



City of Kenmore
City Council Regular Meeting
Agenda
Monday, July 21, 2025
7:00 PM

ZOOM - LINK: <https://kenmorewa-gov.zoom.us/j/86483695456>

Password: 072125

Telephone: Dial US: +1 253 215 8782

Webinar ID: 864 8369 5456

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

REQUEST AN ACCOMMODATION HERE: kenmorewa.gov/accommodation

Public Comment on Ballot Measures: [FAQs](#)

If you have technical difficulties accessing the meeting virtually, please contact the Acting City Clerk at mkang@kenmorewa.gov.

Technical Difficulties - If the virtual component of the meeting disconnects, and we cannot resolve technical difficulties to reconnect the virtual component, the in-person meeting will continue at City Hall if there is a quorum of the body to conduct business.

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

2. ROLL CALL

3. LAND ACKNOWLEDGEMENT

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.

4. FLAG SALUTE

5. AGENDA APPROVAL

6. WHERE'S THE FUN?

7. 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.

- A) **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's Office. If you are having difficulty, please reach out to the City Clerk's Office at clerks@kenmorewa.gov.

8. CONSENT AGENDA

- A) Approve the City Council Special and Regular Meeting Minutes of June 9, 2025.
1. City Council Special and Regular Meeting Minutes from Monday, June 9, 2025
- B) Approve the City Council Regular Meeting Minutes of June 16, 2025.
1. City Council Regular Meeting Minutes of Monday, June 16, 2025
- C) Adopt proposed Resolution No. 25-433 and adopt the "Standards for Indigent Defense" as they currently exist and apply in Washington State Court Rules: CrR 3.1 (Rules for Superior Court Criminal); CrRLJ 3.1 (Rules for Courts of Limited Jurisdiction Criminal); and JuCR 9.2 (Rules for Juvenile Court).
1. Agenda Bill - Standards for Indigent Defense
 2. Attachment 1 - Proposed Resolution No. 25-433
 3. Attachment 2 - Washington State Bar Association Standards for Indigent Defense Services
 4. Attachment 3 - Supreme Court Order 25700-A-1644

9. PRESENTATIONS

- A) New Staff Introduction - Jenilee Knox, Payroll & Accounting Coordinator
- B) King County Regional Homelessness Authority (KCRHA) Update, presented by

KCRHA Staff

- C) Demo of NextRequest: Public Records Request Portal and Public Records Request Annual Update, presented by Public Records Officer Teresa McAllister and Acting City Clerk Michelle Kang
 - 1. Annual Public Records Request Update (added 7/18)
- D) Demo of CivicClerk: New Agenda Management System, presented by Acting City Clerk Michelle Kang

10. PUBLIC HEARING

VIRTUAL PUBLIC HEARING PRE-REGISTRATION: To provide virtual public hearing testimony, please fill out the Virtual Public Comment Request Form (linked above) 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's Office. If you are having difficulty, please reach out to the City Clerk's Office at clerks@kenmorewa.gov.

- A) Single Room Occupancy and Residential Parking Regulations, presented by Principal Planner Todd Hall and Senior Planner Brittany Chue, *for public hearing*
 - 1. Agenda Bill - Single Room Occupancy and Residential Parking Regulations
 - 2. Attachment 1 - Staff Memo
 - 3. Attachment 2 - Draft Code
 - 4. Attachment 3 - Presentation (added 7/18)

11. BUSINESS AGENDA

- A) August 5, 2025 Primary Election Ballot Measure:
Public Hospital District No. 2
Proposition No. 1
Levy Lid Lift for Healthcare Services
 - Presentation by EvergreenHealth CEO Dr. Ettore Palazzo
 - Questions and Discussion of the Council
 - Public Comment Opportunity per RCW 42.17A.555(1)(b)
 - Proposed Resolution
 - 1. Presentation (added 7/18)
 - 2. Proposed Resolution No. 25-431
- B) August 5, 2025 Primary Election Ballot Measure:
King County

Proposition No. 1

Parks, Recreation, Trails, and Open Space Levy

- Presentation by King County Department of Natural Resources & Parks, Parks & Recreation Division Director Warren Jimenez
- Questions and Discussion of the Council
- Public Comment Opportunity per RCW 42.17A.555(1)(b)
- Proposed Resolution

1. Presentation (added 7/18)
2. Proposed Resolution No. 25-432

12. STAFF REPORTS

13. COUNCILMEMBER REPORTS & COMMENTS

14. ADJOURNMENT

UPCOMING MEETING SCHEDULE:

- A) Monday, July 28, 2025 6:00 PM - City Council Special and Regular Meeting
August 2025 - City Council Regular Meetings - *tentatively canceled*

NOTICE OF POTENTIAL QUORUMS

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

**City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
Monday, June 9, 2025**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis

Staff: Interim City Manager Stephanie Lucash
Interim Deputy City Manager Tambi Cork
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol (virtual)
Co-Clerk Shannon Tipple-Leen
Principal Planner Todd Hall
Traffic Engineer Tobin Bennett-Gold

Speaking Guests: Jadie Hwang, Youth Poet Laureate
Nick Chen, Kimley-Horn Consultant
Mike Stanger, A Regional Coalition for Housing (ARCH) Senior Planner

Public Comment Speakers:
Zhen Jin, Kenmore Resident
Joyce Shui, Bellevue Resident
Patrick O’Brien, Kenmore Resident
Janet Hays, Kenmore Resident
Deborah Fiander, Kenmore Resident
Jamie Cho, Mercer Island Resident
Ray Nadolny, Bellevue Resident
Jeff Pooley, Kenmore Resident
David Dorrian, Kenmore Resident

Annie Garrett Seattle Resident (virtual)
Karen Smith, Texas Resident (virtual)
Mia Niu, Seattle Resident (virtual)
Stacey Valenzuela, Kenmore Resident (virtual)

Public Hearing Speakers:

Patrick O'Brien, Kenmore Resident
Christine Sheifer, Kenmore Resident
Jefferey Pooley, Kenmore Resident
David Dorrian, Kenmore Resident
Randy Banneker, Kenmore Resident (virtual)
Stacey Valenzuela, Kenmore Resident (virtual)

CALL REGULAR MEETING TO ORDER

Mayor Herbig called the regular meeting to order at 7:02 PM.

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Mayor Herbig led the Council in the Pledge of Allegiance.

AGENDA APPROVAL

The agenda was approved as presented.

WHERE'S THE FUN?

Interim City Manager Stephanie Lucash shared the US Rowing Youth Nationals Prediction for the upcoming race showing Inglemoor, and also highlighted the happy

PUBLIC COMMENTS

The City Council received comments from the public.

Timestamped link here:

<https://www.youtube.com/live/adhYU5scypA?si=CDbgrZTDoVccagAf&t=580>

CONSENT AGENDA

- A. Approve City Council Special and Regular Meeting Minutes of Monday, May 12, 2025.

[City Council Special and Regular Meeting Minutes of Monday, May 12, 2025 \(added 6/6\)](#)

- B. Approve the City Council Special and Regular Meeting Minutes of Monday, May 19, 2025.
[City Council Special and Regular Meeting Minutes of Monday, May 19, 2025 \(added 6/3\)](#)
- 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](#)

The Council removed Consent Item C “Adopt Proposed Resolution No. 25-429, amending the Council Rules and Procedures”.

MOTION: Approve the consent agenda minus Item C outlined above.

Moved by Culver; seconded by Herbig.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

Consent Item C

- 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.

MOTION: 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.

Moved by Srebnik; seconded by Loutsis.

VOTE: 3 Yes – Srebnik, O’Cain, Loutsis 4 No – Culver, Sasson, Marshall, Herbig, 0 Abstain. **MOTION FAILS.**

PUBLIC HEARING

- A. Proposed Amendments to the Kenmore Municipal Code (KMC) for Middle Housing, Accessory Dwelling Unit (ADU), and Affordable Housing (Inclusionary Zoning) Regulations, presented by Principal Planner Todd Hall, Kimley-Horn Consultant Nick Chen, and A Regional Coalition for Housing (ARCH) Senior Planner Mike Stanger, *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 Presentation - Public Hearing \(added 6/5\)](#)

The City of Kenmore’s June 9, 2025, public hearing presentation provided an overview of proposed amendments to the Kenmore Municipal Code (KMC) for Middle Housing, Accessory Dwelling Units (ADUs), and Affordable Housing (Inclusionary Zoning) regulations, presented by Principal Planner Todd Hall, Kimley-Horn Consultant Nick Chen, and A Regional Coalition for Housing (ARCH) Senior Planner Mike Stanger. The amendments respond to Washington State legislation—House Bill 1110 and House Bill 1337—requiring expanded housing options in single-family residential zones. The proposed code changes will permit a variety of housing types such as duplexes, triplexes, stacked flats, townhouses, cottage housing, courtyard apartments, and up to two ADUs per lot, while setting density, affordability, parking, and design standards. They also introduce procedures for unit lot subdivisions (per SB 5258), and require certain larger developments to include affordable housing or pay a fee-in-lieu. Grounded in multi-year community engagement and Planning Commission review, these efforts aim to enhance housing diversity and affordability in Kenmore, with Council adoption targeted for June 23, 2025, in advance of the state’s June 30 deadline

Mayor Herbig opened the public hearing at approximately 8:33 PM.
The Council received public testimony:
<https://www.youtube.com/live/adhYU5scypA?si=zO6TXUdWsr50CZYw&t=5777>
Mayor Herbig closed the public hearing at approximately 8:55 PM.

BUSINESS AGENDA

- A. Kenmore Automated Photo Enforcement (KAPE) Program Performance and Recommendations, presented by Traffic Engineer Tobin Bennett-Gold, *for discussion and approval*
[Agenda Bill - KAPE Program](#)
[Attachment A – Recommended Intermittent Enforcement Sites \(added 6/4\)](#)
[Attachment B – Map of Recommended Intermittent Enforcement Sites \(added 6/4\)](#)
[Attachment C – Example Schedule \(added 6/4\)](#)
[Presentation - KAPE Expansion](#)

Tobin Bennett-Gold, City Traffic Engineer, presented to the Kenmore City Council a comprehensive performance report and recommendations for expanding the Kenmore Automated Photo Enforcement (KAPE) program. The KAPE program aims to improve traffic safety by reducing speeds and crash risks, particularly for vulnerable road users, through both targeted enforcement and funding for citywide safety improvements. The presentation documented how KAPE’s shift to 24/7 enforcement has produced measurable reductions in travel speeds and violations, particularly in school zones, and nearly eliminated pedestrian conflicts at key intersections. The program prioritizes fairness, transparency, and minimizing economic impact—introducing policies such as a “Limited Infraction Window” to avoid multiple citations during a single trip and recommending intermittent camera deployment to improve geographic and economic

equity. The proposed expansion, supported by data and aligned with Kenmore's Climate Action, DEIA, and Financial Sustainability Plans, would rotate transportable cameras across high-risk arterial corridors to manage speeds more flexibly. Revenue from KAPE funds critical safety projects, with anticipated reductions in crash rates, fatalities, and emissions. Council was asked to approve intermittent enforcement cameras, the recommended expansion sites, and a contract amendment with Vera Mobility to implement the expansion.

The Council provided input and requested that the Traffic Engineer provide a prioritized list of sites for Council review.

MOTION: Motion to approve the use of intermittent enforcement cameras.

Moved by Srebnik; seconded by Herbig.

VOTE: 5 Yes – Srebnik, Loutsis, Sasson, Marshall, Herbig, 2 No – Culver, O'Cain; 0 Abstain. **MOTION PASSES.**

MOTION: Motion to approve list of recommended expanded KAPE locations.

Moved by Sasson; seconded by Herbig.

MOTION: Postpone motion (Motion to approve list of recommended expanded KAPE location) to June 23rd.

Moved by Srebnik; seconded by Herbig.

VOTE: 7 Yes – Srebnik, O'Cain, Loutsis, Culver, Sasson, Marshall, Herbig, 0 Abstain. **MOTION PASSES UNANIMOUSLY.**

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 10:49 PM.

Nigel Herbig, Mayor

Michelle Kang, Acting City Clerk

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
Monday, June 16, 2025**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig (*excused*)
Deputy Mayor Melanie O’Cain
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis

Staff: Interim City Manager Stephanie Lucash
Interim Deputy City Manager Tambi Cork
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Finance & Administration Director Melinda Merrell
Assistant City Manager/Community Development Director Debbie Bent
Senior Planner Brittany Chue
Environmental Services Director Richard Sawyer

Speaking Guests: Deanna Dawson, Association of Washington Cities (AWC) CEO

Public Comments Speaking Guests:
Wael Othman, Edmonds Resident
Hussam Othman, Kenmore Resident
Joyce Shui, Bellevue Resident
Jamie Cho, Bellevue Resident
Zhen Jin, Kenmore/Seattle Resident
Patrick O’Brien, Kenmore Resident
Stacey Valenzuela, Kenmore Resident (*virtual*)

CALL REGULAR MEETING TO ORDER

Deputy Mayor O’Cain called the regular meeting to order at 7:00 PM.

LAND ACKNOWLEDGEMENT

Deputy Mayor O’Cain read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Deputy Mayor O’Cain led the Council in the Pledge of Allegiance.

AGENDA APPROVAL

The agenda was approved as presented.

PROCLAMATION

The Kenmore City Council proclaimed June 19, 2025 as Juneteenth throughout the City of Kenmore (Councilmember Culver read the proclamation).

[Proclamation - Juneteenth](#)

WHERE’S THE FUN?

Interim City Manager highlighted the Inglemoor Rowers and their recent performance and the Pancake Breakfast at the Northshore Fire Department.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here:

https://www.youtube.com/live/xbehjfvJOvs?si=E3RbYz2ArkX_hQQa&t=526

CONSENT AGENDA

- A. Approve the City Council Special Meeting Minutes of Monday, June 2, 2025.
[City Council Special Meeting Minutes of Monday, June 2, 2025 \(added 6/13\)](#)
- B. Approve Total Check #s 56322 through 56398 totaling \$886,725.33, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 05/16/2025 in the amount totaling \$302,513.82, and Total EFT Payments #s 1838 through 1853 totaling \$76,211.12, and Total Wire Transfers totaling \$923,519.86.
[Voucher Certification & Approval 5/10/2025 - 5/23/2025](#)

MOTION: Approve the consent agenda outlined above.

Moved by Marshall; seconded by Culver.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

PRESENTATION

Association of Washington Cities (AWC) CEO Deanna Dawson presented an AWC Update presentation to the Council.

[Presentation - The Association of Washington Cities \(AWC\) \(added 6/9\)](#)

BUSINESS AGENDA

- A. First Quarter 2025 Financial Report, presented by Finance & Administration Director Melinda Merrell, *to receive and file*

[Agenda Bill - 1st Quarter 2025 Financial Report](#)

[Attachment - 1st Quarter 2025 Financial Reports](#)

[Presentation - 1 Quarter 2025 General & Other Revenue Funds \(added 6/16\)](#)

The City of Kenmore's 1st Quarter 2025 Financial Report (through March 31, 2025) reflects that General Fund revenues totaled \$3.5 million (10% of budget) and expenditures totaled \$3.7 million (9.8% of budget), resulting in a shortfall of \$198,924 for the quarter. Revenues were below target primarily due to the timing of property tax receipts (typically received in April), and expenditures came in low because police contract invoices for February and March were processed in April. Development fees and permits exceeded projections at 21.2% of budget, and investment interest earned \$99,581, or 22.1% of budget. The General Fund reserve balance was strong at \$9.9 million. Other key funds, such as Street, KAPE, Public Works Operations Center (PWOC), Surface Water Management, and Impact Fee funds, were performing within expected ranges, with no significant variances.

- B. Zoning Regulation Amendments for Parcels Adjacent to Swamp Creek near SR 522/80th Avenue NE where Interim Regulations Currently Apply, presented by Assistant City Manager/Community Development Director Debbie Bent and Senior Planner Brittany Chue, *for discussion and direction*

[Agenda Bill - Zoning Regulation Amendments](#)

[Attachment 1 - Staff Memo](#)

[Attachment 2 - Presentation \(updated 6/16\)](#)

Debbie Bent and Brittany Chue provided a presentation and background on potential zoning regulation amendments for 13 parcels adjacent to Swamp Creek near SR 522/80th Ave NE, where interim zoning currently applies. The goal is to develop permanent zoning that encourages pedestrian-oriented, mixed-use, and affordable housing development supported by transit, while also promoting environmental protection informed by a recent Swamp Creek study. The history of transit-oriented development (TOD) zoning and interim regulations was reviewed, along with existing zoning, shoreline standards, and recent environmental findings. Staff posed key policy questions for Council discussion regarding whether to retain or amend existing zoning

(R12, R18, R24, Urban Residential, UC East) or modify regulations based on the Swamp Creek assessment.

Community Development Director Debbie Bent will return to the Council with draft recommendation reflective of Council's limited directions.

- C. Chinook Salmon Conservation Planning in Water Resource Inventory Area (WRIA 8) Interlocal Agreement Renewal, presented by Environmental Services Director Richard Sawyer, *for discussion and approval*
[Agenda Bill - WRIA 8 Interlocal Agreement](#)
[Attachment 1 - WRIA 8 Interlocal Agreement](#)
[Presentation - WRIA 8 Interlocal Agreement Briefing \(added 6/16\)](#)

Richard Sawyer, Environmental Services Director, presented the WRIA 8 Interlocal Agreement renewal. The agreement supports the regional Chinook Salmon Conservation Plan in WRIA 8 (Lake Washington, Sammamish River, Cedar River areas), active since 2001. The partnership has secured \$38M in grants and implemented over 200 habitat projects. The renewed agreement will guide recovery efforts through 2035. Kenmore's estimated contribution is ~\$100,000 over 10 years, funded through the Surface Water Management budget. The request is to authorize the Interim City Manager to sign the agreement.

MOTION: Authorize interim City Manager to execute interlocal agreement for Chinook Salmon Conservation Planning for the Watershed Basins within Water Resource Inventory Area (WRIA) 8

Moved by Culver; seconded by Loutsis.

VOTE: 6 Yes – Culver, Marshall, Sasson, Srebnik, Loutsis, O'Cain; 0 No; 0 Abstain.

MOTION PASSES.

STAFF REPORTS

- A. Environmental Services Director Richard Sawyer provided an update on aquatic weed management.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Deputy Mayor O'Cain adjourned the meeting at approximately 10:04 PM.

