLUTION NO. 21-360 TO AMEND THE CITY OF KENMORE
COUNCIL RULES AND PROCEDURES TO CLARIFY VACANCY FOR
NONATTENDANCE**

WHEREAS, RCW 35A.13.170 and RCW 35A.12.120 authorize the City Council to establish rules of procedures for the order of business and conduct of City Council meetings; and

WHEREAS, the City Council adopted Resolution No. 21-360, adopting the City of Kenmore Council Rules and Procedures (Rules of Procedures), which has been amended as needed;
and

WHEREAS, the City Council desires to amend the Rules of Procedure to clarify vacancy for nonattendance as set forth in state law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Amendment. The City Council amends Resolution No. 21-360, as amended by Resolutions 22-388, 23-408, and 24-411, to revise Section 4 to read as follows:

4 Vacancy and Leave of Absence

4.1 Purpose

This section provides guidance to the City Council on vacancies, filling vacancies and appointing a Pro Tempore when a Councilmember requests an extended leave of absence.

4.2 References

- A. Chapter 42.12 RCW – Vacancies
- B. RCW 35A.13.020 (and RCW sections cited therein) – Vacancies – Filling Councilmember Vacancies
- C. RCW 35A.13.035 – Pro Tempore appointments

D. RCW 42.30.110(1)(h) – Executive Session Allowed to Evaluate Qualifications of a Candidate for Appointment to Elective Office

E. RCW 42.30.060 – Prohibition on Secret Ballots

4.3 Definitions

A. A “vacancy” occurs on the happening of any event identified in RCW [42.12.010](#), as amended, which includes resignation, removal, forfeiture, permanent incapacity, or death of a Councilmember, and includes vacancy for nonattendance.

B. A “vacancy for nonattendance” means that a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council (RCW 35A.13.020 and RCW 35A.12.060).

C. “Leave of absence” means a temporary interval when a Councilmember is unable to serve due to extended excused absence or incapacity but expects to return to full service prior to the end of his or her term of office.

D. “Permanent incapacity” means a physical or mental incapacity that is reasonably expected to prevent the Councilmember from returning to full service (including but not limited to attending consecutive regular meetings of the council) prior to the end of his or her term of office.

Section 2. Conflict. In the event of a conflict between any provisions of these Rules of Procedures and any other prior Council policy or procedure, the provisions of these Rules shall control.

Section 3. Severability. If any sentence, clause or provision of these rules conflict with an applicable provision of state or federal law or is otherwise invalidated by a court of competent jurisdiction, the invalid sentence, clause or provision of these rules shall be severable from the remainder.

PASSED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE ____ DAY OF _____ 2025.

CITY OF KENMORE

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

APPROVED AS TO FORM:

Dawn Reitan, City Attorney

City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 6/9/2025

Subject/Topic:	Proposed Council Action/Motion:
Public Hearing on Proposed Amendments to the Kenmore Municipal Code for Middle Housing, Accessory Dwelling Unit (ADU), and Affordable Housing (Inclusionary Zoning) Regulations Department: Community Development Prepared by: Debbie Bent Community Development Director Todd Hall, Principal Planner Attachments: 1. Draft Middle Housing & Accessory Dwelling Unit (ADU) Amendments 2. Draft Affordable Housing (Inclusionary Zoning) Amendments	☐ Information Only ☐ Receive and File ☒ Discuss ☒ Provide Direction ☒ Public Hearing ☐ Adopt/Approve ☐ Authorize ☐ Other:

Approvals:

Department

Head DB, 5/16/25

City

Attorney

N/A

Finance

Director

N/A

City

Manager

SLL 5/29/2025

Optional

N/A

Summary/Background:

At the June 9 City Council meeting, a public hearing will be held to hear public testimony on proposed amendments regarding middle housing, accessory dwelling units, and inclusionary zoning (see Attachments 1 and 2). After the hearing, staff request that City Council provide final direction to drafting a final ordinance for adoption on June 23.

A Public Hearing is required to consider the substantive amendments proposed by the City Council to the Planning Commission's recommendation. At the May 12 City Council meeting, the City Council gave direction to include the following substantive amendments: 1. Include a maximum size for cottage housing (See page 171 of Attachment #1) and 2. Exempt housing units under 1,750 sq. ft. from inclusionary affordable housing requirements (see page 2 of Attachment #2).

Background:

The City Council discussed proposed amendments at the May 12th City Council meeting. Link to agenda: [Kenmore - Document Center](#).

The City Council discussed proposed amendments at the May 5th City Council meeting. Link to agenda: [Kenmore - Document Center](#)

[The Planning Commission presented recommendations on proposed amendments at the April 21st City Council meeting. Link to agenda Kenmore - Document Center](#)

The WA State Legislature passed House Bill (HB) 1110 and HB 1337 in 2023 which requires cities to adopt zoning regulations permitting middle housing types (i.e., duplexes, triplexes, cottage housing, etc.) that allow for single-family residential (R-1, R-4, and R-6 zones), and allowing two accessory dwelling units on single-family residential properties. The City must adopt new zoning regulations for middle housing and ADUs by June 30, 2025. If the City does not adopt regulations by June 30, 2025, the State Model Ordinance will go into effect until regulations are adopted.

State Law allows City to consider requiring affordable housing to be included (i.e., inclusionary housing) in areas where residential capacity is increased either by providing on-site units or fee-in-lieu. A Regional Coalition for Housing (ARCH) developed a model that assesses the financial feasibility of inclusionary housing for different prototype housing types (duplexes, triplexes, etc.) and project sizes. The results of the model and review of regulations in other jurisdictions resulted in the current recommendations.

Previous Council Action(s):

In December 2024, the City Council adopted new policies to the Housing and Land Use Elements of the Comprehensive Plan related to middle housing and accessory dwelling units.

Fiscal Consideration:

Kimley Horn Contract 23-C2995 \$111,250 (1/22/24-12/31/25). The total consultant fee expenditure of \$111,250 is being covered by a Middle Housing Grant awarded to the City by the Washington State Department of Commerce (Commerce) (\$40,000), a portion of funds from the Year 2 Periodic Update Grant awarded by Commerce (\$20,000), and General Funds allocated in the Community Development Department 2023-2024 and 2025-2206 Budget.

[City Council Priorities](#) or Budget Objective Being Addressed:

Priority 2: "Preserve and increase availability of all types of housing at all income levels, including the needs of people experiencing homelessness."

Chapter 17.10
DEFINITIONS

Sections:

[17.10.005 Scope of chapter.](#)

[17.10.010 Acre.](#)

[17.10.020 Alteration.](#)

[17.10.030 Applicant.](#)

[17.10.040 Binding site plan.](#)

[17.10.050 Building envelope.](#)

[17.10.060 Building site.](#)

[17.10.065 City.](#)

[17.10.067 City manager.](#)

[17.10.070 Civil engineer.](#)

[17.10.080 Condominium.](#)

[17.10.090 Dedication.](#)

[17.10.100 Department.](#)

[17.10.110 Development engineer.](#)

[17.10.130 Easement.](#)

[17.10.150 Financial guarantee.](#)

[17.10.160 General site plan.](#)

[17.10.180 Improvements.](#)

[17.10.190 Innocent purchaser.](#)

[17.10.200 Land surveyor.](#)

[17.10.210 Lot.](#)

[17.10.210 Lot, parent.](#)

[17.10.220 Lot, unit.](#)

[17.10.220 Nonbuilding lot.](#)

[17.10.230 Ownership interest.](#)

17.10.240 Parent parcel.

17.10.250 Plat, final.

17.10.260 Plat, preliminary.

17.10.270 Revision.

17.10.280 Segregation.

17.10.290 Short plat, final.

17.10.300 Short plat, preliminary.

17.10.310 Short subdivision.

17.10.320 Subdivision.

17.10.330 Tract.

...

17.10.211 Lot, parent.

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

17.10.212 Lot, unit

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

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Chapter 17.20

SUBDIVISIONS AND SHORT SUBDIVISIONS

Sections:

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

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

17.20.020 Preliminary subdivision – Approval time.

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

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

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

17.20.030 Revisions of preliminary subdivisions.

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

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

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

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

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

17.20.040 Preliminary short subdivision – Approval time.

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

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

17.20.050 Limitations for short subdivisions.

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

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

17.20.060 Revisions of preliminary short subdivisions.

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

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

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

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

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

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

17.20.070 Traffic analysis required.

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

17.20.080 Adequacy of access.

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

- A. May approve private streets, provided the private street requirements contained in the *City* street standards of Chapter [12.50](#) KMC are met;
- B. May limit direct access to certain streets and require on-site public or private streets in lieu of individual driveways or access panhandles, in accordance with the *City* street standards;
- C. Shall require off-site *improvements* to public or private streets needed to provide access from the *subdivision* or *short subdivision* to an acceptable street; and
- D. Shall assure that the number of *lots* to be served by the street system complies with the street standards. [Ord. 11-0329 § 3 (Exh. 1).]

17.20.100 Public street rights-of-way.

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

- A. Where the six-year capital improvement plan indicates the necessity of a new right-of-way or portion thereof for street purposes;
- B. Where necessary to extend or to complete the existing or future neighborhood street pattern as shown on the *City* street map (see KMC Title [12](#));
- C. Where necessary to provide additions of right-of-way to existing *City* right-of-way;
- D. Where necessary to conform to *City* street standards or *City* street improvement projects; or
- E. Where necessary to provide a public transportation system that supports future development of abutting property consistent with the *City* comprehensive plan. [Ord. 11-0329 § 3 (Exh. 1).]

17.20.105 Street signage.

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

17.20.107 Street lighting.

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

17.20.110 Limitations within future street corridors.

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

17.20.120 General layout standards.

For residential developments in the R zones:

- A. The maximum length of blocks shall be 1,320 feet; and
- B. Except for corner *lots*, *lots* for single detached dwellings shall not have street frontage along two sides unless one of said streets is a neighborhood collector street or an arterial street.
- C. *Lots* shall be designed to avoid unusual configurations or narrow extensions that could make use difficult or confusing for future property owners. No portion of a *lot* shall be narrower than 25 feet, with the exception of cul-de-sac *lots* at the street frontage or an access panhandle approved by the *development engineer*. The lot width standards in KMC Title [18](#) also apply. Exceptions for unusual conditions may be considered on a case-by-case basis by the *city manager*. [Ord. 11-0329 § 3 (Exh. 1).]

17.20.125 Lot segregations – Zero-lot-line development.

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

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

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

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

17.20.130 Lot segregations – Clustered development.

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

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

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

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

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

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

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

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

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

17.20.150 Preliminary subdivision and short subdivision approval.

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

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

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

17.20.160 Fee Simple Unit Lot Subdivisions

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

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

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

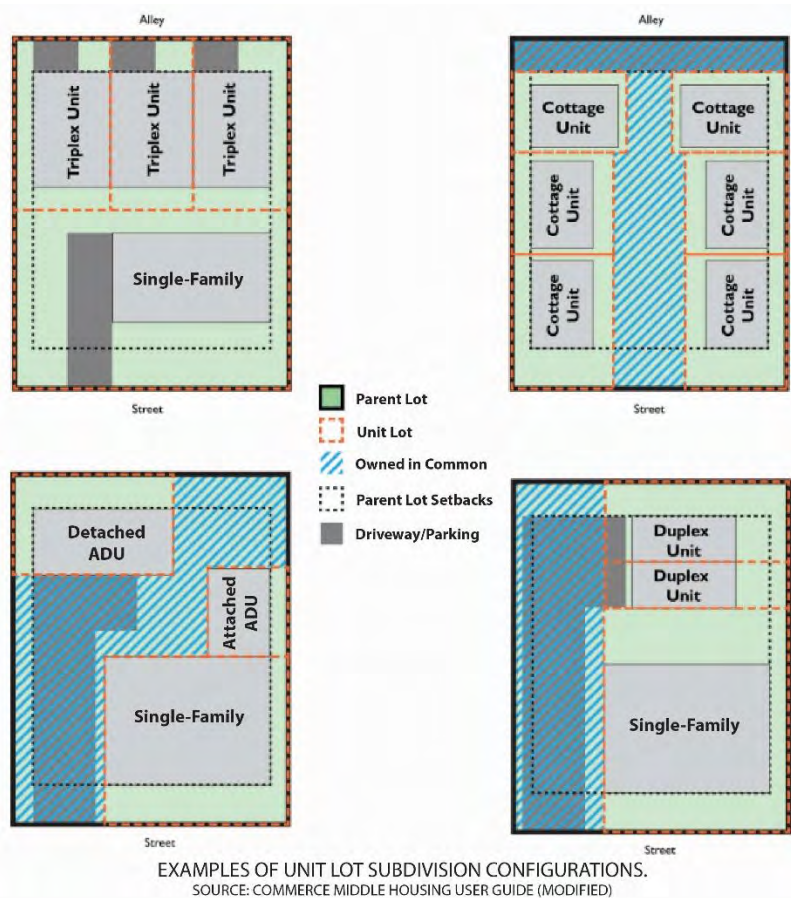
D. Private access drives are allowed to provide access to dwellings and off-street parking areas within a unit lot subdivision. Access, joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open area and other similar features, as recorded with King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

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

G. Unit lot subdivisions shall be processed as a subdivision or short plat pursuant to KMC 19.25, based upon the number of lots created through the unit lot subdivision process. The approval

process and criteria for fee simple unit lot subdivisions shall be consistent with the requirements for subdivisions and short plats established in KMC 17.20.

Figure 1: Fee Simple Unit Lot Subdivision Examples



Chapter 18.15

ZONES, MAPS AND DESIGNATIONS

Sections:

[18.15.010 Zones and map designations established.](#)

[18.15.020 Zone and map designation purpose.](#)

[18.15.040 Residential zones.](#)

[18.15.045 Neighborhood business zone.](#)

[18.15.050 Community business zone.](#)

[18.15.055 Downtown residential zone.](#)

[18.15.065 Downtown commercial zone.](#)

[18.15.067 Urban corridor zone.](#)

[18.15.069 Waterfront commercial zone.](#)

[18.15.070 Regional business zone.](#)

[18.15.080 Public and semi-public zone.](#)

[18.15.090 Parks zone.](#)

[18.15.100 Golf course zone.](#)

[18.15.110 Map designation – Property-specific development or P-suffix standards.](#)

[18.15.120 Map designation – Special district overlay.](#)

[18.15.150 Zoning maps and boundaries.](#)

18.15.010 Zones and map designations established.

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

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

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

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

18.15.020 Zone and map designation purpose.

The purpose statements for each zone and map designation set forth in the following sections shall be used to guide the application of the zones and designations to all lands in Kenmore.

The purpose statements also shall guide interpretation and application of land use regulations within the zones and designations, and any changes to the range of *permitted uses* within each zone through amendments to this title. [Ord. 11-0329 § 3 (Exh. 1).]

18.15.040 Residential zones.

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

1. Providing, in the R-1 through R-6 zones, for a mix of predominantly *single detached dwelling units* and middle housing dwellings (except as noted in KMC 18.21.035(B)), with a variety of densities and sizes in locations appropriate for residential use;
2. Providing, in the R-12 through R-48 zones, for a mix of predominantly *apartment* and *townhouse dwelling units*, with a variety of densities and sizes in locations appropriate for residential use;
3. Providing, in the MHC zone, for continuation of existing *manufactured housing communities*;
4. Allowing only those accessory and complementary nonresidential *uses* that are compatible with residential communities; and

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

B. Use of this zone is appropriate as follows:

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

18.15.045 Neighborhood business zone.

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

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

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

18.15.050 Community business zone.

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

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

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

18.15.055 Downtown residential zone.

The downtown residential zone 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 zone represents an opportunity to provide a range of housing types in the community with attention to appearance and scale. [Ord. 11-0329 § 3 (Exh. 1).]

18.15.065 Downtown commercial zone.

A. The downtown commercial zone 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 *critical 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.

B. *Uses* not compatible with the downtown commercial zone 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 not permitted. Park-and-ride/*transit centers* are promoted along SR-522, particularly in the northwest quadrant of the 68th Avenue NE/SR-522 intersection. [Ord. 11-0329 § 3 (Exh. 1).]

18.15.067 Urban corridor zone.

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

East of downtown, an “enterprise zone” west of 80th Avenue NE would allow 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 uses are not compatible with the intent of the urban corridor zone. [Ord. 14-0391 § 2 (Exh. 1).]

18.15.069 Waterfront commercial zone.

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

18.15.070 Regional business zone.

The purpose of the regional business zone (RB) is to provide for the broadest mix of retail sales, 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 and encouraging compact and mixed use development that is supportive of transit and pedestrian travel for the future. [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.15.080 Public and semi-public zone.

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

18.15.090 Parks zone.

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

18.15.100 Golf course zone.

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

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

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

18.15.120 Map designation – Special district overlay.

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

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

6 **18.15.150 Zoning maps and boundaries.**

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

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

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

Chapter 18.20

TECHNICAL TERMS AND LAND USE DEFINITIONS

Sections:

- [18.20.010 Scope of chapter.](#)
- [18.20.020 Abandoned vehicle.](#)
- [18.20.030 Accessory living quarters.](#)
- [18.20.035 Accessory use.](#)
- [18.20.040 Agricultural activities, existing and ongoing.](#)
- [18.20.045 Repealed.](#)
- [18.20.050 Repealed.](#)
- [18.20.060 Repealed.](#)
- [18.20.090 Adult entertainment business.](#)
- [18.20.095 Adult family home.](#)
- [18.20.098 Affordable housing unit.](#)
- [18.20.100 Repealed.](#)
- [18.20.105 Air transportation service.](#)
- [18.20.120 Repealed.](#)
- [18.20.130 Repealed.](#)
- [18.20.140 Alley.](#)
- [18.20.145 Alteration.](#)
- [18.20.147 Alternative transmission support structure.](#)
- [18.20.149 Amateur \(ham\) radio facility.](#)
- [18.20.150 Ambulatory surgery center.](#)
- [18.20.155 Repealed.](#)
- [18.20.160 Repealed.](#)
- [18.20.165 Anadromous fish.](#)
- [18.20.168 Animal kennel/shelter.](#)
- [18.20.170 Animal, small.](#)
- [18.20.180 Antenna.](#)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 **18.20.010 Scope of chapter.**

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

24 **18.20.020 Abandoned vehicle.**

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

30 **18.20.030 Accessory living quarters.**

“Accessory living quarters” means living quarters in an accessory *building* for the use of the occupant or persons employed on the premises, or for temporary use of guests of the occupant. Such quarters have no *kitchen* and are not otherwise used as a separate *dwelling unit*. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.035 Accessory use.

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

18.20.040 Agricultural activities, existing and ongoing.

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

18.20.045 Accessory use, parks.

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

18.20.050 Accessory use, residential.

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

18.20.060 Accessory use, resource.

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

18.20.090 Adult entertainment business.

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

18.20.095 Adult family home.

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

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

18.20.098 Affordable housing unit.

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

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

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

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

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

18.20.100 Agricultural product sales.

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

18.20.105 Air transportation service.

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

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

18.20.120 Aircraft, ship and boat building.

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

18.20.130 Airport/heliport.

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

18.20.140 Alley.

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

18.20.145 Alteration.

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

18.20.147 Alternative transmission support structure.

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

18.20.149 Amateur (ham) radio facility.

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

18.20.150 Ambulatory surgery center.

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

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

18.20.155 Amusement and recreation services.

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

18.20.160 Amusement arcade.

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

18.20.165 Anadromous fish.

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

18.20.168 Animal kennel/shelter.

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

18.20.170 Animal, small.

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

18.20.180 Antenna.

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

18.20.190 Applicant.

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

18.20.195 Arbor.

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

18.20.200 Arcade.

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

18.20.205 Architectural elements.

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

18.20.206.1 Area of special flood hazard.

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

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

18.20.207 Articulation.

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

18.20.210 Artist studio.

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

18.20.212 Arts and crafts schools/studios.

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

18.20.214 Arts, entertainment, indoor.

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

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

18.20.215 Arts, entertainment, outdoor.

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

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

18.20.216 Assisted living.

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

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

18.20.218 Attached accessory dwelling unit.

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

18.20.220 Auction house.

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

18.20.224 Automotive sales and service, marine.

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

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

18.20.227 Automotive sales and service, nonmarine.

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

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

18.20.228 Bankfull width.

“Bankfull width” means:

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

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

C. For periodically inundated areas of associated wetlands – Line of periodic inundation, which will be found by examining the edge of inundation to ascertain where the presence and action of

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

18.20.230 Base flood.

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

18.20.240 Base flood elevation.

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

18.20.243 Base station.

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

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

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

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

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

18.20.245 Basement.

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

18.20.250 Bed and breakfast guesthouse.

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

18.20.260 Beehive.

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

18.20.270 Berm.

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

18.20.272 Best available science.

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

18.20.274 Best management practices (BMPs).

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

A. Control soil loss and reduce water quality degradation caused by high concentrations of nutrients, animal waste, toxics, and sediment;

B. Minimize adverse impacts to surface water and groundwater flow, circulation patterns, and to the chemical, physical, and biological characteristics of *wetlands*;

C. Protect *trees* and *vegetation* designated to be retained during and following *site* construction; and

D. Provide standards for proper use of chemical herbicides within *critical areas*.

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

18.20.280 Billboard.

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

18.20.290 Billboard face.

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

A. "Billboard face I" means a billboard face not exceeding a height of 14 feet or a width of 48 feet, and may also include temporary and irregularly shaped extensions subject to the area and duration limitations in Chapter [18.42](#) KMC; and

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

18.20.300 Biologist.

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

18.20.302 Blank walls.

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

18.20.305 Boat launch.

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

18.20.308 Bonus unit.

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

18.20.310 Book, stationery, video and art supply store.

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

18.20.320 Broadleaf tree.

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

18.20.330 Buffer or buffer area.

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

18.20.340 Building.

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

18.20.350 Building envelope.

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

18.20.360 Building facade.

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

18.20.370 Building, hardware and garden materials store.

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

18.20.380 Bulk gas storage tank.

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

18.20.390 Business service, intensive.

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

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

18.20.394 Business service, standard.

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

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

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

18.20.395 Caliper.

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

18.20.400 Campground.

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

18.20.410 Capacity, school.

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

18.20.420 Capital facilities plan, school district.

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

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

18.20.422 Car wash.

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

18.20.425 Categorically excluded.

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

18.20.430 Cattery.

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

18.20.440 Cemetery, columbarium or mausoleum.

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

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

18.20.450 Channel relocation and stream meander areas.

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

18.20.453 Channel width and gradient.

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

18.20.460 Church, synagogue, mosque, temple.

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

18.20.465 City.

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

18.20.468 City manager.

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

18.20.470 Classrooms, school.

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

18.20.480 Clearing.

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

18.20.485 Clustered.

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

18.20.490 Cogeneration.

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

18.20.492 College/university.

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

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

18.20.494 Collocation.

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

18.20.495 Commercial nursery or tree farm.

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

18.20.498 Communication facility.

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

18.20.500 Communication facility, major.

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

18.20.510 Communication facility, minor.

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

18.20.520 Community residential facility (CRF).

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

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

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

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

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

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

18.20.530 Commuter parking lot.

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

18.20.540 Compensatory storage.

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

18.20.550 Conditional use permit.

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

18.20.560 Conference center.

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

18.20.570 Confinement area.

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

18.20.580 Consolidation.

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

18.20.590 Construction and trade.

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

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

18.20.610 Courtyard.

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

18.20.612 Critical areas.

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

18.20.614 Critical area tract.

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

18.20.630 Critical facility.

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

18.20.632 Critical root zone (CRZ).

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

18.20.633 Crown.

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

18.20.635 Cultural facilities.

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

18.20.640 Daily care.

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

18.20.650 Day care.

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

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

1. Adult day care, such as adult day health centers or social day care as defined by the Washington State Department of Social and Health Services;
2. Nursery schools for children under minimum age for education in public schools;
3. Privately conducted kindergartens or prekindergartens when not a part of a public or parochial school; and
4. Programs covering after-school care for school children.

B. Day care establishments are subclassified as follows:

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

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

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

18.20.655 Debris flow.

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

18.20.660 Deciduous.

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

18.20.665 Degraded wetland buffer.

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

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

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

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

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

9 0329 § 3 (Exh. 1).]

10 **18.20.680 Department.**

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

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

13 **18.20.690 Department and variety store.**

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

15 **18.20.695 Designated manufactured home.**

16 “Designated manufactured home” means a manufactured home constructed after June 15,

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

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

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

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

18.20.697 Designation, critical area.

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

18.20.700 Destination resort.

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

18.20.705 Detached accessory dwelling unit.

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

18.20.710 Developer.

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

18.20.715 Development.

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

A. Interior *building* improvements;

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

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

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

18.20.730 Development agreement.

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

18.20.735 Development permit.

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

18.20.740 Development proposal.

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

18.20.750 Development proposal site.

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

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

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

18.20.755 Differential settlement.

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

18.20.760 Distributed antenna system (DAS).

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

18.20.765 Disturbance.

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

18.20.772 Dock.

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

18.20.775 Domiciliary care.

“Domiciliary care” means:

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

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

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

18.20.780 Dormitory.

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

18.20.785 Drive-through service.

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

18.20.790 Drop box facility.

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

18.20.800 Drug store.

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

18.20.805 Durable materials.

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

18.20.810 Dwelling unit.

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

18.20.820 Dwelling unit, accessory.

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

18.20.830 Dwelling unit, microhousing.

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

18.20.832 Dwelling, middle housing.

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

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

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

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

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

E. Townhouse. See KMC 18.20.835(B).

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

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

18.20.835 Dwelling, multiple-family.

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

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

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

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

18.20.840 Dwelling unit, single detached.

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

18.20.860 Earth station.

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

18.20.863 Eating and drinking place.

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

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

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

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

18.20.867 Educational service.

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

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

18.20.870 Effective radiated power.

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

18.20.880 Electrical substation.

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

18.20.885 Emergent wetland.

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

18.20.890 Emergency.

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

18.20.900 Energy resource recovery facility.

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

18.20.910 Enhancement.

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

18.20.920 Equipment, heavy.

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

A. Carryalls;

B. Graders;

C. Loading and unloading devices;

D. Cranes;

E. Drag lines;

F. Trench diggers;

G. Tractors;

H. Augers;

I. Bulldozers;

J. Concrete mixers and conveyers;

K. Harvesters;

L. Combines; or

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

18.20.930 Erosion.

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

18.20.940 Erosion hazard areas.

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

18.20.950 Evergreen.

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

18.20.965 Existing legal uses.

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

18.20.967 FAA.

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

18.20.970 Fabric shop.

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

18.20.1000 Fairground.

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

18.20.1010 Family.

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

18.20.1012 Family child-care home.

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

18.20.1015 FCC.

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

18.20.1020 Federal Emergency Management Agency (FEMA) floodway.

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

18.20.1040 Fence.

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

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

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

18.20.1050 Financial guarantee.

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

18.20.1051 Fire or police facility.

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

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

18.20.1052 First floor facades.

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

18.20.1055 Fish habitat.

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

18.20.1056 Fish and wildlife habitat conservation areas.

“Fish and wildlife habitat conservation areas” mean 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. These areas may include but are not limited to rare and vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors, and areas with high relative population density or species richness. [Ord. 24-0624 § 4 (Exh. B).]

18.20.1057 Flood or flooding.

"Flood" or "flooding" means:

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

1. The overflow of inland waters.

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

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

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

18.20.1059 Flood elevation study.

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

18.20.1060 Flood fringe.

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

18.20.1070 Flood hazard areas.

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

18.20.1080 Flood insurance rate map (FIRM).

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

18.20.1090 Flood insurance study (FIS).

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

18.20.1100 Flood protection elevation.

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

18.20.1110 Floodplain.

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

18.20.1120 Floodproofing.

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

18.20.1125 Floodway.

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

18.20.1130 Floodway, zero-rise.

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

18.20.1135 Floor area ratio (FAR).

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

18.20.1140 Florist shop.

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

18.20.1150 Forest practice.

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

A. Fire prevention, detection and suppression; and

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

18.20.1160 Forest product sales.

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

18.20.1170 Forest research.

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

2 **18.20.1180 Frequently flooded areas.**

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

7 **18.20.1185 Functions and values.**

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

14 **18.20.1187 Funeral home/crematory.**

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

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

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

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

20 **18.20.1200 General business service.**

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

22 **18.20.1202 General personal service use.**

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

24 **18.20.1203 General services land uses.**

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

30 **18.20.1205 Geologically hazardous areas.**

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

18.20.1210 Geologist.

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

18.20.1230 Golf course facility.

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

18.20.1233 Government/business services land uses.

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

18.20.1235 Government facilities, City.

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

18.20.1240 Grade span.

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

18.20.1250 Grading.

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

18.20.1260 Grazing area.

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

18.20.1270 Ground cover.

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

18.20.1272 Ground floor.

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

18.20.1273 Grove.

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

18.20.1275 Hazard areas.

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

18.20.1280 Hazardous household substance.

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

18.20.1290 Hazardous liquid and gas transmission pipelines.

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

18.20.1300 Hazardous substance.

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

18.20.1301 Headwater stream.

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

18.20.1302 Health care and social assistance.

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

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

18.20.1305 Health services, miscellaneous.

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

18.20.1307 Hearing examiner.

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

18.20.1310 Heavy equipment and truck repair.

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

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

3 **18.20.1312 Habitat management.**

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

8 **18.20.1314 Habitats of local importance.**

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

15 **18.20.1320 Helistop.**

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

19 **18.20.1330 Historic resource.**

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

22 **18.20.1340 Historic structure.**

23 “Historic structure” means any structure that is:

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

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

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

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

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

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

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

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

3 **18.20.1360 Home industry.**

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

8 **18.20.1370 Home occupation.**

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

12 **18.20.1372 Hospital.**

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

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

18 **18.20.1375 Hotel.**

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

25 **18.20.1380 Household pets.**

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

28 **18.20.1381 Human-scaled elements.**

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

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

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

36 **18.20.1390 Hydroelectric generation facility.**

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

3 **18.20.1400 Impervious surface.**

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

15 **18.20.1420 Individual transportation and taxi.**

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

17 **18.20.1430 Infiltration rate.**

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

20 **18.20.1435 In-kind.**

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

24 **18.20.1437 Intentionally created stream.**

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

27 **18.20.1438 Intermittent stream.**

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

31 **18.20.1440 Interim recycling facility.**

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

33 **18.20.1470 Jail.**

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

35 **18.20.1480 Jail farm.**

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

2 **18.20.1490 Jewelry store.**

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

4 **18.20.1500 Joint use driveway.**

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

7 **18.20.1510 Kennel.**

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

11 **18.20.1520 Kitchen or kitchen facility.**

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

14 A. An appliance for the refrigeration of food;

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

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

17 **18.20.1525 Laboratory.**

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

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

24 **18.20.1530 Landfill.**

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

26 **18.20.1540 Landscape water features.**

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

29 **18.20.1550 Landscaping.**

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

33 **18.20.1560 Landslide.**

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

18.20.1570 Landslide hazard areas.

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

18.20.1572 Large woody debris (LWD).

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

18.20.1575 Lattice tower.

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

18.20.1580 Level of service (LOS).

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

18.20.1590 Light equipment.

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

18.20.1600 Livestock.

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

A. Cattle;

B. Riding and draft horses;

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

D. Sheep; and

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

18.20.1610 Livestock, large.

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

3 **18.20.1620 Livestock, small.**

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

8 **18.20.1630 Livestock sales.**

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

10 **18.20.1640 Loading space.**

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

13 **18.20.1650 Log storage.**

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

15 **18.20.1660 Lot.**

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

18 **18.20.1661 Lot, parent.**

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

20 **18.20.1662 Lot, unit**

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

22 **18.20.1670 Lot line, interior.**

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

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

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

31 **18.20.1673 Lowest floor.**

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

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

18.20.1675 Manufactured home.

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

18.20.1675.1 Manufactured housing community.

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

18.20.1676 Manufacturing, heavy.

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

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

18.20.1677 Manufacturing, light.

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

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

18.20.1678 Manufacturing land uses.

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

18.20.1679.1 Cannabis.

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

18.20.1679.2 Cannabis business.

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

18.20.1679.2.5 Cannabis cooperative.

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

18.20.1679.3 Cannabis processor.

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

18.20.1679.4 Cannabis producer.

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

18.20.1679.4.5 Cannabis researcher.

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

18.20.1679.5 Cannabis retailer.

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

18.20.1680 Marina.

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

A. Showers;

B. Toilets; and

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

18.20.1683 Mass wasting.

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

18.20.1685 Master plan.

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

18.20.1690 Median income.

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

18.20.1695 Medical/dental office/outpatient clinic.

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

18.20.1700 Microwave.

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

18.20.1705 Miscellaneous repair.

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

18.20.1710 Mitigation.

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

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

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

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

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

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

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

18.20.1720 Mitigation bank.

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

18.20.1730 Mitigation banking.

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

18.20.1740 Mixed use development.

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

18.20.1745 Mobile food vendor.

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

18.20.1747 Mobile food service.

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

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

18.20.1750 Mobile home.

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

18.20.1760 Mobile home park.

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

18.20.1761 Mobility unit.

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

18.20.1762 Modification.

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

2 **18.20.1765 Modulation.**

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

6 **18.20.1770 Monitoring.**

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

13 **18.20.1775 Monopole tower.**

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

15 **18.20.1785 Motel.**

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

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

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

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

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

25 **18.20.1810 Mulch.**

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

28 **18.20.1820 Municipal water production.**

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

30 **18.20.1830 Native vegetation.**

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

34 **18.20.1835 Natural waters.**

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

18.20.1840 Negative externality.

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

18.20.1850 Net buildable area.

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

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

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

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

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

E. *Regional utility corridors*;

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

18.20.1860 Nonconformance.

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

18.20.1870 Nonhydroelectric generation facility.

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

18.20.1875 Nonindigenous.

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

18.20.1880 Nonionizing electromagnetic radiation (NIER).

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

18.20.1890 Noxious weed.

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

18.20.1900 Off-street required parking lot.

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

18.20.1905 Office.

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

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

18.20.1910 Open space.

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

18.20.1920 Open-work fence.

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

18.20.1930 Ordinary high water mark.

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

18.20.1940 Outdoor performance center.

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

18.20.1945 Outdoor retail display/sidewalk sale.

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

18.20.1960 Park.

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

A. Indoor facilities, such as:

1. Gymnasiums;
2. Swimming pools; or
3. Activity centers;

B. Outdoor facilities, such as:

1. Playfields;
2. Fishing areas;
3. Picnic and related outdoor activity areas;

C. Areas and *trails* for:

1. Hikers;
2. Equestrians;
3. Bicyclists;

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

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

18.20.1995 Parking management plan.

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

18.20.2000 Parking space.

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

18.20.2030 Peak hour.

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

18.20.2035 Pedestrian walkway.

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

18.20.2040 Permanent school facilities.

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

18.20.2050 Personal medical supply store.

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

18.20.2055 Personal service.

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

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

18.20.2060 Pet shop.

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

18.20.2070 Photographic and electronic shop.

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

18.20.2102 Practical alternative.

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

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

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

18.20.2110 Private.

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

18.20.2120 Private stormwater management facility.

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

18.20.2130 Professional office.

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

18.20.2135 Pro shop.

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

18.20.2140 Public agency.

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

18.20.2150 Public agency animal control facility.

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

18.20.2160 Public agency archive.

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

18.20.2170 Public agency or utility office.

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

18.20.2180 Public agency or utility yard.

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

18.20.2190 Public agency training facility.

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

18.20.2195 Public space/public open space.

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

18.20.2202 Public view.

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

18.20.2205 Qualified professional.

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

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

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

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

18.20.2207 Qualified tree protection professional.

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

18.20.2208 Quality habitat areas.

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

18.20.2210 Radio frequency.

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

18.20.2220 Reasonable use.

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

18.20.2230 Receiving site.

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

18.20.2231 Reclassification.

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

18.20.2232 Reconstruction.

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

18.20.2233 Recreational/cultural land uses.

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

18.20.2234 Recreational facility, indoor.

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

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

18.20.2237 Recreational facility, outdoor.

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

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

18.20.2240 Recreational vehicle (RV).

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

A. Travel trailer;

B. Folding camping trailer;

C. Park trailer;

D. Truck camper;

E. Park trailer;

F. Motor home; and

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

18.20.2250 Recreational vehicle parks.

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

18.20.2260 Recyclable material.

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

18.20.2265 Regional land use.

"Regional land use" means an airport, ferry terminal, park and ride lot, transfer station, racetrack, stadium/arena, or other land use of a regional nature that may be difficult to site. Regional land use includes essential public facilities, as defined in RCW [36.70A.200](#), if not otherwise defined in this title.

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

18.20.2275 Regional land uses.

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

18.20.2280 Regional stormwater management facility.

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

18.20.2290 Regional utility corridor.

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

18.20.2292 Rehabilitation.

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

18.20.2295 Religious institution.

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

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

18.20.2310 Relocatable facility.

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

18.20.2320 Relocation facilities.

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

18.20.2325 Residential land uses.

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

18.20.2326 Resource land use.

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

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

18.20.2327 Resource land uses.

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

18.20.2330 Restoration.

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

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

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

18.20.2350 Retail, comparison.

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

18.20.2362 Retail land uses.

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

18.20.2364 Retail sales.

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

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

18.20.2365 Retail sales, bulk.

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

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

18.20.2367 Retail sales, outdoor.

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

18.20.2370 Retaining wall.

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

18.20.2375 Riparian stream corridor.

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

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

18.20.2380 Riparian management zone (RMZ).

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

18.20.2385 Riparian zone.

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

18.20.2410 Salmonid.

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

18.20.2415 Satellite dish.

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

18.20.2420 School bus base.

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

18.20.2430 School district.

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

18.20.2440 School district support facility.

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

18.20.2450 Schools, elementary and middle/junior high.

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

18.20.2460 Schools, secondary or high school.

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

18.20.2461 Seasonal low flow and seasonal low water.

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

18.20.2462 Section 404 permit.

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

18.20.2465 Secure community transition facilities (SCTF).

“Secure community transition facility (SCTF)” means a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under this chapter. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facilities established pursuant to RCW [71.09.250](#) and any community-based facilities established under this chapter and operated by the Secretary or under contract with the Secretary. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2468 Secure facility.

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

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

18.20.2470 Seismic hazard areas.

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

18.20.2480 Self-service storage.

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

18.20.2490 Sending site.

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

18.20.2500 Senior citizen.

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

18.20.2524 Services, off-site.

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

18.20.2527 Services, on-site.

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

18.20.2530 Setback.

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

18.20.2540 Shelters for temporary placement.

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

18.20.2550 Shooting range.

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

18.20.2560 Sign.

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

18.20.2570 Sign, awning.

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

18.20.2580 Sign, changing message center.

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

18.20.2590 Sign, community bulletin board.

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

18.20.2600 Sign, directional.

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

18.20.2610 Sign, freestanding.

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

4 **18.20.2620 Sign, fuel price.**

5 “Fuel price sign” means a *sign* utilized to advertise the price of gasoline and/or diesel fuel. [Ord.
6 11-0329 § 3 (Exh. 1).]

7 **18.20.2630 Sign, incidental.**

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

11 A. Restrooms;

12 B. Hours of operation;

13 C. Acceptable credit cards;

14 D. Property ownership or management;

15 E. Phone booths; and

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

17 **18.20.2640 Sign, indirectly illuminated.**

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

20 **18.20.2650 Sign, monument.**

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

24 **18.20.2660 Sign, off-premises directional.**

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

28 **18.20.2670 Sign, on-premises.**

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

31 **18.20.2680 Sign, permanent residential development identification.**

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

18.20.2690 Sign, portable.

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

18.20.2700 Sign, projecting.

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

18.20.2710 Sign, time and temperature.

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

18.20.2720 Sign, wall.

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

18.20.2730 Significant tree.

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

18.20.2740 Site.

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

18.20.2750 Site area.

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

18.20.2765 Small cell.

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

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

B. Primary equipment enclosures are no larger than 17 cubic feet in volume. The following associated equipment may be located outside the primary equipment enclosure and if so located, is not included in the calculation of equipment volume: electric meter, concealment, telecomm demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch. [Ord. 17-0446 § 2 (Att. A); Ord. 16-0426 § 4 (Att. B).]

18.20.2782 Social card game.

“Social card game” is defined as set forth in RCW [9.46.0282](#), as now in effect or as may be subsequently amended or recodified. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2784 Social services.

“Social services” means establishments or agencies offering social or rehabilitation services. Subcategories include:

“Social services, correctional” that offer offender rehabilitation, offender self-help, parole or probation services; and

“Social services, noncorrectional” that provide services including, but not limited to, individual and family counseling, welfare, relief, referral, job training, or vocational services. “Social services, noncorrectional” includes social advocacy organizations. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2790 Soil recycling facility.

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

18.20.2810 Special use permit.

“Special use permit” means a permit granted by the *City* to locate a *regional land use* at a particular location, subject to conditions placed on the proposed *use* to ensure compatibility with adjacent land uses. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2820 Specialized instruction school.

“Specialized instruction school” means establishments engaged in providing specialized instruction in a designated field of study, rather than a full range of courses in unrelated areas; including, but not limited to:

A. Art;

B. Dance;

C. Music;

- 1 D. Cooking;
- 2 E. Driving; and
- 3 F. Pet obedience training. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.2822 Species.**

5 "Species" means any group of animals classified as a species or subspecies as commonly
6 accepted by the scientific community. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.2823 Species, candidate.**

8 "Species, candidate" means fish and wildlife species that the Washington State Department of
9 Fish and Wildlife will review for possible listing as endangered, threatened, or sensitive. [Ord. 24-
10 0624 § 4 (Exh. B).]

11 **18.20.2824 Species, endangered.**

12 "Species, endangered" means any fish or wildlife *species* that is threatened with extinction
13 throughout all or a significant portion of its range and is listed by the State or federal
14 government as an endangered species. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2825 Species of concern.**

16 "Species of concern" means those species listed an endangered, state threatened, state
17 sensitive, or state candidate, as well as species listed or proposed for listing by the U.S. Fish
18 and Wildlife Service or the National Marine Fisheries Service. [Ord. 24-0624 § 4 (Exh. B).]

19 **18.20.2826 Species, threatened.**

20 "Species, threatened" means any fish or wildlife *species* that is likely to become an *endangered*
21 *species* within the foreseeable future throughout a significant portion of its range without
22 cooperative management or removal of threats, and is listed by the State or federal government
23 as a threatened species. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.2840 Sporting goods store.**

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

26 **18.20.2850 Sports club.**

27 "Sports club" means an establishment engaged in operating physical fitness facilities and
28 sports and recreation clubs. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.2860 Stable.**

30 "Stable" means a *structure* or facility in which horses or other *livestock* are kept for:

- 31 A. Boarding;
- 32 B. Training;
- 33 C. Riding lessons;

D. Breeding;

E. Rental; or

F. Personal use. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2865 Standalone parking.

“Standalone parking” means an establishment engaged in providing parking space for motor vehicles or boats, usually on an hourly, daily or monthly basis. Parking may be provided on a surface lot, in a garage or, in the case of boats, on a storage rack. Standalone parking does not include required parking associated with a use, authorized through a development application.

May include NAICS 81293 (Parking Lots and Garages). [Ord. 14-0391 § 2 (Exh. 1).]

18.20.2870 Standard of service, school districts.

“School districts standard of service” means the standard adopted by each *school district* which identifies the program year, the class size by *grade span* and taking into account the requirements of students with special needs, the number of *school classrooms*, the types of facilities the district believes will best serve its student population, and other factors as identified by the *school district*. The district’s standard of service shall not be adjusted for any portion of the classrooms housed in *relocatable facilities* which are used as transitional facilities or for any specialized facilities housed in *relocatable facilities*. Except as otherwise defined by the school board pursuant to a board resolution, transitional facilities shall mean those facilities that are used to cover the time required for the construction of permanent facilities; provided, that the “necessary financial commitments” as defined in Chapter [18.45](#) KMC are in place to complete the permanent facilities called for in the capital plan. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2875 Start of construction.

For purposes of flood hazard area regulations, “start of construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The “actual start” means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Ord. 19-0488 § 4 (Exh. 2).]

18.20.2884 Storage, indoor.

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

18.20.2887 Storage, outdoor.

“Outdoor storage” means the storage of materials outside of a completely enclosed building for more than 24 hours, including items for sale, lease, shipment, processing, maintenance or repair (including vehicles and equipment), and items used in business operations. [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.20.2890 Stream functions.

“Stream functions” means natural processes performed by *streams* including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian *species*, maintaining the availability and quality of water, such as purifying water, acting as recharge and discharge areas for groundwater aquifers, moderating surface and stormwater flows and maintaining the free flowing conveyance of water, sediments and other organic matter. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2900 Stream.

“Stream” means an area where open surface water produces a defined channel or bed. A defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes, but is not limited to, bedrock, channels, gravel beds, sand and silt beds, and defined-channel swales. This includes watercourses where there is some component of natural flow (groundwater, spring, etc.) or when an artificial stormwater system is incorporated within a natural stream. A watercourse also includes all surface water connected wetlands that provide or maintain habitat that supports fish. This definition is not meant to include artificially created irrigation ditches, canals, storm or surface water runoff facilities or other wholly artificial watercourses unless they are used by salmonids, created for the purposes of stream mitigation, or are used to convey a watercourse naturally occurring prior to construction. A channel or bed need not contain water year-round, provided there is evidence of at least intermittent flow during years of normal rainfall. [Ord. 24-0624 § 4 (Exh. B); Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

18.20.2905 Stream reconnaissance report.

“Stream reconnaissance report” means a report prepared by an applicant’s qualified consultant to describe a stream and to characterize its conditions, wildlife, habitat values, and water quality. [Ord. 24-0624 § 4 (Exh. B).]

18.20.2910 Street.

“Street” means a public or recorded *private* thoroughfare providing pedestrian and vehicular access through neighborhoods and communities and to abutting property. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2920 Street frontage.

“Street frontage” means any portion of a *lot* or combination of *lots* which directly abut a *street*. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2925 Street tree.

1 “Street tree” means *trees* located within the *street* right-of-way, adjacent to public or *private*
2 *streets*, including undeveloped areas. [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.2930 Structure.**

4 “Structure” means anything permanently constructed in or on the ground, or over the water;
5 excluding *fences* eight feet or less in height, decks less than 18 inches above grade, paved
6 areas, and structural or nonstructural fill. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.2935 Structural diversity.**

8 “Structural diversity” means the relative degree of diversity or complexity of vegetation in a
9 wildlife habitat area as indicated by the stratification or layering of different plant communities
10 (e.g., ground cover, shrub layer, and tree canopy), the variety of plant species, and the spacing or
11 pattern of vegetation. [Ord. 24-0624 § 4 (Exh. B).]

12 **18.20.2945 Subdrainage basin or sub-basin.**

13 “Subdrainage basin” or “sub-basin” means the drainage area of the highest
14 order *stream* containing the subject property impact area. “Stream order” is the term used to
15 define the position of a *stream* in the hierarchy of tributaries in the watershed. The
16 smallest *streams* are the highest order (first order) tributaries. These are the upper
17 watershed *streams* and have no tributaries of their own. When two first order *streams* meet,
18 they form a second order *stream*, and when two second order *streams* meet they become a
19 third order *stream*, and so on. [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.2955 Substantial damage.**

21 For purposes of flood hazard area regulations, “substantial damage” means damage of any
22 origin sustained by a structure whereby the cost of restoring the structure to its before-
23 damaged condition would equal or exceed 50 percent of the market value of the structure
24 before the damage occurred. [Ord. 19-0488 § 4 (Exh. 2).]

25 **18.20.2960 Substantial improvement.**

26 “Substantial improvement” means any maintenance, repair, structural modification, addition or
27 other improvement of a *structure*, the cost of which equals or exceeds 50 percent of the market
28 value of the *structure* either before the maintenance, repair, modification or addition is started
29 or before the damage occurred, if the *structure* has been damaged and is being restored. [Ord.
30 11-0329 § 3 (Exh. 1).]

31 **18.20.2963 Supportive living facility.**

32 “Supportive living facility” means an assisted living facility, continuing care facility, convalescent
33 center, or nursing home. Supportive living facility does not include an adult family home,
34 community residential facility, hospital, or secure facility.

35 May include NAICS 6231 (Nursing Care Facilities) and 6233 (Community Care Facilities for the
36 Elderly). [Ord. 14-0391 § 2 (Exh. 1).]

37 **18.20.2965 Taxi stand.**

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

2 **18.20.2968 Temporary lodging.**

3 “Temporary lodging” means a hotel, motel, bed and breakfast guesthouse, or other facility
4 providing temporary accommodations for travelers for compensation.

5 May include NAICS 721 (Accommodation), except 72112 (Casino Hotels) and 7212
6 (RV/Recreational Vehicle Parks and Recreational Camps). [Ord. 14-0391 § 2 (Exh. 1).]

7 **18.20.2970 Theater.**

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

9 **18.20.2980 Theatrical production services.**

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

11 **18.20.2990 Tower.**

12 “Tower” means any wireless communications structure that is designed and constructed
13 primarily for the purpose of supporting one or more antennas. “Tower” includes a lattice tower
14 or monopole. “Tower” does not include a replacement utility pole or an amateur (ham) radio
15 facility. [Ord. 16-0426 § 4 (Att. B).]

16 **18.20.3000 Trails.**

17 “Trails” means manmade pathways designed and intended for use by pedestrians, bicyclists,
18 equestrians, and/or recreational users. [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.3010 Transfer station.**

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

21 **18.20.3020 Transit bus base.**

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

24 **18.20.3022 Transit, high capacity.**

25 “High capacity transit” means a transit stop that receives transit services from at least one
26 route that provides service at least four times per hour for 12 or more hours per day. [Ord. 24-
27 0621 § 2 (Exh. A).]

28 **18.20.3023 Transit center.**

29 “Transit center” means any facility designed for accommodating large numbers of public
30 transportation passengers to wait, board, and disembark at the intersection of multiple transit
31 routes. [Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.3025 Transit stop, major.**

33 **“Major transit stop” means:**

A. A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

B. Commuter rail stops;

C. Stops on rail or fixed guideway systems; or

D. Stops on bus rapid transit routes, including those stops that are under construction.

18.20.3030 Transitional housing facilities.

“Transitional housing facilities” means housing units within the *City* owned by public housing authorities, nonprofit organizations or other public interest groups that provide housing to persons on a temporary basis for a duration not to exceed 24 months in conjunction with job training, self sufficiency training, and human services counseling; the purpose of which is to help persons make the transition from homelessness to placement in permanent housing. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3040 Transmission equipment.

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

18.20.3060 Transmission support structure.

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

18.20.3065 Transmission support structure, alternative.

Recodified to KMC [18.20.147](#) by Ord. 16-0426. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3067 Transmission support structure, guyed.

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

18.20.3070 Transmitter building.

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

18.20.3075 Transportation.

“Transportation” means establishments providing transportation of passengers or cargo, such as taxi and limousine services, scenic and sightseeing transportation businesses, motor vehicle towing, trucking, shipping, or freight hauling businesses. This use includes related support activities, such as cargo handling and packing and crating of cargo. Transportation does not include *air transportation service* or *airport* (classified as a *regional land use*).

May include NAICS Sector 48 (Transportation and Warehousing), except the following: 481 (Air Transportation), 486 (Pipeline Transportation), 4881 (Support Activities for Air Transportation), and 493 (Warehousing and Storage). May include 62191 (Ambulance Services). [Ord. 17-0438 § 2 (Att. A); Ord. 14-0391 § 2 (Exh. 1).]

18.20.3077 Transportation concurrency.

“Transportation concurrency” means the transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development, as described in KMC [12.80.010](#)(A). Transportation concurrency shall be measured by mobility units, comparing the amount of transportation capital facilities constructed or programmed in the next six years (mobility unit capacity) to the amount of mobility units that would be generated by new development (mobility unit demand). If the City’s mobility unit capacity is larger than the mobility units that would be generated by new development, then the transportation system will be deemed concurrent. [Ord. 16-0420 § 4 (Exh. 2).]

18.20.3082 Tree.

“Tree” means a self-supporting woody perennial plant characterized by one main stem or trunk of at least six inches d.b.h., or a multiple stemmed or trunk system with a definite *crown*, maturing at a height of at least 12 feet above ground level. The *department* shall determine whether any specific woody plant shall be considered a tree. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3083 Tree, exceptional.

“Exceptional tree” means a tree which because of its unique combination of size, species, and age is worthy of long-term retention for the purposes and values set forth in KMC [18.57.015](#), and that has been determined to constitute an important community resource and may not be *removed* or damaged.

A. All healthy specimens of *tree* species in Table 1 are *exceptional trees* if they have a diameter at breast height (d.b.h.) equal to or greater than that listed for the respective species. For *trees* with multiple leaders at four and one-half feet above the ground, the d.b.h. shall be the combined cumulative total of branches greater than six inches diameter at four and one-half feet above the ground. For *trees* that have been removed and whereas only the stump remains, the size of the *tree* shall be measured from the diameter of the top of the stump.

B. Any healthy *tree* with a d.b.h. of 48 inches or greater is an *exceptional tree* except those in Table 2 that are never considered exceptional.