Nigel Herbig, Mayor

Michelle Kang, Acting City Clerk

City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 7/21/2025

Subject/Topic:	Proposed Council Action/Motion:
Standards for the Delivery of Indigent Public Defense Services Pursuant to RCW 10.101.030. Department: City Manager's Office Prepared by: Tambi Cork Interim Deputy City Manager Attachments: 1. Resolution 25-433 2. Washington State Bar Association Standards for Indigent Defense Services 3. Supreme Court Order No. 25700-A-1644	☐ Information Only ☐ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☒ Adopt/Approve ☐ Authorize ☐ Other: Motion to adopt the “Standards for Indigent Defense” as they currently exist and apply in Washington State Court Rules: CrR 3.1 (Rules for Superior Court Criminal); CrRLJ 3.1 (Rules for Courts of Limited Jurisdiction Criminal), and JuCR 9.2 (Rules for Juvenile Court).

Approvals:

Department	City	Finance	City
Head <u>TC 7/8/25</u>	Attorney <u>DFR 7/8/25</u>	Director <u>N/A</u>	Manager <u>SLL 7/10/25</u>
			Optional <u>N/A</u>

Summary/Background:

RCW 10.101.030 requires counties and cities to adopt standards for the delivery of indigent public defense services. Washington Supreme Court adopted standards for the provision of indigent public defense services in Washington Court Rules ([CrR 3.1](#), [CrRLJ 3.1](#) and [JuCR 9.2](#)). Resolution 25-433 (Attachment 1) will adopt the Washington State Bar Association Standards for Indigent Defense Services (Attachment 2) for providing public defense to indigent individuals charged with misdemeanors within the city. This action ensures compliance with constitutional requirements and state law. The adopted standards exclude the additional standards under Supreme Court Order No. 25700-A-1644 (Attachment 3), which are not effective until January 1, 2026. Staff expect to return to Council in the future to take further action related to the additional standards.

Previous Council Action(s):

None

Fiscal Consideration:

These services are included in the 2025-2026 biennial budget and this resolution will not impact the cost of providing those services.

City Council Priorities or Budget Objective Being Addressed:

8. Continue to implement the Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan, including social justice reform.

**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 25-433**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
KENMMORE, WASHINGTON, ADOPTING STANDARDS FOR THE
DELIVERY OF INDIGENT PUBLIC DEFENSE SERVICES PURSUANT
TO RCW 10.101.030; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Kenmore (City) prosecutes misdemeanor offenses that are committed within the City's limits; and

WHEREAS, in accordance with the 6th Amendment of the United States Constitution, and Article I, Section 22 of the Washington Constitution, persons charged with misdemeanors who are deemed indigent are entitled to the effective assistance of counsel at public expense; and

WHEREAS, RCW 10.101.030 requires counties and cities to adopt standards for the delivery of indigent public defense services; and

WHEREAS, the Washington Supreme Court adopted standards for the provision of indigent public defense services in Washington Court Rules (CrR 3.1, CrRLJ 3.1 and JuCR 9.2); and

WHEREAS, in accordance with RCW 10.101.030, the City Council desires to adopt standards for indigent public defense services and deems it to be in the public interest;

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

Section 1. Adoption. The City Council adopts the "Standards for Indigent Defense" as they currently exist and apply in Washington State Court Rules: CrR 3.1 (Rules for Superior Court Criminal); CrRLJ 3.1 (Rules for Courts of Limited Jurisdiction Criminal), and JuCR 9.2 (Rules for Juvenile Court). This does not include the standards adopted under Washington State Supreme Court Order No. 25700-A-1644, which do not apply until January 1, 2026.

Section 2. Copy of Standards. The City Clerk is directed to have a copy of the standards adopted herein on file and available for public review.

Section 3. Effective Date. This resolution shall take effect and be in force immediately.

ADOPTED by the City Council of the City of Kenmore, Washington, this 21st day of July, 2025.

CITY OF KENMORE

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

Michelle Kang, Acting City Clerk

APPROVED AS TO FORM:

Dawn Reitan, City Attorney

RESOLUTION NO. 25-433



Washington State Bar Association

Standards for Indigent Defense Services

[Revised September 1, 2021]

STANDARD ONE: Compensation

Standard:

Public defense attorneys and staff should be compensated at a rate commensurate with their training and experience. To attract and retain qualified personnel, compensation and benefit levels should be comparable to those of attorneys and staff in prosecutorial offices in the area.

For assigned counsel, reasonable compensation should be provided. Compensation should reflect the time and labor required to be spent by the attorney and the degree of professional experience demanded by the case. Assigned counsel should be compensated for out-of-pocket expenses.

Contracts should provide for extraordinary compensation over and above the normal contract terms for cases which require an extraordinary amount of time and preparation, including, but not limited to, death penalty cases. Services which require extraordinary fees shall be defined in the contract.

Attorneys who have a conflict of interest shall not have to compensate the new, substituted attorney out of their own funds.

Flat fees, caps on compensation, and lump-sum contracts for trial attorneys are improper in death penalty cases. Private practice attorneys appointed in death penalty cases should be fully compensated for actual time and service performed at a reasonable hourly rate with no distinction between rates for services performed in court and out of court. Periodic billing and payment should be available. The hourly rate established for lead counsel in a particular case should be based on the circumstances of the case and the attorney being appointed, including the following factors: the anticipated time and labor required in the case, the complexity of the case, the skill and experience required to provide adequate legal representation, the attorney's overhead expenses, and the exclusion of other work by the attorney during the case. Under no circumstances should the hourly rate for lead counsel, whether private or public defender, appointed in a death penalty case be less than \$125 per hour (in 2006 dollars).

Related Standards:

American Bar Association, *Standards for Criminal Justice*, 5-2.4 and 5-3.1.

American Bar Association, *Guidelines for the Appointment and Performance in Death Penalty Cases*, 1988, Standard 10-1.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standards 13.7 and 13.11.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard IV-4.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contracts*, 1984, Standard III-10 and III-11.

STANDARD TWO: Duties and Responsibilities of Counsel

Standard:

The legal representation plan shall require that defense services be provided to all clients in a professional, skilled manner consistent with minimum standards set forth by the American Bar Association, applicable state bar association standards, the Rules of Professional Conduct, case law and applicable court rules defining the duties of counsel and the rights of defendants in criminal cases. Counsel's primary and most fundamental responsibility is to promote and protect the interests of the client.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, 4-1.1, 5-5.1 and 5-1.1.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standards 13.1.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard II-2.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Guideline III-18.

American Bar Association *Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases*. [\[Link\]](#)

STANDARD THREE: Caseload Limits and Types of Cases

Standard:

1. The contract or other employment agreement or government budget shall specify the types of cases for which representation shall be provided and the maximum number of cases which each attorney shall be expected to handle.
2. The caseload of public defense attorneys shall allow each lawyer to give each client the time and effort necessary to ensure effective representation. Neither defender organizations, county offices, contract attorneys nor assigned counsel should accept workloads that, by reason of their excessive size, interfere with the rendering of quality representation. As used in this Standard, "quality representation" is intended to describe the minimum level of attention, care and skill that Washington citizens would expect of their state's criminal justice system.
3. **General Considerations:** Caseload limits reflect the maximum caseloads for fully supported full-time defense attorneys for cases of average complexity and effort in each case type specified. Caseload limits assume a reasonably even distribution of cases throughout the year.

The increased complexity of practice in many areas will require lower caseload limits. The maximum caseload limit should be adjusted downward when the mix

of case assignments is weighted toward offenses or case types that demand more investigation, legal research and writing, use of experts, use of social workers, or other expenditures of time and resources. Attorney caseloads should be assessed by the workload required, and cases and types of cases should be weighted accordingly.

If a defender or assigned counsel is carrying a mixed caseload including cases from more than one category of cases, these standards should be applied proportionately to determine a full caseload. In jurisdictions where assigned counsel or contract attorneys also maintain private law practices, the caseload should be based on the percentage of time the lawyer devotes to public defense.

The experience of a particular attorney is a factor in the composition of cases in the attorney's caseload.

The following types of cases fall within the intended scope of the caseload limits for criminal and juvenile offender cases in Standard 3.4 and must be taken into account when assessing an attorney's numerical caseload: partial case representations, sentence violations, specialty or therapeutic courts, transfers, extraditions, representation of material witnesses, petitions for conditional release or final discharge, and other matters that do not involve a new criminal charge.

Definition of case: A case is defined as the filing of a document with the court naming a person as defendant or respondent, to which an attorney is appointed in order to provide representation. In courts of limited jurisdiction multiple citations from the same incident can be counted as one case.

4. **Caseload Limits:** The caseload of a full-time public defense attorney or assigned counsel shall not exceed the following:

150 Felonies per attorney per year; or

300 Misdemeanor cases per attorney per year or, in jurisdictions that have not adopted a numerical case weighting system as described in this Standard, 400 cases per year; or

250 Juvenile Offender cases per attorney per year; or

80 open Juvenile Dependency cases per attorney; or

250 Civil Commitment cases per attorney per year; or

1 Active Death Penalty trial court case at a time plus a limited number of non death penalty cases compatible with the time demand of the death penalty case and consistent with the professional requirements of Standard 3.2 *supra*; or

36 Appeals to an appellate court hearing a case on the record and briefs per attorney per year. *(The 36 standard assumes experienced appellate attorneys handling cases with transcripts of an average length of 350 pages. If attorneys do not have significant appellate experience and/or the average transcript length is greater than 350 pages, the caseload should be accordingly reduced.)*

Full time Rule 9 interns who have not graduated from law school may not have caseloads that exceed twenty-five percent (25%) of the caseload limits established for full time attorneys.

5. **Case Counting:** The local government entity responsible for employing, contracting with or appointing public defense attorneys should adopt and publish written policies and procedures to implement a numerical case-weighting system to count cases. If such policies and procedures are not adopted and published, it is presumed that attorneys are not engaging in case weighting. A numerical case weighting system must:
 - A. recognize the greater or lesser workload required for cases compared to an average case based on a method that adequately assesses and documents the workload involved;
 - B. be consistent with these Standards, professional performance guidelines, and the Rules of Professional Conduct;
 - C. not institutionalize systems or practices that fail to allow adequate attorney time for quality representation; and
 - D. be periodically reviewed and updated to reflect current workloads; and
 - E. be filed with the State of Washington Office of Public Defense.

Cases should be assessed by the workload required. Cases and types of cases should be weighted accordingly. Cases which are complex, serious, or contribute more significantly to attorney workload than average cases should be weighted upwards. In addition, a case weighting system should consider factors that might justify a case weight of less than one case.

Notwithstanding any case weighting system, resolutions of cases by pleas of guilty to criminal charges on a first appearance or arraignment docket are presumed to be rare occurrences requiring careful evaluation of the evidence and the law, as well as thorough communication with clients, and must be counted as one case.

6. **Case Weighting:** The following are some examples of situations where case weighting might result in representations being weighted as more or less than one case. The listing of specific examples is not intended to suggest or imply

that representations in such situations should or must be weighted at more or less than one case, only that they may be, if established by an appropriately adopted case weighting system.

- A. **Case Weighting Upwards:** Serious offenses or complex cases that demand more-than-average investigation, legal research, writing, use of experts, use of social workers and/or expenditures of time and resources should be weighted upwards and counted as more than one case.
- B. **Case Weighting Downward:** Listed below are some specific examples of situations where case weighting might justify representations being weighted less than one case. However, care must be taken because many such representations routinely involve significant work and effort and should be weighted at a full case or more.
 - i. Cases that result in partial representations of clients, including client failures to appear and recommencement of proceedings, preliminary appointments in cases in which no charges are filed, appearances of retained counsel, withdrawals or transfers for any reason, or limited appearances for a specific purpose (not including representations of multiple cases on routine dockets).
 - ii. Cases in the criminal or offender case type that do not involve filing of new criminal charges, including sentence violations, extraditions, representations of material witnesses, and other matters or representations of clients that do not involve new criminal charges. Non-complex sentence violations should be weighted as at least 1/3 of a case.
 - iii. Cases in specialty or therapeutic courts if the attorney is not responsible for defending the client against the underlying charges before or after the client's participation in the specialty or therapeutic court. However, case weighting must recognize that numerous hearings and extended monitoring of client cases in such courts significantly contribute to attorney workload and in many instances such cases may warrant allocation of full case weight or more.
 - iv. Cases on a criminal or offender first appearance or arraignment docket where the attorney is designated, appointed or contracted to represent groups of clients on that docket without an expectation of further or continuing representation and which are not resolved at that time (except by dismissal). In such circumstances, consideration should be given to adjusting the caseload limits appropriately, recognizing that case weighting must reflect that attorney workload includes the time needed for appropriate client contact and preparation as well as the appearance time spent on such dockets.

- v. Representation of a person in a court of limited jurisdiction on a charge which, as a matter of regular practice in the court where the

case is pending, can be and is resolved at an early stage of the proceeding by a diversion, reduction to an infraction, stipulation on continuance, or other alternative non-criminal disposition that does not involve a finding of guilt. Such cases should be weighted as at least 1/3 of a case.

Related Standards

American Bar Association, *Standards for Criminal Justice*, 4-1.2, 5-4.3.

American Bar Association *Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases*. [\[Link\]](#)

American Bar Association, *Ethical Obligations of Lawyers Who Represent Indigent Criminal Defendants When Excessive Caseloads Interfere With Competent and Diligent Representation*, May 13, 2006, *Formal Opinion 06-441*. [\[Link\]](#)

The American Council of Chief Defenders *Statement on Caseloads and Workloads*, (2007). [\[Link\]](#)

American Bar Association *Eight Guidelines of Public Defense Related to Excessive Caseloads*. [\[Link\]](#)

National Advisory Commission on Criminal Standards and Goals, *Task Force on Courts*, 1973, Standard 13.12.

American Bar Association *Disciplinary Rule 6-101*.

American Bar Association *Ten Principles of a Public Defense Delivery System*. [\[Link\]](#)

ABA Standards of Practice for Lawyers who Represent Children in Abuse & Neglect Cases, (1996) American Bar Association, Chicago, IL.

The American Council of Chief Defenders *Ethical Opinion 03-01* (2003).

National Legal Aid and Defender Association, *Standards for Defender Services*, Standards IV-I.

National Legal Aid and Defender Association, *Model Contract for Public Defense Services* (2002). [\[Link\]](#)

NACC Recommendations for Representation of Children in Abuse and Neglect Cases (2001). [\[Link\]](#)

City of Seattle Ordinance Number: 121501 (2004). [\[Link\]](#)

Seattle-King County Bar Association Indigent Defense Services Task Force, Guideline Number 1.

Washington State Office of Public Defense, *Parents Representation Program Standards Of Representation* (2009). [\[Link\]](#)

Keeping Defender Workloads Manageable, Bureau of Justice Assistance, U.S. Department of Justice, Indigent Defense Series #4 (Spangenberg Group, 2001). [\[Link\]](#)

STANDARD FOUR: Responsibility for Expert Witnesses

Standard:

Reasonable compensation for expert witnesses necessary to preparation and presentation of the defense case shall be provided. Expert witness fees should be maintained and allocated from funds separate from those provided for defender

services. Requests for expert witness fees should be made through an ex parte motion. The defense should be free to retain the expert of its choosing and in no cases should be forced to select experts from a list pre-approved by either the court or the prosecution.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, 5-1.4.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard IV 2d, 3.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1983, Standard III-8d.

National Advisory Commission, Task Force on Courts, 1973, Standard 13.14.

STANDARD FIVE: Administrative Costs

Standard:

1. Contracts for public defense services shall provide for or include administrative costs associated with providing legal representation. These costs should include but are not limited to travel, telephones, law library, including electronic legal research, financial accounting, case management systems, computers and software, office space and supplies, training, meeting the reporting requirements imposed by these standards, and other costs necessarily incurred in the day-to-day management of the contract.
2. Public defense attorneys shall have an office that accommodates confidential meetings with clients and receipt of mail, and adequate telephone services to ensure prompt response to client contact.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, Providing Defense Services.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States*, (1976), Guideline 3.4.

National Legal Aid and Defender Association, *Standards for Defender Services*, 1976 I-3, IV 2a-e, IV 5.

STANDARD SIX: Investigators

Standard:

1. Public defense attorneys shall use investigation services as appropriate.
2. Public defender offices, assigned counsel, and private law firms holding public defense contracts should employ investigators with investigation training and experience. A minimum of one investigator should be employed for every four attorneys.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, 4-4.1 and 5-1.14.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.14.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard IV-3.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Standard III-9.

Seattle-King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Guideline Number 8.

STANDARD SEVEN: Support Services**Standard:**

Public defense attorneys shall have adequate numbers of investigators, secretaries, word processing staff, paralegals, social work staff, mental health professionals and other support services, including computer system staff and network administrators. These professionals are essential to ensure the effective performance of defense counsel during trial preparation, in the preparation of dispositional plans, and at sentencing.

1. Legal Assistants - At least one full-time legal assistant should be employed for every four attorneys. Fewer legal assistants may be necessary, however, if the agency or attorney has access to word processing staff, or other additional staff performing clerical work. Defenders should have a combination of technology and personnel that will meet their needs.
2. Social Work Staff - Social work staff should be available to assist in developing release, treatment, and dispositional alternatives.
3. Mental Health Professionals - Each agency or attorney should have access to mental health professionals to perform mental health evaluations.
4. Investigation staff should be available as provided in Standard Six at a ratio of one investigator for every four attorneys.
5. Each agency or attorney providing public defense services should have access to adequate and competent interpreters to facilitate communication with non-English speaking and hearing-impaired clients for attorneys, investigators, social workers, and administrative staff.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, 4-8.1 and 5-1.4.

National Advisory Committee on Criminal Justice Standards and Goals, *Task Force on Courts*, Standard 13.14.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard IV-3.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Standard III-8.

Seattle-King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Guideline Number 7.

STANDARD EIGHT: Reports of Attorney Activity

Standard:

The legal representation plan shall require that the defense attorney or office maintain a case-reporting and management information system which includes number and type of cases, attorney hours and disposition. This information shall be provided regularly to the Contracting Authority and shall also be made available to the Office of the Administrator of the Courts. Any such system shall be maintained independently from client files so as to disclose no privileged information.

A standardized voucher form shall be used by assigned counsel attorneys seeking payment upon completion of a case. For attorneys under contract, payment should be made monthly, or at times agreed to by the parties, without regard to the number of cases closed in the period.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, 5-3.3 (b) xii, The Report to the Criminal Justice Section Council from the Criminal Justice Standards Committee, 1989.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984 Standard III-22.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States*, 1976, Guideline 3.4, 4.1, and 5.2.

STANDARD NINE: Training

Standard:

The legal representation plan shall require that attorneys providing public defense services participate in regular training programs on criminal defense law, including a minimum of seven hours of continuing legal education annually in areas relating to their public defense practice.