Table 1: Exceptional Tree Species and Required Diameters at Breast Height

Tree Species (Common Name)	Scientific Name	Threshold d.b.h. (in inches)
American Elm	<i>Ulmus americana</i>	30"
Bigleaf Maple	<i>Acer macrophyllum</i>	42"
Douglas Fir	<i>Pseudotsuga menziesii</i>	30"
Giant Sequoia	<i>Sequoiadendron giganteu</i>	30"

Table 1: Exceptional Tree Species and Required Diameters at Breast Height

Tree Species (Common Name)	Scientific Name	Threshold d.b.h. (in inches)
Grand Fir	<i>Abies grandis</i>	24"
Madrona	<i>Arbutus menziesii</i>	12"
Oregon Ash	<i>Fraxinus latifolia</i>	24"
Oregon White Oak	<i>Quercus garryana</i>	24"
Pacific Dogwood	<i>Cornus nuttallii</i>	24"
Pacific Yew	<i>Taxus brevifolia</i>	Determined by the <i>city manager</i>
Pine (any species)	<i>Pinus</i> family	30"
Shore Pine	<i>Pinus contorta</i>	12"
Sitka Spruce	<i>Picea sitchensis</i>	24"
Western Hemlock	<i>Tsuga heterophylla</i>	24"
Western Red Cedar	<i>Thuja plicata</i>	30"
Willow (any species)	<i>Salix</i> family	24"

Table 2: Tree Species That Are Not Exceptional Trees

Tree Species (Common Name)	Scientific Name
Alder (any species)	<i>Alnus</i> family
Black Cottonwood	<i>Populus trichocarpa</i>
English Holly	<i>Ilex aquifolium</i>
Leyland Cypress	<i>Cupressus x leylandii</i>

2 [Ord. 24-0621 § 2 (Exh. A); Ord. 23-0593 § 3 (Exh. B).]

3 **18.20.3084 Tree, hazard.**

4 "Hazard tree" means any *tree* with any structural defect, disease, damage, or combinations of
5 these which make it subject to a high probability of failure which might cause damage to
6 persons or property. A "hazard tree" includes, but is not limited to, any isolated *tree(s)* that have

a high probability of failure due to low *wind-firmness* in post-construction conditions as determined by a *qualified tree protection professional*. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3088 Tree, remove or removal.

“Remove” or “removal” with regard to *trees* means the act of removing a *tree* by digging up, cutting down, or any act which causes a *tree* to die within a period of three years from such act. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3090 Tree windthrow.

“Tree windthrow” means the process of uprooting, breaking, and overthrowing of a *tree* by force of wind during a storm event. [Ord. 15-0409 § 2 (Att. B).]

18.20.3095 Unavoidable impact.

“Unavoidable impact” means adverse impacts to a *critical area* that remain after all appropriate and practicable avoidance and minimization have been achieved. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3100 Unit Density.

“Unit density” means the number of dwelling units allowed on a lot, regardless of lot size.

18.20.3110 Use.

“Use” means activity or function carried out on an area of land, or in a *building* or *structure* located thereon. Any use subordinate or incidental to the primary use on a *site* is considered an *accessory use*. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3111 Uses, classified.

“Uses, classified” means a use which appears in any list of permitted, conditional, accessory or prohibited *uses* in this title. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3112 Uses, permitted.

“Uses, permitted” means land *uses* allowed outright within a zone. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3114 Uses, prohibited.

“Uses, prohibited” means any land *use* not specifically enumerated or permitted as allowable in that district. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3117 Uses, unclassified.

“Uses, unclassified” means a *use* which does not appear in any list of permitted, conditional, accessory, or prohibited *uses* in this title, but which is interpreted by the *city manager* as similar to a listed permitted, conditional, accessory, or prohibited *use*. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3118 Utility.

“Utility” means an enterprise or facility serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer.

Included are systems for the delivery of natural gas, electricity, telecommunications services, and water, and for the disposal of sewage. [Ord. 19-0488 § 4 (Exh. 2).]

18.20.3120 Utility facility.

“Utility facility” means a smaller-scale facility for the distribution or transmission of services to a limited area, including, but not limited to:

A. Telephone exchanges (not including communication facilities);

B. Water pumping or treatment stations or distribution systems;

C. *Electrical substations*;

D. Water storage reservoirs or tanks;

E. Stormwater management facilities;

F. *Repealed by Ord. 14-0391.*

G. Natural gas gate stations and limiting stations;

H. Propane, compressed natural gas and liquefied natural gas storage tanks serving multiple *lots* or *uses* from which fuel is distributed directly to individual users;

I. Sewer lift stations and wastewater treatment or distribution systems; and

J. Pipes, electrical wires and associated structural supports.

Utility facility does not include larger-scale regional facilities that are classified as a regional land use.

May include NAICS Sector 22 (Utilities). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.20.3130 Vector waste.

“Vector waste” means liquid or solid waste material collected from catch basins, retention/detention facilities or drainage pipes. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3140 Vector waste receiving facility.

“Vector waste receiving facility” means a facility where *vector waste* is brought for treatment and storage prior to final disposal. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3150 Variance.

“Variance” means an adjustment in the application of standards of a zoning code to a particular property. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3155 Variety store.

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

18.20.3160 Vegetation.

“Vegetation” means any and all plant life growing at, below or above the soil surface. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3165 Vehicle or equipment rental.

“Vehicle or equipment rental” means an establishment that provides vehicles, machinery or equipment to customers in return for a rental payment.

May include NAICS Sectors 5321 (Automotive Equipment Rental and Leasing), 5323 (General Rental Centers), and 5324 (Commercial and Industrial Machinery and Equipment Rental and Leasing). [Ord. 14-0391 § 2 (Exh. 1).]

18.20.3168 Vehicle refueling station.

“Vehicle refueling station” means an establishment retailing automotive fuels, sometimes in combination with convenience store items.

May include NAICS 447 (Gasoline Stations). [Ord. 14-0391 § 2 (Exh. 1).]

18.20.3170 Vocational school.

“Vocational school” means establishments offering training in a skill or trade to be pursued as a career. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3180 Warehousing.

“Warehousing” means establishments providing warehousing and storage of goods, including standalone outdoor storage. Warehouses are distinguished from wholesale trade as warehouses do not sell goods.

May include NAICS Sector 49 (Transportation and Warehousing), except 491 (Postal Service) and 492 (Couriers and Messengers). May include 53113 (Lessors of Miniwarehouses and Self-Storage Units). [Ord. 14-0391 § 2 (Exh. 1).]

18.20.3190 Warehousing and wholesale trade.

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

18.20.3200 Wastewater treatment facility.

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

18.20.3220 Water-dependent use.

“Water-dependent use” means a *use* or portion of a *use* that cannot exist in a location that is not adjacent to the water, but is dependent on the water by reason of the intrinsic nature of its operations. A *use* that can be carried out only on, in, or adjacent to water. Examples of water-dependent uses include ship cargo terminal loading areas; fishing; ferry and passenger terminals; barge loading, ship building, and dry docking facilities; *marinas*, moorage, and *boat launching* facilities; aquaculture; float plane operations; surface water intake; and sanitary sewer and storm drain outfalls. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3225 Water resource inventory area (WRIA).

“Water resource inventory area (WRIA)” means one of 62 watersheds in the State of Washington, each composed of the drainage areas of a *stream* or *streams*, as established in Chapter [173-500](#) WAC as it existed on January 1, 1997. Kenmore is located in WRIA 8, Lake Washington/Cedar/Sammamish River. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3227 Weather protection.

“Weather protection” means awnings, canopies, *arcades* or marquees which are permanently fixed to *buildings* and which cover the public sidewalks to provide protection from the weather for pedestrians. Weather protection should allow light and transparency into *ground floor uses*. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3240 Wetland edge.

“Wetland edge” means the line delineating the outer edge of a *wetland*, consistent with the 1987 U.S. Army Corps of Engineers Wetlands Delineation Manual in use on January 1, 1995, by the United States Army Corps of Engineers and the United States Environmental Protection Agency as implemented through and consistent with the May 23, 1994, “Washington Regional Guidance on the 1987 Wetland Delineation Manual” document issued by the Corps of Engineers and the Environmental Protection Agency. When the State of Washington, Department of Ecology, adopts a manual as required pursuant to a new Section 11 of Engrossed Senate Bill 5776, *wetlands* regulated under development regulations shall be delineated pursuant to said manual. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3245 Wetland, establishment (creation).

“Establishment” or “creation” of a wetland means the manipulation of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site, where a wetland did not previously exist. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species. [Ord. 24-0624 § 4 (Exh. B).]

18.20.3250 Wetland, forested.

“Forested wetland” means a *wetland* which is characterized by woody *vegetation* at least 20 feet tall. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3260 Wetland functions.

“Wetland functions” means natural processes performed by *wetlands* including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian *species*, maintaining the availability and quality of water, acting as recharge and discharge areas for groundwater aquifers and moderating surface and stormwater flows, as well as performing other functions including, but not limited to, those set forth in [33 CFR 320.4\(b\)\(2\)](#), 1988. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3280 Wetlands.

“Wetlands” means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support,

a prevalence of *vegetation* adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, *street*, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands. For identifying and delineating a wetland, local governments shall use the most recently adopted Wetland Rating System for Western Washington. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329 § 3 (Exh. 1).]

18.20.3282 Wetland class.

“Wetland class” means a hierarchy of systems, subsystems, classes, and subclasses used by the U.S. Fish and Wildlife Service wetland classification scheme to describe wetland types (refer to USFWS, December 1979, Classification of Wetlands and Deepwater Habitats of the United States, for a complete explanation of the wetland classification scheme). Eleven class names are used to describe wetland and deepwater habitat types. These include the following examples which may be found in Kenmore: forested wetland, scrub-shrub wetland, emergent wetland, moss-lichen wetland, unconsolidated shore, and aquatic bed. [Ord. 24-0624 § 4 (Exh. B).]

18.20.3284 Wetland determination.

“Wetland determination” means a report prepared by a qualified consultant that identifies, characterizes, and analyzes potential impacts to wetlands consistent with applicable provisions of these regulations. [Ord. 24-0624 § 4 (Exh. B).]

18.20.3286 Wetland delineation manual.

“Wetland delineation manual” means a guideline document used to identify and delineate wetland boundaries. This is the approved federal wetland delineation manual and applicable regional supplements. [Ord. 24-0624 § 4 (Exh. B).]

18.20.3288 Wetland mitigation banking.

“Wetland mitigation banking” means the act of restoring, establishing, or enhancing a wetland, stream, or other aquatic resource for the purpose of providing compensation in advance for unavoidable impacts to similar aquatic resources. [Ord. 24-0624 § 4 (Exh. B).]

18.20.3290 Wholesale trade.

“Wholesale trade” means an establishment that sell goods for resale by other wholesalers or retailers, capital or durable nonconsumer goods, or raw and intermediate material and supplies used in production. Wholesalers normally operate from a warehouse characterized by little or no display of merchandise. Neither the design nor the location of the premises is intended to solicit walk-in traffic.

May include NAICS Sector 42 (Wholesale Trade). [Ord. 14-0391 § 2 (Exh. 1).]

18.20.3295 Wildlife report.

“Wildlife report” means a report, prepared by a qualified consultant, that evaluates plan communities and wildlife functions and values on a site. [Ord. 24-0624 § 4 (Exh. B).]

18.20.3300 Wildlife shelter.

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

18.20.3305 Wind-firm.

“Wind-firm” means a *tree* which is capable of withstanding windstorms. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3306 Wireless communication facility (WCF).

“Wireless communication facility” or “WCF” generally means an unmanned facility for the transmission and/or reception of radio frequency (RF) signals or other wireless communications, typically consisting of one or more antennas, a transmission or alternative transmission support structure, cables and other transmission equipment, and an equipment enclosure or cabinets. Wireless communication facility shall not include equipment intended solely for internal household or business use such as wireless modems, cellular signal boosters, or personal cellular cellspots. [Ord. 16-0426 § 4 (Att. B).]

18.20.3307 Wireless services.

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

18.20.3310 Work release facility.

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

18.20.3320 Wrecked, dismantled or inoperative vehicle.

“Wrecked, dismantled or inoperative vehicle” means a motor vehicle or the remains or remnant parts of a motor vehicle which is mechanically inoperative and cannot be made operative without the addition of vital parts or mechanisms or the application of a substantial amount of labor and is certified by the *department* as meeting at least three of the following requirements:

A. Is three years old or older;

B. Is extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission;

C. Is apparently inoperable;

D. Has an approximate fair market value equal only to the approximate value of the scrap in it. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3330 Yard or organic waste processing.

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

18.20.3340 Zero-lot-line development.

1 “Zero-lot-line development” means a *development* that sites a *building* so that a wall is on the
2 property boundary. Lot segregations for zero-lot-line development are discussed in
3 KMC [17.20.125](#). [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.3350 Zero-rise floodway.**

5 “Zero-rise floodway” means the channel of the stream and that portion of the adjoining
6 floodplain which is necessary to contain and discharge the base flood flow without increasing
7 the base flood elevation. The zero-rise floodway will always include the FEMA floodway. [Ord.
8 24-0624 § 4 (Exh. B).]

Chapter 18.21 RESIDENTIAL ZONES

Sections:

[18.21.020 Residential zones R-1, R-4 and R-6 – Use allowances.](#)

[18.21.030 Residential zones R-1, R-4 and R-6 – Development standards.](#)

[18.21.035 R-4 and R-6 – Middle Housing](#)

[18.21.040 Residential zones R-12, R-18 and R-24 – Use allowances.](#)

[18.21.045 Residential zone MHC – Use allowances.](#)

[18.21.050 Residential zones R-12, R-18, R-24, R-48, and MHC – Development standards.](#)

[18.21.055 MHC zoning exception.](#)

[18.21.060 Nonresidential land uses in residential zones.](#)

[18.21.070 Personal service, eating and drinking place and retail sales uses in R-4 through R-24 zones.](#)

[18.21.073 Accessory uses.](#)

[18.21.075 Drive-through service.](#)

[18.21.078 Outdoor storage.](#)

[18.21.080 Wireless communication facilities.](#)

18.21.020 Residential zones R-1, R-4 and R-6 – Use allowances.

The following *uses* listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited uses* in residential zones R-1, R-4 and R-6:

Table A. R-1, R-4 and R-6 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Air transportation service</i> ¹	<i>Ambulatory surgery center</i> ²⁵	<i>Adult entertainment business</i>
<i>Arts, entertainment, indoor</i> ^{2,3}	<i>Arts, entertainment, outdoor</i> ²⁶	<i>Animal kennel/shelter</i>
<i>Cottage housing</i> ^{38, 39}	<i>Cemetery, columbarium or mausoleum</i> ²⁷	<i>Auction house</i>
<i>Courtyard apartments</i> ³⁸	<i>College/university</i> ²⁵	<i>Automotive sales and service, marine</i>
<i>Day care</i> ⁴	<i>Community residential facility</i> ²⁸	<i>Automotive sales and service, non-marine</i>
<i>Duplex</i> ³⁸	<i>Eating and drinking place</i> ^{3,29}	<i>Business service, intensive</i>
<i>Educational service</i> ⁵	<i>Hospital</i> ⁵	<i>Business service, standard</i>

Table A. R-1, R-4 and R-6 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Family child-care home⁶</i>	<i>Manufactured housing community³⁰</i>	<i>Cannabis business</i>
<i>Fire or police facility^{7,8}</i>	<i>Personal service³¹</i>	<i>Cannabis cooperative</i>
<i><u>Fourplex³⁸</u></i>	<i>Recreational facility, indoor^{3,16,32}</i>	<i>Construction and trade</i>
<i>Health care and social assistance^{9,10}</i>	<i>Regional land use^{33,34,35}</i>	<i>Funeral home/crematory</i>
<i><u>Multiple-family dwelling¹¹</u></i>	<i>Retail sales^{31,36}</i>	<i>Laboratory</i>
<i>Office¹²</i>	<i>Temporary lodging³⁷</i>	<i>Manufacturing, heavy</i>
<i>Park¹³</i>		<i>Manufacturing, light</i>
<i>Recreational facility, outdoor^{14,15,16}</i>		<i>Mobile food service</i>
<i>Religious institution¹⁷</i>		
<i>Resource land use¹⁸</i>		<i>Retail sales, bulk</i>
<i>Single detached dwelling unit^{19,20}</i>		<i>Secure facility</i>
<i><u>Stacked flats³⁸</u></i>		<i>Transportation</i>
<i>Standalone parking²¹</i>		<i>Vehicle or equipment rental</i>
<i>Supportive living facility²²</i>		<i>Vehicle refueling station</i>
<i><u>Triplex³⁸</u></i>		<i>Warehousing</i>
<i><u>Townhouse³⁸</u></i>		<i>Wholesale trade</i>
<i>Utility facility^{23,24}</i>		

1. One single-engine, noncommercial seaplane shall be permitted only on *lots* that abut a waterbody, provided there are (a) no aircraft sales, service, repair, charter, or rental; and (b) no storage of aviation fuel except that contained in the tank or tanks of the aircraft. A *helistop* at an *emergency* medical evacuation site in conjunction with a police, fire or health service facility is a conditional *use*. All other *air transportation service uses* are prohibited.

2. Only (a) in a *building* listed on the National Register as a historic site or designated as a *City* landmark; (b) as a re-use of a surplus nonresidential facility; or (c) as a joint use of an existing public school facility. All subject to Chapter [18.50](#) KMC. Otherwise, a conditional *use*.

3. *Social card games* are prohibited.

4. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC, or an *accessory use* to a school, *religious institution*, *park*, *sports club* or public housing administered by a *public agency*, and:

- a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no openings except for gates and have a minimum height of six feet;
- b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
- c. Direct access to a developed arterial *street* shall be required in any residential zone; and
- d. Hours of operation may be restricted to assure compatibility with surrounding development.

All other *day care uses* require a *conditional use permit*.

5. K-12 facilities only. All other *educational service uses* require a *conditional use permit*.

6. A *family child-care home* is subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the following requirements:

- a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;
- b. A safe passenger loading area shall be provided;
- c. The *family child-care home* shall comply with all applicable building, fire, safety, and health codes enforced by the *City*;
- d. The *family child-care home* shall comply with all applicable development standards of the *City*, unless determined to be legally nonconforming;
- e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC;
- f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility; and
- g. Prior to receiving State licensing, the family child-care provider shall provide the *City* with proof of written notification informing immediately adjoining property owners of the intent to locate and maintain the *family child-care home*. The notification shall inform the notified parties that comments may be submitted to the DEL and provide contact information for submitting such comments to the DEL. The proof of notification shall be in the form of a written affidavit containing (1) the date and means of notification; (2) a copy of the notification; and (3) a list of the parties to whom the notification was distributed.

7. Limited to “storefront” police offices. Such offices shall not have:

- a. Holding cells;
- b. Suspect interview rooms; or
- c. Long-term storage of stolen properties.

1 All other *fire or police facility uses* require a *conditional use permit*, except police or fire training
 2 facilities, such as shooting ranges, auto test tracks, and fire suppression simulations, which are
 3 prohibited.

4 8. For conditionally permitted fire facilities:

- 5 a. All *buildings* and *structures* shall maintain a minimum distance of 20 feet from property
 6 lines adjoining residential zones;
- 7 b. Any *buildings* from which firefighting equipment emerges onto a street shall maintain a
 8 distance of 35 feet from such *street*; and
- 9 c. No *outdoor storage*.

10 9. Only as a re-use of a public school facility. May be permitted as a conditional *use* if proposed
 11 as re-use of a surplus nonresidential facility. All subject to Chapter [18.50](#) KMC.

12 10. Veterinary clinics are prohibited.

13 ~~11. *Townhouse units only permitted and only on lots in a subdivision or short subdivision*~~
 14 ~~*designed for townhouse units. Other townhouse units require a conditional use*~~
 15 ~~*permit. Apartments are prohibited. Reserved*~~

16 12. *Public agency or utility office* permitted only as a re-use of a public school facility or a
 17 surplus nonresidential facility subject to the provisions of Chapter [18.50](#) KMC. Otherwise, *public*
 18 *agency or utility office* is a conditional *use*. All other office *uses* are prohibited.

19 13. The following conditions and limitations shall apply, where appropriate:

- 20 a. Lighting for *structures* and fields shall be directed away from residential areas;
- 21 b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property
 22 lines adjoining residential zones, except for *structures* in on-site recreation areas
 23 provided under KMC [18.30.130](#) or Chapter [20.47](#) KMC. Setback requirements
 24 for *structures* in these on-site required recreation areas shall be maintained in
 25 accordance with the zoning standards for the underlying residential zone.

26 14. Limited to *stable* and covered riding arena. All other *outdoor recreational*
 27 *facility uses* require a *conditional use permit* except campground, RV park, and shooting range
 28 which are prohibited.

29 15. Covered riding arenas are subject to KMC [18.70.030](#) and shall not exceed 20,000 square
 30 feet unless a *conditional use permit* is obtained. Stabling areas, whether attached or detached,
 31 shall not be counted in this calculation.

32 16. Conditionally permitted recreational facilities are subject to the following conditions and
 33 limitations:

- 34 a. The bulk and scale shall be compatible with residential character of the area;

b. The gross floor area shall not exceed 10,000 square feet unless the *building* is on the same *site* or adjacent to a *site* where a public facility is located or unless the *building* is a nonprofit facility; and

c. Use is limited to residents of a specified residential *development* or to *sports clubs* providing supervised instructional or athletic programs.

17. Only as a re-use of a public school facility subject to Chapter [18.50](#) KMC. Otherwise, a *conditional use permit* is required.

18. Farming is permitted. All other *resource land uses* require a *conditional use permit*, except mineral extraction, which is prohibited.

19. More than one *single detached dwelling unit* may be allowed on an individual *lot* through the *conditional use permit* process. A *conditional use permit* is not required for *lots* in subdivisions, short subdivisions, unit lot subdivisions, or binding site plans approved as multiple unit *lots* or for *accessory dwelling units*.

20. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing communities*. *Designated manufactured homes* are not restricted to *manufactured housing communities*.

21. Limited to *commuter parking lots* for users of transit, carpools or ride-share programs, provided:

a. They are located on existing parking lots for *religious institutions*, schools, or other permitted nonresidential *uses* which have excess capacity available during commuting hours; and

b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable to the *department*.

Other *commuter parking lots* require a *conditional use permit*. All other *standalone parking uses* are prohibited.

22. Only in a *building* listed on the National Register as an historic site or designated as a King County landmark subject to the provisions of Chapter [2.20](#) KMC. Otherwise, a *conditional use permit* is required.

23. Excluding utilities using *bulk gas storage tanks*, which are a conditional *use*. Liquefied natural gas storage tanks are prohibited.

24. *Private stormwater management facilities* permitted except when participating in an approved shared facility drainage plan. *Private stormwater management facilities* shall be located on the same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside a separate tract for such facilities. For shared facilities, such facilities which are not located on the *lot* they are designed to serve shall be located on a *lot* with the same or more intensive zoning designation.

25. Only as a re-use of a public school facility or a surplus nonresidential facility subject to Chapter [18.50](#) KMC.

26. Outdoor performance center and drive-in theater are prohibited.
27. *Structures* shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.
28. *Community residential facility I* only. *Community residential facility II* is prohibited.
29. Not permitted in R-1 and excluding drinking places, and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC [18.21.070](#).
30. *Manufactured housing communities* are not permitted in the R-1 zone.
31. Not permitted in R-1 and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC [18.21.070](#).
32. Bowling center and shooting range are prohibited.
33. *Hydroelectric generation facilities* limited to those that comply with the following:
- a. Any new diversion structure shall not: (1) exceed a height of eight feet as measured from the streambed; or (2) impound more than three surface acres of water at the normal maximum surface level;
 - b. There shall be no active storage;
 - c. The maximum water surface area at any existing dam or diversion shall not be increased;
 - d. An exceedance flow of no greater than 50 percent in mainstream reach shall be maintained;
 - e. Any transmission line shall be limited to a: (1) right-of-way of five miles or less; and (2) capacity of 230 kV or less;
 - f. Any new, permanent access road shall be limited to five miles or less; and
 - g. The facility shall only be located above any portion of the *stream* used by *anadromous fish*.
34. *Nonhydroelectric generation facilities* limited to *cogeneration* facilities for on-site use only.
35. Fairground, amusement park, and stadium/arena are prohibited.
36. Pet shops and auto supply stores are prohibited.
37. Bed and breakfast guesthouse only, subject to the following conditions:
- a. The guesthouse shall be owner-occupied;
 - b. Meals shall be served to paying guests only (no restaurant use permitted);
 - c. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;
 - d. Parking shall be provided as required by this title; and

e. The guesthouse shall be compatible with the neighborhood character as determined by the city manager, and shall not create significant adverse neighborhood effects that cannot be mitigated.

38. Reference KMC 18.21.035 for specific provisions relating to Middle Housing. These uses are permitted in specific R-4 and R-6 areas as defined in KMC 18.21.035(B).

39. Cottage housing permitted pursuant to the standards defined in KMC 18.75.

[Ord. 24-0607 § 2 (Exh. A(V)); Ord. 19-0481 § 2 (Exh. A); Ord. 18-0463 § 3 (Exh. 2); Ord. 17-0438 § 2 (Att. A); Ord. 16-0433 § 2 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 16-0421 § 2 (Att. A); Ord. 14-0384 § 5; Ord. 11-0329 § 3 (Exh. 1).]

18.21.030 Residential zones R-1, R-4 and R-6 – Development standards.

The following zone-specific development standards in Table B apply in the R-1, R-4 and R-6 residential zones:

Table B. R-1, R-4 and R-6 Residential Zones Development Standards

STANDARDS	Z O N E S			
		R-1 ¹	R-4	R-6
Base Density: <i>Dwelling Unit/Acre</i> ²		1 du/ac	4 du/ac ^{3,18}	6 du/ac ¹⁸
Maximum Density: <i>Dwelling Unit/Acre</i> ⁴			6 du/ac	9 du/ac
Minimum Density				
Minimum Lot Width ⁶		35 ft. ⁷	30 ft.	30 ft.
Minimum <i>Street Setback</i>		20 ft. ⁷	15 ft. ^{8,9}	15 ft. ^{8,9}
Minimum Side <i>Setback</i> ^{5,10}		5 ft. ⁷	15 ft. total ¹¹	15 ft. total ¹¹
Minimum Rear <i>Setback</i> ^{5,10}		5 ft. ⁷	20 ft.	20 ft.
Maximum Height ¹²		35 ft.	35 ft.	35 ft. 45 ft. ¹³
Base <i>Impervious Surface</i> : Percentage		30%	45%	60%
Maximum <i>Impervious Surface</i> : Percentage ¹⁴		30% ¹⁵	55%	70%
Minimum Lot Size		2,500 sq. ft.	7,200 sq. ft. ^{16,17}	5,400 sq. ft. ^{16,17}

1.

a. All subdivisions and short subdivisions in the R-1 zone shall be required to be *clustered* when the property is located within or contains:

(1) A *floodplain*,

(2) A regionally or locally significant resource area;

(3) Existing or planned public *parks* or *trails*, or connections to such facilities;

(4) A Category I or II *wetland* or Type S or F *stream*;

(5) A “greenbelt/urban separator” or “wildlife corridor” area designated by the comprehensive plan.

- b. The *development* shall be *clustered* away from *critical areas* or corridors such as urban separators or the wildlife habitat network to the extent possible and the *open space* shall be placed in a separate tract that includes at least 50 percent of the *site*. *Open space* tracts shall be permanent and meet the provisions of KMC [17.20.130](#).

2. Density applies only to *dwelling units* and not to sleeping units.

3. *Manufactured housing communities* shall be allowed a base density of six *dwelling units* per acre.

4. This maximum density may be achieved only through the application of residential density incentives pursuant to Chapter [18.80](#) KMC or *transfers of density credits*, or any combination of density incentive or density transfer. Maximum density may only be exceeded pursuant to KMC [18.80.040](#)(E)(1)(f).

5. These standards may be modified under the provisions for *zero-lot-line developments*.

6. The *building envelope* is determined through meeting minimum lot size and minimum lot width measurement requirements (KMC [18.30.110](#)).

7. The standards of the R-4 zone shall apply if a *lot* is less than 15,000 square feet in area.

8. If *development* provides *alleys* or consists of *townhouses*, then the *street setback* may equal 10 feet.

9. At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the *street* property line. The linear distance shall be measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the *street* property line.

10. Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a *joint use driveway* is located to provide a straight line length of at least 26 feet as measured from the centerline of the garage, carport or fenced parking area, from the access point to the opposite side of the *joint use driveway*.

11. Any side yard shall equal a minimum of five feet but the two side yards combined must equal a minimum of 15 feet.

12. Reserved.

13. The maximum height of 45 feet to be used only for projects as follows:

- a. In R-6 zones, a *building* with a footprint built on slopes exceeding a 15 percent finished grade.

14. Applies to each individual *lot*. *Impervious surface* area standards for:

- a. Regional *uses* shall be established at the time of permit review;
- b. Nonresidential *uses* in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);
- c. Individual *lots* in the R-4 through R-6 zones which are less than 9,076 square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 zone;
- d. *Lots* may be increased beyond the total amount permitted in this chapter subject to approval of a *conditional use permit*;
- e. The base *impervious surface* percentage may be exceeded, up to the maximum *impervious surface* percentage, provided low impact development strategies are implemented subject to approval by the *city manager*.

15 *Lots* smaller than one-half acre in area shall comply with standards of the nearest comparable R-4 through R-6 zone. For *lots* that are one-half acre in area or larger, the maximum *impervious surface* area allowed shall be at least 10,000 square feet. On any *lot* over one acre in area, an additional five percent of the lot area may be used for *buildings* related to agricultural or forestry practices. For *lots* smaller than two acres but larger than one-half acre, an additional 10 percent of the lot area may be used for *structures* which are determined to be medically necessary, provided the *applicant* submits with the permit application a notarized affidavit, conforming with the requirements of KMC [18.100.170](#)(A)(2).

16 For properties with *critical areas* or topographic constraints, up to 20 percent of the number of *lots* in a subdivision or a short subdivision of more than four *lots*, and one of the *lots* in a short plat of four *lots* or less, may contain an area less than the prescribed minimum for this zoning district. In no case shall any *lots* be created which contain an area more than 10 percent less than the prescribed minimum for this zoning district. These smaller *lots* shall be located so as to have the least impact on surrounding properties in terms of consistency of *street frontages* and privacy of abutting properties.

17 This excludes any area required for public or *private streets*, access easements, access tracts, and access panhandles.

18. Unit lot density applies to all lots within the R-4 and R-6 zones, excluding those identified in KMC 18.21.035(B). The following provisions are applicable when determining permitted unit density:

a. The permitted base unit density is:

(1) Two units per parent lot.

(2) Four units per lot on all lots within one-quarter mile walking distance of a major transit stop.

(3) Four units per lot if at least one unit on the lot is affordable housing meeting the requirements of KMC 18.21.035(C).

_____ = revised since 5/12/25 meeting

(4) Accessory dwelling units are considered units for the purposes of calculating unit density, subject to the provisions of KMC 18.73.100.

(5) If single-family residential uses exist or are proposed on a lot pursuant to the base or maximum density, then the unit lot density defined in this section is in addition to the that single-family residential use. Single-family dwellings do not count as units for the purposes of this section. If middle housing uses, including duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, or cottage housing developments are proposed, those are subject to the unit lot density requirements listed in subsection (a)(1-3) of this footnote.

b. The standards of footnote 18 do not apply to lots after subdivision below 1,000 square feet unless the city has enacted an allowable lot size below 1,000 square feet in the zone.

c. The lot lines applicable to a parent lot shall be used to determine dimensional standards that relate to lot dimensions, including but not limited to: minimum lot size, setbacks, maximum gross floor area, maximum hardscape area and maximum lot coverage any created unit lot. These dimensional standards shall not be measured off individual unit lots.

d. Unit density applies to lots created through the fee simple unit lot subdivision process pursuant to KMC 18.20.160 that cannot be further subdivided based on the minimum lot size listed in Table B for the applicable zone.

[Ord. 19-0481 § 2 (Exh. A); Ord. 16-0433 § 2 (Att. A); Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

18.21.034 Residential zones R-4 and R-6 – Affordable Housing

Developments in zones R-4 and R-6 containing residential units shall provide affordable housing as described in Chapter 18.77 KMC. When an affordable housing unit is provided on-site meeting the requirements of KMC 18.21.030, Footnote 18(A), the affordable housing requirements of KMC 18.77.043 have been met.

18.21.035 Residential zones R-4 and R-6 - Middle Housing

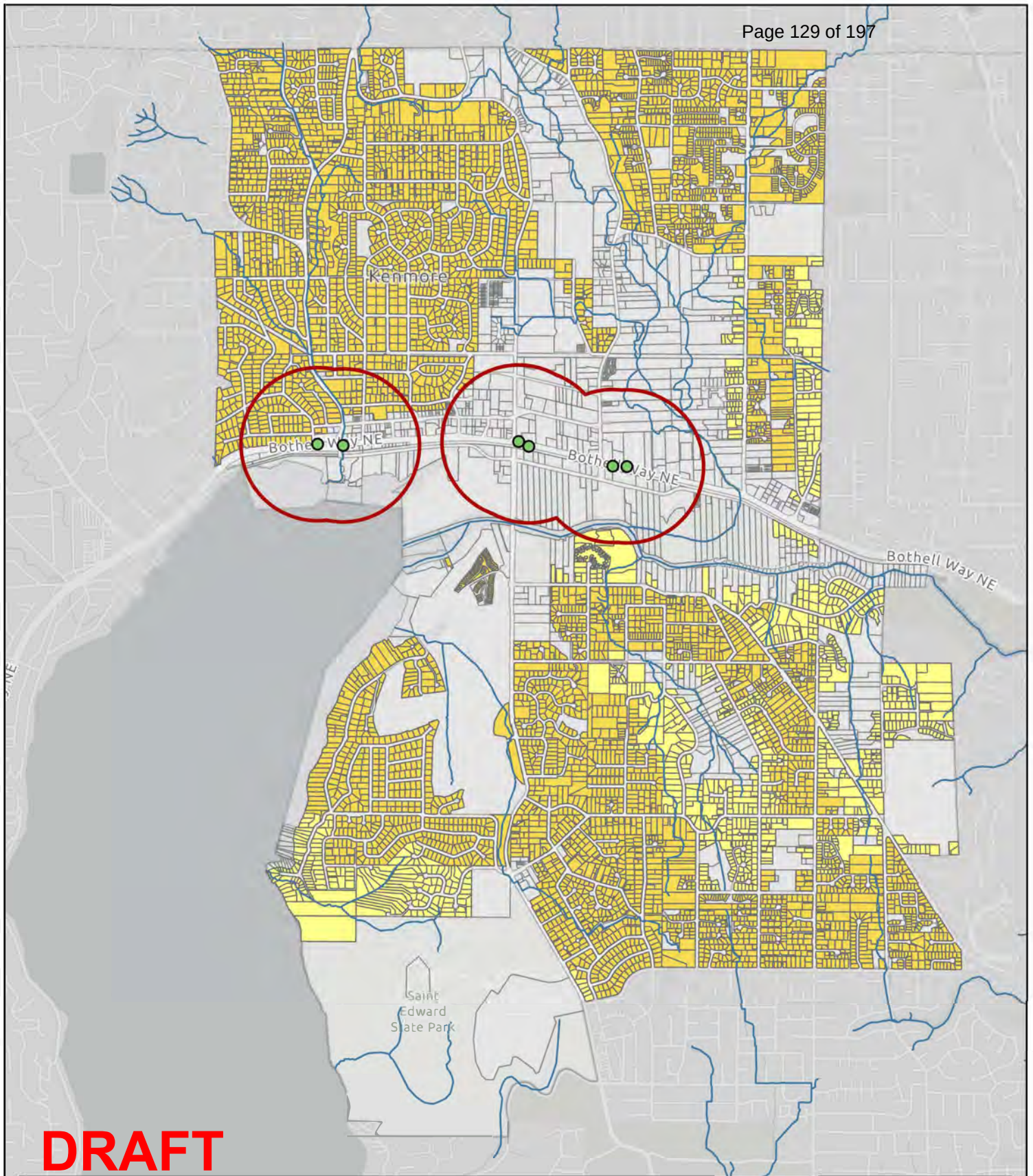
A. Middle housing shall be subject to the same development regulations as detached single-family homes for the purpose of review for consistency with this chapter. Middle housing includes duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, or cottage housing developments.

B. The provisions of this section:

1. Shall apply to all lots in the R-4 and R-6 zoned lots as identified in the exhibit within the subsection. zones, except specific R-4 lots as identified in the exhibit within this subsection.

1 2. Shall not apply to:

- 2 a. Portions of a lot, parcel, or tract designated with critical areas designated
3 under RCW 36.70A.170 or their buffers as required by RCW 36.70A.170,
4 except for critical aquifer recharge areas where a single-family detached
5 house is an allowed use provided that any requirements to maintain aquifer
6 recharge are met.



DRAFT

● Future Stride Line (ST3) Transit Stops

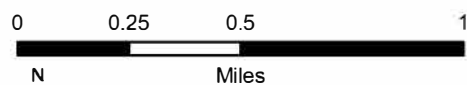
■ R4

■ R6

■ 1/4 Mile Major Transit Stop Buffer

■ All Other Parcels

Figure 1: Applicable Middle Housing R-4 & R-6 Zones



This map is intended for planning purposes only and is not guaranteed to show accurate measurements.



Map Date: May 2025

~~_____ = revised since 5/12/25 meeting~~

~~C. To qualify for additional units under the affordable housing provisions of KMC 18.21.030, Footnote 18(A), an applicant shall commit to renting or selling the required number of units as affordable housing and meeting the standards of subsections (D) through (H) below KMC 18.77.015 and 18.77.050.~~

~~D. Dwelling units that qualify as affordable housing shall have costs, including utilities other than telephone, that do not exceed 30 percent of the monthly income of a household whose income does not exceed the following percentages of median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development:~~

~~_____ Rental housing: 60 percent.~~

~~_____ Owner-occupied housing: 80 percent.~~

~~E. The units shall be maintained as affordable for a term of at least 50 years, and the property shall satisfy that commitment and all required affordability and income eligibility conditions.~~

~~F. The applicant shall record a covenant or deed restriction that ensures the continuing rental or ownership of units subject to these affordability requirements consistent with the conditions in chapter 84.14 RCW for a period of no less than 50 years.~~

~~G. The covenant or deed restriction shall address criteria and policies to maintain public benefit if the property is converted to a use other than that which continues to provide for permanently affordable housing.~~

~~H. The units dedicated as affordable housing shall:~~

~~_____ Be provided in a range of sizes comparable to other units in the development.~~

~~_____ The number of bedrooms in affordable units shall be in the same proportion as the number of bedrooms in units within the entire development.~~

~~_____ Be distributed throughout the development and have the same functionality as the other units in the development.~~

~~_____ Exterior finishes for affordable units shall be comparable to units within the entire development.~~

~~_____ Comply with the requirements of KMC 18.77.015, unless otherwise stated in this section.~~

~~ID. Consistent with all residential uses, building design standards for middle housing shall meet the requirements of KMC 18.52 Article III and Article V.~~

~~EJ. Public Benefits and Development Incentives~~

~~1. The purpose of this section is to:~~

- a. Promote development of a variety of middle housing types by providing a method for flexibility in development standards;
- b. Provide development incentives to *developers* of residential property, in exchange for public benefits to help achieve comprehensive plan goals of a variety of housing types and *open space* protection;
- c. Provide a review process to allow evaluation of proposed development standard modifications per the table in subsection (l)(34).
2. Development incentives are applicable only to applications for middle housing types, including: duplex, triplex, fourplex, townhouse, stacked flats, courtyard apartments, and cottage housing (as specified in the last column of the table below) in the applicable areas identified in KMC 18.21.035(B). These standards are not applicable to development, redevelopment, or remodeling of an existing or new principal single-family unit.
3. The following are the development incentives available to applicants if all requirements are met as specified below. Applicants are limited to one development incentive per neighborhood benefit.

<u>APPLICABLE MIDDLE HOUSING TYPE</u>	<u>NEIGHBORHOOD BENEFIT</u>	<u>DEVELOPMENT INCENTIVE</u>
<u>Duplex, Triplex, Cottage Housing</u>	<u>Building height limited to 27' with a maximum of two stories.</u>	<u>Reduce rear and street setbacks to 10'.</u>
<u>Duplex, Stacked Flat</u>	<u>Redevelop an existing single-family unit with a duplex or stacked flat and maintain the base floor footprint of the existing home.</u>	<u>Density bonus of two additional units totaling up to four units per lot</u>
<u>Cottage housing</u>	<u>Gross floor area for an individual cottage set to a maximum of 1,200 square feet.</u>	<u>Density bonus of up to 50% of the unit density</u>

18.21.040 Residential zones R-12, R-18 and R-24 – Use allowances.

The following *uses* listed in Table C are identified as *permitted*, conditionally permitted, or *prohibited uses* in residential zones R-12, R-18 and R-24:

Table C. R-12, R-18, and R-24 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Air transportation service</i> ¹	<i>Ambulatory surgery center</i> ²⁵	<i>Adult entertainment business</i>
<i>Arts, entertainment, indoor</i> ^{2,3}	<i>Arts, entertainment, outdoor</i> ²⁶	<i>Animal kennel/shelter</i>
<i>College/university</i> ^{4,5}	<i>Cemetery, columbarium or mausoleum</i> ²⁷	<i>Auction house</i>
<i>Community residential facility</i>	<i>Eating and drinking place</i> ^{3,28}	<i>Automotive sales and service, marine</i>

Table C. R-12, R-18, and R-24 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Construction and trade</i> ⁶	<i>Hospital</i> ⁵	<i>Automotive sales and service, non-marine</i>
<i>Day care</i> ⁷	<i>Personal service</i> ²⁹	<i>Business service, intensive</i>
<i>Educational service</i> ⁸	<i>Recreational facility, indoor</i> ^{3,30,31}	<i>Business service, standard</i>
<i>Family child-care home</i> ⁹	<i>Regional land use</i> ³²	<i>Cannabis business</i>
<i>Fire or police facility</i> ^{10,11,12}	<i>Retail sales</i> ^{29,33}	<i>Cannabis cooperative</i>
<i>Health care and social assistance</i> ^{4,5,13}	<i>Temporary lodging</i> ³⁴	<i>Funeral home/crematory</i>
<i>Manufactured housing community</i>	<i>Warehousing</i> ³⁵	<i>Laboratory</i>
<i>Multiple-family dwelling</i>		<i>Manufacturing, heavy</i>
<i>Office</i> ¹⁴		<i>Manufacturing, light</i>
<i>Park</i> ¹⁵		<i>Mobile food service</i>
<i>Recreational facility, outdoor</i> ^{16,17}		<i>Resource land use</i>
<i>Religious institution</i> ¹⁸		<i>Retail sales, bulk</i>
<i>Single detached dwelling unit</i> ^{19,20}		<i>Secure facility</i>
<i>Standalone parking</i> ²¹		<i>Transportation</i>
<i>Supportive living facility</i>		<i>Vehicle or equipment rental</i>
<i>Utility facility</i> ^{22,23,24}		<i>Vehicle refueling station</i>
		<i>Wholesale trade</i>

1. One single-engine, noncommercial seaplane shall be permitted only on *lots* that abut a waterbody, provided there are (a) no aircraft sales, service, repair, charter, or rental; and (b) no storage of aviation fuel except that contained in the tank or tanks of the aircraft. A *helistop* at an *emergency* medical evacuation site in conjunction with a police, fire or health service facility is a *conditional use*. All other *air transportation service uses* are prohibited.

2. Museums and libraries permitted only as accessory to a *park* or in a *building* listed on the National Register as an historic site or designated as a *City* landmark subject to Chapter [18.50](#) KMC; otherwise, a *conditional use permit* is required. Artist studios permitted only as a re-use of a surplus nonresidential facility subject to Chapter [18.50](#) KMC or as a joint use of an existing public school facility; otherwise a *conditional use permit* is required. For all

1 other *arts, entertainment, indoor uses, a conditional use permit* is required, except theater, which
2 is prohibited.

3 3. *Social card games* are prohibited.

4 4. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC.

5 5. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to
6 Chapter [18.50](#) KMC.

7 6. Permitted when:

8 a. Located in the R-24 zone; and

9 b. On a *site in office or construction and trade office uses* as of May 8, 2003; and

10 c. Part of a *mixed use development*; and

11 d. Limited to 15,000 square feet; and

12 e. No *outdoor storage* of equipment occurs.

13 Otherwise, prohibited.

14 7. *Day care II* permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC,
15 or an *accessory use* to a school, *religious institution, park, sports club* or public housing
16 administered by a *public agency*; and:

17 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no openings
18 except for gates and have a minimum height of six feet;

19 b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines
20 adjoining residential zones;

21 c. Direct access to a developed arterial *street* shall be required in any residential zone; and

22 d. Hours of operation may be restricted to assure compatibility with surrounding development.

23 Otherwise, *day care II* requires a *conditional use permit*.

24 8. K-12 facilities only, except vocational school which is permitted only as a re-use of a surplus
25 nonresidential facility subject to Chapter [18.50](#) KMC unless a *conditional use permit* is obtained.
26 All other *educational service uses* require a *conditional use permit*.

27 9. A *family child-care home* is subject to the requirements established by the Washington State
28 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the
29 following requirements:

30 a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;

31 b. A safe passenger loading area shall be provided;

32 c. The *family child-care home* shall comply with all applicable building, fire, safety, and health
33 codes enforced by the *City*;

d. The *family child-care home* shall comply with all applicable development standards of the *City*, unless determined to be legally nonconforming;

e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC; and

f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility.

10. Limited to “storefront” police offices. Such offices shall not have:

a. Holding cells;

b. Suspect interview rooms; or

c. Long-term storage of stolen properties.

All other police facilities require a *conditional use permit*.

11. Fire facilities require a *conditional use permit*, subject to the following:

a. All *buildings* and *structures* shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

b. Any *buildings* from which fire-fighting equipment emerges onto a *street* shall maintain a distance of 35 feet from such *street*, and

c. No *outdoor storage*.

12. Fire or police training facilities such as shooting ranges, auto test tracks, and fire suppression simulations are prohibited.

13. Veterinary clinics are prohibited.

14. *Public agency* or *utility office* is permitted only as a re-use of a public school facility or a surplus nonresidential facility subject to the provisions of Chapter [18.50](#) KMC. All other *office uses* require a *conditional use permit*.

15. The following conditions and limitations shall apply, where appropriate:

a. Lighting for *structures* and fields shall be directed away from residential areas;

b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones, except for *structures* in on-site recreation areas provided under KMC [18.30.130](#) or Chapter [20.47](#) KMC. Setback requirements for *structures* in these on-site required recreation areas shall be maintained in accordance with the zoning standards for the underlying residential zone.

16. Golf course facility only permitted. Clubhouses, maintenance *buildings*, equipment storage areas and driving range tees shall be at least 50 feet from residential property lines. Lighting for practice greens and driving range ball impact areas shall be directed away from adjoining residential zones. Applications shall comply with adopted best management practices for golf course development. All other *outdoor recreational facility uses* are conditional *uses*, except *stable*, RV park, and shooting range, which are prohibited.

17. Conditional *uses* are subject to the following conditions and limitations:
- a. The bulk and scale shall be compatible with residential character of the area;
 - b. Use is limited to residents of a specified residential *development* or to *sports clubs* providing supervised instructional or athletic programs.
18. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC. Other *religious institutions* require a *conditional use permit*.
19. More than one *single detached dwelling unit* may be allowed on an individual *lot* through the *conditional use permit* process. A *conditional use permit* is not required for *lots* in subdivisions, short subdivisions or binding site plans approved as multiple unit *lots* or for *accessory dwelling units*.
20. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing communities*. *Designated manufactured homes* are not restricted to *manufactured housing communities*.
21. Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:
- a. They are located on existing parking lots for *religious institutions*, schools, or other permitted nonresidential *uses* which have excess capacity available during commuting hours; and
 - b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable to the *department*.
- Otherwise a *conditional use permit* is required.
22. *Bulk gas storage tanks* which pipe to individual residences require a *conditional use permit*. All other *bulk gas storage tanks*, including liquefied natural gas storage tanks, are prohibited.
23. *Private stormwater management facilities* permitted except when participating in an approved shared facility drainage plan. *Private stormwater management facilities* shall be located on the same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside a separate tract for such facilities. For shared facilities, such facilities which are not located on the *lot* they are designed to serve shall be located on a *lot* with the same or more intensive zoning designation.
24. *Hydroelectric generation facilities* are prohibited. A *nonhydroelectric generation facility* may be conditionally permitted as a *cogeneration* facility for on-site use only.
25. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to Chapter [18.50](#) KMC.
26. Arboretum only.
27. *Structures* shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

28. Excluding drinking places, and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC [18.21.070](#).

29. Limited to a maximum of 5,000 square feet of gross floor area and subject to the additional requirements in KMC [18.21.070](#).

30. Conditional *uses* are subject to the following conditions and limitations:

a. The bulk and scale shall be compatible with residential character of the area;

b. For *sports clubs*, the gross floor area shall not exceed 10,000 square feet unless the *building* is on the same *site* or adjacent to a *site* where a public facility is located or unless the *building* is a nonprofit facility; and

c. Use is limited to residents of a specified residential *development* or to *sports clubs* providing supervised instructional or athletic programs.

31. Bowling center and shooting range are prohibited.

32. Amusement park, fairground, and stadium/arena are prohibited.

33. Auto supply stores and pet shops are prohibited.

34. Bed and breakfast guesthouse only, subject to the following conditions:

a. The guesthouse shall be owner-occupied;

b. Meals shall be served to paying guests only (no restaurant *use* permitted);

c. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;

d. Parking shall be provided as required by this title; and

e. The guesthouse shall be compatible with the neighborhood character as determined by the *city manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.

35. *Self-service storage* only permitted and only if accessory to an *apartment development* of at least 12 units, provided:

a. The gross floor area in *self-service storage* shall not exceed the total gross floor area of the *apartment* dwellings on the *site*;

b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;

c. The use of the facility shall be limited to dead storage of household goods;

d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;

e. No *outdoor storage* or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;

f. No residential occupancy of the storage units;

- g. No business activity other than the rental of storage units; and
- h. A resident director shall be required on the *site* and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
- [Ord. 24-0607 § 2 (Exh. A(VI)); Ord. 19-0481 § 2 (Exh. A); Ord. 18-0463 § 3 (Exh. 2); Ord. 17-0438 § 2 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 16-0421 § 2 (Att. A); Ord. 14-0384 § 5; Ord. 11-0329 § 3 (Exh. 1).]
- 18.21.045 Residential zone MHC – Use allowances.**
- The following *uses* listed in Table D are identified as *permitted*, conditionally permitted, or *prohibited uses* in residential zone MHC:

Table D. MHC Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Day care</i> ¹	<i>Community residential facility</i>	<i>Adult entertainment business</i>
<i>Family child-care home</i> ²	<i>Cemetery, columbarium or mausoleum</i>	<i>Air transportation service</i>
<i>Manufactured housing community</i> ⁸	<i>Educational service</i> ⁶	<i>Ambulatory surgery center</i>
<i>Park</i> ³	<i>Religious institution</i>	<i>Animal kennel/shelter</i>
<i>Single detached dwelling unit</i> ^{4,5}	<i>Supportive living facility</i>	<i>Arts, entertainment, indoor</i>
	<i>Temporary lodging</i> ⁷	<i>Arts, entertainment, outdoor</i>
		<i>Auction house</i>
		<i>Automotive sales and service, marine</i>
		<i>Automotive sales and service, nonmarine</i>
		<i>Business service, intensive</i>
		<i>Business service, standard</i>
		<i>Cannabis business</i>
		<i>Cannabis cooperative</i>
		<i>College/university</i>
		<i>Construction and trade</i>
		<i>Eating and drinking place</i>
		<i>Fire or police facility</i>
		<i>Funeral home/crematory</i>

Table D. MHC Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
		<i>Health care and social assistance</i>
		<i>Hospital</i>
		<i>Laboratory</i>
		<i>Manufacturing, heavy</i>
		<i>Manufacturing, light</i>
		<i>Mobile food service</i>
		<i>Multiple-family dwelling</i>
		<i>Office</i>
		<i>Personal service</i>
		<i>Recreational facility, indoor</i>
		<i>Recreational facility, outdoor</i>
		<i>Regional land use</i>
		<i>Resource land use</i>
		<i>Retail sales</i>
		<i>Retail sales, bulk</i>
		<i>Secure facility</i>
		<i>Standalone parking</i>
		<i>Transportation</i>
		<i>Utility facility</i>
		<i>Vehicle or equipment rental</i>
		<i>Vehicle refueling station</i>
		<i>Warehousing</i>
		<i>Wholesale trade</i>

- 1 1. *Day care I* is permitted. *Day care II* is permitted only as an *accessory use* to a *religious*
- 2 *institution, park* or public housing administered by a *public agency*, and:
- 3 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence* with no openings
- 4 except for gates and have a minimum height of six feet;
- 5 b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines
- 6 adjoining residential zones;
- 7 c. Direct access to a developed arterial *street* shall be required in any residential zone; and

d. Hours of operation may be restricted to assure compatibility with surrounding *development*.

Otherwise, *day care II* requires a *conditional use permit*.

2. A *family child-care home* is subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the following requirements:

a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;

b. A safe passenger loading area shall be provided;

c. The *family child-care home* shall comply with all applicable building, fire, safety, and health codes enforced by the *City*;

d. The *family child-care home* shall comply with all applicable development standards of the *City*, unless determined to be legally nonconforming;

e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC; and

f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility.