In offices of more than seven attorneys, an orientation and training program for new attorneys and legal interns should be held to inform them of office procedure and policy. All attorneys should be required to attend regular in-house training programs on developments in criminal law, criminal procedure and the forensic sciences.

Attorneys in civil commitment and dependency practices should attend training programs in these areas. Offices should also develop manuals to inform new attorneys of the rules and procedures of the courts within their jurisdiction.

Every attorney providing counsel to indigent accused should have the opportunity to

attend courses that foster trial advocacy skills and to review professional publications and other media.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, 5-1.4.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.16.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard V.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contracts*, 1984, Standard III-17.

Seattle-King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Guideline Number 3.

National Legal Aid and Defender Association, *Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases*, 1988, Standard 9.1.

STANDARD TEN: Supervision

Standard:

Each agency or firm providing public defense services should provide one full-time supervisor for every ten staff lawyers or one half-time supervisor for every five lawyers. Supervisors should be chosen from among those lawyers in the office qualified under these guidelines to try Class A felonies. Supervisors should serve on a rotating basis, and except when supervising fewer than ten lawyers, should not carry caseloads.

Related Standards:

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.9.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contract*, 1984, Standard III-16.

Seattle-King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Guideline Number 4.

STANDARD ELEVEN: Monitoring and Evaluation of Attorneys

Standard:

The legal representation plan for provision of public defense services should establish a procedure for systematic monitoring and evaluation of attorney performance based upon publicized criteria. Supervision and evaluation efforts should include review of time and caseload records, review and inspection of transcripts, in-court observations, and periodic conferences.

Performance evaluations made by a supervising attorney should be supplemented by

comments from judges, prosecutors, other defense lawyers and clients. Attorneys should be evaluated on their skill and effectiveness as criminal lawyers or as dependency or civil commitment advocates.

Related Standards:

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Standard III-16.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States*, 1976, Recommendations 5.4 and 5.5.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.9.

STANDARD TWELVE: Substitution of Counsel

Standard:

The attorney engaged by local government to provide public defense services should not sub-contract with another firm or attorney to provide representation and should remain directly involved in the provision of representation. If the contract is with a firm or office, the contracting authority should request the names and experience levels of those attorneys who will actually be providing the services, to ensure they meet minimum qualifications. The employment agreement shall address the procedures for continuing representation of clients upon the conclusion of the agreement. Alternate or conflict counsel should be available for substitution in conflict situations at no cost to the counsel declaring the conflict.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, Standard 5-5.2.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.1.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Guideline III-23.

STANDARD THIRTEEN: Limitations on Private Practice

Standard:

Private attorneys who provide public defense representation shall set limits on the amount of privately retained work which can be accepted. These limits shall be based on the percentage of a full-time caseload which the public defense cases represent.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, 4-1.2(d), 5-3.2.

American Bar Association, *Ethical Obligations of Lawyers Who Represent Indigent Criminal Defendants When Excessive Caseloads Interfere With Competent and Diligent Representation*, May 13, 2006, Formal

Opinion 06-441. [\[Link\]](#)

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.7.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard III-3 and IV-1.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contracts*, 1984, Guideline III-6.

STANDARD FOURTEEN: Qualifications of Attorneys

Standard:

- 1. In order to assure that indigent accused receive the effective assistance of counsel to which they are constitutionally entitled, attorneys providing defense services shall meet the following minimum professional qualifications:**
 - A. Satisfy the minimum requirements for practicing law in Washington as determined by the Washington Supreme Court; and
 - B. Be familiar with the statutes, court rules, constitutional provisions, and case law relevant to their practice area; and
 - C. Be familiar with the Washington Rules of Professional Conduct; and
 - D. Be familiar with the Performance Guidelines for Criminal Defense Representation approved by the Washington State Bar Association; and, when representing youth, be familiar with the Performance Guidelines for Juvenile Defense Representation approved by the Washington State Bar Association; and when representing respondents in civil commitment proceedings, be familiar with the Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings approved by the Washington State Bar Association; and
 - E. Be familiar with the Washington State Guidelines for Appointed Counsel in Indigent Appeals; and,
 - F. Be familiar with the consequences of a conviction or adjudication, including possible immigration consequences and the possibility of civil commitment proceedings based on a criminal conviction; and
 - G. Be familiar with mental health issues and be able to identify the need to obtain expert services; and
 - H. Complete seven hours of continuing legal education within each calendar year in courses relating to their public defense practice.

2. Trial attorneys' qualifications according to severity or type of case:¹

Death Penalty Representation. Each attorney acting as lead counsel in a criminal case in which the death penalty has been or may be decreed and in which the decision to seek the death penalty has not yet been made shall meet the following requirements:

- i. The minimum requirements set forth in Section 1; and ii. At least five years criminal trial experience; and
- iii. Have prior experience as lead counsel in no fewer than nine jury trials of serious and complex cases which were tried to completion; and
- iv. Have served as lead or co-counsel in at least one aggravated homicide case; and
- v. Have experience in preparation of mitigation packages in aggravated homicide or persistent offender cases; and
- vi. Have completed at least one death penalty defense seminar within the previous two years; and
- vii. Meet the requirements of SPRC 2.²

The defense team in a death penalty case should include, at a minimum, the two attorneys appointed pursuant to SPRC 2, a mitigation specialist and an investigator. Psychiatrists, psychologists and other experts and support personnel should be added as needed.

- A. Adult Felony Cases - Class A. Each attorney representing a defendant accused of a Class A felony as defined in RCW 9A.20.020 shall meet the following requirements:

¹ Attorneys working toward qualification for a particular category of cases under this standard may associate with lead counsel who is qualified under this standard for that category of cases.

² SPRC 2 APPOINTMENT OF COUNSEL

At least two lawyers shall be appointed for the trial and also for the direct appeal. The trial court shall retain responsibility for appointing counsel for trial. The Supreme Court shall appoint counsel for the direct appeal. Notwithstanding RAP 15.2(f) and (h), the Supreme Court will determine all motions to withdraw as counsel on appeal.

A list of attorneys who meet the requirements of proficiency and experience, and who have demonstrated that they are learned in the law of capital punishment by virtue of training or experience, and thus are qualified for appointment in death penalty trials and for appeals will be recruited and maintained by a panel created by the Supreme Court. All counsel for trial and appeal must have demonstrated the proficiency and commitment to quality representation which is appropriate to a capital case. Both counsel at trial must have five years' experience in the practice of criminal law be familiar with and experienced in the utilization of expert witnesses and evidence, and not be presently serving as appointed counsel in another active trial level death penalty case. One counsel must be, and both may be, qualified for appointment in capital trials on the list, unless circumstances exist such that it is in the defendant's interest to appoint otherwise qualified counsel learned in the law of capital punishment by virtue of training or experience. The trial court shall make findings of fact if good cause is found for not appointing list counsel.

At least one counsel on appeal must have three years' experience in the field of criminal appellate law and be learned in the law of capital punishment by virtue of training or experience. In appointing counsel on appeal, the Supreme Court will consider the list, but will have the final discretion in the appointment of counsel. [\[Link\]](#)

- i. Minimum requirements set forth in Section 1; and ii. Either:
 - a. has served two years as a prosecutor; or
 - b. has served two years as a public defender; or two years in a private criminal practice, and
 - iii. Has been trial counsel alone or with other trial counsel and handled a significant portion of the trial in three felony cases that have been submitted to a jury.
- B. Adult Felony Cases - Class B Violent Offense. Each attorney representing a defendant accused of a Class B violent offense as defined in RCW 9A.20.020 shall meet the following requirements:
- i. The minimum requirements set forth in Section 1; and
 - ii. Either:
 - a. has served one year as prosecutor; or
 - b. has served one year as public defender; or one year in a private criminal practice; and
 - iii. Has been trial counsel alone or with other counsel and handled a significant portion of the trial in two Class C felony cases that have been submitted to a jury.
- C. Adult Sex Offense Cases. Each attorney representing a client in an adult sex offense case shall meet the following requirements:
- i. The minimum requirements set forth in Section 1 and Section 2(C); and
 - ii. Been counsel alone of record in an adult or juvenile sex offense case or shall be supervised by or consult with an attorney who has experience representing juveniles or adults in sex offense cases.
- D. Adult Felony Cases - All other Class B Felonies, Class C Felonies, Probation or Parole Revocation. Each attorney representing a defendant accused of a Class B felony not defined in Section 2(C) or (D) above or a Class C felony, as defined in RCW 9A.20.020, or involved in a probation or parole revocation hearing shall meet the following requirements:
- i. The minimum requirements set forth in Section 1, and ii. Either:
 - a. has served one year as a prosecutor; or

- b. has served one year as a public defender; or one year in a private criminal practice; and
 - iii. Has been trial counsel alone or with other trial counsel and handled a significant portion of the trial in two criminal cases that have been submitted to a jury; and
 - iv. Each attorney shall be accompanied at his or her first felony trial by a supervisor if available.
- E. Persistent Offender (Life Without Possibility of Release) Representation.
Each attorney acting as lead counsel in a “two-strikes” or “three strikes” case in which a conviction will result in a mandatory sentence of life in prison without parole shall meet the following requirements:
 - i. The minimum requirements set forth in Section 1³; and ii. Have at least:
 - a. four years criminal trial experience; and
 - b. one year experience as a felony defense attorney; and
 - c. experience as lead counsel in at least one Class A felony trial; and
 - d. experience as counsel in cases involving each of the following:
 - (1) Mental health issues; and
 - (2) Sexual offenses, if the current offense or a prior conviction that is one of the predicate cases resulting in the possibility of life in prison without parole is a sex offense; and
 - (3) Expert witnesses; and
 - (4) One year of appellate experience or demonstrated legal writing ability.

³ RCW 10.101.060 (1)(a)(iii) provides that counties receiving funding from the state Office of Public Defense under that statute must require “attorneys who handle the most serious cases to meet specified qualifications as set forth in the Washington state bar association endorsed standards for public defense services or participate in at least one case consultation per case with office of public defense resource attorneys who are so qualified. The most serious cases include all cases of murder in the first or second degree, persistent offender cases, and class A felonies.”

F. Juvenile Cases - Class A. Each attorney representing a juvenile accused of a Class A felony shall meet the following requirements:

- i. The minimum requirements set forth in Section 1, and ii. Either:
 - a. has served one year as a prosecutor; or
 - b. has served one year as a public defender; one year in a private criminal practice; and
- iii. Has been trial counsel alone of record in five Class B and C felony trials; and
- iv. Each attorney shall be accompanied at his or her first juvenile trial by a supervisor, if available.

G. Juvenile Cases - Classes B and C. Each attorney representing a juvenile accused of a Class B or C felony shall meet the following requirements:

- i. Minimum requirements set forth in Section 1; and ii. Either:
 - a. has served one year as a prosecutor; or
 - b. has served one year as a public defender; or one year in a private criminal practice, and
- iii. has been trial counsel alone in five misdemeanor cases brought to a final resolution; and
- iv. Each attorney shall be accompanied at his or her first juvenile trial by a supervisor if available.

H. Juvenile Sex Offense cases. Each attorney representing a client in a juvenile sex offense case shall meet the following requirements:

- i. The minimum requirements set forth in Section 1 and Section 2(H); and
- ii. Been counsel alone of record in an adult or juvenile sex offense case or shall be supervised by or consult with an attorney who has experience representing juveniles or adults in sex offense cases.

I. Juvenile Status Offenses Cases. Each attorney representing a client in a "Becca" matter shall meet the following requirements:

- i. The minimum requirements as outlined in Section 1; and ii. Either:
 - a. have represented clients in at least two similar cases under the

supervision of a more experienced attorney or completed at least three hours of CLE training specific to “status offense” cases; or

- b. have participated in at least one consultation per case with a more experienced attorney who is qualified under this section.

J. Misdemeanor Cases. Each attorney representing a defendant involved in a matter concerning a simple misdemeanor or gross misdemeanor or condition of confinement, shall meet the requirements as outlined in Section 1.

K. Dependency Cases. Each attorney representing a client in a dependency matter shall meet the following requirements:

- i. The minimum requirements as outlined in Section 1; and
- ii. Attorneys handling termination hearings shall have six months dependency experience or have significant experience in handling complex litigation.
- iii. Attorneys in dependency matters should be familiar with expert services and treatment resources for substance abuse.
- iv. Attorneys representing children in dependency matters should have knowledge, training, experience, and ability in communicating effectively with children, or have participated in at least one consultation per case either with a state Office of Public Defense resource attorney or other attorney qualified under this section.

L. Civil Commitment Cases. Each attorney representing a respondent shall meet the following requirements:

- i. Minimum requirements set forth in Section 1; and
- ii. Each staff attorney shall be accompanied at his or her first 90 or 180 day commitment hearing by a supervisor; and
- iii. Shall not represent a respondent in a 90 or 180 day commitment hearing unless he or she has either:
 - a. served one year as a prosecutor, or
 - b. served one year as a public defender, or one year in a private civil commitment practice, and
 - c. been trial counsel in five civil commitment initial hearings; and

- iv. Shall not represent a respondent in a jury trial unless he or she has conducted a felony jury trial as lead counsel; or been co-counsel with a more experienced attorney in a 90 or 180 day commitment hearing.
- M. Sex Offender “Predator” Commitment Cases. Generally, there should be two counsel on each sex offender commitment case. The lead counsel shall meet the following requirements:
- i. The minimum requirements set forth in Section 1; and ii. Have at least:
 - a. Three years criminal trial experience; and
 - b. One year experience as a felony defense attorney or one year experience as a criminal appeals attorney; and
 - c. Experience as lead counsel in at least one felony trial; and
 - d. Experience as counsel in cases involving each of the following:
 - (1) Mental health issues; and
 - (2) Sexual offenses; and
 - (3) Expert witnesses; and
 - e. Familiarity with the Civil Rules; and
 - f. One year of appellate experience or demonstrated legal writing ability.
- Other counsel working on a sex offender commitment cases should meet the Minimum Requirements in Section 1 and have either one year experience as a public defender or significant experience in the preparation of criminal cases, including legal research and writing and training in trial advocacy.
- N. Contempt of Court Cases. Each attorney representing a respondent shall meet the following requirements:
- i. Minimum requirements set forth in Section 1; and
 - ii. Each staff attorney shall be accompanied at his or her first three contempt of court hearings by a supervisor or more experienced attorney, or participate in at least one consultation per case with a state Office of Public Defense resource attorney or other attorney qualified in this area of practice.

- O. Specialty Courts. Each attorney representing a client in a specialty court (e.g., mental health court, drug diversion court, homelessness court) shall meet the following requirements:
 - i. The minimum requirements set forth in Section 1; and
 - ii. The requirements set forth above for representation in the type of practice involved in the specialty court (e.g., felony, misdemeanor, juvenile); and
 - iii. Be familiar with mental health and substance abuse issues and treatment alternatives.

3. **Appellate Representation.**

Each attorney who is counsel for a case on appeal to the Washington Supreme Court or to the Washington Court of Appeals shall meet the following requirements:

- A. The minimum requirements as outlined in Section 1; and
- B. Either:
 - i. has filed a brief with the Washington Supreme Court or any Washington Court of Appeals in at least one criminal case within the past two years; or
 - ii. has equivalent appellate experience, including filing appellate briefs in other jurisdictions, at least one year as an appellate court or federal court clerk, extensive trial level briefing or other comparable work.
- C. Attorneys with primary responsibility for handling a death penalty appeal shall have at least five years' criminal experience, preferably including at least one homicide trial and at least six appeals from felony convictions, and meet the requirements of SPRC 2.

RALJ Misdemeanor Appeals to Superior Court: Each attorney who is counsel alone for a case on appeal to the Superior Court from a Court of Limited Jurisdiction should meet the minimum requirements as outlined in Section 1, and have had significant training or experience in either criminal appeals, criminal motions practice, extensive trial level briefing, clerking for an appellate judge, or assisting a more experienced attorney in preparing and arguing an RALJ appeal.

4. **Legal Interns.**

- A. Legal interns must meet the requirements set out in APR 9.
- B. Legal interns shall receive training pursuant to APR 9 to inform them of office procedure and policy Standard Nine, Training.

Related Standards:

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, Standard 13.15.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Public Defense Contracts*, 1984, Standard III-7.

National Legal Aid and Defender Association, *Standards for the Appointment and Performance of Counsel in Death Penalty Cases*, 1987, Standard 5.1.

STANDARD FIFTEEN: Disposition of Client Complaints

Standard:

Each agency or firm or individual contract attorney providing public defense services shall have a method to respond promptly to client complaints. Complaints should first be directed to the attorney, firm or agency which provided representation. If the client feels that he or she has not received an adequate response, the contracting authority or public defense administrator should designate a person or agency to evaluate the legitimacy of complaints and to follow up meritorious ones. The complaining client should be informed as to the disposition of his or her complaint within one week.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, 4-5.1 and 4-5.2.

STANDARD SIXTEEN:

Cause for Termination of Defender Services and Removal of Attorney

Standard:

Contracts for indigent defense services shall include the grounds for termination of the contract by the parties. Termination of a provider's contract should only be for good cause. Termination for good cause shall include the failure of the attorney to render adequate representation to clients; the willful disregard of the rights and best interests of the client; and the willful disregard of the standards herein addressed.

Removal by the court of counsel from representation normally should not occur over the objection of the attorney and the client.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, Standard 5-1.3, 5-5.3.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Guideline III-5.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States*, 1976, Recommendations 2.12 and 2.14.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.8.

STANDARD SEVENTEEN: Non-Discrimination

Standard:

Neither the Contracting Authority, in its selection of an attorney, firm or agency to provide public defense representation, nor the attorneys selected, in their hiring practices or in their representation of clients, shall discriminate on the grounds of race, color, religion, national origin, age, marital status, gender, sexual orientation or disability. Both the contracting authority and the contractor shall comply with all federal, state, and local non-discrimination requirements.

Related Standards:

American Bar Association, *Standards for Criminal Justice*, Providing Defense Services, Standard 5-3.1.

National Legal Aid and Defender Association, *Standards for Defender Services*, 1976, Standard III-8.

STANDARD EIGHTEEN: Guidelines for Awarding Defense Contracts

Standard:

Recruitment for public defense contracts and assigned counsel lists should include efforts to achieve a diverse public defense workforce.

Attorneys or firms applying for contracts or placement on assigned counsel lists must demonstrate their ability to meet these Standards and the Supreme Court Standards for Indigent Defense. Their contracts must comply with Rules of Professional Conduct 1.8(m).

The county or city should award contracts for public defense services and select attorneys for assigned counsel lists only after determining that the applicant has demonstrated professional qualifications consistent with both these Standards and the Supreme Court Standards for Indigent Defense. Under no circumstances should a contract be awarded on the basis of cost alone.