3. The following conditions and limitations shall apply, where appropriate:

a. Lighting for *structures* and fields shall be directed away from residential areas;

b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

4. One *single detached dwelling unit* only per existing legal lot as of April 23, 2019.

5. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing communities*. *Designated manufactured homes* are not restricted to *manufactured housing communities*.

6. K-12 facilities only. All other *educational service uses* are prohibited.

7. Bed and breakfast guesthouse only, subject to the following conditions:

a. The guesthouse shall be owner-occupied;

b. Meals shall be served to paying guests only (no restaurant *use* permitted);

c. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;

d. Parking shall be provided as required by this title; and

e. The guesthouse shall be compatible with the neighborhood character as determined by the *city manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.

8. For properties continuing in an existing *manufactured housing community use* after April 23, 2019, a *transfer of density credits* shall be permitted. See Chapter [18.80](#) KMC.

[Ord. 24-0607 § 2 (Exh. A(VII)); Ord. 19-0481 § 2 (Exh. A).]

18.21.050 Residential zones R-12, R-18, R-24, R-48, and MHC – Development standards.

The following zone-specific development standards in Table E apply in the R-12, R-18, R-24, R-48, and MHC residential zones:

Table E. R-12, R-18, R-24, R-48, and MHC Residential Zones Development Standards

STANDARDS	Z O N E S	R-12	R-18	R-24	R-48	MHC ¹²
Base Density: <i>Dwelling Unit/Acre</i> ¹		12 du/ac	18 du/ac	24 du/ac	48 du/ac	12 du/ac
Maximum Density: <i>Dwelling Unit/Acre</i> ²		18 du/ac	27 du/ac	36 du/ac	72 du/ac	18 du/ac
Minimum Density ¹¹		80%	75%	70%	65%	80%
Minimum Lot Width ⁴		30 ft.	30 ft.	30 ft.	30 ft.	--
Minimum <i>Street Setback</i>		10 ft. ⁶	10 ft. ⁶	10 ft. ⁶	10 ft. ⁶	10 ft.
Minimum Side <i>Setback</i> ^{3,5}		5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft.
Minimum Rear <i>Setback</i> ^{3,5}		5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft.
Base Height ⁸		60 ft.	60 ft. 80 ft. ⁹	60 ft. 80 ft. ⁹	60 ft. 80 ft. ⁹	35 ft.
Maximum <i>Impervious Surface</i> Percentage ¹⁰		85%	85%	85%	90%	85%
Minimum Lot Size		--	--	--	--	--

¹ Density applies only to *dwelling units* and not to sleeping units.

² This maximum density may be achieved only through the application of residential density incentives pursuant to Chapter [18.80](#) KMC or *transfers of density credits*, or any combination of density incentive or density transfer. Maximum density may only be exceeded pursuant to KMC [18.80.040](#)(E)(1)(f).

³ These standards may be modified under the provisions for *zero-lot-line developments*.

⁴ The *building envelope* is determined through meeting minimum lot size and minimum lot width measurement requirements (KMC [18.30.110](#)).

⁵ Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a *joint use driveway* is located to provide a straight line length of at

least 26 feet as measured from the centerline of the garage, carport or fenced parking area, from the access point to the opposite side of the *joint use driveway*.

⁶ At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the *street* property line. The linear distance shall be measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the *street* property line.

⁷ a. For *developments* consisting of three or more single detached dwellings located on a single parcel, the *setback* shall be 10 feet along any property line abutting R-1 through R-6, except for *structures* in on-site recreation areas required in KMC [18.30.130](#), which shall have a *setback* of five feet.

b. For *townhouse* and *apartment development*, the *setback* shall be 20 feet along any property line abutting R-1 through R-6, except for *structures* in on-site recreation areas required in KMC [18.30.130](#), which shall have a *setback* of five feet, unless the *townhouse* or *apartment development* is adjacent to property upon which an existing *townhouse* or *apartment development* is located.

⁸ In the R-12, R-18, R-24 and R-48 zones, height limits may be increased when portions of the *structure* which exceed the base height limit provide one additional foot of *street* and interior *setback* for each foot above the base height limit, provided the maximum height may not exceed 75 feet. Netting or fencing and support *structures* for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from the additional interior *setback* requirements; provided, that the maximum height shall not exceed 75 feet.

⁹ The base height to be used only for projects as follows:

a. In R-18, R-24 and R-48 zones using residential density incentives and *transfer of density credits* pursuant to this title.

¹⁰ Applies to each individual *lot*. *Impervious surface* area standards for:

a. Regional *uses* shall be established at the time of permit review;

b. Nonresidential *uses* in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);

c. *Lots* may be increased beyond the total amount permitted in this chapter subject to approval of a *conditional use permit*.

¹¹ Minimum density is determined by multiplying the allowable number of dwelling units, as calculated using KMC [18.30.020](#), by the percentage shown for each zone.

¹² See also the standards in KMC [18.50.140](#).

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

18.21.055 MHC zoning exception.

A. A *manufactured housing community* landowner may request an exception from the application of the MHC zoning to their property through a Type 4 permit process as described in Chapter [19.25](#) KMC.

B. Along with other information required by the *department*, the application shall include information demonstrating that:

1. There is no *reasonable use* of the MHC property under the MHC zoning;
2. The *uses* authorized by the MHC zoning are not economically viable at the property's location; and
3. The proposal meets the zone reclassification criteria in KMC [18.115.060](#).

If, based on the information provided, the request is granted by the city council, the property shall revert to the zoning designation in place on April 23, 2019, without further action by the council. If necessary, a comprehensive plan map amendment to recognize that zoning designation shall be initiated by the *City*. [Ord. 19-0481 § 2 (Exh. A).]

18.21.060 Nonresidential land uses in residential zones.

Except for *utility facilities*, *regional land uses*, and nonresidential *uses* regulated by KMC [18.21.070](#), all nonresidential *uses* located in the R zones shall be subject to the following requirements:

A. *Impervious surface* coverage shall not exceed:

1. Seventy percent of the *site* in the R-1 through R-6 zones.
2. Eighty percent of the *site* in the R-12 through R-48 and MHC zones.

B. *Buildings* and *structures*, except *fences* and wire or mesh backstops, shall not be closer than 30 feet to any property line, except as provided in subsection C of this section.

C. A single detached dwelling allowed as accessory to a church or school shall conform to the *setback* requirements of the zone.

D. Parking areas are permitted within the required *setback* area from property lines, provided such parking areas are located outside of the required landscape area.

E. *Sites* shall abut or be accessible from at least one public *street* functioning at a level consistent with the *City street* design standards. New *high school sites* shall abut or be accessible from a public *street* functioning as an arterial per the *City* design standards.

F. The base height shall conform to the zone in which the *use* is located.

G. *Building* illumination and lighted *signs* shall be designed so that no direct rays of light are projected into neighboring residences or onto any *street* right-of-way. [Ord. 19-0481 § 2 (Exh. A); Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

18.21.070 Personal service, eating and drinking place and retail sales uses in R-4 through R-24 zones.

Personal service uses, eating and drinking place uses, and retail sales uses which are located in the R-4 through R-24 zones shall be subject to the following requirements:

A. Each individual establishment shall not exceed 5,000 square feet of gross floor area and the combined total of all contiguous commercial establishments shall not exceed 15,000 square feet of gross floor area;

B. Establishments shall not be located less than one mile from another commercial establishment, unless located with other establishments meeting the criteria in subsection A of this section;

C. Establishment *sites* shall abut an intersection of two public *streets*, each of which is designated as a neighborhood collector or arterial and which has improved pedestrian facilities for at least one-fourth mile from the *site*;

D. The maximum on-site parking ratios for establishments and *sites* shall be two per 1,000 square feet and required parking shall not be located between the *building(s)* and the *street*;

E. *Buildings* shall comply with the *building facade modulation* and roofline variation requirements in KMC [18.50.080](#) and at least one facade of the *building* shall be located within five feet of the sidewalk;

F. If the *personal service, eating and drinking place, or retail sales use* is located in a *building* with multifamily *uses*, then the commercial *use* shall be on the *ground floor* and shall not exceed 25 percent of the total floor area of the *building*; and

G. *Sign* and *landscaping* standards for the *use* apply. [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

18.21.073 Accessory uses.

Accessory uses, when consistent with the definition in Chapter [18.20](#) KMC, are allowed as determined by the *city manager*. [Ord. 17-0438 § 3 (Att. B).]

18.21.075 Drive-through service.

Drive-through service is prohibited in these zoning districts. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 3 (Att. B).]

18.21.078 Outdoor storage.

Outdoor storage is prohibited in these zoning districts. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 3 (Att. B).]

18.21.080 Wireless communication facilities.

Use allowances and development regulations for *wireless communication facilities* are located in Chapter [18.60](#) KMC. [Ord. 16-0426 § 6 (Att. D).]

Chapter 18.30

DEVELOPMENT STANDARDS – GENERAL

Sections:

[18.30.010 Purpose.](#)

[18.30.015 Burke-Gilman Trail.](#)

[18.30.020 Density calculations – Allowable dwelling units, lots or floor area.](#)

[18.30.040 Fences.](#)

[18.30.050 Height – Measurement method.](#)

[18.30.060 Height – Exceptions to limits.](#)

[18.30.070 Light and glare.](#)

[18.30.080 Lot area – Prohibited reduction.](#)

[18.30.090 Lot area – Minimum lot area for construction.](#)

[18.30.100 Lot divided by zone boundary.](#)

[18.30.110 Lot width – Measurement method.](#)

[18.30.112 Cannabis businesses – Standards.](#)

[18.30.113 Outdoor storage for nonresidential uses.](#)

[18.30.115 Public nuisance – Prohibited activities.](#)

[18.30.130 Recreation space – On-site areas.](#)

[18.30.140 Recreation space – Maintenance.](#)

[18.30.150 Recreation space – Financial guarantees.](#)

[18.30.155 Recreational vehicles.](#)

[18.30.160 Setbacks – Measurement.](#)

[18.30.170 Setbacks – Specific building or use.](#)

[18.30.190 Setbacks – Modifications.](#)

[18.30.200 Setbacks – From regional utility corridors.](#)

[18.30.210 Setbacks – From alley.](#)

[18.30.220 Setbacks – Required modifications.](#)

[18.30.230 Setbacks – Projections and structures allowed.](#)

[18.30.240 Sight distance requirements.](#)

[18.30.250 Storage space and collection points for trash and recyclables.](#)

[18.30.260 Trail corridors – Applicability.](#)

[18.30.270 Trail corridors – Design standards.](#)

[18.30.280 Trail corridors – Maintenance of trail corridors/improvements.](#)

[18.30.290 Relocation plan for manufactured housing communities.](#)

18.30.010 Purpose.

The purpose of this chapter is to establish basic standards for *development* relative to residential density, dimensional requirements and specific rules for general application. The standards and rules are established to provide flexibility in project design, maintain privacy between adjacent *uses* and meet the on-site recreation needs of project residents. [Ord. 11-0329 § 3 (Exh. 1).]

18.30.015 Burke-Gilman Trail.

A. RB-zoned properties which lie north of NE 175th Street shall provide 10 feet of Type II *landscaping* along the common property boundary with the Burke-Gilman public trail right-of-way. Property owners may negotiate with King County to have the Type II *landscaping* located within the Burke-Gilman public right-of-way.

B. The Burke-Gilman Trail shall be considered a public right-of-way for purposes of Sections [18.52.180](#), [18.52.200](#), [18.52.230](#), [18.52.240](#), and [18.52.310](#) of Chapter [18.52](#) KMC (Design Standards). [Ord. 23-0574 § 2 (Exh. A); Ord. 14-0391 § 2 (Exh. 1).]

18.30.020 Density calculations – Allowable dwelling units, lots or floor area.

Permitted number of *dwelling units* or *lots* or floor area shall be determined as follows:

A. The allowed number of *dwelling units* or *lots* (base density) shall be computed by multiplying the *site area* by the applicable residential base density number;

[1. Areas specified within KMC 18.21.035\(B\) are permitted at least 2 dwelling units per lot per the requirements of KMC 18.21.030, Footnote 18.](#)

B. The maximum density (unit or *lot*) limits shall be computed by adding the bonus or transfer units authorized by Chapter [18.80](#) KMC to the base units computed under subsection A of this section;

C. The allowed floor area shall be computed by applying the *floor area ratio* to the project *site area*, and

D. Except for short subdivisions of four or fewer *lots*, when density calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

1. Fractions of 0.50 or above shall be rounded up; and

2. Fractions below 0.50 shall be rounded down.

E. When density calculations result in a fraction, the permitted number of *lots* derived from short subdivisions of four or fewer *lots* shall be rounded as follows:

1. For a short subdivision resulting in less than two *lots* (base density) as described in subsection A of this section, fractions of 0.85 shall be rounded up to the nearest whole number and fractions below 0.85 shall be rounded down.

2. For a short subdivision resulting in more than two but less than three *lots* (base density) as described in subsection A of this section, fractions of 0.75 shall be rounded up to the nearest whole number and fractions below 0.75 shall be rounded down.

3. For a short subdivision resulting in more than three *lots* but less than four *lots* (base density) as described in subsection A of this section, fractions of 0.60 shall be rounded up to the nearest whole number and fractions below 0.60 shall be rounded down. [Ord. 11-0329 § 3 (Exh. 1).]

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Chapter 18.40

DEVELOPMENT STANDARDS – PARKING AND CIRCULATION

Sections:

[18.40.010 Purpose.](#)

[18.40.020 Authority and application.](#)

[18.40.030 Computation of required off-street parking spaces.](#)

[18.40.035 Parking in the urban residential zone, downtown commercial zone east of 73rd Avenue NE, public and semi-public zone abutting SR-522, and the urban corridor zone, east subarea.](#)

[18.40.038 Exceedance of minimum parking – Downtown commercial zone, downtown residential zone, urban corridor zone, east subarea, and urban residential zone.](#)

[18.40.040 Shared parking requirements.](#)

[18.40.050 Exceptions for community residential facilities \(CRF\) and senior citizen assisted living.](#)

[18.40.055 Parking for certain types of development served by transit.](#)

[18.40.060 Parking for the disabled.](#)

[18.40.070 Loading space and loading dock requirements.](#)

[18.40.080 Stacking spaces for drive-through facilities.](#)

[18.40.090 Transit and rideshare provisions.](#)

[18.40.100 Pedestrian and bicycle circulation and access.](#)

[18.40.110 Off-street parking plan design standards.](#)

[18.40.120 Off-street parking construction standards.](#)

[18.40.130 Compact car allowance requirements.](#)

[18.40.140 Internal circulation road standards.](#)

18.40.010 Purpose.

The purpose of this chapter is to provide adequate parking for all *uses* allowed in this title; to reduce demand for parking by encouraging alternative means of transportation including public transit, rideshare and bicycles; and to increase pedestrian mobility in urban areas by:

A. Setting minimum off-street parking standards for different land *uses* that assure safe, convenient and adequately sized parking facilities within activity centers;

B. Providing incentives to rideshare through preferred parking arrangements;

C. Providing for parking and storage of bicycles;

- 1 D. Requiring the use of permeable surfacing unless infeasible;
- 2 E. Providing safe, direct pedestrian access from public rights-of-way to *structures* and
- 3 between *developments*; and
- 4 F. Requiring *uses* which attract large numbers of employees or customers to provide transit
- 5 stops. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

6 **18.40.020 Authority and application.**

7 A. Before an occupancy permit may be granted for any new or enlarged *building* or for a change

8 of *use* in any existing *building*, the *use* shall be required to meet the provisions of this chapter.

9 B. If this chapter does not specify a parking requirement for a land *use*, the *city manager* shall

10 establish the minimum requirement based on a study of anticipated parking demand.

11 Transportation demand management actions taken at the *site* shall be considered in

12 determining anticipated demand. If the *site* is located in an activity center or community

13 business center, the minimum requirement shall be set at a level less than the anticipated

14 demand, but at no less than 75 percent of the anticipated demand. In the study

15 the *applicant* shall provide sufficient information to demonstrate that the parking demand for a

16 specific land *use* will be satisfied. Parking studies shall be prepared by a professional engineer

17 with expertise in traffic and parking analyses, or an equally qualified individual as authorized by

18 the *city manager*.

19 C. If the required amount of off-street parking has been proposed to be provided off-site,

20 the *applicant* shall provide written contracts with affected landowners showing that required

21 off-street parking shall be provided in a manner consistent with the provisions of this chapter.

22 The contracts shall be reviewed by the *city manager* for compliance with this chapter, and if

23 approved, the contracts shall be recorded with the county records and elections division as a

24 deed restriction on the title to all applicable properties. These deed restrictions may not be

25 revoked or modified without authorization by the *city manager*.

26 D. Where a neighborhood or subarea plan with design guidelines that includes the subject

27 property has been adopted, the *city manager* shall base allowable waivers or modifications on

28 the policies and guidelines in such plan. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.40.030 Computation of required off-street parking spaces.**

30 A. Except as modified in KMC [18.40.035](#), [18.40.040](#), [18.40.050](#), [18.40.055](#) or [18.40.090](#), off-

31 street parking areas shall contain at a minimum the number of *parking spaces* as stipulated in

32 the following table. Off-street parking ratios expressed as number of spaces per square feet

33 means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic

34 areas include but are not limited to building maintenance areas, storage areas, closets,

35 restrooms and exterior walls. If the formula for determining the number of off-street *parking*

36 *spaces* results in a fraction, the number of off-street *parking spaces* shall be rounded to the

37 nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50

38 rounding down.

1

LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
RESIDENTIAL:		
<i>Single detached dwelling unit</i>	2.0 per <i>dwelling unit</i>	2.0 per <i>dwelling unit</i> ; tandem stalls permitted
<i><u>Duplex, Triplex, and Fourplex</u></i>	<u>1. 1.0 per dwelling unit; or</u> <u>2. No required parking within one- half mile walking distance of a major transit stop.</u> <u>3. Tandem stalls permitted.</u>	<u>1. 1.0 per dwelling unit; or</u> <u>2. No required parking within one-half mile walking distance of a major transit stop.</u> <u>3. Tandem stalls permitted.</u>
<i>Townhouse</i>	<u>1. 2.0 per dwelling unit 1.0 per dwelling unit; or</u> <u>2. No required parking within one- half mile walking distance of a major transit stop.</u> <u>3. Tandem stalls permitted.</u>	<u>1.5 per dwelling unit; tandem stalls permitted</u> <u>1. 1.0 per dwelling unit; or</u> <u>2. No required parking within one-half mile walking distance of a major transit stop.</u> <u>3. Tandem stalls permitted.</u>
<i>Guest parking</i>	1 space for every 5 units	1 space for every 5 units
<i>Apartment.</i>		
<i>Microhousing dwelling unit</i>	Within 1/4 mile of SR-522: 0.75 per dwelling unit. Otherwise, 1.2 per dwelling unit	Within 1/4 mile of SR-522: 0.75:du. Otherwise, 1.0:du. Tandem stalls permitted
Studio unit	1.2 per <i>dwelling unit</i>	1.0:du; tandem stalls permitted
One-bedroom unit	1.5 per <i>dwelling unit</i>	1.0:du; tandem stalls permitted
Two-bedroom unit	1.7 per <i>dwelling unit</i>	1.5:du; tandem stalls permitted

LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Three-bedroom unit or larger	2.0 per <i>dwelling unit</i>	1.7:du; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
<u><i>Courtyard Apartments and Stacked Flats</i></u>	<u>1. 1.0 per dwelling unit; or</u> <u>2. No required parking within one-half mile walking distance of a major transit stop.</u> <u>3. Guest parking required per the apartment standard in this table.</u>	<u>1. 1.0 per dwelling unit</u> <u>2. No required parking within one-half mile walking distance of a major transit stop.</u> <u>3. Guest parking required per the standard in this table.</u>
<u><i>Cottage Housing</i></u>	<u>1.0 per two dwelling units; If located in areas specified in KMC 18.21.035(B):</u> <u>1. No required parking within one-half mile walking distance of a major transit stop.</u>	<u>1. 1.0 per two dwelling units; or</u> <u>2. No required parking within one-half mile walking distance of a major transit stop.</u>
<i>Manufactured housing community</i>	2.0 per <i>dwelling unit</i>	2.0 per <i>dwelling unit</i>
<i>Senior citizen assisted living</i>	1 per 2 dwelling or sleeping units	1 per 2 dwelling or sleeping units
<i>Community residential facility</i>	1 per 2 bedrooms	1 per 2 bedrooms
Dormitory, including religious	1 per 2 bedrooms	1 per 2 bedrooms
<i>Hotel/ motel</i>	1 per bedroom	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility	1 per guest room, plus 2 per facility

LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Other residential land uses	(city manager)	(city manager)
RECREATIONAL/CULTURAL:		
<i>Recreational/cultural land uses</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Bowling center	5 per lane	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of clubhouse facilities	–
Tennis club	4 per tennis court, plus 1 per 300 square feet of clubhouse facility	–
Golf driving range	1 per tee	–
<i>Park/playfield</i>	(city manager)	(city manager)
Theater	1 per 3 fixed seats	1 per 3 fixed seats
<i>Conference center</i>	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces
<i>Artist studio</i>	0.9 per 1,000 square feet of area used for studios	0.9 per 1,000 square feet of area used for studios
GENERAL SERVICES:		

LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
<i>General services land uses</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
<i>Funeral home/crematory</i>	1 per 50 square feet of chapel area	–
<i>Day care I</i>	2 per facility	2 per facility
<i>Day care II</i>	2 per facility, plus 1 space for each 20 children	2 per facility, plus 1 space for each 20 children
<i>Religious institution</i>	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
Outpatient and veterinary clinic office	1 per 300 square feet of office, labs and examination rooms	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care facility	1 per 4 beds	–
<i>Hospital</i>	1 per bed	1 per bed
Elementary school	1 per <i>school classroom</i> , plus 1 per 50 students	1 per <i>school classroom</i> , plus 1 per 50 students
Secondary schools:		
Middle/junior high school	1 per <i>school classroom</i> , plus 1 per 50 students	1 per <i>school classroom</i> , plus 1 per 50 students
High school	1 per <i>school classroom</i> , plus 1 per 10 students	1 per <i>school classroom</i> , plus 1 per 10 students

LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
High school with stadium	Greater of 1 per <i>school classroom</i> , plus 1 per 10 students, or 1 per 3 fixed seats in stadium	Greater of 1 per <i>school classroom</i> , plus 1 per 10 students, or 1 per 3 fixed seats in stadium
<i>Vocational school</i>	1 per <i>school classroom</i> , plus 1 per 5 students	1 per <i>school classroom</i> , plus 1 per 5 students
<i>Specialized instruction school</i>	1 per <i>school classroom</i> , plus 1 per 2 students	1 per <i>school classroom</i> , plus 1 per 2 students
<i>College/university</i>	1 per 2 commuting students, faculty and staff	–
GOVERNMENT/BUSINESS SERVICES:		
<i>Government/business services land uses</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
<i>Public agency yard</i>	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas	–
<i>Public agency archive</i>	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas	–
Court	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
<i>Fire or police facility</i>	(<i>city manager</i>)	(<i>city manager</i>)

LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
<i>Construction and trade</i>	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
<i>Warehousing and storage</i>	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
<i>Self-service storage</i>	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	–
<i>Heavy equipment repair</i>	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas	–
RETAIL/WHOLESALE:		
<i>Retail land uses</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet	3 plus 1 per 350 square feet
<i>Vehicle refueling stations w/o grocery</i>	3 per facility, plus 1 per service bay	3 per facility, plus 1 per service bay
<i>Vehicle refueling stations w/grocery, no service bays</i>	1 per facility, plus 1 per 300 square feet of store	1 per facility, plus 1 per 300 square feet of store

LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Restaurants	1 per 75 square feet in dining or lounge areas	1 per 75 square feet in dining or lounge areas
<i>Wholesale trade uses</i>	0.9 per 1,000 square feet	0.9 per 1,000 square feet
<i>Retail sales and wholesale trade mixed use</i>	1 per 300 square feet	1 per 300 square feet
MANUFACTURING:		
<i>Manufacturing land uses</i>	0.9 per 1,000 square feet	–
Exceptions:		
Winery/brewery	0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area	–
RESOURCES:		
<i>Resource land uses</i>	(city manager)	–
REGIONAL:		
<i>Regional land uses</i>	(city manager)	(city manager)

1 B. An *applicant* may request a modification of the minimum required number of *parking*
2 *spaces* by providing a parking demand analysis demonstrating that parking demand can be met
3 with a reduced parking requirement. In such cases, the *city manager* may approve a reduction of
4 up to 50 percent of the minimum required number of spaces.

5 C. When the *City* has received a shell building permit application, off-street parking requirements
6 shall be based on the possible tenant improvements or *uses* authorized by the zone designation
7 and compatible with the limitations of the shell permit. When the range of possible *uses* results
8 in different parking requirements, the *city manager* will establish the amount of parking based
9 on a likely range of *uses*.

D. Where other provisions of this code stipulate maximum parking allowed or reduced minimum parking requirements, those provisions shall apply.

E. In any *development* required to provide six or more *parking spaces*, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise specified.

1. Off-street parking areas shall contain at least one bicycle parking space for every 12 spaces required for motor vehicles except as follows:

a. The *city manager* may reduce bike rack parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location.

b. The *city manager* may require additional spaces when it is determined that the *use* or its location will generate a high volume of bicycle activity. Such a determination will include but not be limited to the following *uses*:

(1) *Park/playfield*;

(2) *Marina*;

(3) Library/museum/arboretum;

(4) *Elementary/ secondary school*;

(5) *Sports club*; or

(6) Retail business (when located along a developed bicycle *trail* or designated bicycle route).

2. Bicycle facilities for patrons shall be located within 100 feet of the building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a *structure* attached to the pavement.

3. All bicycle parking and storage shall be located in safe, visible areas that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

4. When more than 10 people are employed on site, enclosed locker-type parking facilities for employees shall be provided. The *city manager* shall allocate the required number of parking spaces between bike rack parking and enclosed locker-type parking facilities.

5. One indoor bicycle storage space shall be provided for every two *dwelling units* in *townhouse* and *apartment* residential *uses*, unless individual garages are provided for every unit. The *city manager* may reduce the number of bike rack parking spaces if *indoor storage* facilities are available to all residents.

F. Exceedance of Minimum Parking – Zones Other Than Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE. Provision of parking shall not exceed 30 percent more than the minimum parking requirements unless the excess parking spaces are included in a structured parking garage, or under building and screened from the street frontage, unless the additional parking is associated with a phased, mixed use development and is interim in nature.

G. Tree Retention – DC and DR Zones. Where an applicant proposes retention of *trees* in accordance with KMC [18.35.100](#)(G) in the DC and DR zones, the *city manager* may reduce parking requirements by one *parking space* for every two *significant trees* that are saved in excess of the significant tree ordinance requirements.

H. Critical Area or Buffer Protection. When unavoidable, the *city manager* may reduce minimum parking requirements in order to maximize the protection of a *critical area* or its *buffer*. The reduction in the number of parking stalls or alternative stall or drive aisle dimensional requirements shall be in proportion to the area to be retained in the *buffer* or *critical area*. [Ord. 24-0609 § 2 (Exh. A); Ord. 23-0574 § 2 (Exh. A); Ord. 19-0488 § 5 (Exh. 3); Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 16-0428 § 13 (Att. I); Ord. 16-0415 § 2 (Att. B); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.40.035 Parking in the urban residential zone, downtown commercial zone east of 73rd Avenue NE, public and semi-public zone abutting SR-522, and the urban corridor zone, east subarea.

Parking in the urban residential zone, the downtown commercial zone east of 73rd Avenue NE, the public and semi-public zone abutting SR-522, and the urban corridor zone, east subarea, should be sufficient to support local businesses and residential development, while at the same time promoting transit ridership, walkable streets, and efficient use of land. Proposed development shall provide parking as follows:

A. Minimum parking requirements for nonresidential uses may be reduced to 75 percent of the minimum requirement computed according to the provisions of KMC [18.40.030](#).

B. Minimum residential parking shall be supplied at the following ratios:

1. One-half parking space per dwelling unit.
2. One-half additional parking space per every five dwelling units shall be provided and designated as guest parking for use by all guests.
3. There are no minimum parking requirements for multifamily residential developments specifically for housing senior citizens or people with disabilities. For residential developments specifically for housing senior citizens, an applicant shall prepare a parking demand analysis to determine parking requirements for staff and visitors. Parking requirements for senior citizen assisted living facilities are addressed in KMC [18.40.030](#)(A) and [18.40.050](#).

C. The following factors shall count towards minimum parking standards for residential and nonresidential development:

1. On-street parking immediately adjoining a property proposed for development or provided as part of the proposed development may be counted toward the minimum parking requirement.
2. Shared parking among uses is encouraged. Developments that propose shared parking arrangements shall submit a *parking management plan* that describes the terms and conditions of shared parking arrangements on site.

D. Maximum parking shall not exceed the minimum requirement calculated under the provisions of KMC [18.40.030](#).

1. Applicants may be allowed to exceed the maximum parking if the applicant can produce a parking study that demonstrates probable on-site parking needs that are significantly higher than similar uses. This traffic study shall be subject to review by the *city manager* before approval for additional parking is granted. All parking granted in excess of the maximum shall be provided in a structured parking garage or under building and screened from the street frontage.

E. All other parking requirements shall be as provided in this chapter.

Exception: This section, as adopted by Ordinance No. 23-0574, shall not apply to certain real properties located within the area of the transit oriented development (TOD) district overlay as identified in KMC [18.29.020](#) and Figure 18.29.020.1, and as further identified by the following tax parcel numbers (TPN): TPN 011410-0889, TPN 011410-0881, TPN 011410-0870, TPN 011410-0885, TPN 011410-0865, TPN 011410-0860, and TPN 011410-0855. [Ord. 23-0574 § 2 (Exh. A).]

18.40.038 Exceedance of minimum parking – Downtown commercial zone, downtown residential zone, urban corridor zone, east subarea, and urban residential zone.

Provision of parking in excess of the minimum parking requirements shall require the excess parking be included in a structured parking garage, or under *building* and screened from the *street frontage*, unless the additional parking is associated with a phased, *mixed use development* and is interim in nature.

Exception: This section, as adopted by Ordinance No. 23-0574, shall not apply to certain real properties located within the area of the transit oriented development (TOD) district overlay as identified in KMC [18.29.020](#) and Figure 18.29.020.1, and as further identified by the following tax parcel numbers (TPN): TPN 011410-0889, TPN 011410-0881, TPN 011410-0870, TPN 011410-0885, TPN 011410-0865, TPN 011410-0860, and TPN 011410-0855. [Ord. 23-0574 § 2 (Exh. A).]

18.40.040 Shared parking requirements.

The amount of off-street parking required by KMC [18.40.030](#) may be reduced by an amount determined by the *city manager* when shared parking facilities for two or more *uses* are proposed, provided:

- A. The total parking area exceeds 5,000 square feet;
- B. The parking facilities are designed and developed as a single on-site common parking facility, or as a system of on-site and off-site facilities, if all facilities are connected with improved pedestrian facilities and no *building* or *use* involved is more than 800 feet from the most remote shared facility;
- C. The amount of the reduction shall not exceed 10 percent for each *use*, unless:
 1. The normal hours of operation for each *use* are separated by at least one hour; or

2. A parking demand study is prepared by a professional traffic engineer and submitted by the *applicant* documenting that the hours of actual parking demand for the proposed *uses* will not conflict and those *uses* will be served by adequate parking if shared parking reductions are authorized;

3. The *use* is a *mixed use development* pursuant to KMC [18.50.120](#), in which case a 25 percent reduction may be granted;

4. The *city manager* will determine the amount of reduction subject to subsection D of this section;

D. The total number of *parking spaces* in the common parking facility is not less than the minimum required spaces for any single *use*;

E. A covenant or other contract for shared parking between the cooperating property owners is approved by the *city manager*. This covenant or contract must be recorded with the *City* as a deed restriction on both properties and cannot be modified or revoked without the consent of the *city manager*; and

F. If any requirements for shared parking are violated, the affected property owners must provide a remedy satisfactory to the *city manager* or provide the full amount of required off-street parking for each *use*, in accordance with the requirements of this chapter, unless a satisfactory alternative remedy is approved by the *city manager*. [Ord. 11-0329 § 3 (Exh. 1).]

18.40.050 Exceptions for community residential facilities (CRF) and senior citizen assisted living.

A. The minimum requirement of one off-street *parking space* per two bedrooms for *CRFs* and one off-street *parking space* per two *senior citizen assisted living* units may be reduced by up to 50 percent, as determined by the *city manager* based on the following considerations:

1. Availability of *private*, convenient transportation services to meet the needs of the residents;
2. Accessibility to and frequency of public transportation; and
3. Pedestrian access to health, medical, and shopping facilities.

B. If a *CRF* facility or *senior citizen assisted living* facility is no longer used for such purposes, additional off-street *parking spaces* shall be required in compliance with this chapter prior to the issuance of a new certificate of occupancy.

C. The parking requirements of KMC [18.40.055](#), if applicable, shall apply. [Ord. 24-0609 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.40.055 Parking for certain types of development served by transit.

Affordable housing shall be as defined under KMC [18.20.098](#). Housing for seniors shall be defined as housing restricted to those meeting the definition of "senior citizen" as found in KMC [18.20.2500](#).

Notwithstanding any other provision in this title, the following types of development shall have the following parking requirements:

A. Transit Serving *Very Low-Income Affordable Housing Units* and *Extremely Low-Income Affordable Housing Units*.

1. For *very low-income affordable housing units* or *extremely low-income affordable housing units* that are located within one-quarter mile (1,320 feet), as measured linearly along *streets* or other pedestrian pathways, of a transit stop that receives transit service at least two times per hour for 12 or more hours per day, residential parking requirements shall be no greater than 0.6 spaces per unit.
2. The *city manager* may require a *developer* to record a covenant that prohibits the rental of units subject to this parking restriction for any purpose other than providing for *very low-income affordable housing units* or *extremely low-income affordable housing units*. The covenant must address price restrictions and household income limits and policies if the property is converted to a use other than for such low-income housing, as part of an affordability agreement pursuant to KMC [18.77.050](#).
3. The *city manager* may require more than 0.6 spaces per unit if the city manager determines that particular *very low-income affordable housing units* or *extremely low-income affordable housing units* are located in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for such units.

B. Transit Serving Market Rate Multifamily *Dwelling Units*.

1. For market rate multifamily *dwelling units* that are located within one-quarter mile (1,320 feet), as measured linearly along *streets* or other pedestrian pathways, of a transit stop that receives transit service from at least one route that provides service at least four times per hour for 12 or more hours per day, residential parking requirements shall be no greater than 0.75 spaces per unit.
2. The *city manager* may require a *developer* to provide more than 0.75 spaces per unit if the *city manager* has determined a particular *dwelling unit* to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the *dwelling unit*.

C. Transit Serving Multifamily Housing for Seniors or People With Disabilities.

1. For multifamily *developments* specifically for housing seniors or people with disabilities that are located within one-quarter mile (1,320 feet), as measured linearly along *streets* or other pedestrian pathways, of a transit stop that receives transit service at least four times per hour for 12 or more hours per day, there shall be no minimum residential parking requirements for the residents of such *dwelling units*. Housing for seniors shall be defined as housing restricted to those meeting the definition of *senior citizen* as found in KMC [18.20.2500](#).

2. As an exception to subsection (C)(1) of this section, the *city manager* may require one or more parking spaces per bedroom for housing for seniors or people with disabilities if the *city manager* determines a particular unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit.
3. The *city manager* may require parking for staff and visitors of such multifamily housing for seniors or people with disabilities, consistent with the requirements of this title.
4. The *city manager* may require a *developer* to record a covenant that prohibits the rental of such units subject to the parking restriction of this section for any purpose other than providing for housing for seniors or people with disabilities, as part of an affordability agreement pursuant to KMC [18.77.050](#). [Ord. 24-0609 § 2 (Exh. A).]

18.40.060 Parking for the disabled.

Off-street parking and access for physically disabled persons shall be provided in accordance with the regulations adopted pursuant to Chapter [19.27](#) RCW, State Building Code, KMC [18.40.055](#), and Chapter [70.92](#) RCW, Public Buildings – Provisions for Aged and Disabled. See Chapter 11 of the International Building Code as adopted by the *City*. [Ord. 24-0609 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.40.070 Loading space and loading dock requirements.

A. Every nonresidential *building* engaged in retail, wholesale, manufacturing or storage activities, excluding *self-service storage* facilities, shall provide *loading spaces* in accordance with the standards listed below.

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
10,000 to 16,000 square feet	1
16,001 to 40,000 square feet	2
40,001 to 64,000 square feet	3
64,001 to 96,000 square feet	4
96,001 to 128,000 square feet	5
128,001 to 160,000 square feet	6

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
160,001 to 196,000 square feet	7
For each additional 36,000 square feet	1 additional

- 1 B. Every *building* engaged in *hotel*, office *building*, restaurant, hospital, auditorium, convention
2 hall, exhibition hall, sports arena/stadium or other similar *use* shall provide *loading spaces* in
3 accordance with the standards listed below.

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
40,000 to 60,000 square feet	1
60,001 to 160,000 square feet	2
160,001 to 264,000 square feet	3
264,001 to 388,000 square feet	4
388,001 to 520,000 square feet	5
520,001 to 652,000 square feet	6
652,001 to 784,000 square feet	7
784,001 to 920,000 square feet	8
For each additional 140,000 square feet	1 additional

C. Each *loading space* required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet, six inches, and shall be surfaced, improved and maintained as required by this chapter. *Loading spaces* shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way. All *loading space* areas shall be separated from parking areas and shall be designated as truck *loading spaces*.

D. Any *loading space*, including loading docks, located within 100 feet of areas zoned for residential *use* shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, *berms*, walls, or restrictions on the hours of operation.

E. Multi-story *self-service storage* facilities shall provide two *loading spaces*, and single-story facilities one *loading space*, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an unobstructed vertical clearance of 14 feet, six inches, and shall be surfaced, improved and maintained as required by this chapter. Any floor area additions or structural alterations to a *building* shall be required to provide *loading space* or spaces as set forth in this chapter.

F. Loading docks shall be screened from view of the public right-of-way. Screening may include architectural or structural barriers, *berms*, walls or vegetation. [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.40.080 Stacking spaces for drive-through facilities.

A. A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a service window of a drive-through facility. A stacking space shall be located to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other *parking space* areas. Stacking spaces for drive-through or drive-in *uses* may not be counted as required *parking spaces*.

B. *Uses* providing drive-up or *drive-through services* shall provide vehicle stacking spaces as follows:

1. For each drive-through lane of a bank/financial institution, business service, or other drive-through *use* not listed, a minimum of five stacking spaces shall be provided; and
2. For each drive-through lane of a restaurant, a minimum of seven stacking spaces shall be provided. [Ord. 11-0329 § 3 (Exh. 1).]

18.40.090 Transit and rideshare provisions.

A. *Government/business services land uses* and *manufacturing land uses*, *ambulatory surgery center*, *hospital*, *educational service* and *college/university* shall be required to reserve one *parking space* of every 20 required spaces for rideshare parking as follows:

1. The *parking spaces* shall be located closer to the primary employee entrance than any other employee parking except disabled;
2. Reserved areas shall have markings and *signs* indicating that the space is reserved; and

3. Parking in reserved areas shall be limited to vanpools and carpools established through rideshare programs by public agencies and to vehicles meeting minimum rideshare qualifications set by the employer;

B. The *city manager* may reduce the number of required off-street *parking spaces* when one or more scheduled transit routes provide service within one-quarter mile (1,320 feet) of the *site* as measured linearly along *streets* or other pedestrian pathways. The amount of reduction shall be based on the number of scheduled transit runs between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. each business day up to a maximum reduction as follows:

1. Four percent for each run serving *government/business service land uses* and *manufacturing land uses*, up to a maximum of 40 percent; and
2. Two percent for each run serving *recreational/cultural land uses, general services land uses, retail land uses, and wholesale trade*, up to a maximum of 20 percent; and

C. All uses which are located on an existing transit route and are required under the computation for required off-street *parking spaces* in KMC [18.40.030\(A\)](#) to provide more than 200 *parking spaces* may be required to provide transit shelters, bus turnout lanes or other transit improvements as a condition of permit approval. *Uses* which reduce required parking under subsection B of this section shall provide transit shelters if transit routes adjoin the *site*. [Ord. 17-0438 § 2 (Att. B); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

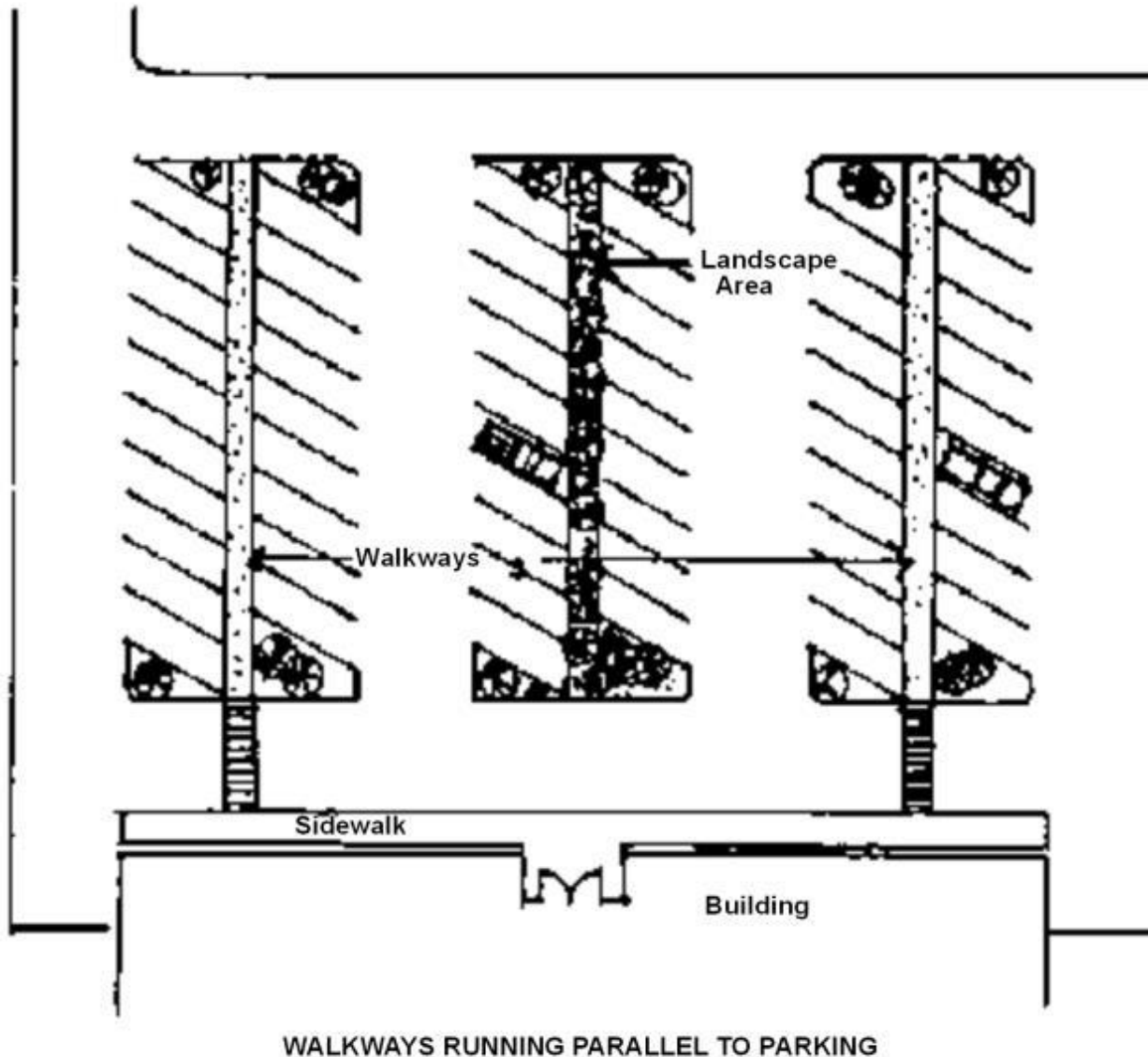
18.40.100 Pedestrian and bicycle circulation and access.

A. Nonresidential *Uses*. All permitted nonresidential *uses* shall provide pedestrian and bicycle access within and onto the *site*. Access points onto the *site* shall be provided (1) approximately every 800 to 1,000 feet along existing and proposed perimeter sidewalks and walkways, and (2) at all arrival points to the *site*, including abutting *street* intersections, crosswalks, and transit stops. In addition, access points to and from adjacent *lots* shall be coordinated to provide circulation patterns between *developments*.

B. Residential *Uses*.

1. All permitted residential *uses* of five or more *dwelling units* shall provide pedestrian and bicycle access within and onto the *site*. Access points onto the *site* shall be provided (a) approximately every 800 to 1,000 feet along existing and proposed perimeter sidewalks and walkways, and (b) at all arrival points to the *site*, including abutting *street* intersections, crosswalks, and transit and school bus stops. In addition, access points to and from adjacent *lots* shall be coordinated to provide circulation patterns between *sites*.
2. Residential *uses* of five or more *dwelling units* shall provide for nonmotorized circulation between cul-de-sacs or groups of *buildings* to allow pedestrian and bicycle access within and through the *development* to adjacent activity centers, *parks*, common tracts, dedicated open space intended for active recreation, schools or other public facilities, transit and school bus stops, and public *streets*.

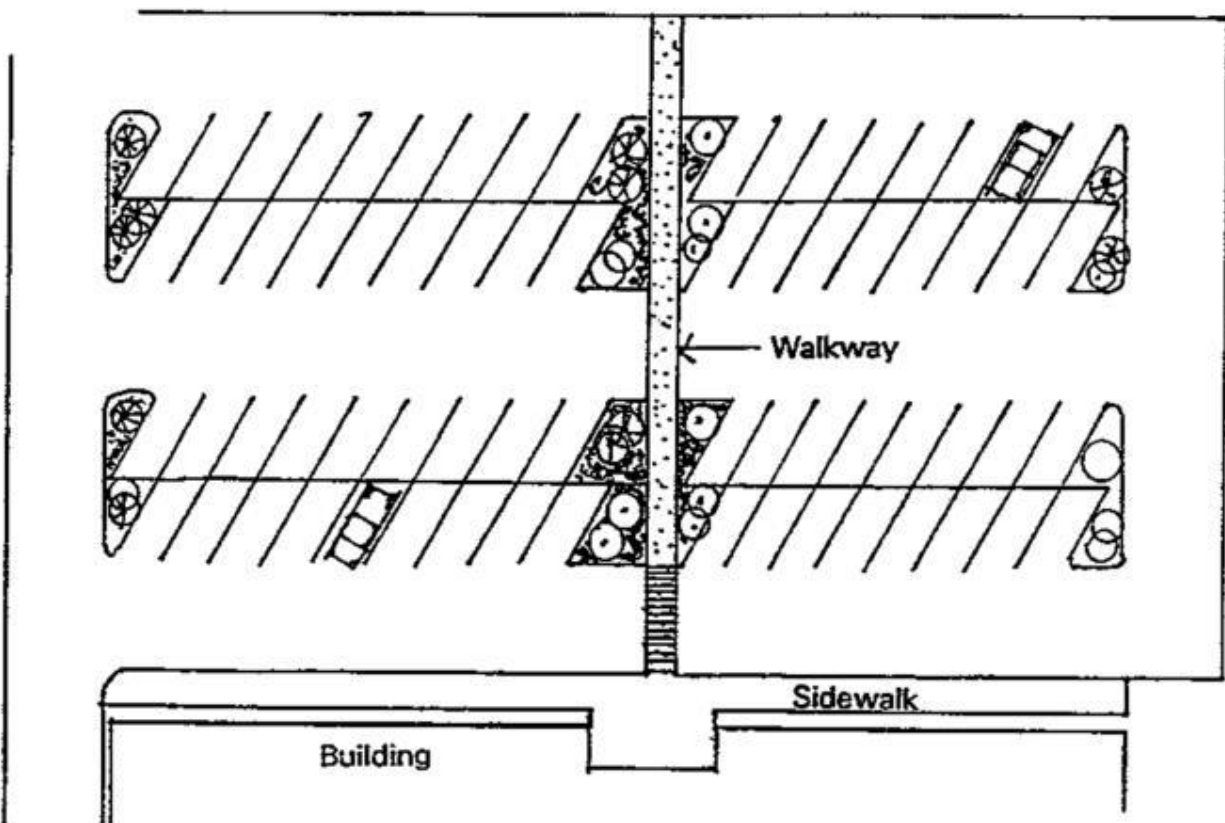
3. Access shall only be required to school bus stops that are within or adjacent to a proposed residential *use* of five or more *dwelling units* and that are identified by the affected *school district* in response to a notice of application.



C. Walkways shall form an on-site circulation system that minimizes the conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances. Walkways shall be provided when the pedestrian access point onto the *site*, or any *parking space*, is more than 75 feet from the building entrance or principal on-site destination and as follows:

1. All *developments* which contain more than one *building* shall provide walkways between the principal entrances of the *buildings*;

2. All nonresidential *buildings* set back more than 100 feet from the public right-of-way shall provide for direct pedestrian access from the *building* to *buildings* on adjacent *lots*; and
3. Walkways across parking areas shall be located as follows:
 - a. Walkways running parallel to the parking rows shall be provided for every six rows. Rows without walkways shall be landscaped or contain barriers or other means to encourage pedestrians to use the walkways; and
 - b. Walkways running perpendicular to the parking rows shall be no further than 20 *parking spaces*. Landscaping, barriers or other means shall be provided between the parking rows to encourage pedestrians to use the walkways.



WALKWAYS RUNNING PERPENDICULAR TO PARKING

D. Pedestrian and bicycle access and walkways shall meet the following minimum design standards:

1. Access and walkways shall be well lit and physically separated from driveways and *parking spaces* by landscaping, *berms*, barriers, grade separation or other means to protect pedestrians from vehicular traffic;

2. Access and walkways shall be a minimum of 48 inches of unobstructed width and meet the surfacing standards of the *City street* standards for walkways or sidewalks;
3. The minimum standard for walkways required to be accessible for persons with disabilities shall be designed and constructed to comply with the current State Building Code regulations for barrier-free accessibility;
4. A crosswalk shall be required when a walkway crosses a driveway or a paved area accessible to vehicles.

E. Blocks in excess of 660 feet shall be provided with a crosswalk at the approximate midpoint of the block.

F. The *city manager* may waive or modify the requirements of this section when:

1. Existing or proposed improvements would create an unsafe condition or security concern;
2. There are topographical constraints, or existing or required *structures* effectively block access;
3. The *site* is not contiguous to an activity center, *park*, common tract, dedicated *open space*, school, transit stop or other public facility;
4. The land *use* would not generate the need for pedestrian or bicycle access; or
5. The public is not allowed access to the subject land *use*.

The *city manager's* waiver may not be used to modify or waive the requirements of this section relating to sidewalks and safe walking conditions for students.

G. The provisions of this section shall not apply on *school district* property. [Ord. 11-0329 § 3 (Exh. 1).]

18.40.110 Off-street parking plan design standards.

A. Off-street parking areas shall not be located more than 600 feet from the *building* they are required to serve for all *uses* except those specified as follows; where an off-street parking area does not abut the *building* it serves, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:

1. For all single detached dwellings the *parking spaces* shall be located on the same *lot* they are required to serve;
2. For all other residential dwellings at least a portion of parking areas shall be located within 150 feet from the *building* or *building(s)* they are required to serve;
3. For all nonresidential *uses* permitted in residential zones, the *parking spaces* shall be located on the same *lot* they are required to serve and at least a portion of parking areas shall be located within 150 feet from the nearest building entrance they are required to serve;

4. In the community business and neighborhood business zones, parking lots shall be located to the rear or sides of *buildings*. Relief from this subsection (A)(4) may be granted by the *city manager* only if the *applicant* can demonstrate that there is no practical site design to meet this requirement. The *city manager* may allow only the number of *parking spaces* that cannot be accommodated to the rear or sides of *buildings* to be located to the front of *buildings*;
5. Parking lots shall be so arranged as to permit the internal circulation of vehicles between parking aisles without re-entering adjoining public *streets*, and
6. Parking for the disabled shall be provided in accordance with KMC [18.40.060](#).

B. The minimum *parking space* and aisle dimensions for the most common parking angles are shown on the table in this subsection. For parking angles other than those shown on the chart, the minimum *parking space* and aisle dimensions shall be determined by the *city manager*. Regardless of the parking angle, one-way aisles shall be at least 10 feet wide, and two-way aisles shall be at least 20 feet wide. If dead-end aisles are used in the parking layout, they shall be constructed as two-way aisles. Parking plans for angle parking shall use space widths no less than eight feet, six inches for a standard *parking space* design and eight feet for a compact car *parking space* design.