Judges, judicial staff, city attorneys, county prosecutors, and law enforcement officers shall not select the attorneys who will be included in a contract or an assigned counsel list.

Related Standards:

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contracts*, 1984, Standard IV-3.

King County Bar Association Indigent Defense Services Task Force, Guidelines for Accreditation of Defender Agencies, 1982, Statement of Purpose.

(The WSBA Board of Governors adopted revisions to Standard 18 in May 2021)

STANDARD NINETEEN: Independence and Oversight of Public Defense Services⁴

Standard:

Public defense providers should not be restrained from independently advocating for the resources and reforms necessary to provide defense related services for all clients. This includes efforts to foster system improvements, efficiencies, access to justice, and equity in the legal system.

Judges and judicial staff shall not manage and oversee public defense offices, public defense contracts, or assigned counsel lists. Judges and judicial staff in superior courts and courts of limited jurisdiction shall not select public defense administrators or the attorneys who provide public defense services.

Attorneys with public defense experience insulated from judicial and political influence should manage and oversee public defense services.

The terms “manage” and “oversee” include: drafting, awarding, renewing, and terminating public defense contracts; adding attorneys or removing them from assigned counsel lists; developing case weighting policies; monitoring attorney caseload limits and case-level qualifications; monitoring quality; monitoring compliance with contracts, policies, procedures, and standards; and recommending compensation.

The agencies, organizations, and administrators responsible for managing and overseeing public defense services shall apply these Standards, the Supreme Court Standards for Indigent Defense, and the WSBA Performance Guidelines in their management and oversight duties.

Jurisdictions unable to employ attorneys with public defense experience to manage and oversee public defense services shall consult with established city, county, or state public defense offices, or engage experienced public defense providers as consultants regarding

⁴ See Principle 1 of the ABA Ten Principles of a Public Defense Delivery System and Commentary, including the recommendation a nonpartisan commission or advisory board oversee the public defense function, thus safeguarding against undue political pressure while also promoting efficiency and accountability for a publicly funded service.

management and oversight duties.

Related Standards:

American Bar Association, *Ten Principles of a Public Defense Delivery System*, 2002, Principle 1.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts, The Defense*, 1973, Chapter 1.3.

American Bar Association *Standards for Criminal Justice, Providing Defense Services*, 1992, Standards 5-1.3, 5-1.6, 5-4.1.

National Legal Aid and Defender Association, *Standards for the Administration of Assigned Counsel Systems*, 1989, Standards 2, 3.2.1.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Contracts for Criminal Defense Services*, 1984, Guidelines II-1, II-2, II-3, IV-2.

National Conference of Commissioners on State Law, *Model Public Defender Act*, 1970, Section 10(d).

Institute for Judicial Administration/American Bar Association, *Juvenile Justice Standards Relating to Counsel for Private Parties*, 1979, Standards 2.1(D), 3.2.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States* 1976, Guidelines 2.8, 2.10-2.13, 2.18, 5.13.

Michigan Indigent Defense Commission, 2020, *Minimum Standard 5*.

Additional References:

American Legislative Exchange Council (ALEC), *Resolution in Support of Public Defense*, 2019, Independence and Equality.

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/the-constitutional-imperative-for-defender-independence-aba-principle-1/>

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/the-preeminent-need-for-independence-of-the-defense-function-aba-principle-1/>

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/understanding-judicial-interference-with-the-defense-function-aba-principle-1/>

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/understanding-political-interference-with-the-defense-function-aba-principle-1/>

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/systemic-accountability-through-an-independent-commission-aba-principle-1/>

(The WSBA Board of Governors adopted Standard 19 in May 2021)

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE STANDARDS FOR
INDIGENT DEFENSE IMPLEMENTATION OF
CrR 3.1, CrRLJ 3.1, AND JuCR 9.2

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ORDER

NO. 25700-A-1644

The Washington State Supreme Court in October 2023 requested that the Washington State Bar Association (“WSBA”) Council on Public Defense (“CPD”) review a newly released National Public Defense Workload Study (“The Rand Study”) and provide recommendations, if any, to the Court.

As a result of that review, the CPD proposed comprehensive revisions to the WSBA Standards for Indigent Defense Services. The WSBA Board of Governors, after receiving public comments, adopted the proposed revised Standards and forwarded them to the Court with a recommendation that the Court incorporate the WSBA-adopted revised Standards into the Court’s Standards in CrR3.1, CrRLJ 3.1, and JuCR 9.2.

The Court, in June 2024, published the WSBA proposed Standards for comment and held two public hearings on those proposed Standards on September 25, 2024 and November 13,

2024. The Court has, to date, held three lengthy internal work sessions to review all of the comments and testimony, and to discuss each proposed Standard.

Although the Court has not completed its full review, the Court is aware that: (1) budget planning is underway in local jurisdictions; (2) it would help that process for planners to know as soon as possible about any revised caseload standards that will be adopted; and (3) the crisis in the provision of indigent criminal defense services throughout our state requires action now to address the crisis and to support quality defense representation at every level. Thus, in advance of a full decision on all parts of the CPD's proposal, we provide this summary communication of the Court's conclusions on caseloads. The reality is that many aspects of indigent criminal defense services vary by structure and location, so the Court is adopting an approach which accommodates that diversity while fostering real and meaningful reductions in caseloads as soon as possible, where necessary.

Now therefore, it is hereby ORDERED:

1. Effective January 1, 2026, the caseload standard for each full-time appointed felony attorney for any 12 month period shall be 47 felony case credits; and for each full-time appointed misdemeanor attorney for any 12 month period shall be 120 misdemeanor case credits; and for each full-time appointed attorney for a respondent in civil commitment proceedings for any 12 month period shall be 250 commitment case credits. Implementation of these caseload standards must be accomplished as soon as reasonably possible. Implementation may, however, be accomplished in a phased approach with an annual reduction of at least 10% of the difference between the current standard and the new standard (as measured on January 1, 2026), until the

new standard has been met. Full compliance must occur no later than ten years from January 1, 2026.

2. The Court declines to adopt the mandatory method of case counting and weighting in the proposed standards. However, we endorse the importance of case weighting to measure case credits and actual case counts, including inherited cases, to make the mandatory caseload limits meaningful. Thus, case weighting to measure case credits is permissible and encouraged. Case weighting should rely on written policies and procedures that have been adopted and published by the local government entity responsible for employing, contracting with, or appointing counsel for indigent defendants and respondents. Such case weighting may use the method in the Rand Study relied upon by the WSBA CPD and the rules for weighting contained in the WSBA's adopted Standards. All policies on case counting and weighing shall, at a minimum, comply with principles in the current court rule Standards 3.5 and 3.6. If no case weighting system is adopted, the maximum caseload count is the actual number of cases referenced above for each case type.

3. There shall be an evaluation of the progress and impact of these caseload standards three years after the effective date of these standards. Implementation shall continue during the evaluation.

4. Rule amendments concerning revised caseload standards will be announced in the near future, once the court's review is complete.

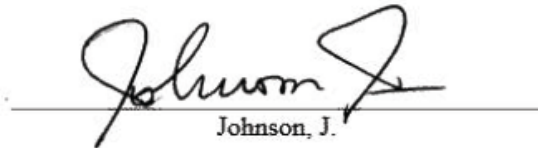
PAGE 4

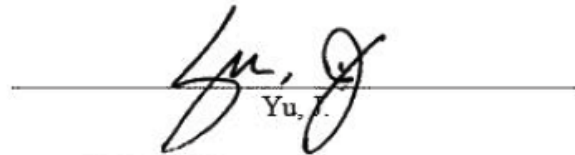
ORDER

IN THE MATTER OF THE STANDARDS FOR INDIGENT DEFENSE IMPLEMENTATION
OF CrR 3.1, CrRLJ 3.1, AND JuCR 9.2

IT IS SO ORDERED, this 9th day of June, 2025.


CHIEF JUSTICE

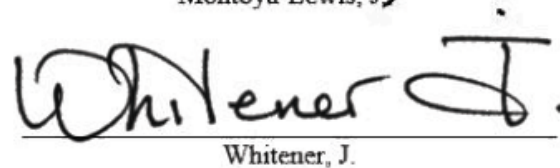

Johnson, J.

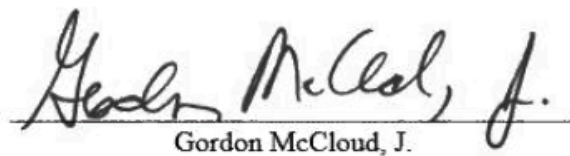

Yu, J.

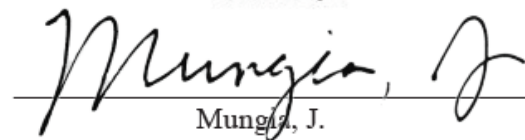

Madsen, J.


Montoya-Lewis, J.


González, J.


Whitener, J.


Gordon McCloud, J.


Mungia, J.

KENMORE'S ANNUAL PUBLIC RECORDS REQUEST UPDATE

Teresa McAllister, Public Records Officer | Administrative Specialist

Michelle Kang, Acting City Clerk | Backup Support to Public Records Officer



July 21, 2025



DEMO OF NEXTREQUEST: NEW PUBLIC RECORDS REQUEST PORTAL



WHY A NEW PORTAL?

Problem:

- Original Public Records Request (PRR) manual system was time intensive, inefficient, created a risk of missing critical deadlines, and opened the City up to legal liabilities.

Solution:

- Utilizing a PRR software and portal designed for processing, tracking, and managing ultimately helps staff, the City, and the public with a seamless public records request experience.



2024 JLARC REPORT

Joint Legislative Audit and Review Committee (JLARC)

What: State reporting system for performance measures and costs related to public records with 15 metric data points.

Why: To better understand the impacts of Public Records Act (PRA) compliance.

Who: Any local government that spends at least \$100,000 in staff and legal costs associated with fulfilling public records requests must report.

When: Since 2017, the intent is to “improve best practices for dissemination of public records”; agencies are required to collect data related to a variety of performance metrics to include:

- Costs
- Staff time
- Response time



KENMORE'S 2024 JLARC REPORT

In 2024, Kenmore exceeded the \$100,000 threshold and is required to report.

The costs incurred fulfilling records requests include:

- Staff and attorney time
- Public records officers training costs

2024 BASELINE DATA

Baseline data

Total number of open public records requests at the beginning of the reporting period

4

Of the number of requests open at the beginning of the reporting period, how many were closed during the reporting period?

4

Total number of public records requests received during the reporting period

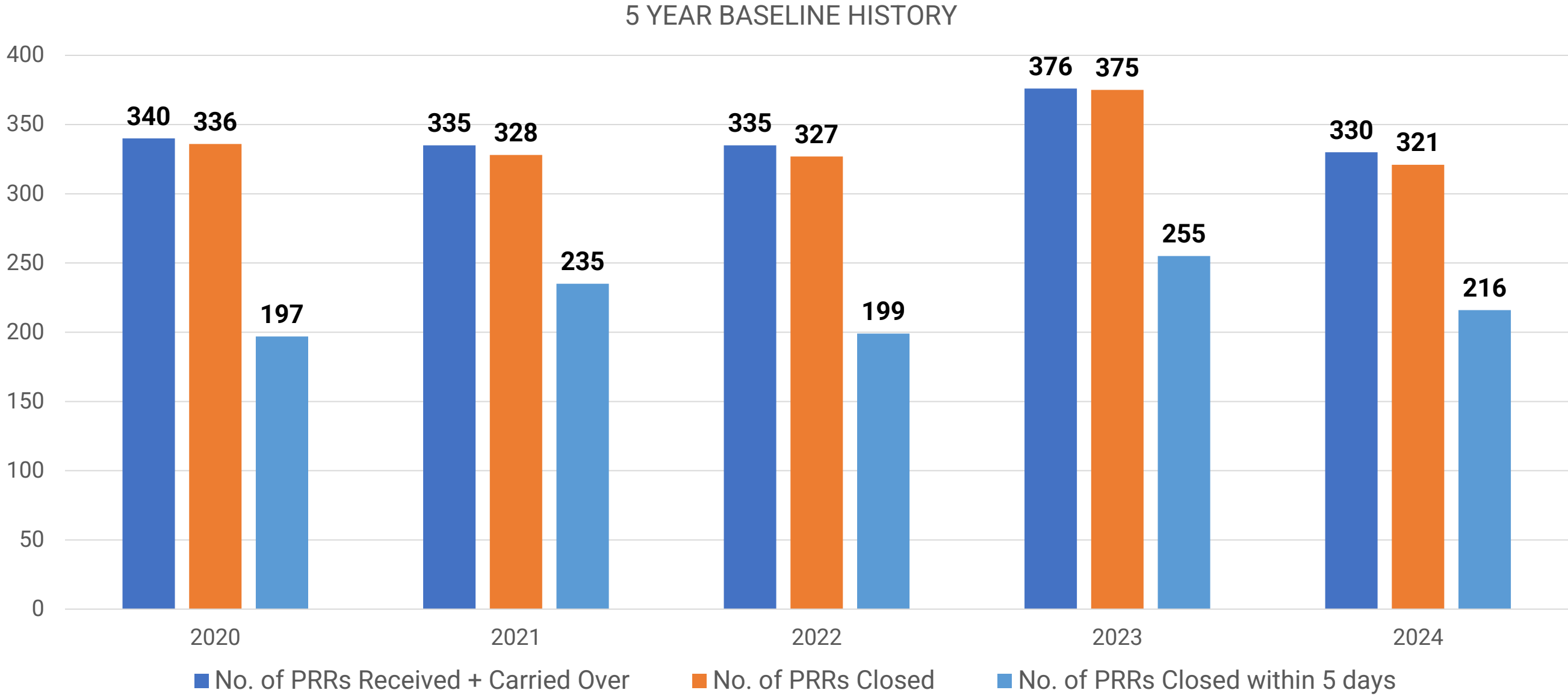
326

Of the requests received during the reporting period, how many were closed during the reporting period?

317



BASELINE DATA COMPARISON



The 5-Day Response

Response acknowledges receipt of request and one of the following:

- Include the records and close request
- Notify requester no responsive records and close request
- Valid reason why the request is anticipated to take longer than five days to respond.



2024 RESPONSE TIME

Total number of requests closed within five days:
216

Number of requests where an estimated response time beyond five days was provided:
74

Number of requests with final disposition:
321

Median number of days to final disposition:
7

Average number of days to final disposition (calculated):
14.1

RESPONSE TIME COMPARISON

5-YEAR RESPONSE TIMES

Year	Avg days* to close	Median days* to close	Avg time spent per PRR (hrs)
2020	10.4	5	3.1
2021	7.2	5	3.5
2022	11.1	7	3.2
2023	10.4	7	2.9
2024	14	7	3.5

* Calendar Days

CONTRIBUTORS TO LONGER RESPONSE TIMES

Number of requests for which additional clarification was sought

Number of requests with additional clarification sought

32

Number of requests abandoned by requesters

Number of requests abandoned by requesters

13

CONTRIBUTORS TO LONGER RESPONSE TIMES

Number of requests denied in part or in full.

Number of closed requests that were denied in full

0

Number of closed requests that were partially denied or redacted

3

Please provide the 5 to 10 most common reasons for denying requests during this reporting period

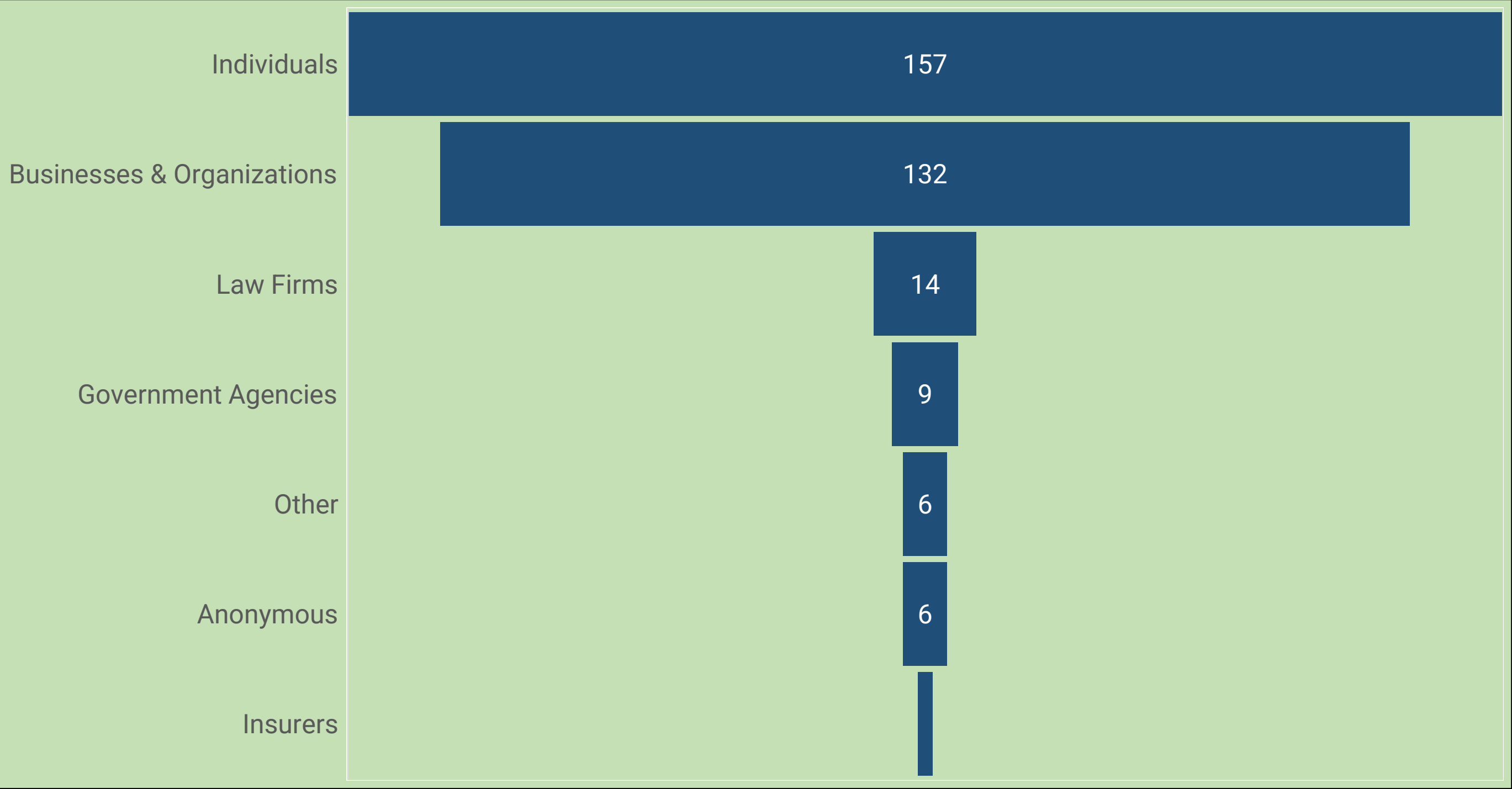
Reason 1

Attorney/Client Communication RCW 42.56.070(1); RCW 5.60.060(2)(a)