MINIMUM PARKING STALL AND AISLE DIMENSIONS

A	B	C	D	E		F	
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH		UNIT DEPTH	
				1-WAY	2-WAY	1-WAY	2-WAY
0	8.0*	20.0*	8.0	12.0	20.0	**	**
	Min 8.5	22.5	8.5	12.0	20.0	29.0	37.0
	Desired 9.0	22.5	9.0	12.0	20.0	30.0	38.0
30	8.0*	16.0*	15.0	10.0	20.0	**	**
	Min 8.5	17.0	16.5	10.0	20.0	42.0	53.0
	Desired 9.0	18.0	17.0	10.0	20.0	44.0	54.0
45	8.0*	11.5*	17.0*	12.0	20.0	**	**
	Min 8.5	12.0		12.0	20.0	50.0	58.0
	Desired 9.0	12.5		12.0	20.0	51.0	59.0
60	8.0*	9.6*	18.0	18.0	20.0	**	**
	Min 8.5	10.0	20.0	18.0	20.0	58.0	60.0

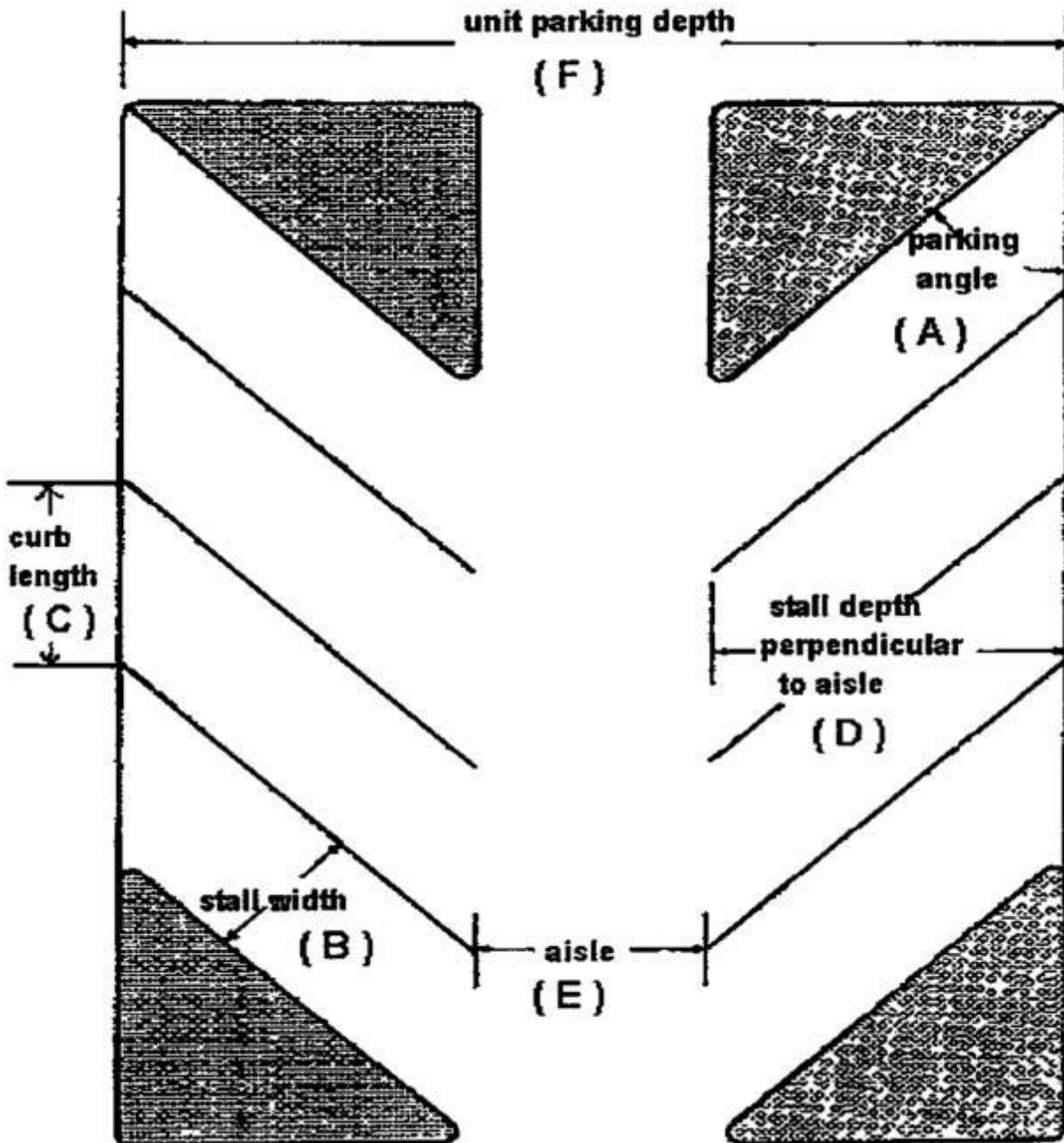
MINIMUM PARKING STALL AND AISLE DIMENSIONS

A	B	C	D	E		F	
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH		UNIT DEPTH	
				1-WAY	2-WAY	1-WAY	2-WAY
	Desired 9.0	10.5	21.0	18.0	20.0	60.0	62.0
90	8.0*	8.0*	16.0*	24.0	24.0	**	**
	Min 8.5	8.5	18.0	24.0	24.0	60.0	60.0
	Desired 9.0	9.0	18.0	23.0	24.0	60.0	60.0

1 * for compact stalls only

2 ** variable with compact and standard combinations

NOMENCLATURE OF OFF-STREET PARKING AREA



- 1
- 2 C. Any *parking spaces* abutting a required landscaped area on the driver or passenger side of
- 3 the vehicle shall provide an additional 18 inches above the minimum space width requirement
- 4 to provide a place to step other than in the landscaped area. The additional width shall be
- 5 separated from the adjacent *parking space* by a parking space division stripe.
- 6 D. The *parking space* depth may be reduced if vehicles overhang a walkway or landscaping
- 7 under the following conditions:

1. Wheel stops or curbs are installed;
2. The remaining walkway provides a minimum of 48 inches of unimpeded passageway for pedestrians;
3. The amount of space depth reduction is limited to a maximum of 18 inches; and
4. Landscaping is designed in accordance with KMC [18.35.070](#)(E).

E. Driveways providing ingress and egress between off-street parking areas and abutting *streets* shall be designed, located and constructed in accordance with the provisions of Chapter [12.50](#) KMC, Road Standards.

F. *Parking spaces* required under this title shall be located as follows:

1. For *single detached dwelling units* the required *parking spaces* shall be outside of any required *setbacks* or *landscaping*, but driveways crossing *setbacks* and required *landscaping* may be used for parking. However, if the driveway is a *joint use driveway*, no vehicle parked on the driveway shall obstruct any joint user's access to the driveway or *parking spaces*;
2. For all other *developments*, *parking spaces* may be permitted by the *city manager* in *setback* areas in accordance with an approved landscape plan; and
3. For nonresidential *uses* in residential zones, parking is permitted in *setback* areas in accordance with KMC [18.21.060](#).

G. Lighting shall be provided for safety of traffic and pedestrian circulation on the *site*. It shall be designed to minimize direct illumination of abutting properties and adjacent *streets*. The *city manager* shall have the authority to waive the requirement to provide lighting.

H. Tandem or end-to-end parking is allowed in residential *developments*. *Apartment* or *townhouse developments* may have tandem parking areas for each *dwelling unit* but shall not combine parking for separate *dwelling units* in tandem parking areas.

I. All vehicle parking and storage must be in a garage, carport or on an approved *impervious surface*. Any *impervious surface* used for vehicle parking or storage must have direct and unobstructed driveway access.

J. The total number of vehicles parked or stored outside of a *building* on a single-family *lot* in the R-4 through R-6 zones, excluding *recreational vehicles* and trailers, shall not exceed six vehicles on *lots* 12,500 square feet or less and eight vehicles on *lots* greater than 12,500 square feet.

K. Vanpool or carpool parking areas shall meet the following minimum design standards:

1. A minimum vertical clearance of seven feet, three inches shall be provided to accommodate van vehicles if designated vanpool or carpool *parking spaces* are located in a parking structure; and

2. A minimum turning radius of 26 feet, four inches with a minimum turning diameter, curb to curb, of 52 feet, five inches shall be provided from parking aisles to adjacent carpool or vanpool *parking spaces*.

L. Direct access from the *street* right-of-way to off-street parking areas shall be subject to KMC [18.45.070](#).

M. No dead-end *alley* may provide access to more than eight off-street *parking spaces*.

N. Any parking stalls located in enclosed *buildings* must be totally within the enclosed *building*. [Ord. 24-0609 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

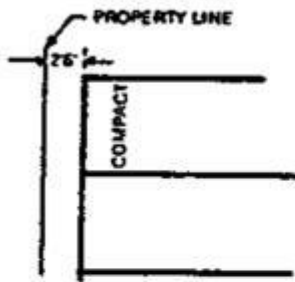
18.40.120 Off-street parking construction standards.

A. Off-street parking areas shall be paved in accordance with *City* street standards unless otherwise approved by the *city manager*.

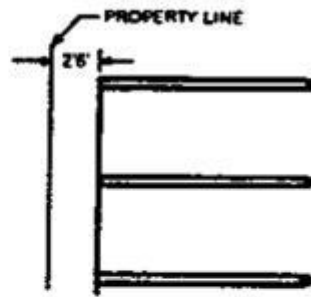
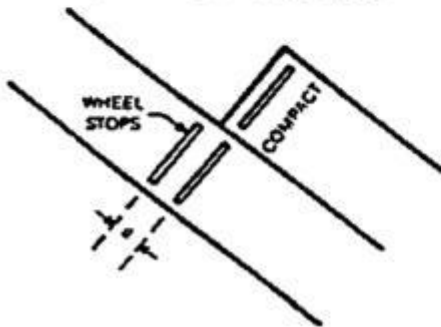
B. *Grading* work for parking areas shall meet the requirements of KMC Title [15](#). Drainage and erosion/sedimentation control facilities shall be provided in accordance with Chapter [13.35](#) KMC.

C. Paved parking areas shall have *parking spaces* marked by surface paint lines or suitable substitute traffic marking material in accordance with the Washington State Department of Transportation Standards. Wheel stops are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way or landscaped areas. Typically approved markings and wheel stop locations are illustrated below.

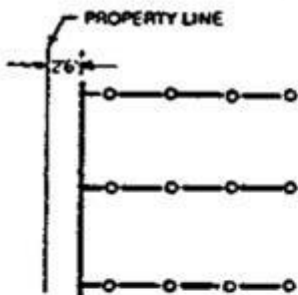
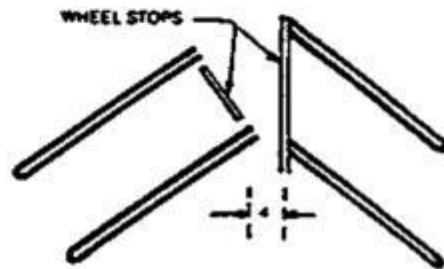
STALL MARKINGS AND WHEEL STOP LOCATIONS



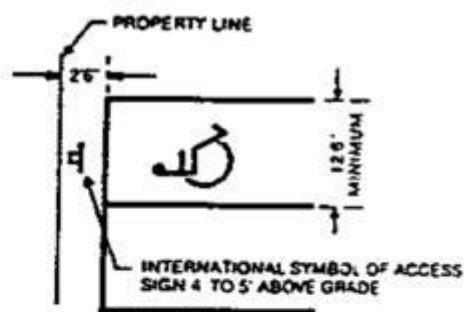
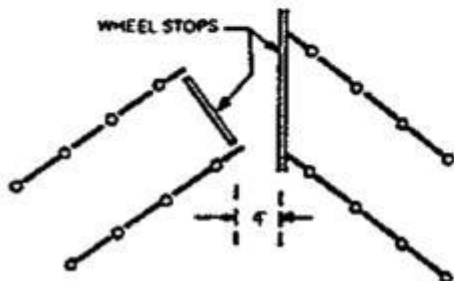
COMPACT MARKING



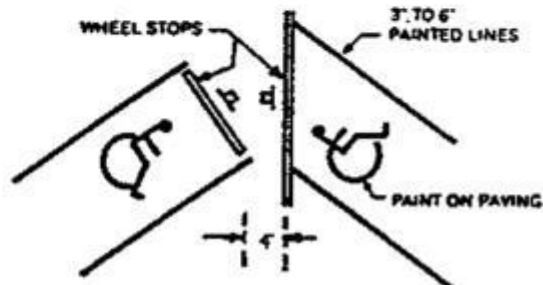
PAINTED HORSESHOE MARKING



METAL OR PLASTIC TRAFFIC MARKING



HANDICAP MARKING



1

2 [Ord. 11-0329 § 3 (Exh. 1).]

18.40.130 Compact car allowance requirements.

In any *development* containing more than 20 *parking spaces*, up to 50 percent of the total number of spaces may be sized to accommodate compact cars, subject to the following:

A. Each space shall be clearly identified as a compact car space by painting the word "COMPACT" in capital letters, a minimum of eight inches high, on the pavement at the base of the *parking space* and centered between the striping;

B. Aisle widths shall conform to the standards set for standard size cars; and

C. *Apartment developments* with less than 20 parking spaces may designate up to 40 percent of the required parking spaces as compact spaces. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

18.40.140 Internal circulation road standards.

Internal access roads to off-street parking areas shall conform to City street standards set forth in Chapter [12.50](#) KMC. [Ord. 11-0329 § 3 (Exh. 1).]

Chapter 18.73

ACCESSORY DWELLING UNITS, HOME OCCUPATION, HOME INDUSTRY

Sections:

[18.73.100 Accessory dwelling units \(ADUs\).](#)

[18.73.110 Home occupation.](#)

[18.73.120 Home industry.](#)

18.73.100 Accessory dwelling units (ADUs).

A. ~~Only one~~ Up to two accessory dwelling units, either a ~~an~~ attached or ~~a~~ detached accessory dwelling units, in all areas which permit ~~is allowed per primary single-family development.~~ detached dwelling unit.

B. No minimum *lot* size is required for an *ADU*.

C. ~~Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for a minimum of six consecutive months after completion of the ADU. At the end of the six-month period, the owner occupancy requirement shall be extinguished. Except as noted in this section, ADUs must meet the bulk development standards applicable to the principal unit on the same lot as defined in KMC 18.21.030.~~

D. Maximum *ADU* sizes shall be as follows:

1. *Attached ADU.* An *attached accessory dwelling unit* shall not exceed a floor area of 1,000 square feet unless the use of preexisting floor area on a single level of the primary *single detached dwelling unit* is being proposed for the *ADU*.
2. *Detached ADU.* The following floor area limitations shall apply to *detached accessory dwelling units*:

<i>Lot Size</i>	Maximum Floor Area for a <i>Detached ADU</i>
<i>Lots with an area equal to or greater than 6,000 square feet</i>	1710 % of the <i>lot</i> area up to a maximum of 1,500 square feet
<i>Lots with an area less than 6,000 square feet</i>	1,000 600 square feet

E. The maximum height for a detached *ADU* shall be 35 feet; however, the detached *ADU* may not exceed one story over a detached garage or two stories if built at ground level.

F. No additional off-street *parking spaces* shall be required for an *ADU*.

G. An *applicant* seeking to build an *accessory dwelling unit* shall file a notice approved by the department with the records and elections division which identifies the dwelling unit as accessory. The notice shall run with the land. The *applicant* shall submit proof that the notice was filed before the *department* shall approve any permit for the construction of the *accessory dwelling unit*. The required contents and form of the notice shall be set forth in administrative rules.

~~H. The total number of occupants in the principal dwelling unit and the accessory dwelling unit combined shall not exceed~~ The maximum number of occupants established for a single-family dwelling as defined in KMC 18.20.1010 is permitted per dwelling unit and accessory dwelling unit on a lot, regardless of whether that unit is owned separately or leased. ~~[Ord. 20-0510 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]~~

I. Detached accessory dwelling units may be sited at a property line with no setback if the property line abuts a public alley.

J. Existing structures, including legally nonconforming structures, may be converted into accessory dwelling units provided they meet relevant existing building code requirements.

K. Public street improvements (e.g. frontage improvements) are not required as a condition of permitting accessory dwelling units.

L. Accessory dwelling units may be sold individually from the principal unit. Condominium units originally constructed as accessory dwelling units may be sold or otherwise conveyed individually from the principal unit.

18.73.110 Home occupation.

Residents of a *dwelling unit* may conduct one or more *home occupations* as accessory activities, provided:

A. The total area devoted to all *home occupation(s)* shall not exceed 20 percent of the floor area of the *dwelling unit*. Areas with attached garages and storage *buildings* shall not be considered part of the *dwelling unit* for purposes of calculating allowable *home occupation* area but may be used for storage of goods associated with the *home occupation*;

B. In residential zones, all the activities of the *home occupation(s)* shall be conducted indoors, except for those related to growing or storing of plants used by the *home occupation(s)*;

C. No more than one nonresident shall be employed by the *home occupation(s)*;

D. The following activities shall be prohibited in residential zones only:

1. Automobile, truck and *heavy equipment* repair;
2. Autobody work or painting;
3. Parking and storage of *heavy equipment*, and
4. Storage of building materials for use on other properties;

E. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:

1. One stall for a nonresident employed by the *home occupation(s)*; and
2. One stall for patrons when services are rendered on site.
3. For *specialized instruction schools*, the number of stalls shall be as required by Chapter [18.40](#) KMC;

F. Sales shall be limited to:

1. Mail order sales; and
2. Telephone sales with off-site delivery;

G. *Specialized instruction schools* shall be limited to:

1. Twelve students per one-hour session;
2. *Structures* used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones;

H. Services to patrons shall be arranged by appointment or provided off site;

I. The *home occupation(s)* may use or store a vehicle for pickup of materials used by the *home occupation(s)* or the distribution of products from the *site*, provided:

1. No more than one such vehicle shall be allowed;
2. Such vehicle shall not park within any required *setback* areas of the *lot* or on adjacent *streets*; and
3. Such vehicle shall not exceed a weight capacity of one ton;

J. The *home occupation(s)* shall not use electrical or mechanical equipment that results in:

1. A change to the occupancy type of the *structure(s)* used for the *home occupation(s)*;
2. Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
3. Fluctuations in line voltage off-premises; and

K. *Uses* not allowed as *home occupations* may be allowed as a *home industry* pursuant to this chapter. [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

18.73.120 Home industry.

In all zones except R-12, R-18, R-24, UR, CB Juanita subarea, and NB, a resident may establish a *home industry* as an accessory activity, provided:

A. In the R-1, R-4 and R-6 zones, a *conditional use permit* is obtained;

B. The *site area* shall be no less than one acre;

C. The area of the *home industry* shall not exceed 50 percent of the floor area of the *dwelling unit*. Areas within attached garages and storage *buildings* shall not be considered part of the *dwelling unit* for purposes of calculating allowable *home industry* area but may be used for storage of goods associated with the *home occupation*;

D. No more than four nonresidents shall be employed in a *home industry*;

E. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:

1. One stall for each nonresident employee of the *home industry*; and

2. One stall for customer parking;

F. Additional customer parking shall be calculated for areas devoted to the *home industry* at the rate of one stall per:

1. One thousand square feet of *building* floor area; and

2. Two thousand square feet of outdoor work or storage area;

G. Sales shall be limited to items produced on site, except for items collected, traded and occasionally sold by hobbyists, such as coins, stamps, and antiques;

H. Ten feet of Type I *landscaping* shall be provided around portions of parking and outside storage areas which are otherwise visible from adjacent properties or public rights-of-way; and

I. The *city manager* shall ensure compatibility of the *home industry* by:

1. Limiting the type and size of equipment used by the *home industry* to those which are compatible with the surrounding neighborhood;

2. Providing for *setbacks* or screening as needed to protect adjacent residential properties;

3. Specifying hours of operation;

4. Determining acceptable levels of outdoor lighting; and

5. Requiring sound level tests for activities determined to produce sound levels which may be excessive. [Ord. 23-0574 § 2 (Exh. A); Ord. 18-0454 § 2 (Exh. 1); Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

Chapter 18.75**COTTAGE HOUSING****Sections**

18.75.010 Purpose

18.75.020 Cottage Housing Development Standards

18.75.030 Site Design Standards

18.75.040 Building Design Standards

18.75.050 Public Benefits and Development Incentives

18.75.010 Purpose

The purpose of this subchapter is to establish standards for cottage housing developments in the applicable areas within the R-4 and R-6 zones, as defined in 18.21.035(B).

18.75.020 Cottage Housing Development Standards

A. Development shall meet the bulk development and design standards for the parent lot, except as noted otherwise in this Chapter.

B. The building-to-building setback between units shall be a minimum of eight feet except for those units that area attached by common vertical walls.

C. Parking shall be provided as specified in KMC 18.40.030 and meet the following design requirements:

1. Parking shall be clustered within a common parking area that is accessible but peripheral to the units.

2. Parking shall be located to minimize visual impact on the site while limiting the amount of hardscape devoted to vehicles. Parking shall be screened from public view and shall not visually dominate the site frontage.

3. Parking shall be located in the rear of the development if accessed by an alley.

4. Parking shall be located on the side of the development if accessed by a private driveway, arterial or nonarterial street.

D. Each cottage shall be provided private open space. Private open space shall be directly contiguous to and accessed from each cottage.

1. Each cottage shall be provided with no less than 300 square feet of private open space.

2. No open space with a dimension less than six linear feet shall count towards private open space requirements.

3. Required porch areas may be counted as private open space.

Revised per City Council motions from 5/12/25 meeting

4. Required perimeter landscaping shall not be counted as private open space.

E. A cottage development shall provide a minimum of 250 square feet of common open space per cottage.

1. A cottage development shall provide a minimum of 250 square feet of common open space per cottage.

2. Common open spaces may be comprised of lawns, gardens, plazas, seating areas, covered gazebos, trees, or similar features.

3. Community buildings, clubhouses, or structures are not required but can be counted as common open space provided they are on site and permanently affixed.

4. Common open space shall be located and made accessible to all residents of the cottage housing development.

5. Common open space shall be connected to other areas of the development through on-site pedestrian pathways.

6. Common open space shall be designed and located to protect existing stands of trees pursuant to KMC 18.57.

F. Cottage Size: The gross floor area for a cottage shall be a maximum of fifteen hundred square feet (1,500 sq. ft.) in gross floor area.

18.75.030 Site Design Standards

A. Site design standards for cottage housing shall meet the requirements of KMC 18.52 Article II, except as noted otherwise in this Chapter.

1. Each cottage shall have a paved on-site pedestrian pathway, providing access to a public sidewalk, common open space, common parking areas, common buildings and common solid waste areas, if provided.

2. Parking outside of garages shall be screened per KMC 18.52.180.

3. Mechanical and utility equipment shall be located and designed to minimize visibility by the public. Preferred locations are abutting alleys, access drives, within, atop, or under buildings, underground, or other locations away from the public right-of-way. Equipment shall not intrude into required common open space or pedestrian pathways.

18.75.040 Building Design Standards

A. Building design standards for cottage housing shall meet the requirements of KMC 18.52 Article III and Article V, except as noted otherwise in this Chapter.

1. Cottage front facades shall face a common open space or a right-of-way.

2. Cottages may be attached or detached.
3. Buildings should be oriented and designed to promote privacy between detached cottages, including the location of transparent features such as windows and doors.
4. Cottages with identical architectural designs should not be placed directly adjacent to one another and should be separated by at least one other nonidentical cottage. Variation in materials or colors between adjacent cottages are encouraged to create distinct cottages within a development.
5. Parking provided in garages shall meet the following standards:
 - a. Garage elevations visible from a public street should be designed to minimize visual impact through the use of fencing, lattices, landscaping, or other screening methods.
 - a. Garages may be detached from cottage units. Up to four garages may be attached to one another.

18.75.050 Public Benefits and Development Incentives

A. Development incentives permitted for cottage housing development are permitted as define in KMC 18.21.035(J).

Chapter 19.25

PROCEDURES FOR LAND USE DECISIONS, PUBLIC NOTICE, HEARINGS AND APPEALS

Sections:

[19.25.010 Chapter purpose.](#)

[19.25.020 Classifications of land use decision processes.](#)

[19.25.030 Preapplication conferences.](#)

[19.25.040 Application requirements.](#)

[19.25.050 Determination of completeness.](#)

[19.25.055 Vesting.](#)

[19.25.060 Notice of application.](#)

[19.25.065 Public notice boards.](#)

[19.25.080 Applications – Modifications to proposal.](#)

[19.25.083 Application cancelled for inactivity.](#)

[19.25.085 Type 2 decisions.](#)

[19.25.090 Notice of decision.](#)

[19.25.092 Appeals.](#)

[19.25.095 Applications – Limitations on refiling of applications.](#)

[19.25.100 Time limitations.](#)

19.25.010 Chapter purpose.

The purpose of this chapter is to establish standard procedures for land use decisions, including public notice, hearings and appeals. These procedures are designed to promote timely and informed public participation in discretionary land use decisions; eliminate redundancy in the application, permit review, hearing and appeal processes; provide for uniformity in public notice procedures; minimize delay and expense; and result in development approvals that implement the policies of the *comprehensive plan*. [Ord. 11-0329 § 3 (Exh. 1).]

19.25.020 Classifications of land use decision processes.

A. Land use decisions are classified into five types, based on the amount of discretion associated with each decision. Procedures for the five different types are distinguished according to who makes the decision, whether public notice is required, whether a public hearing is required before a decision is made and whether administrative appeals are provided. The types of land use decisions are listed in Exhibit A of this section.

1. Type 1 decisions are made by the *city manager*. Type 1 decisions are nonappealable administrative decisions that require the exercise of little or no administrative discretion. Public notice is not required for Type 1 decisions.
 2. Type 2 decisions are made by the *city manager*. Type 2 decisions are discretionary decisions that are subject to administrative appeal.
 3. Type 3 decisions are quasi-judicial decisions made by the *hearing examiner* following an open record hearing. Type 3 decisions may be appealed directly to King County superior court, pursuant to Chapter [36.70C](#) RCW, the Land Use Petition Act, based on the record established by the *hearing examiner*.
 4. Type 4 decisions are quasi-judicial decisions made by the city council based on the record established by the *hearing examiner*.
 5. Type 5 decisions are legislative decisions made by the city council.
- B. Except as provided in KMC [16.75.060](#) and [19.35.160](#) or unless otherwise agreed to by the *applicant*, all Type 2, 3 and 4 decisions included in consolidated permit applications that would require more than one type of land use decision process may be processed and decided together, including any administrative appeals, using the highest-numbered land use decision type applicable to the project application. KMC [16.75.060](#) sets out the combined hearing authority for shoreline exemptions, shoreline substantial development permits, shoreline variances, and shoreline conditional use permits.
- C. Certain development proposals are subject to additional procedural requirements beyond the standard procedures established in this chapter.
- D. Land use permits that are categorically exempt from review under SEPA do not require a threshold determination (determination of nonsignificance (DNS) or determination of significance (DS)). For all other projects, the SEPA review procedures in Chapter [19.35](#) KMC are supplemental to the procedures in this chapter.