Other contributing factors:

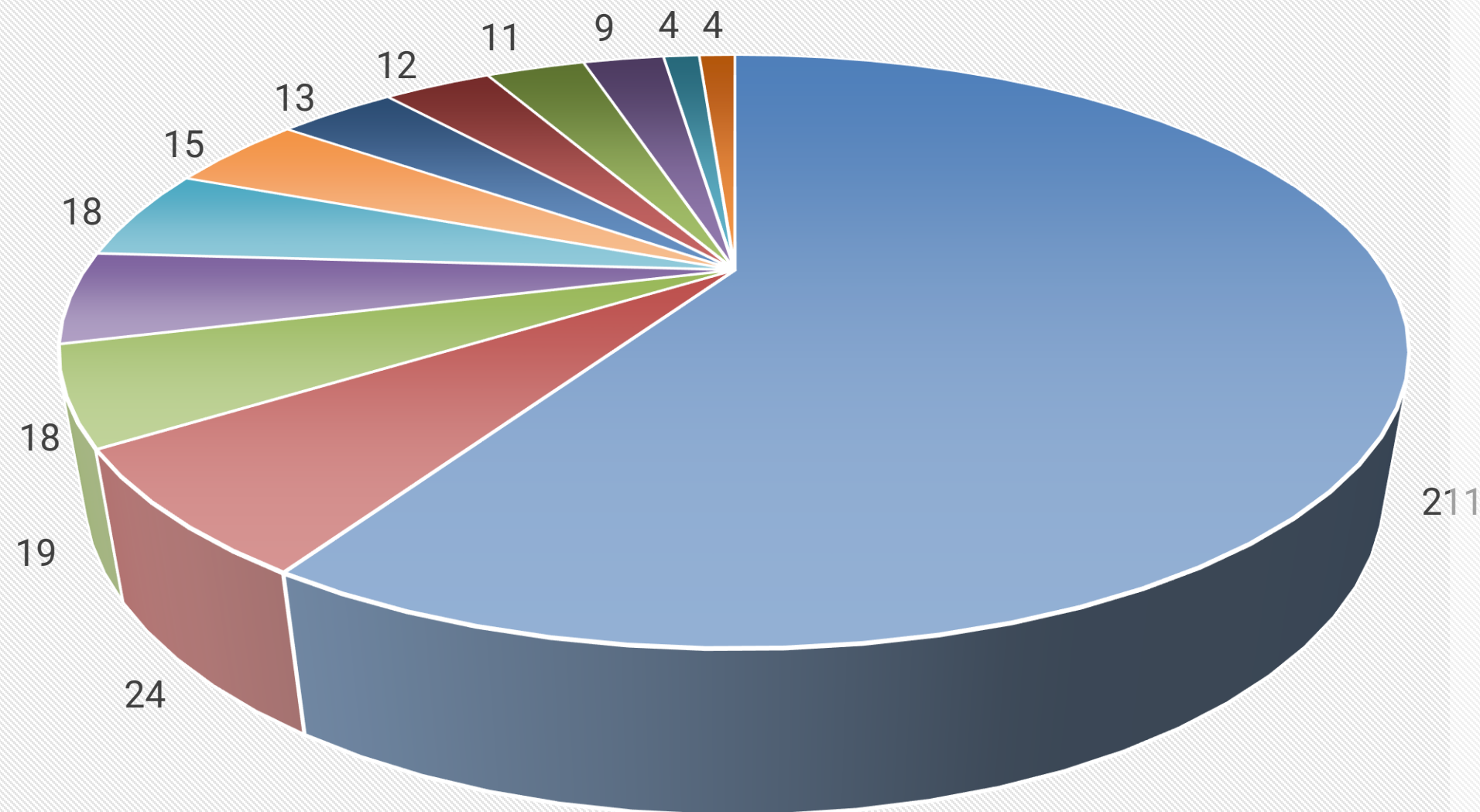
- Complex requests
- High volume of responsive records to be reviewed and possible redactions
- Staff absences

TYPES OF REQUESTERS



TYPES OF RECORDS REQUESTED

2024 REQUESTS BY DEPARTMENT



- Development Permitting & Code Compliance
- Capital Projects Engineering
- City Manager's Office
- Facilities & Operations
- Finance & Administration
- City Clerk's Office
- Environmental Services
- Community Planning
- Police
- Other Agency Records
- Attorney
- Human Resources



RECORDS PRODUCTION

Percent of requests fulfilled electronically (calculated)

76%

Percent of requests fulfilled by physical records (calculated)

2%

Percent of requests fulfilled by electronic and physical records (calculated)

2%

Percent of requests closed with no responsive records (calculated)

20%



COSTS INCURRED FULFILLING REQUESTS

2024 COST OF RESPONDING TO REQUESTS

Estimated total costs incurred

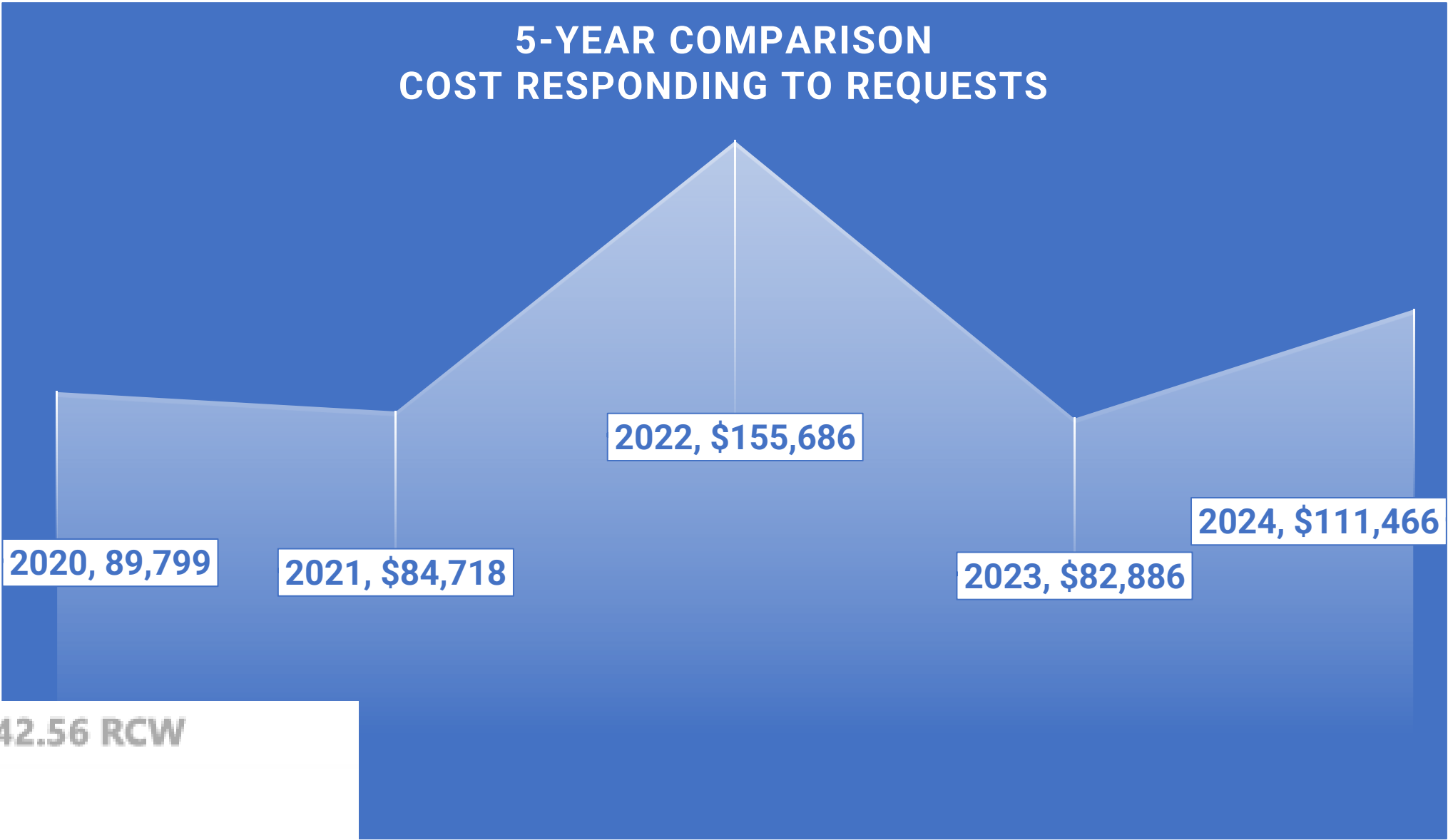
Estimated total cost

\$111,466

Average estimated cost per request (calculated)

\$337.78

5-YEAR COMPARISON
COST RESPONDING TO REQUESTS

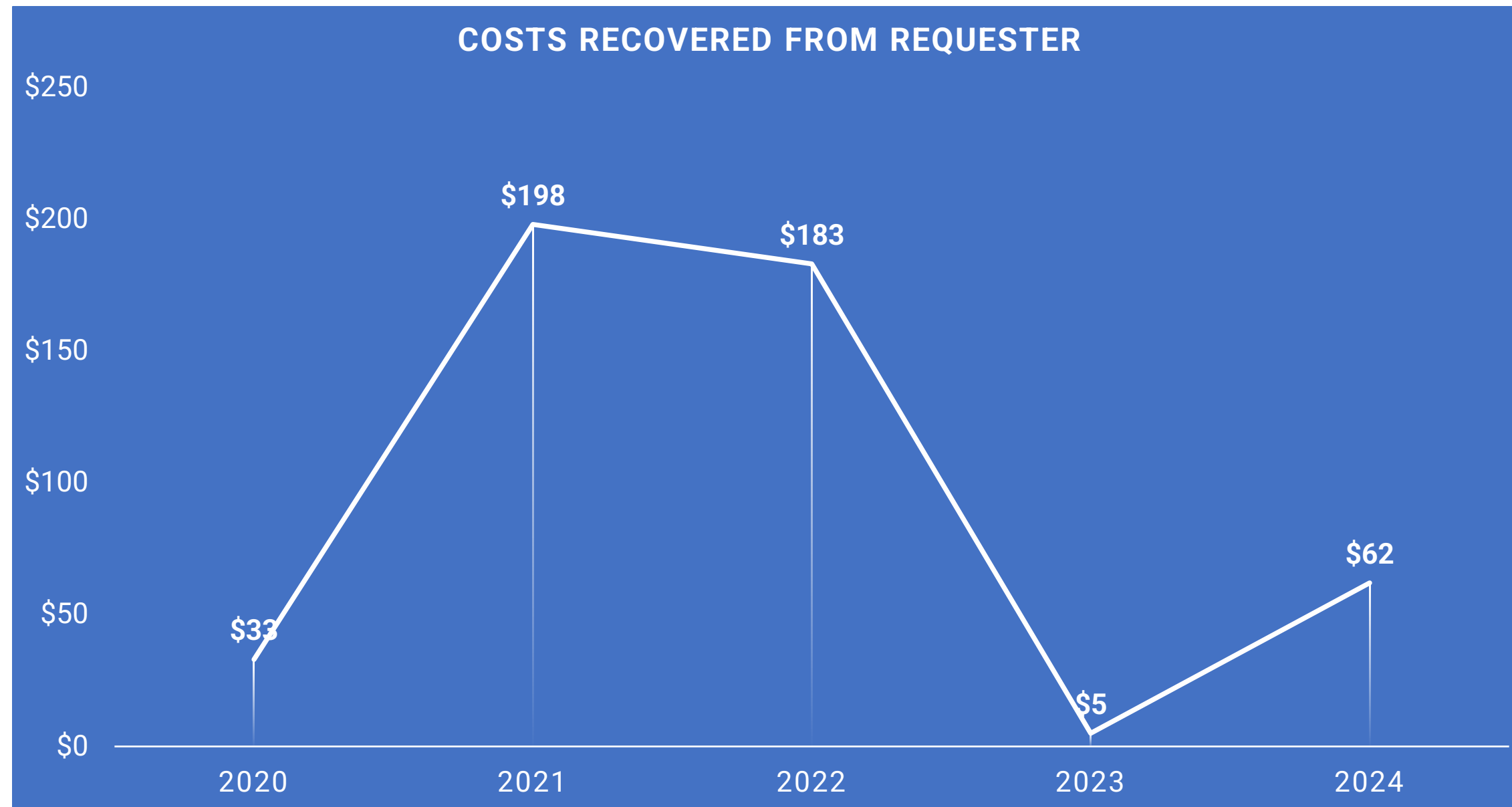


Costs incurred litigating cases alleging a violation of Chapter 42.56 RCW

Total litigation costs

\$0

COSTS RECOVERED





QUESTIONS?

THANK YOU!



City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 7/21/2025

Subject/Topic:	Proposed Council Action/Motion:
Single Room Occupancy and Residential Parking Regulations, <i>Public Hearing</i> Department: Community Development Prepared by: Brittany Chue, Senior Planner Todd Hall, Principal Planner Attachments: 1. Staff Memo 2. Draft Code 3. PowerPoint: Single Room Occupancy and Residential Parking	☐ Information Only ☐ Receive and File ☒ Discuss ☒ Provide Direction ☒ Public Hearing ☐ Adopt/Approve ☐ Authorize ☐ Other: No action

Approvals: _____

Department	City	Finance	City
Head <u>DB 7/10/25</u>	Attorney <u>N/A</u>	Director <u>N/A</u>	Manager <u>SLL 7/10/25</u>
			Optional <u>N/A</u>

Summary/Background:

Summary: A Public Hearing will be held at the 7/21/25 City Council meeting regarding proposed amendments to the Kenmore Municipal Code (KMC) addressing Single Room Occupancy and Residential Parking requirements based on state laws – HB 1998, [RCW 36.70A.535](#) and SB 6015, [RCW 36.70A.622](#).

The staff memo (Attachment #1) includes a zoning code analysis table referencing the state law/policy decision, relevant chapter in KMC, page number in the draft code, topic/proposed text amendment, and explanation/impacts of implementing the code amendments. The draft code (Attachment #2) includes changes to the KMC to comply with the state laws on co-living (single room occupancy) and residential parking requirements.

Next Steps: Following the Public Hearing, staff are seeking direction on whether the City Council has any additional “minor” changes to the proposed zoning code amendments to incorporate into a proposed Ordinance. Any substantive amendments will require an additional Public Hearing. Staff are seeking direction on bringing forward an Ordinance for City Council consideration. The 9/8/25 City Council meeting is the tentative date for bringing forward an Ordinance.

Summary of Code Changes

The changes made from the previous draft on 6/23/25 include adding single room occupancy as a permitted use in the R-4 zone based on community members and City Council members' feedback, expanding the definition for single room occupancy housing to include more examples, adding a definition for shared kitchen, and specifying the design requirements for SRO housing to match the dwelling unit type, such as attached dwelling units (e.g., apartments, fourplexes) or detached dwelling units (e.g., single detached dwelling unit, cottage housing).

Background: At the 4/21/25 City Council meeting, staff summarized key points about new state regulations on co-living and residential parking. At the 6/23/25 City Council meeting, staff presented draft code updates on Single Room Occupancy housing and Residential Parking.

Single Room Occupancy and Residential Parking State Legislation

The state legislature recently passed regulations for single room occupancy (co-living) in 2024 based on the Growth Management Act from HB 1998, [RCW 36.70A.535](#). Allowing single room occupancy as a permitted use on any lot that allows at least 6 multifamily residential units provides more housing options and more market-rate, non-subsidized rental homes. Single room occupancy provides a housing option for people who want a low-cost alternative to living with roommates and allows for shared community spaces that facilitate social connections. Additionally, parking requirements are reduced drastically, and there is no parking required if the development is within half a mile of a major transit stop.

Senate Bill (SB) 6015, [RCW 36.70A.622](#), passed by the state in 2024, establishes new requirements for residential parking in the Growth Management Act (GMA). This law restricts minimum parking space dimensions to not exceed 8' x 20', allows tandem parking spaces in all residential areas, allows required parking spaces to be enclosed or unenclosed, allows grass block pavers, and eliminates the minimum parking space requirement if it conflicts with tree retention. This law prioritizes tree retention and reduces the impervious surface through smaller parking size dimensions, which could potentially improve drainage and tree canopy, as well as reduce costs for developers.

Previous Council Action(s):

N/A

Fiscal Consideration:

Staff time to complete the modification of zoning regulations for City Council consideration.

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

City Council's 2025-2026 Priority #2: Preserve and increase availability of all types of housing at all income levels, including the needs of people experiencing homelessness.

City Council's 2025-2026 Priority #4: Promote sustainable Economic Development Strategies that enhance downtown and attract residents, small businesses, and visitors.

City Council's 2025-2026 Priority #5: Enhance multimodal transportation, including pedestrian and bicycle safety.



Date: July 21st, 2025

To: City Council

From: Brittany Chue, Senior Planner and Todd Hall, Principal Planner

Regarding: Code Analysis Table for Single Room Occupancy and Residential Parking

Purpose: At the July 21 City Council meeting, there will be a public hearing and staff will present edited draft code amendments and a zoning code update reference table regarding changes to Kenmore's Municipal Code regarding Single Room Occupancy and Residential Parking requirements based on state laws – HB 1998, [RCW 36.70A.535](#) and SB 6015, [RCW 36.70A.622](#).

Zoning Code Reference Table Changes

The changes made from the previous draft on June 23rd include adding a definition for shared kitchen, expanding the definition for single room occupancy housing to include more examples, and adding single room occupancy as a permitted use in the R-4 and R-6 zones. The design requirements for SRO will depend on the dwelling unit type (e.g. single-family, multi-family) and the zoning requirements. The changes from the previous draft are shown in **red** in the zoning code reference table below. The page numbers correspond to the draft code, Attachment #2.

Kenmore Zoning Code Reference Table

The table below provides a comprehensive reference of how and where each requirement of HB 1998, [RCW 36.70A.535](#) and SB 6015, [RCW 36.70A.622](#) are addressed within the draft zoning code update.

Page No.	Chapter in KMC	State Law/Policy Decision	Topic/Proposed Text Amendment	Explanation/Impacts
1-2	Chapter 18.20 Technical Terms and Land Use Definitions	RCW 36.70A.535 (11) Cities must adopt state definitions for single room occupancy (co-living). Sleeping units, kitchenettes, and tandem parking stalls also need to be defined.	Definitions Added definitions for <i>Single Room Occupancy</i> , <i>Sleeping Units</i> , <i>Kitchenette</i> , <i>Shared Kitchen</i> , and <i>Tandem Parking Stalls</i> in KMC 18.20. Changed definitions for <i>kitchen</i> and <i>dwelling unit</i> to match state building code based on the Department of Commerce's Co-living Guidance.	The proposal is written to create a standard definition for <i>Single Room Occupancy</i> , part of <i>Dwelling</i> , <i>Multiple-family</i> ; <i>Sleeping Units</i> to clarify the calculations for density and sewer fees for <i>Single Room Occupancy</i> ; <i>kitchenettes</i> because they can be part of <i>Single Room Occupancy</i> housing and differ from <i>kitchen facilities</i> ; <i>Shared Kitchen because it is a requirement of SRO</i> , and <i>Tandem Parking Stall</i> to clarify minimum parking requirements.
3-8, 10-11, 14-17, 19-23, 25-31, 33-35	Chapter 18.21 Residential Zones	RCW 36.70A.53517 18(1) Cities must allow single room occupancy as a permitted use on any lot that allows at least six multifamily residential units, including on a lot zoned for mixed-use development.	Allowance of Single Room Occupancy Added <i>Single Room Occupancy</i> as a permitted use on any lot that allows at least six multifamily residential units. <i>Based on community members and City Council members' feedback, SRO was also added as a permitted use under R-4.</i>	<i>Single Room Occupancy</i> is a permitted use in residential zones (<i>R-4</i> , R-6, R-12, R-18, R-24, and R-48) and mixed-use zones (Neighborhood Business, Community Business, Downtown Residential, Urban Residential, Downtown Commercial, Urban Corridor, Waterfront Commercial, Regional Business, TOD, and Public and Semi-Public).

5-7, 9, 12-13, 15-16, 18, 20-21, 24, 26-27, 30, 32, 35, 39	Chapter 18.21 Residential Zones Chapter 18.22 Neighborhood Business Zone Chapter 18.23 Community Business Zone Chapter 18.24 Downtown Residential Zone Chapter 18.24A Urban Residential Zone Chapter 18.25 Downtown Commercial Zone Chapter 18.25A Urban Corridor Zone Chapter 18.25B Waterfront Commercial Zone Chapter 18.26 Regional Business Zone	RCW 36.70A.535 (7) Cities may not treat a sleeping unit in co-living housing as more than one-quarter of a dwelling unit for purposes of calculating dwelling unit density.	Unit Density Added <i>sleeping unit</i> density calculations in the zoning table for each zone allowing <i>Single Room Occupancy</i> housing. Added the <i>sleeping unit</i> calculation in the general development standards chapter.	The density calculations for sleeping units apply to base density, minimum density, and maximum density. Allowing a 1:4 ratio of sleeping units to dwelling units encourages larger amounts of smaller-sized units to be built, which could help in providing more housing units to meet increasing housing demand.
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	Chapter 18.27 Public and Semi-Public Zone Chapter 18.29 Transit Oriented Development (TOD) District Overlay Chapter 18.30 Development Standards - General			
7-8, 11-12, 14-17, 19-23, 25-30, 31, 34-35	Chapter 18.22 Neighborhood Business Zone Chapter 18.23 Community Business Zone Chapter 18.24 Downtown Residential Zone Chapter 18.24A Urban Residential Zone Chapter 18.25 Downtown Commercial Zone	RCW 36.70A.535 (4) Cities may not require through development regulations any standards for co-living housing that are more restrictive than those that are required for other types of multifamily residential uses in the same zone.	Design Standards The design standards for SRO are based on the dwelling unit type and zone. The SRO design standards must not be more restrictive than the design standards for other types of multifamily residential uses in the same zone.	Added a footnote for SRO under each zoning table to have the same design requirements as other types of multi-family uses. The exterior facades of SRO will match other building types, e.g. in the Neighborhood Business zone, SROs must be part of a mixed-use development because multiple-family dwellings are also required to be part of a mixed-use development.

	Chapter 18.25A Urban Corridor Zone Chapter 18.25B Waterfront Commercial Zone Chapter 18.26 Regional Business Zone Chapter 18.27 Public and Semi-Public Zone Chapter 18.29 Transit Oriented Development (TOD) District Overlay			
15	Chapter 18.24 Downtown Residential Zone	RCW 36.70A.622 (1) (a) Garages and carports may not be required as a way to meet minimum parking requirements for residential development. RCW 36.70A.622 (1) (b) Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed.	Garage Parking Omitted garage parking requirement for <i>townhomes</i>: "Townhouses are required to have four units minimum in a cluster. Enclosed under building parking is required per Chapter 18.52 KMC, Design Standards."	Eliminating the garage requirement for townhomes could affect the design and make townhome facades less uniform across the city, as some developers may have unenclosed parking. However, this could make developing townhomes more cost-effective as garages are more expensive to build than driveways.

36	Chapter 18.29 Transit Oriented Development (TOD) District Overlay	RCW 36.70A.535 (3) Cities may not require co-living housing to: • Provide off-street parking within one-half mile walking distance of a major transit stop. • Provide more than 0.25 off-street parking spaces per sleeping unit.	Parking for Single Room Occupancy in TOD Added minimum parking requirements for <i>single room occupancy</i> housing in the TOD district.	No minimum parking is required for <i>single room occupancy</i> housing in TOD parcels because they are all within one-half mile of a <i>major transit stop</i> . Having less required parking can make housing more pedestrian and bicycle friendly, and more cost-effective to build.
37-38	Chapter 18.29 Transit Oriented Development (TOD) District Overlay	RCW 36.70A.622 (1) (f) Cities with a population greater than 6,000 may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible.	Parking and Trees Amended tree grove retention in the TOD by changing incentives from reducing parking to reducing or eliminating parking requirements to meet tree retention requirements.	The previous code incentivized developers to preserve trees by reducing the number of required parking spaces. The new code prioritizes tree retention over minimum parking requirements by eliminating parking requirements to preserve trees if it makes the development infeasible.
40-44	Chapter 18.40 Development Standards – Parking and Circulation	RCW 36.70A.622 (1) (c) Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress.	Tandem Parking Amended minimum parking spaces table to allow tandem parking stalls in all residential land uses.	The previous code only allowed tandem stalls in single detached dwelling units, townhouses, and apartments. The new code will also allow tandem stalls in single room occupancy, manufactured housing community, senior citizen assisted living, community residential facility, hotel/motel, and bed and breakfast guesthouse.
40	Chapter 18.40 Development Standards –	RCW 36.70A.535 (3) Cities may not require co-living housing to:	Parking for Single Room Occupancy	<i>Single room occupancy</i> has no minimum parking requirement and a maximum parking requirement of no more than

	Parking and Circulation	• Provide off-street parking within one-half mile walking distance of a major transit stop. • Provide more than 0.25 off-street parking spaces per sleeping unit.	Added parking requirements for <i>single room occupancy</i> in the minimum parking spaces table.	0.25 off-street parking spaces per <i>sleeping unit</i> if the development is more than ½ mile of a <i>major transit stop</i> . <i>Single room occupancy</i> housing has less required parking than other land use types, which could incentivize more <i>single room occupancy</i> housing to be built.
45	Chapter 18.40 Development Standards – Parking and Circulation	RCW 36.70A.622 (1) (f) Cities with a population greater than 6,000 may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible.	Parking and Trees Added tree retention section for residential land uses in KMC 18.40.030 Computation of Required Off-Street Parking Spaces.	Eliminating minimum parking requirements if they conflict with tree retention requirements prioritizes tree retention over parking if it makes the development infeasible. Prioritizing tree retention in development can help to preserve more trees, potentially reducing impervious surfaces and increasing tree canopy, helping to mitigate extreme heat effects and promoting biodiversity and resilient ecosystems.
46-49	Chapter 18.40 Development Standards – Parking and Circulation	RCW 36.70A.622 (1) (e) Parking spaces may not be required to exceed eight feet by 20 feet, except for required parking for people with disabilities.	Size of Parking Changed the Minimum Parking Stall and Aisle Dimensions table to the Department of Commerce's recommended table for parking stall dimensions and kept the one-way and two-way traffic distinctions.	The Department of Commerce's table only provides one option for each parking angle, which will make parking spaces more standardized across the city. Having smaller minimum parking stall dimensions could result in decreased impervious surfaces for new developments, allowing more room for buildings or green/open areas.
50	Chapter 18.40 Development Standards – Parking and Circulation	RCW 36.70A.622 (1) (c) Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear	Tandem Parking Omitted requirements for tandem parking areas to only be per dwelling unit. Added tandem parking	Tandem parking can be chosen by residents, and it can be per dwelling unit or shared among different dwelling or sleeping units based on usage rates. For example, someone may use their car

		feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress.	allowance in residential land uses, tandem parking dimensions, and the definition of tandem parking.	more on weekdays, and someone else may use their car more on weekends. The more frequent car user will use the front tandem parking space, and the less frequent user will use the back tandem parking space.
50	Chapter 18.40 Development Standards – Parking and Circulation	RCW 36.70A.622 (2) Existing parking spaces that do not conform to the requirements of this section by June 6, 2024, are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.	Nonconforming Parking Added the requirements for nonconforming parking in KMC 18.40.110 Off-Street Parking Plan Design Standards.	This allows buildings to re-develop without having to meet the current parking standards. Any new development will have to conform to the new parking standards.
51	Chapter 18.52 Design Standards	RCW 36.70A.622 (1) (a) Garages and carports may not be required as a way to meet minimum parking requirements for residential development. RCW 36.70A.622 (1) (b) Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed.	Garage Parking Omitted garage parking requirement for <i>townhomes</i> : "Townhouse Units. Each unit shall have an individual garage, enclosed under the living spaces. Such garage shall be located on a different façade from the main entry of the unit."	Eliminating the garage requirement for townhomes could affect the design and make townhome facades less uniform across the city, as some developers may have unenclosed parking. However, this could make developing townhomes more cost-effective as garages are more expensive to build than driveways.

51-52	Chapter 18.77 Affordable Housing	RCW 36.70A.535 (6) Cities may not exclude co-living housing from participating in affordable housing incentive programs under RCW 36.70A.540.	Affordable Housing Added sleeping units into affordable housing incentive calculations by matching the density calculation: 1 sleeping unit = ¼ dwelling unit.	<i>Single Room Occupancy</i> housing will be eligible for affordable housing incentives at a rate of 1 sleeping unit = ¼ dwelling unit. <i>Single Room Occupancy</i> will be eligible for the same incentive programs as <i>Multiple-Family Dwelling</i> .
52	Chapter 15.40 Kenmore Property Maintenance Code	RCW 36.70A.535 (4) Cities may not require through development regulations any standards for co-living housing that are more restrictive than those that are required for other types of multifamily residential uses in the same zone.	Restrictive Use Standards Omitted rooming house, housekeeping units, and dormitory from the property maintenance code.	Rooming house, housekeeping units, and dormitory are not defined in the KMC. Rooming house and dormitory will now fall under <i>Single Room Occupancy</i> , which cannot have more restrictive standards than multi-family uses. <i>Single Room Occupancy</i> falls under <i>Multiple-Family Dwelling</i> , so the property maintenance code for <i>Multiple-Family Dwelling</i> will apply.

Chapter 18.20

TECHNICAL TERMS AND LAND USE DEFINITIONS

18.20.2760 Sleeping unit.

18.20.2967 Tandem parking stall.

18.20.1521 Kitchenette.

18.20.1522 Kitchen, Shared.

18.20.2535 Single Room Occupancy.

18.20.1520 Kitchen or kitchen facility.

A room or space used for cooking or the preparation of food with all of the following: sink (not shared with sanitation facilities), 220/240-volt or natural gas stovetop with ventilation, refrigerator, and food preparation area. Portable or countertop appliances are not part of kitchen facilities. A kitchen or kitchen facility must meet the standards of the Washington State Building and Residential Code.

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

~~A. An appliance for the refrigeration of food;~~

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

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

18.20.1521 Kitchenette.

A kitchenette has limited cooking facilities, such as a sink, small one or two-burner stove, microwave, and mini-fridge, and may include adequate counter space for plug-in electric cooking appliances.

18.20.1522 Kitchen, Shared.

“Shared kitchen” means a *kitchen* that is used, intended, or designed to be used by residents of multiple dwelling or *sleeping units* for preparing food simultaneously. The shared kitchen shall meet the regulations of a *kitchen or kitchen facility* (KMC 18.20.1520). For example, in *Single*

Room Occupancy housing, residents share kitchen facilities with other sleeping units in the building.

18.20.2760 Sleeping unit. A single unit that provides rooms or spaces for one or more persons, includes permanent provisions for sleeping and can include provisions for living, eating and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units. A sleeping unit in single room occupancy housing is at least 70 square feet (e.g. co-living, dormitories, congregate living facilities, boarding house, rooming house, lodging house, residential suites). There must be at least one shared kitchen facility for sleeping units to be considered single room occupancy housing. In-unit bathrooms are optional in sleeping units, but there must be access to a shared bathroom if an in-unit bathroom is not provided. This differs from a dwelling unit, which requires an in-unit kitchen and bathroom and must be at least 190 square feet. A sleeping unit may not have both private sanitation and kitchen facilities; however, kitchenettes may be allowed. When calculating dwelling unit density for single room occupancy housing, 1 sleeping unit = ¼ dwelling unit.

18.20.2967 Tandem parking stall. Tandem is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress. Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius.

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, bathroom facilities, and rooms with internal accessibility, for use solely by the dwelling's occupants. Dwelling units must have at least 190 square feet of habitable space. Every dwelling unit shall have not less than one room that shall have not less than 120 square feet of net floor area. Other habitable rooms of a dwelling unit shall have a net floor area of not less than 70 square feet. 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).]

18.20.2535 Single Room Occupancy.

A residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building (e.g. co-living, dormitories, congregate living facilities, boarding house, rooming house, lodging house, residential suites). Single room occupancy housing only consists of sleeping units, but single room occupancy may be combined with other dwelling unit types (e.g. an apartment complex could have a mix of single room occupancy housing, studios, 1-bedroom, 2-bedroom, and townhouse units). Single room occupancy housing can fit within any dwelling unit type that is also permitted in the same zone, e.g. attached dwelling units (apartments, courtyard apartments, townhouses, fourplex, triplex, duplex, stacked flats), detached dwelling units (single detached dwelling unit, cottage housing), and accessory dwelling units. When

calculating dwelling unit density for *single room occupancy* housing, 1 sleeping unit = ¼ dwelling unit. Other regulations, such as design, building, fire, and electricity, will follow the standards of the building or dwelling type (e.g. detached, attached, accessory).

Chapter 18.21

RESIDENTIAL ZONES

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> ²⁵	<i>Business service, standard</i>
<i>Family child-care home</i> ⁶	<i>Manufactured housing community</i> ³⁰	<i>Cannabis business</i>
<i>Fire or police facility</i> ^{7,8}	<i>Personal service</i> ³¹	<i>Cannabis cooperative</i>
<i>Fourplex</i> ³⁸	<i>Recreational facility, indoor</i> ^{3,16,32}	<i>Construction and trade</i>
<i>Health care and social assistance</i> ^{9,10}	<i>Regional land use</i> ^{33,34,35}	<i>Funeral home/crematory</i>
<i>Office</i> ¹²	<i>Retail sales</i> ^{31,36}	<i>Laboratory</i>

Table A. R-1, R-4 and R-6 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Park</i> ¹³	<i>Temporary lodging</i> ³⁷	<i>Manufacturing, heavy</i>
<i>Recreational facility, outdoor</i> ^{14,15,16}		<i>Manufacturing, light</i>
<i>Religious institution</i> ¹⁷		<i>Mobile food service</i>
<i>Resource land use</i> ¹⁸		
<i>Single detached dwelling unit</i> ^{19,20}		<i>Retail sales, bulk</i>
<i>Single room occupancy</i> ⁴⁰		<i>Secure facility</i>
<i>Stacked flats</i> ³⁸		<i>Transportation</i>
<i>Standalone parking</i> ²¹		<i>Vehicle or equipment rental</i>
<i>Supportive living facility</i> ²²		<i>Vehicle refueling station</i>
<i>Triplex</i> ³⁸		<i>Warehousing</i>
<i>Townhouse</i> ³⁸		<i>Wholesale trade</i>
<i>Utility facility</i> ^{23,24}		

40. Single room occupancy is a permitted use in R-4 and R-6 zones but shall not be allowed in R-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	ZONES	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> ^{2,4}			6 du/ac	9 du/ac
Minimum Density ²				
Minimum Lot Width ⁶		35 ft. ⁷	30 ft.	30 ft.

STANDARDS	ZONES	R-1 ¹	R-4	R-6
Minimum Street Setback		20 ft. ⁷	15 ft. ^{8,9}	15 ft. ^{8,9}
Minimum Side Setback ^{5,10}		5 ft. ⁷	15 ft. total ¹¹	15 ft. total ¹¹
Minimum Rear Setback ^{5,10}		5 ft. ⁷	20 ft.	20 ft.
Maximum Height ¹²		35 ft.	35 ft.	35 ft. 45 ft. ¹³
Base Impervious Surface: Percentage		30%	45%	60%
Maximum Impervious Surface: 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}

² Density calculations applies only to *dwelling units* and not to *sleeping units*. *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

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 service¹</i>	<i>Ambulatory surgery center²⁵</i>	<i>Adult entertainment business</i>
<i>Arts, entertainment, indoor^{2,3}</i>	<i>Arts, entertainment, outdoor²⁶</i>	<i>Animal kennel/shelter</i>
<i>College/university^{4,5}</i>	<i>Cemetery, columbarium or mausoleum²⁷</i>	<i>Auction house</i>
<i>Community residential facility</i>	<i>Eating and drinking place^{3,28}</i>	<i>Automotive sales and service, marine</i>
<i>Construction and trade⁶</i>	<i>Hospital⁵</i>	<i>Automotive sales and service, non-marine</i>
<i>Day care⁷</i>	<i>Personal service²⁹</i>	<i>Business service, intensive</i>
<i>Educational service⁸</i>	<i>Recreational facility, indoor^{3,30,31}</i>	<i>Business service, standard</i>
<i>Family child-care home⁹</i>	<i>Regional land use³²</i>	<i>Cannabis business</i>
<i>Fire or police facility^{10,11,12}</i>	<i>Retail sales^{29,33}</i>	<i>Cannabis cooperative</i>

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Health care and social assistance ^{4,5,13}	Temporary lodging ³⁴	Funeral home/crematory
Manufactured housing community	Warehousing ³⁵	Laboratory
Multiple-family dwelling		Manufacturing, heavy
Office ¹⁴		Manufacturing, light
Park ¹⁵		Mobile food service
Recreational facility, outdoor ^{16,17}		Resource land use
Religious institution ¹⁸		Retail sales, bulk
Single detached dwelling unit ^{19,20}		Secure facility
<u>Single room occupancy</u>		
Standalone parking ²¹		Transportation
Supportive living facility		Vehicle or equipment rental
Utility facility ^{22,23,24}		Vehicle refueling station
		Wholesale trade

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	ZONES	R-12	R-18	R-24	R-48	MHC ¹²
Base Density: Dwelling Unit/Acre ¹		12 du/ac	18 du/ac	24 du/ac	48 du/ac	12 du/ac
Maximum Density: Dwelling Unit/Acre ^{1,2}		18 du/ac	27 du/ac	36 du/ac	72 du/ac	18 du/ac
Minimum Density ^{1,11}		80%	75%	70%	65%	80%
Minimum Lot Width ⁴		30 ft.	30 ft.	30 ft.	30 ft.	--
Minimum Street Setback		10 ft. ⁶	10 ft. ⁶	10 ft. ⁶	10 ft. ⁶	10 ft.