Exhibit A

LAND USE DECISION TYPES

TYPE 1 ²	Decision by <i>city manager</i> , no administrative appeal	Building; demolition; moving; engineering; clearing and grading; sign; change of use and/or classification under KMC Title 15 ; accessory dwelling unit; home occupation; boundary line adjustment; right-of-way; street standards variance; adjustment under Chapter 13.35 KMC; shoreline exemption; temporary use; binding site plan; preliminary subdivision or short subdivision revision if not a substantial change; short plat
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		alteration if not a substantial change; affordable housing project as described in KMC 18.77.060 (A).
TYPE 2	Decision by <i>city manager</i> , appealable to <i>hearing examiner</i> , no further administrative appeal ^{1, 5}	Home industry; short subdivision; unit lot subdivision ; preliminary short subdivision revision; short plat alteration; zoning variance; conditional use permit; shoreline substantial development permit; shoreline variance; shoreline conditional use permit; site plan review for uses allowed by zone; wireless communication facility minor adjustment under Chapter 18.60 KMC; approval of residential density incentives under KMC 18.80.060 (A)(2) or transfer of development credits under KMC 18.80.090 (A); reuse of public schools; reasonable use exceptions under KMC 18.55.180 ; public agency and utility exceptions under KMC 18.55.160 ; other critical areas exceptions, variances and decisions to require studies or to approve, condition or deny a development proposal based on Chapter 18.55 KMC; variances to <i>exceptional tree</i> regulations as set forth in KMC 18.57.063 .
TYPE 3	Recommendation by <i>city manager</i> , hearing and decision by <i>hearing examiner</i> , appealable directly to King County superior court, pursuant to Chapter 36.70C RCW, the Land Use Petition Act, on the record	Preliminary subdivision; plat alteration; preliminary subdivision revision; special use; wireless communication facility major adjustment under Chapter 18.60 KMC.
TYPE 4	Recommendation by <i>city manager</i> , hearing and recommendation by <i>hearing examiner</i> , decision by city council on the record	Zone <i>reclassification</i> not related to a <i>site-specific comprehensive plan land use map amendment</i> ⁸ ; shoreline environment redesignation; plat vacation; short plat vacation; site plan review for uses not allowed by zone pursuant to Chapter 18.105 KMC; master plans other than those required in order to obtain a <i>comprehensive plan</i> amendment or related zoning map or text amendment.
TYPE 5	Hearing and recommendation by planning commission or other city council-appointed advisory body ⁴ ; decision by city council on the	<i>Comprehensive plan</i> amendment; <i>development regulation</i> amendment; zoning map amendment related to a <i>site-specific comprehensive plan land use map amendment</i> ; master plans required in

	record. Appealable to Growth Management Hearings Board pursuant to Chapter 36.70A RCW	order to obtain a <i>comprehensive plan</i> amendment or related zoning map or text amendment pursuant to Chapter 18.120 KMC.
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¹ All shoreline permits, including shoreline variances and conditional uses, are appealable to the State Shorelines Hearings Board and not to the *hearing examiner*.

² Type 1 land use decisions that are not categorically exempt from environmental review under Chapter [43.21C](#) RCW (State Environmental Policy Act) shall provide a notice of application per KMC [19.25.060](#) and a notice of decision per KMC [19.25.090](#). The notice of decision may be a copy of the permit.

³ Approvals that are consistent with the *comprehensive plan* may be considered by the city council at any time. Zone *reclassifications* that are not consistent with the *comprehensive plan* land use map require a *site-specific comprehensive plan land use map amendment* and the city council's hearing, and consideration shall be considered a Type 5 land use decision and scheduled with the amendment to the *comprehensive plan* under Chapter [19.20](#) KMC.

⁴ If the proposal is being considered as part of the annual *docket* work program as described in Chapter [19.20](#) KMC. If the proposal is not part of the annual *docket*, the city council conducts the public participation process and makes the decision on the record.

⁵ Decisions on shoreline variance and shoreline conditional use permits require approval by the Department of Ecology.

[Ord. 23-0593 § 5 (Exh. C); Ord. 21-0521 § 3 (Exh. B); Ord. 19-0481 § 2 (Exh. A); Ord. 16-0426 § 8 (Att. F); Ord. 12-0334 § 18; Ord. 11-0329 § 3 (Exh. 1).]

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Chapter 18.77 AFFORDABLE HOUSING

18.77.015 General provisions.

A. Determination of Number of Affordable Housing Units Required – Rounding. See KMC [18.30.020\(D\)](#) for method of rounding to determine the number of affordable housing units required, except for affordable housing required in R-4 and R-6 zones, as provided in KMC [18.77.043\(B\)](#).

B. Adjacent Developments. Adjacent *developments* by the same or affiliated *developer* will be considered as a single *development* for the purpose of applying the thresholds for compliance.

C. Designation of Affordable Housing Units. Prior to the issuance of any permit(s), the *City* shall review and approve the location and unit mix of the affordable housing units consistent with the following standards:

1. Location. The location of the affordable housing units shall be approved by the *City*, with the intent that they generally be intermingled with all other *dwelling units* in the *development*.

2. Tenure. The tenure of the affordable housing units (ownership or rental) shall be the same as the tenure for the rest of the housing units in the *development*.

3. Size (Bedroom). The affordable housing units shall consist of a range of number of bedrooms that is comparable to units in the overall *development*.

4. Size (Square Footage). The size of the affordable housing units, if smaller than the other units with the same number of bedrooms in the *development*, shall be approved by the *city manager*. If there is a proposal that the affordable units be smaller than the market rate units, in no case shall the affordable housing units be less than 500 square feet for a studio unit, 600 square feet for a one-bedroom unit, 800 square feet for a two-bedroom unit, or 1,000 square feet for a three-bedroom unit.

5. Design. The exterior design of the affordable housing units shall be compatible and comparable with the rest of the *dwelling units* in the *development* and shall comply with any applicable design standards. The interior finish and quality of construction of the affordable housing units shall at a minimum be comparable to entry level rental or ownership housing in the *City*.

D. Duration. Housing shall serve only ~~income~~-eligible households for a minimum period of 50 years from the latter of the date when the affordability agreement between the housing owner and the *City*, as described in KMC [18.77.050](#), is recorded, or the date when the affordable housing becomes available for occupancy as determined by the *City*.

___ = revised since 5/12 meeting

E. Timing/Phasing. The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the rest of the *dwelling units* in the *development*. [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]

18.77.043 R-4 and R-6 zones.

All residential developments on properties zoned R-4 or R-6 and producing ~~four or more~~ new dwelling units shall provide affordable housing as follows:

A. Ten percent of the total number of new residential units in the development, ~~excluding units whose net floor area is less than 1,750 square feet~~, shall be very low-income housing if renter-occupied or low-income housing if owner-occupied.

1. Development applications vested by December 31st, 2025, shall be exempt from this affordable housing requirement if the proposed development conforms to regulations in place before June 1st, 2025.

2. Development applications made under regulations adopted after May 31st, 2025, shall provide affordable housing as prescribed in this section.

B. Developments producing ~~four to nine fewer than ten~~ new dwelling units ~~with units that have floor area equal to or exceed 1,750 square feet~~ shall not have the number of affordable units rounded down to zero but may either provide an affordable unit on-site or pay a fee in lieu of the required fractional affordable unit.

1. Notwithstanding the provisions of KMC 18.77.045, fees in lieu of affordable housing required in R-4 and R-6 zones shall be calculated from a rate set by the city council in the city's development fee schedule.

a. Payment of a fee in lieu of fractional affordable units shall be the applicant's option and does not require a proposal or the city manager's approval.

b. The initial fee rate shall be ~~assessed on the combined net floor area of all new dwelling units in the development, excluding units whose net floor area is less than 1,750 square feet~~, based on the difference between typical market-rate housing expenses and affordable housing expenses in Kenmore as the city shall determine using commonly accepted methods.

c. The city council shall increase or decrease the fee annually to reflect the current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers.

d. The city council may reset the fee rate, no more frequently than two years, based on updated analysis of market-rate and affordable housing expenses.

e. A written agreement is not necessary but charges and payments, including dates payable, may be administered as any other development fees.

2. Deposits and uses of payments in lieu of fractional affordable units shall follow the same policies established in KMC 18.77.045.

C. Developments producing ten or more new dwelling units shall have the number of affordable units rounded according to KMC 18.30.020(D).

18.77.045 Alternative compliance.

While the *City* prefers to achieve affordable housing on site, the *city manager* may approve a request for satisfying all or part of the affordable housing requirements with alternative compliance methods as follows:

A. Application. Applications for alternative compliance shall be submitted at the time of permit application, and must be approved prior to issuance of any building permit.

B. Off-Site Provision. A project proponent may propose to satisfy all or part of affordable housing requirements off site.

1. The project proponent must demonstrate that off-site provision of new affordable housing achieves a result equal to or better than providing affordable housing on site.

2. Affordable housing units provided through this method must be the same type of units as the units in the project which gave rise to the requirement.

3. Priority is for the project to be located within the same zoning district as the *development* responsible for providing affordable housing. However, the *city manager* may approve a project located outside the zoning district if the location has access to commercial *uses* and transit, does not result in an undue concentration of affordable housing, and has adequate infrastructure.

4. The proposal must demonstrate that the affordable units provided off site will be completed before or within the same time period as the *development* generating the affordable housing requirement. For projects approved for off-site affordable housing, there will be a recorded agreement on both the "sending" property and the "receiving" property. The covenant on the sending site will be released once the affordable housing is completed on the receiving property.

C. Contribution to Preservation of Existing Affordable Housing. A project proponent may propose to satisfy all or part of affordable housing requirements through purchase and long-term preservation of existing affordable housing, particularly in the *City's manufactured housing communities*. The *applicant* shall provide information demonstrating affordability of the units to be preserved and a long-term covenant shall be placed over the preserved units, ensuring preservation and maintenance of the affordable units.

1 D. Fee in Lieu. Cash payments in lieu of providing actual housing units may be proposed and, if
2 approved by the *city manager*, shall be used only for the subsequent preservation or provision of
3 affordable housing units by the *City* or other housing provider approved by the *city manager*.

4 1. Payments in lieu shall be based on the difference between the cost of construction for a
5 prototype affordable housing unit on the subject property, including land costs and
6 development fees, and the revenue generated by an affordable housing unit.

7 2. Prior to issuance of building permits for the project, the *City* and *applicant* shall execute a
8 written agreement that establishes the *applicant's* payment obligations (amounts and due
9 dates) for the project. The *City* may require the *applicant* to secure its payment obligations
10 by irrevocable letter of credit or other form acceptable to the *City*.

11 3. The *City* shall deposit collected payments in an affordable housing fund established by
12 the *City*.

13 4. Before the *city manager* approves or executes an agreement to accept payment in lieu of
14 affordable housing, the *City* must have a plan for investing funds in affordable housing that
15 supports *City* objectives. The *City* should make every effort to use these funds as quickly as
16 possible.

17 5. The highest priority location for affordable housing funded wholly or in part with in-lieu
18 fees is the subarea location of the project that generated the in-lieu fee; however, the *city*
19 *manager* may authorize the use of these funds for affordable housing projects in other
20 subareas of the *City* (as a second priority) or within another jurisdiction (as a third priority)
21 with close proximity to commercial uses, transit services, and/or employment opportunities.
22 [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]
23

City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 6/9/2025

Subject/Topic:	Proposed Council Action/Motion:
KAPE Program Performance and Recommendations Department: Engineering Prepared by: Tobin Bennett-Gold City Traffic Engineer Attachments: Attachment A – Recommended Intermittent Enforcement Sites Attachment B – Map of Recommended Intermittent Enforcement Sites Attachment C – Example Schedule	☐ Information Only ☐ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☒ Adopt/Approve ☐ Authorize ☐ Other: Motion to approve the use of intermittent enforcement cameras. Motion to approve list of recommended expanded KAPE locations. Motion to authorize the City Manager to execute a contract amendment with Vera Mobility for an amount up to \$1.2 Million plus per-violation processing fees for expansion of the photo enforcement program.

Approvals:

Department Head JV 5/23/25 City Attorney NA Finance Director MM 5/30/25 City Manager SLL 5/30/25 Optional NA

Summary/Background:

KAPE Program Impact

The goal of the Kenmore Automated Photo Enforcement (KAPE) program is to reduce crash risk in the City of Kenmore through two mechanisms:

- 1) Encourage reduced travel speeds at enforcement locations to reduce localized crash risk in areas with complex multimodal environments and elevated risk of severe crash injury for vulnerable road users.
- 2) Provide a sustained funding source for traffic safety investment throughout the City of Kenmore to reduce crash risk city-wide through traffic safety projects and activities.

In addition to the safety-positive impact the KAPE program seeks to deliver, the KAPE program also seeks to minimize the risk of negative impact on drivers affected by the program, and especially on drivers at risk of economic disruption. Photo enforcement is a tool which must be used both effectively

and responsibly, and the KAPE program is built on the foundational principles that the program must be fair, equitable, transparent, and safety-forward.

Dramatic Travel Speed Reduction

School zone and regulatory speed enforcement (24/7 enforcement) have demonstrated mutual synergy in the reduction of travel speeds in KAPE school zones. School zone speeding reduced dramatically immediately following the initial implementation of KAPE for school zone speed enforcement followed by a gradual reduction in travel speeds during non-school zone hours over the following year (with enforcement still limited to school zone hours only). Following the KAPE program expansion to include enforcement of the regulatory speed limit, speeding at all hours reduced dramatically, and school zone travel speeds saw a further decrease as well. Current mean speeds are consistently 17 MPH when school zones are active and 26 MPH across all other times.

Travel speeds during school zone hours especially are at low enough speeds such that any crash involving a vulnerable road user would very likely be survivable. Crash frequencies overall in KAPE school zones remain low but highly variable, experiencing a similar number of crashes to non-KAPE roadway segments in the 2023 and 2024 program years when enforcement was limited to school zone hours only. Because school zone hours capture only 10% of traffic annually, no-change in overall crash frequency is consistent with expectations. The expansion to include enforcement of the regulatory speed limit, however, is expected to contribute to a long-term reduction in crash frequency, though the effect is likely to be limited to the section of the corridor near an enforcement area under current program practices.

Expanding to continuous 24/7 enforcement has had the effect of even further reducing school zone violation rates (despite no change in enforcement practices during school zone active hours), and recent months show a system-wide violation rate of between 0.79% and 0.95% of drivers receiving infractions for school zone speeding violations. Expanding to 24/7 enforcement resulted in an immediate drop in regulatory speed violation rates from over 50% down to 6.8% of drivers traveling at 6 MPH or more above the speed limit in the first week of the warning period. Regulatory speeding violations continued to fall to a rate of 1.9% by the end of the warning period and to a violation rate of 1.2% as of April 2025, with regulatory speeding violations falling more quickly than the initial decline in school zone speeding violations when KAPE was first implemented.

Pedestrian Conflicts Effectively Eliminated at 61st Av SR 522

Since its launch, the red-light camera for eastbound left-turns at 61st Av & SR 522 has had a consistently low violation rate between 0.03% and 0.06% of drivers receiving a fine for red light violation. The red-light camera began its warning period in May of 2024, and began issuing fines in July of 2024. This camera was warranted based on an engineering study completed in 2019 that documented 70% of pedestrians crossing the north leg of 61st Av and SR 522 during peak travel periods experiencing a pedestrian conflict with left-turning vehicles during the walk phase – meaning 70% of pedestrians had to alter their path to avoid a vehicle running the red light. Since the camera became active, red-light violations for eastbound left-turns have essentially evaporated – down to an average of one per day compared to what used to be several violations per signal cycle during peak travel periods. A video study completed in May of this year showed similar levels of pedestrian activity and zero pedestrian conflicts.

Low economic impact

In 2025, Kenmore's baseline fine for speeding or red-light infraction increased from \$100 to \$110 and remains the lowest fine in the region for photo enforcement violations. The KAPE program places a critical emphasis on providing drivers with the necessary tools for voluntary compliance with the speed limit and provides drivers with the greatest possible opportunity to self-correct before entering an enforcement area. Because of the KAPE program's commitment to fairness and goal to minimize the number of violations, the share of drivers fined for speeding or red-light violations has fallen rapidly after the initial implementation of each site and has held steady at a very low rate. The low fine value is a measure of the KAPE program's commitment to minimizing the economic impact the program may have on the driving community and minimizing the risk of financial disruption for drivers who may not have economic stability.

Use of KAPE funds

Although the KAPE funding cycle is still relatively young, KAPE funds are currently being utilized to respond to safety concerns and to fund safety improvement projects. Use of KAPE funds in 2023 and 2024 included:

- \$250,000 contributed to the 73rd Av Sidewalks project to support bicycle and pedestrian safety improvements.
- \$55,000 invested in school zone improvements in existing and upcoming KAPE school zone locations, including additional school zone flashers, an additional speed feedback sign, and school zone device reliability upgrades
- Staffing to respond to safety concerns

Proposed 2025/2026 uses for KAPE funds include:

- \$625,000 contributing to the 61st Av Sidewalks project to support bicycle and pedestrian safety improvements.
- \$250,000 for the purchase of a narrow sweeper to support ongoing maintenance of safety investments such as bike lanes and narrowed travel lanes.
- \$1,100,000 contributing to the Arrowhead Dr Sidewalk project and the 80th Av NE Ped/Bikeproject
- \$550,000 for pavement preservation projects (pavement seals)
- \$170,000 investing in traffic safety to support the Traffic Count Program, Traffic Calming Program, and the Local Road Safety Plan
- Staffing to respond to safety concerns

Demonstrated Potential for Wider Behavior Shift

Pre-enforcement speed studies demonstrated low to negligible compliance with school zones and school zone flashers in Kenmore. Since the initial implementation of the KAPE program, travel speeds in areas supported by speed feedback signs and school zones flashers have decreased – even when those areas are not supported by photo enforcement. This effect was substantial following the first year of the KAPE program and showed further increase in effect once KAPE was expanded to 24/7 enforcement. In the Kenmore Middle school zone, which is supported by school zone flashers as well as speed feedback signs (the standard support for KAPE school zones), mean travel speeds when the school zone is active first decreased from 29 to 28 MPH in the time between the completion of the Walkways and Waterways projects and the launch of the first KAPE warning period. Over the first year of the KAPE program, travel speeds decreased further from 28 to 26 MPH and have further decreased from 26 to 25 MPH since KAPE was expanded to 24/7 enforcement. In this time, no changes have been made to the Kenmore Middle school zone on 202nd St. This unprecedented increase in school zone speed limit compliance even when no enforcement is present demonstrates the potential for photo

enforcement to drive wider behavior change and support a culture of safe and attentive driving. Speed feedback signs and school zone flashers play a critical role in facilitating driver attention in our enforcement areas as well as throughout the City, and a greater speed management effect can likely be gained both through expanded use of these devices as well as through increasing the strength of the association with attentive driving and self-correction.

Proposed Program Expansion

The KAPE program has demonstrated that photo enforcement can be used both responsibly and effectively to support safer travel speeds in the city of Kenmore. KAPE program expansion to 24/7 enforcement has demonstrated that the speed management effect of the program can be scaled to provide a safety benefit to the full volume of road users without introducing outsized economic impact or other negative externalities. It is recommended that future expansion leverage the strengths that have been demonstrated in its first two years of operation. Future expansion of the KAPE program will continue to minimize the economic impact on drivers and adhere to the foundational principles of creating a program that is fair, equitable, transparent, and safety-forward.

Intermittent Enforcement

Intermittent enforcement refers to a location that is approved for use of photo enforcement but where enforcement is active only intermittently, and a small number of cameras are rotated through a larger number of enforcement sites. Intermittent enforcement has been widely successful in Europe and has gained traction as an equitable and effective photo enforcement strategy in the US over the past decade.

Expanding KAPE to include sites other than school zones introduces additional opportunities for effective speed management in areas where other interventions have not been sufficient to meet speed management goals, or where more costly interventions are not currently feasible. Program expansion also introduces new challenges and complications such as maintaining fair enforcement practices through project delivery or speed limit changes, managing economic impact when a single trip may pass through multiple enforcement locations, and balancing the needs for short- and long-term deployments of safety cameras. A program which includes intermittent enforcement locations provides valuable program flexibility and addresses several equity issues and logistical complications compared to a program that relies on fixed-position cameras only. The benefits of an intermittent enforcement program include:

- Larger area of speed management effect for smaller number of cameras
- Flexibility to shift enforcement in response to a changing traffic environment
- Allows for short- or long-term application of enforcement as appropriate for the facility
- Greater geographic equity across a large number of intermittent sites
- Wider geographic use of enforcement paired with speed feedback signs supports effectiveness of speed feedback signs city-wide even when enforcement is not present

Limited Infraction Window

Expanding KAPE to new sites, especially when a driver may travel through multiple sites in a single trip, introduces the opportunity for a driver to trigger multiple infractions in a very short period of time. The potential for multiple infractions per trip contradicts the goal of minimizing economic impact on the community and minimizing the risk of economic disruption for drivers who may not have financial stability. To reduce the risk of this impact, the KAPE program will adopt a "Limited Infraction Window"

policy, wherein subsequent violations (City-wide) in a 30-minute period of time will not result in multiple infractions.

Site Recommendations

Deployment of safety cameras to intermittent enforcement sites still follows data-driven methodologies which prioritize the potential for speed reduction and by extension reduction in crash risk. The selection of the greater pool of potential sites, however, prioritizes program flexibility and geographic coverage in order to support dynamic deployment of safety cameras to areas where they are needed the most. The recommended sites cover each of Kenmore's arterial corridors and are located in areas where local travel speeds are highest or at where enforcement has the greatest potential to influence speed choice, and where effective camera placement is feasible. Rotation of safety camera deployment through this pool of sites will prioritize areas based on month-to-month data in order to dynamically respond to speed-related crash risk throughout the city.

Community Engagement and Implementation

The implementation of a large number of new KAPE sites and the introduction of intermittent enforcement practices is a departure from previous KAPE program expansions but can still be done in a way that is consistent with established program practices and the foundational principles of the KAPE program. It is always paramount that the KAPE program cultivates trust and solicits buy-in from the community.

The implementation of intermittent enforcement sites will adhere to the KAPE program's policy of 60-day warning periods. Following the end of the warning period, cameras will stay in place for an additional month before moving to new locations. Under normal operations, cameras will stay in place for two months before moving to a new location. The tentative timeline for program expansion is as follows:

- November 2025: Four cameras begin warning periods at the first intermittent enforcement sites.
- January 2026: The first warning periods end, and the initial sites enter normal operation for 1 month.
- February 2026: Two cameras begin a warning period at new sites, and two cameras begin dynamic deployment through established intermittent enforcement sites.
- May 2027: All new intermittent enforcement sites have completed warning periods, and all four mobile cameras are in dynamic deployment for two-month periods.

New sites are introduced on a three-month schedule until all sites have completed warning periods, and all four cameras continue to rotate across all sites according to dynamic prioritization based on month-to-month data. (See Attachment C – Example Schedule)

Education and outreach materials will support communication with the public regarding the addition of intermittent enforcement locations in the KAPE program, both through our digital mediums as well as in-person outreach opportunities at our Target Zero booth set up at City events. Additionally, a web map will be available through the KAPE website showing where all cameras are currently active.

Benefits of Proposed Program Expansion

The recommendations included here are expected to result in a substantial reduction in travel speed over a wide area of the City. Travel speed reductions in our highest crash-risk corridors are likely to reduce the risk of all crashes in affected areas by 30%, reduce the risk of injury crashes by 50%, and reduce the risk of fatal crashes by 70%. Expansion of the KAPE program based on these

recommendations is expected to prevent the occurrence of 30 crashes per year and reduce the expected recurrence of fatal crashes from once per four years to once per twelve years. Systemic speed management is a critical pillar of achieving and sustaining the City of Kenmore's Target Zero goal.

Revenue from the KAPE program is dedicated to funding traffic safety activities in the City of Kenmore. The uses of this revenue include providing a dedicated and sustainable funding source for several safety-critical city services:

- Traffic safety projects identified in the Local Road Safety Plan
- Traffic safety projects supporting the Traffic Count Program and the Traffic Calming Program
- Pavement preservation
- Police services supporting traffic safety

The financial sustainability plan and council-approved City Manager's recommendations include the expansion of KAPE by three additional locations (six cameras). The implementation of four additional cameras, in addition to the two cameras pending activation in the Inglemoor High school zone, is consistent with these recommendations to support the financial health of the City and its investment in a safer travel environment.

KAPE additionally supports the City's climate action plan. Deploying KAPE widely in order to achieve a city-wide reduction in vehicle speeds on collector and arterial streets could reduce tailpipe emissions by between 10% and 40%. To put this in context, Kenmore right now is not on track to meet our 2030 50% Emissions Reduction Milestone -- the 2023 emissions inventory shows a gap of 5,000 tons. The low-end potential emissions reduction from KAPE would cut that gap in half, and the high-end emissions reduction would flip the gap completely, putting the City as far ahead on progress towards the milestone as it is behind right now. In addition to reduced tailpipe emissions, lower vehicle speeds also reduce tire wear, reducing emission of tire wear particles into our stormwater system, including 6PPD pollutants currently threatening our salmon population.

Lower travel speeds, especially on the City's high-volume streets, supports safe and comfortable travel for multimodal travelers sharing the traffic environment with motor vehicles. Creating an environment where multimodal travelers of diverse needs and abilities are able to benefit from reduced reliance on car ownership is consistent with the City's DEIA Strategic plan.

Previous Council Actions:

February 28, 2022 – Council adoption of ordinance 22-0542 and municipal code changes allowing automated photo enforcement in Kenmore. Council approval of three initial locations: 61st Ave and Bothell Way for red-light enforcement, and the Arrowhead Elementary school zone on Juanita Drive and the Kenmore Elementary school zone on 73rd Av for school zone speeding enforcement.

May 23, 2022 – Council approval for the City Manager to execute a 5-year contract with Verra Mobility passed on the consent agenda. Verra Mobility was selected through open RFP process to serve as the contractor to manage the traffic safety cameras for the Kenmore Automated Photo Enforcement (KAPE) program.

September 16, 2024 – Council adoption of ordinance 24-0619 and municipal code changes allowing automated photo enforcement of speed violations (in addition to school zone speed violations) and

revised fine schedule. Council approval of Inglemoor High school zone for implementation of photo enforcement. Council approval to execute revised 5-year contract with Verra Mobility.

Fiscal Consideration:

In April 2024 the FSP Task Force recommended the expansion of KAPE by four additional locations (eight cameras). In November 2024 City Manager's recommendations were approved by Council, which included expansion of KAPE by three additional locations (six cameras). In September 2024, Council directed staff to implement two photo enforcement cameras in the Inglemoor High school zone. Expanding KAPE to four additional cameras would be consistent with recommendations made by the FSP Task Force and with the Council-approved City Manager's recommendations.

The cost of implementing the recommended expansion to the KAPE program fits within the existing budget for traffic safety improvements.

City Council Priorities or Budget Objective Being Addressed:

Core Mission: Safeguarding the City's finances and ensuring public safety.

Priority 1: Continue to implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.

Priority 5: Enhance multimodal transportation, including pedestrian and bicycle safety.

Priority 8: Continue to implement the Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan, including social justice reform.