STANDARDS	Z O N E S	R-12	R-18	R-24	R-48	MHC ¹²
Minimum Side Setback ^{3,5}		5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft.
Minimum Rear Setback ^{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 Impervious Surface: Percentage ¹⁰		85%	85%	85%	90%	85%
Minimum Lot Size		--	--	--	--	--

¹ Density calculations applies only to *dwelling units* and not to *sleeping units*. *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

Chapter 18.22

NEIGHBORHOOD BUSINESS ZONE

18.22.010 Neighborhood business zone – Use allowances.

The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited uses* in the neighborhood business zone:

Table A. Neighborhood Business Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Arts, entertainment, indoor^{1,2}</i>	<i>Automotive sales and service, marine⁴</i>	<i>Adult entertainment business</i>
<i>Business service, standard</i>	<i>Automotive sales and service, nonmarine⁴</i>	<i>Air transportation service</i>
<i>Community residential facility⁹</i>	<i>Manufacturing, light</i>	<i>Ambulatory surgery center</i>
<i>Day care</i>	<i>Recreational facility, indoor^{2,22}</i>	<i>Animal kennel/shelter</i>
<i>Eating and drinking place^{2,10,28}</i>		<i>Arts, entertainment, outdoor</i>
<i>Educational service²⁸</i>		<i>Auction house</i>
<i>Fire or police facility¹²</i>		<i>Business service, intensive</i>
<i>Health care and social assistance^{13,14}</i>		<i>Cannabis business</i>

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Mobile food service ²⁷		Cannabis cooperative
Multiple-family dwelling ¹⁵		Cemetery, columbarium or mausoleum
Office		College/university
Park		Construction and trade
Personal service ²⁸		Family child-care home
Religious institution		Funeral home/crematory
Retail sales ^{16,28}		Hospital
<u>Single room occupancy¹⁵</u>		
Supportive living facility ⁹		Laboratory
Temporary lodging ^{18,19}		Manufactured housing community
Vehicle refueling station		Manufacturing, heavy
		Recreational facility, outdoor
		Regional land use
		Resource land use
		Retail sales, bulk
		Secure facility
		Single detached dwelling unit
		Standalone parking
		Transportation
		Utility facility
		Vehicle or equipment rental
		Warehousing
		Wholesale trade

1 15. Only as part of a mixed use development subject to the conditions of Chapter 18.50 KMC,
2 except that townhouse developments are permitted subject to KMC 17.20.125, 18.22.020,
3 18.30.130 and 18.50.050.

4 **18.22.020 Neighborhood business zone – Development standards.**

5 The following zone-specific development standards in Table B apply in the neighborhood
6 business zone:

Table B. Neighborhood Business Zone Development Standards

	Z O N E	NEIGHBORHOOD BUSINESS
STANDARDS		NB
Base Density: <i>Dwelling Unit/Acre</i> ¹		8 du/ac
Maximum Density: <i>Dwelling Unit/Acre</i> ¹		24 du/ac ²
Minimum Street Setback		10 ft. ³ ; or 0 ft. for a mixed use <i>building</i> with commercial on the <i>ground floor</i> or for any <i>building</i> with structured parking
Minimum Interior Setback		20 ft. ⁴⁵
Base Height		35 ft. 45 ft. ⁵⁷
Maximum <i>Impervious Surface</i> : Percentage ⁶⁹		85%

¹ ~~Repealed by Ord. 18-0454.~~ *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

² This density may only be achieved through *mixed use development* or through the application of residential density incentives or *transfer of density credits*. See Chapter 18.80 KMC.

³ Gas station pump islands shall be placed no closer than 25 feet to *street* front lines.

⁴ ~~Repealed by Ord. 18-0454.~~

⁴⁵ Required on property lines adjoining residential zones except when a *townhouse development* is proposed to be located adjacent to property upon which an existing *townhouse development* is located.

⁶ ~~Repealed by Ord. 18-0454.~~

⁵⁷ This base height is allowed only for *mixed use developments*.

⁸ ~~Repealed by Ord. 18-0454.~~

⁶⁹ The *impervious surface* area for any *lot* may be increased beyond the total amount permitted in this chapter subject to approval of a *conditional use permit*.

Chapter 18.23
COMMUNITY BUSINESS ZONE

18.23.020 Community business zone west subarea – Use allowances.

The following *uses* listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited uses* in the community business zone west subarea:

Table A. Community Business Zone West Subarea Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Arts, entertainment, indoor ¹	Ambulatory surgery center	Adult entertainment business
Business service, standard	College/university	Air transportation service
Day care	Community residential facility	Animal kennel/shelter
Eating and drinking place ²	Fire or police facility	Arts, entertainment, outdoor
Educational service ³	Laboratory	Auction house
Family child-care home ⁴	Recreational facility, indoor	Automotive sales and service, marine
Health care and social assistance ⁵	Regional land use	Automotive sales and service, non-marine
Multiple-family dwelling	Religious institution	Business service, intensive
Office	Supportive living facility	Cemetery, columbarium, or mausoleum
Park		Construction and trade
Personal service ²		Funeral home/crematory
Retail sales ^{2,6}		Hospital
		Manufactured housing community
Single detached dwelling unit, existing legal ⁷		Manufacturing, heavy
<u>Single room occupancy</u>		
Standalone parking ¹⁰		Manufacturing, light
Temporary lodging ⁸		Cannabis business
Utility facility ⁹		Cannabis cooperative
		Mobile food service
		Recreational facility, outdoor
		Resource land use
		Retail sales, bulk
		Secure facility

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
		<i>Transportation</i>
		<i>Vehicle or equipment rental</i>
		<i>Vehicle refueling station</i>
		<i>Warehousing</i>
		<i>Wholesale trade</i>

18.23.025 Community business zone Juanita subarea – Use allowances.

The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited uses* in the community business zone Juanita subarea:

Table A. Community Business Zone Juanita Subarea Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Arts, entertainment, indoor¹</i>	<i>Ambulatory surgery center</i>	<i>Adult entertainment business</i>
<i>Business service, standard</i>	<i>Automotive sales and service, marine⁷</i>	<i>Air transportation service</i>
<i>Day care</i>	<i>Automotive sales and service, non-marine⁷</i>	<i>Animal kennel/shelter</i>
<i>Eating and drinking place²</i>	<i>Community residential facility</i>	<i>Arts, entertainment, outdoor</i>
<i>Educational service²</i>	<i>Fire or police facility</i>	<i>Auction house</i>
<i>Health care and social assistance³</i>	<i>Laboratory</i>	<i>Business service, intensive</i>
<i>Mobile food service⁴</i>	<i>Manufacturing, light</i>	<i>Cemetery, columbarium, or mausoleum</i>
<i>Multiple-family dwelling⁵</i>	<i>Recreational facility, indoor</i>	<i>College/university</i>
<i>Office</i>	<i>Religious institution</i>	<i>Construction and trade</i>
<i>Park</i>	<i>Supportive living facility</i>	<i>Family child-care home</i>
<i>Personal service²</i>	<i>Vehicle refueling station</i>	<i>Funeral home/crematory</i>
<i>Retail sales²</i>		<i>Hospital</i>
<i><u>Single room occupancy⁵</u></i>		
<i>Standalone parking⁸</i>		<i>Manufactured housing community</i>
<i>Temporary lodging⁶</i>		<i>Manufacturing, heavy</i>
		<i>Cannabis business</i>
		<i>Cannabis cooperative</i>
		<i>Recreational facility, outdoor</i>

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
		<i>Regional land use</i>
		<i>Resource land use</i>
		<i>Retail sales, bulk</i>
		<i>Secure facility</i>
		<i>Single detached dwelling unit</i>
		<i>Transportation</i>
		<i>Utility facility</i>
		<i>Vehicle or equipment rental</i>
		<i>Warehousing</i>
		<i>Wholesale trade</i>

5. Only as part of a mixed use development subject to the conditions of Chapter 18.50 KMC.

18.23.040 Community business zone – Development standards.

The following zone-specific development standards in Table B apply in the community business zone:

Table B. Community Business Zone Development Standards

STANDARD	REQUIREMENT
Base Density: <i>Dwelling Units/Gross Acre</i> ¹	24
Minimum Density: <i>Dwelling Units/Gross Acre</i> ¹	18
Maximum Density: <i>Dwelling Units/Gross Acre</i> : ¹	
West Subarea	36 for <i>mixed use development</i> .
Juanita Subarea	36 if affordable housing is provided as described in Chapter 18.77 KMC.
Minimum <i>Street Setback</i> ²¹	10 feet; or 0 feet for a mixed use <i>building</i> with commercial on the <i>ground floor</i> or for any <i>building</i> with structured parking.
Minimum Interior <i>Setback</i> ²¹ :	
West Subarea	0 feet for commercial or <i>mixed use development</i> except for <i>interior lot lines</i> adjoining property zoned R-1 to R-6. 5 feet landscaped <i>setback</i> for residential except for <i>interior lot lines</i> adjoining property zoned R-1 to R-6. Native vegetation is encouraged.

STANDARD	REQUIREMENT
	For all <i>interior lot lines</i> adjoining a property zoned R-1 to R-6 a 15-foot landscaped <i>setback</i> of native vegetation is required.
Juanita Subarea	20 feet ³²
Base Height:	
West Subarea ⁴³	35 feet
Juanita Subarea	35 feet 45 feet ⁵⁴
Maximum <i>Impervious Surface</i> : Percentage	90%
Pedestrian Connections	Pedestrian connections are required to be provided in accordance with Chapter 18.52 KMC, Downtown Design Standards.

¹ *Sleeping units* are calculated as 1 *sleeping unit* = ¼ *dwelling unit*.

²⁴ Any portion of *development* that occurs underground is exempt from property line *setback* requirements of this section.

³² Required on property lines adjoining residential zones.

⁴³ The exceptions to height limits listed in KMC 18.30.060 do not apply to the base height allowed in CB west. Any *development* utilizing the exception to height limits for the CB zone between 61st Avenue NE and 65th Avenue NE shall dedicate 25 percent of the average lot width above 35 feet in height as a view corridor to Lake Washington.

Exceptions to height limitations for the base height in CB west shall be:

a. Roof *structures* housing or screening elevators, stairways, tanks, ventilating fans or similar equipment required for *building* operations and maintenance may extend up to 10 feet above the 35-foot base height for a maximum of 25 percent of the average lot width.

b. Fire or parapet walls, skylights, flagpoles, chimneys, smokestacks, church steeples, crosses, spires, utility line towers and poles, and similar *structures* may extend up to three feet above the maximum base height of 35 feet.

c. Roof details or features that are used to comply with the roof form requirements of KMC 18.52.220 may extend a maximum of 10 feet above the 35-foot base height.

⁵⁴ This maximum height is allowed only for *mixed use developments*.

Chapter 18.24

DOWNTOWN RESIDENTIAL ZONE

18.24.020 Downtown residential zone – Use allowances.

The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited uses* in the downtown residential zone:

Table A. Downtown Residential Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Arts, entertainment, indoor ¹	Eating and drinking place ¹	Adult entertainment business
Auction house, existing ²	Educational service ³	Air transportation service
Business service, standard ³	Health care and social assistance ¹⁰	Ambulatory surgery center
Community residential facility	Religious institution	Animal kennel/shelter
Day care ⁴	Supportive living facility	Arts, entertainment, outdoor
Family child-care home ⁵	Utility facility ¹¹	Automotive sales and service, marine
Manufactured housing community ¹²		Automotive sales and service, non-marine
Multiple-family dwelling ⁶		Business service, intensive
Office ³		Cemetery, columbarium or mausoleum
Park		College/university
Personal service ³		Construction and trade
Recreational facility, indoor		Fire or police facility
Retail sales ^{3,7}		Funeral home/crematory
Single detached dwelling unit, existing legal ⁸		Hospital
<u>Single room occupancy⁶</u>		
Temporary lodging ⁹		Laboratory
		Manufacturing, heavy
		Manufacturing, light
		Marijuana business
		Marijuana cooperative
		Mobile food service

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
		<i>Recreational facility, outdoor</i>
		<i>Regional land use</i>
		<i>Resource land use</i>
		<i>Retail sales, bulk</i>
		<i>Secure facility</i>
		<i>Standalone parking</i>
		<i>Transportation</i>
		<i>Vehicle or equipment rental</i>
		<i>Vehicle refueling station</i>
		<i>Warehousing</i>
		<i>Wholesale trade</i>

6. Townhouses are required to have four units minimum in a cluster. ~~Enclosed under building parking is required per Chapter 18.52 KMC, Design Standards.~~

Chapter 18.24

DOWNTOWN RESIDENTIAL ZONE

18.24.040 Zoning standards.

Specific zone-based development standards for the downtown residential zone in Table B apply to the DR zone as follows:

Table B. Downtown Residential Development Standards

STANDARD	REQUIREMENT
Base Density: <i>Dwelling Units/Gross Acre</i> ¹	48; applies east of 68th Avenue NE
Maximum Density: <i>Dwelling Units/Gross Acre with Density Bonus Incentives</i> ¹	72; density incentives or bonuses not required west of 68th Avenue NE
Minimum Density: <i>Dwelling Units/Net Acre</i> ¹	18 – <i>Townhouse only development</i> 18 – 36 – <i>Townhouse/apartment combination development</i> 36 – <i>Apartments</i>
Minimum Lot Width	<i>Townhouse</i> – 20 ft. <i>Apartment</i> – 30 ft.
Minimum <i>Street Setback</i>	<i>Primary structure</i> – 6 ft. min.; 8 ft. min. average <i>Garage, carport, paved parking</i> – 10 ft.

STANDARD	REQUIREMENT
Maximum <i>Street Setback</i>	West of 68th Avenue NE, the maximum setback is 10 ft.
Minimum Interior <i>Setback</i>	5 ft.; otherwise when adjoining property zoned R-l to R-6 zone then 20 ft.
Maximum Height	East of 68th Avenue NE – 60 ft. or 80 ft. if providing density incentives per Chapter 18.80 KMC West of 68th Avenue NE – 80 ft. ²⁴
Maximum <i>Impervious Surface</i> : Percentage	90%
Pedestrian Connections	Pedestrian connections shall be provided in accordance with Chapter 18.52 KMC, Design Standards

¹ *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

²⁴-Through the design review process the city manager may require greater upper story setbacks, or mass and bulk reductions, than otherwise stated in KMC 18.52.310 in order to achieve greater compatibility of *development* where DR zoned property abuts property zoned R-1 to R-12. For example, greater upper story setbacks may be required in proportion to the height of *structures* above 60 feet.

Chapter 18.24A

URBAN RESIDENTIAL ZONE

18.24A.020 Use allowances.

The following uses listed in Table A are identified as permitted, conditionally permitted or prohibited uses in the urban residential zone:

Table A. Urban Residential Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Day care</i>	<i>Arts, entertainment, indoor</i> ¹	<i>Adult entertainment business</i>
<i>Eating and drinking place</i> ¹	<i>Business service, standard</i> ¹	<i>Air transportation service</i>
<i>Educational service</i> ¹	<i>Health care and social assistance</i> ¹	<i>Ambulatory surgery center</i>
<i>Mobile food service</i> ²	<i>Manufacturing, light</i> ^{1, 3}	<i>Animal kennel/shelter</i>
<i>Multiple-family dwelling</i> ⁴	<i>Park</i>	<i>Arts, entertainment, outdoor</i>
<i>Office</i> ¹	<i>Personal service</i> ¹	<i>Auction house</i>
<i>Single room occupancy</i> ⁴	<i>Recreational facility, indoor</i> ¹	<i>Automotive sales and service, marine</i>

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
	<i>Regional land use</i>	<i>Automotive sales and service, non-marine</i>
	<i>Retail sales^{1,3}</i>	<i>Business service, intensive</i>
	<i>Temporary lodging¹</i>	<i>Cannabis business</i>
		<i>Cannabis cooperative</i>
		<i>Cemetery, columbarium or mausoleum</i>
		<i>College/university</i>
		<i>Community residential facility</i>
		<i>Construction and trade</i>
		<i>Family child-care home</i>
		<i>Fire or police facility</i>
		<i>Funeral home/crematory</i>
		<i>Hospital</i>
		<i>Laboratory</i>
		<i>Manufactured housing community</i>
		<i>Manufacturing, heavy</i>
		<i>Recreational facility, outdoor</i>
		<i>Religious institution</i>
		<i>Resource land use</i>
		<i>Retail sales, bulk</i>
		<i>Secure facility</i>
		<i>Single detached dwelling unit</i>
		<i>Standalone parking</i>
		<i>Supportive living facility</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>

4. A standalone townhouse development is prohibited.

18.24A.040 Zoning standards.

The following development standards in Table B apply in the urban residential zone:

Table B. Urban Residential Zone Development Standards

STANDARD	REQUIREMENT
Minimum Density: <i>Dwelling Units/Gross Acre</i> ¹	60
Maximum Density: <i>Dwelling Units/Gross Acre</i> ¹	150
Maximum Height	85' ²
Minimum Lot Width	30' ³
Street Setback	Minimum 10' from SR-522 unless otherwise allowed through Chapter 18.52 KMC, Design Standards; other streets 0' Maximum 10' unless otherwise allowed through Chapter 18.52 KMC, Design Standards.
Minimum Side Setback ⁴	5'
Minimum Rear Setback ⁴	5'
Maximum Impervious Surface	90%

¹ *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

²⁴ Portions of any property that are within 50 feet of an R-1, R-4, R-6, or MHC zoning district shall have a maximum height of 35 feet within that area to provide a transition in height to the lower intensity uses.

³² Building heights and orientation for proposals within the great blue heron rookery buffer shall be carefully assessed through the required habitat management plan (see Chapter 18.55 KMC, Articles XIII through XV). In particular, potential impacts related to the flyway and shadowing of nest trees shall be evaluated. The *city manager* may require adjustments to maximum building height and/or building orientation to protect the rookery.

⁴³ Minimum lot width measurement is described in KMC 18.30.110.

⁵⁴ Any proposed development adjacent to an R-1, R-4, R-6, or MHC zoning district shall be required to provide a setback of 15 feet on the side of the property facing that zone. The setback shall be landscaped with Type II landscaping as described in KMC 18.35.045 to provide a visual buffer.

Chapter 18.25

DOWNTOWN COMMERCIAL ZONE

18.25.020 Downtown commercial zone – Use allowances.

The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited* uses in the downtown commercial zone:

Table A. Downtown Commercial Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Adult entertainment business¹</i>	<i>Air transportation service</i>	<i>Animal kennel/shelter</i>
<i>Arts, entertainment, indoor</i>	<i>Ambulatory surgery center</i>	<i>Business service, intensive</i>
<i>Arts, entertainment, outdoor²</i>	<i>College/university</i>	<i>Cemetery, columbarium or mausoleum</i>
<i>Auction house, existing³</i>	<i>Community residential facility</i>	<i>Construction and trade</i>
<i>Automotive sales and service, marine, existing legal⁴</i>	<i>Fire or police facility</i>	<i>Family child-care home</i>
<i>Automotive sales and service, non-marine, existing legal⁴</i>	<i>Hospital</i>	<i>Funeral home/crematory</i>
<i>Business service, standard</i>	<i>Laboratory</i>	<i>Manufacturing, heavy</i>
<i>Day care</i>	<i>Religious institution</i>	<i>Manufacturing, light</i>
<i>Eating and drinking place</i>	<i>Utility facility¹⁶</i>	<i>Cannabis business</i>
<i>Educational service⁵</i>		<i>Cannabis cooperative</i>
<i>Health care and social assistance^{6,7}</i>		<i>Recreational facility, outdoor</i>
<i>Manufactured housing community¹⁷</i>		<i>Resource land use</i>
<i>Mobile food service⁸</i>		<i>Retail sales, bulk</i>
<i>Multiple-family dwelling⁹</i>		<i>Secure facility</i>
<i>Office</i>		<i>Single detached dwelling unit</i>
<i>Park</i>		<i>Supportive living facility</i>
<i>Personal service</i>		<i>Transportation</i>
<i>Recreational facility, indoor</i>		<i>Warehousing</i>
<i>Regional land use¹⁰</i>		<i>Wholesale trade</i>
<i>Retail sales¹¹</i>		

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<u>Single room occupancy</u> ⁹		
<i>Standalone parking</i> ¹²		
<i>Temporary lodging</i> ¹³		
<i>Vehicle or equipment rental</i> ¹⁴		
<i>Vehicle refueling station</i> ¹⁵		

9. When located on property fronting on SR-522, 73rd Avenue NE, NE 181st Street west of 68th Avenue NE, 65th Avenue NE, 67th Avenue NE, or 68th Avenue NE, such uses shall be subject to the following conditions:

a. A minimum of 80 percent of a structure's street front facade at street level shall be occupied by nonresidential (e.g., retail, office or service) uses. If the nonresidential and residential uses are located in separate structures, the 80 percent requirement shall apply to the lot's lineal street frontage at street level. Where the lot fronts on two or more streets and abuts a lot which is not zoned commercial, the street front facade requirement shall apply to the structure's facade along the street with the greatest continuous lineal feet of commercially zoned frontage.

b. The required nonresidential use shall extend at least 30 feet in depth at street level from the street front facade of the structure; provided, that the minimum required depth may be averaged, with no depth less than 15 feet.

c. Where a lot fronts on two or more streets and only abuts lots which are zoned commercial, the street front facade requirement shall be calculated by totaling the combined street front facades of the structure containing the required nonresidential use.

18.25.040 Zoning standards.

The following zone-specific development standards in Table B apply in the downtown commercial zone:

Table B. Downtown Commercial Development Standards

STANDARD	REQUIREMENT
Maximum Density: <i>Dwelling Units</i> /Gross Acre ¹	150
Minimum Density: <i>Dwelling Units</i> /Net Acre for Standalone Multifamily Proposals ¹	60
<i>Street Setback</i>	Minimum 10 ft. from SR-522, unless otherwise allowed through Chapter 18.52 KMC, Design Standards; other streets 0 ft. Maximum 10 ft. unless otherwise allowed through Chapter 18.52 KMC, Design Standards The City may authorize intrusions of structural elements into the public right-of-way, including awnings, columns, bay

STANDARD	REQUIREMENT
	windows, or others, through the design review, site plan review, building permit review, or right-of-way use permit processes, if such intrusions would not impede safe travel by pedestrians, solar access is not significantly diminished, and <i>City</i> liability is limited
Minimum Interior <i>Setback</i>	0 ft.; except when property adjoins R-1 to R-12 property, then 20 ft.
Maximum Height	West of 73rd Avenue NE: 65 ft. East of 73rd Avenue NE: 85 ft. ²⁴
Maximum <i>Impervious Surface</i> : Percentage	90%
Pedestrian Connections	Pedestrian connections are required to be provided in accordance with Chapter 18.52 KMC, Design Standards

¹ *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

²⁴ Building heights and orientation for proposals within the great blue heron rookery buffer shall be carefully assessed through the required habitat management plan (see Chapter 18.55 KMC, Articles XIII through XV). In particular, potential impacts related to the flyway and shadowing of nest trees shall be evaluated. The *city manager* may require adjustments to maximum building height and/or building orientation to protect the rookery.

Chapter 18.25A

URBAN CORRIDOR ZONE

18.25A.030 Use allowances – Urban corridor west subarea.

The following *uses* listed in Table A are identified as permitted, conditionally permitted, or *prohibited uses* in the urban corridor west subarea:

Table A. Urban Corridor West Subarea Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Adult entertainment business</i> ¹ <i>Ambulatory surgery center</i> <i>Animal kennel/shelter</i> ² <i>Arts, entertainment, indoor</i> <i>Business service, standard</i>	<i>Arts, entertainment, outdoor</i> ¹¹ <i>College/university</i> <i>Fire or police facility</i> <i>Laboratory</i> ⁵ <i>Recreational facility, indoor</i> ⁸	<i>Air transportation service</i> <i>Auction house</i> <i>Automotive sales and service, marine</i>

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Cannabis business Cemetery, columbarium or mausoleum ³ Community residential facility Day care Eating and drinking place ⁴ Educational service Funeral home/crematory Health care and social assistance Laboratory ⁵ Manufacturing, light Mobile food service ⁶ Multiple-family dwelling ⁷ Office Park Personal service Recreational facility, indoor ⁸ Religious institution Retail sales ⁹ Single room occupancy⁷ Standalone parking ¹⁰ Supportive living facility Temporary lodging	Recreational facility, outdoor ¹³	Automotive sales and service, nonmarine Business service, intensive Cannabis cooperative Construction and trade Family child-care home Hospital Manufactured housing community Manufacturing, heavy Recreational facility, outdoor ¹³ Regional land use Resource land use Retail sales, bulk Secure facility Single detached dwelling unit Transportation Utility facility Vehicle or equipment rental Vehicle refueling station Warehousing Wholesale trade

7. North of SR-522, allowed only as part of a mixed use development subject to the conditions of Chapter 18.50 KMC.

18.25A.040 Use allowances – Urban corridor east subarea.

The following uses listed in Table B are identified as permitted, conditionally permitted, or prohibited uses in the urban corridor east subarea:

Table B. Urban Corridor East Subarea Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Adult entertainment business ¹ Ambulatory surgery center Animal kennel/shelter ² Arts, entertainment, indoor Arts, entertainment, outdoor ³ Business service, standard Cannabis business Cemetery, columbarium or mausoleum ⁴ Community residential facility ⁵ Day care Eating and drinking place ⁶	College/university Fire or police facility Hospital ⁵ Laboratory ⁷ Regional land use ⁵ Retail sales, bulk ^{5,10}	Air transportation service Arts, entertainment, outdoor ³ Auction house Automotive sales and service, marine Automotive sales and service, nonmarine Business service, intensive Cannabis cooperative Community residential facility ⁵ Construction and trade Family child-care home

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Educational service</i> <i>Funeral home/crematory</i> <i>Health care and social assistance</i> <i>Laboratory</i> ⁷ <i>Manufacturing, light</i> <i>Mobile food service</i> ⁸ <i>Multiple-family dwelling</i> ^{13,14} <i>Office</i> <i>Park</i> <i>Personal service</i> <i>Recreational facility, indoor</i> <i>Recreational facility, outdoor</i> ^{3,9} <i>Religious institution</i> <i>Retail sales</i> <i>Retail sales, bulk</i> ^{5,10} <u><i>Single room occupancy</i></u> ^{13,14} <i>Standalone parking</i> ¹¹ <i>Supportive living facility</i> <i>Temporary lodging</i> <i>Vehicle refueling station</i> ¹²		<i>Hospital</i> ⁵ <i>Manufactured housing community</i> <i>Manufacturing, heavy</i> <i>Recreational facility, outdoor</i> ³ <i>Regional land use</i> ⁵ <i>Resource land use</i> <i>Retail sales, bulk</i> ⁵ <i>Secure facility</i> <i>Single detached dwelling unit</i> <i>Standalone parking</i> ¹¹ <i>Transportation</i> <i>Utility facility</i> <i>Vehicle or equipment rental</i> <i>Vehicle refueling station</i> ¹² <i>Warehousing</i> <i>Wholesale trade</i>

13 A standalone townhouse development is prohibited.

14 On street frontages, the following conditions apply:

a. A minimum of 80 percent of the structure's street front facade at street level shall be occupied by nonresidential (e.g., retail, office or service) uses.

b. The required nonresidential uses shall extend at least 30 feet in depth at street level from the street front facade of the structure; provided, that the minimum required depth may be averaged, with no depth less than 15 feet.

Exception: These requirements do not apply to multifamily structures containing 100 percent affordable housing units.

18.25A.060 Zoning standards.

The following zone-specific development standards in Table C apply in the urban corridor zone:

Table C. Urban Corridor Zone Development Standards

STANDARD	REQUIREMENT
Urban Corridor West Subarea Base Density: <i>Dwelling Units/Acre</i> ¹	48 du/ac

STANDARD	REQUIREMENT
Urban Corridor West Subarea Maximum Density: <i>Dwelling Units/Acre</i> ¹	72 du/ac ²⁺
Urban Corridor East Subarea Minimum Density: <i>Dwelling Units/Acre</i> ¹	60 du/ac
Urban Corridor East Subarea Maximum Density: <i>Dwelling Units/Acre</i> ¹	150 du/ac
Minimum <i>Street Setback</i>	10 ft. ³²
Minimum <i>Interior Setback</i>	20 ft. ⁴³
Maximum Height:	
Urban Corridor East Subarea	85 ft. ^{65,76}
Urban Corridor West Subarea:	
• south of SR-522	35 ft.
• north of SR-522 west of 63rd Ave. NE	35 ft.
• north of SR-522 east of 63rd Ave. NE	35 ft. ⁵⁴
Maximum <i>Impervious Surface</i> : Percentage	90%

¹ *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

²⁺ This density may only be achieved through the application of residential density incentives or *transfer of density credits in mixed use developments*. See Chapter 18.80 KMC.

³² Gas station pump islands shall be placed no closer than 25 feet to *street front lines*.

⁴³ Required on property lines adjoining residential zones.

⁵⁴ The maximum height on a *site* north of SR-522 east of 63rd Avenue NE may be increased up to a maximum of 55 feet if (1) there is no intervening parcel between the *site* and the NE 181st Street right-of-way, and (2) if the *applicant* can demonstrate, based on ground elevation data, that a topographic change is adequate to protect views of Lake Washington from uphill lots. The measurement shall be taken as follows: a) determine average existing ground elevation along the centerline of the NE 181st Street right-of-way abutting the *site*; b) determine average existing ground elevation along an artificial east-west line 60 feet north of and paralleling the SR-522 right-of-way abutting the *site*; c) subtract the elevation calculated in b) from the

elevation calculated in a). If this difference is more than 35 feet, the maximum height for the site may be increased to that difference. In no case, however, shall the maximum allowable height exceed 55 feet.

⁶⁵ Portions of any property that are within 50 feet of an R-1, R-4, R-6, or MHC zoning district shall have a maximum height of 35 feet within that area to provide a transition in height to the lower intensity uses.

⁷⁶ Building heights and orientation for proposals within the great blue heron rookery buffer shall be carefully assessed through the required habitat management plan (see Chapter 18.55 KMC, Articles XIII through XV). In particular, potential impacts related to the flyway and shadowing of nest trees shall be evaluated. The *city manager* may require adjustments to maximum building height and/or building orientation to protect the rookery.

18.25B.040 Zoning standards.

The following zone-specific development standards in Table B apply in the waterfront commercial zone:

Chapter 18.25B

WATERFRONT COMMERCIAL ZONE

18.25B.020 Use allowances.

The following *uses* listed in Table A are identified as permitted, conditionally permitted or *prohibited uses* in the waterfront commercial zone:

Table A. Waterfront Commercial Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Adult entertainment business</i> ¹ <i>Ambulatory surgery center</i> <i>Animal kennel/shelter</i> ² <i>Arts, entertainment, indoor</i> <i>Arts, entertainment, outdoor</i> ³ <i>Automotive sales and service, marine</i> <i>Business service, standard</i> <i>Cannabis business</i> <i>Cemetery, columbarium or mausoleum</i> ⁴ <i>Community residential facility (CRF)</i> <i>Day care</i> <i>Eating and drinking place</i> ⁵ <i>Educational service</i> <i>Funeral home/crematory</i>	<i>Air transportation service</i> <i>College/university</i> <i>Fire or police facility</i> <i>Hospital</i> <i>Laboratory</i> ⁶ <i>Regional land use</i>	<i>Auction house</i> <i>Automotive sales and service, nonmarine</i> <i>Business service, intensive</i> <i>Cannabis cooperative</i> <i>Construction and trade</i> <i>Family child-care home</i> <i>Manufactured housing community</i> <i>Manufacturing, heavy</i> <i>Resource land use</i> <i>Retail sales, bulk</i> <i>Secure facility</i> <i>Single detached dwelling unit</i> <i>Utility facility</i> <i>Warehousing</i> <i>Wholesale trade</i>

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Health care and social assistance</i> <i>Laboratory⁶</i> <i>Manufacturing, light</i> <i>Mobile food service⁷</i> <i>Multiple-family dwelling⁸</i> <i>Office</i> <i>Park</i> <i>Personal service</i> <i>Recreational facility, indoor</i> <i>Recreational facility, outdoor^{3,9}</i> <i>Religious institution</i> <i>Retail sales</i> <u><i>Single room occupancy⁸</i></u> <i>Standalone parking¹⁰</i> <i>Supportive living facility</i> <i>Temporary lodging</i>		
<i>Transportation¹¹</i> <i>Vehicle or equipment rental¹²</i> <i>Vehicle refueling station</i>		

8 Allowed only as part of a mixed use development subject to the conditions of Chapter 18.50 KMC.

18.25B.040 Zoning standards.

The following zone-specific development standards in Table B apply in the waterfront commercial zone:

Table B. Waterfront Commercial Development Standards

STANDARD	REQUIREMENT
Base Density: <i>Dwelling Units/Gross Acre¹</i>	48
Maximum Density: <i>Dwelling Units/Gross Acre¹</i>	72 du/ac ²¹
<i>Street Setback</i>	10 ft. ³²
<i>Minimum Interior Setback</i>	20 ft. ⁴³
<i>Maximum Height</i>	40 ft.
<i>Maximum Impervious Surface: Percentage</i>	90%

¹ *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

²⁴ This density may only be achieved through the application of residential density incentives or transfer of density credits in mixed use developments. See Chapter 18.80 KMC.

³² Fuel pump islands shall be placed no closer than 25 feet to street front lines.

⁴³ Required on property lines adjoining residential zones.

Chapter 18.26

REGIONAL BUSINESS ZONE

18.26.030 Use allowances – Regional business north subarea.

The following uses listed in Table A are identified as permitted, conditionally permitted, or prohibited uses in the regional business north subarea:

Table A. Regional Business North Subarea Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Adult entertainment business ¹ Ambulatory surgery center Animal kennel/shelter ² Arts, entertainment, indoor Arts, entertainment, outdoor Automotive sales and service, marine ³ Automotive sales and service, nonmarine ⁴ Business service, standard Cannabis business Community residential facility Construction and trade Day care Eating and drinking place ⁵ Educational service Fire or police facility Health care and social assistance Laboratory ⁶ Manufacturing, light Mobile food service ⁷ Multiple-family dwelling ⁸	College/university Laboratory ⁶ Recreational facility, outdoor ¹³ Regional land use Utility facility	Air transportation service Auction house Automotive sales and service, nonmarine ⁴ Business service, intensive Cannabis cooperative Cemetery, columbarium or mausoleum Family child-care home Funeral home/crematory Hospital Manufactured housing community Manufacturing, heavy Resource land use Retail sales, bulk Secure facility Single detached dwelling unit Vehicle or equipment rental ¹¹ Vehicle refueling station Warehousing

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Office Park Personal service Recreational facility, indoor Religious institution Retail sales Single room occupancy ⁸ Standalone parking ⁹ Supportive living facility Temporary lodging Transportation ¹⁰ Vehicle or equipment rental ¹¹ Wholesale trade		

8 Allowed only as part of a mixed use development subject to the conditions of Chapter 18.50 KMC.

18.26.040 Use allowances – Regional business east subarea.

The following uses listed in Table B are identified as *permitted*, conditionally permitted, or *prohibited* uses in the regional business east subarea:

Table B. Regional Business East Subarea Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Adult entertainment business ¹ Ambulatory surgery center Animal kennel/shelter ² Arts, entertainment, indoor Arts, entertainment, outdoor ³ Auction house ⁴ Automotive sales and service, marine Automotive sales and service, nonmarine ⁵ Business service, standard Cannabis business Cemetery, columbarium or mausoleum ⁶ Community residential facility Construction and trade Day care Eating and drinking place ⁷ Educational service Fire or police facility Funeral home/crematory	College/university Hospital Laboratory ⁸ Regional land use Secure facility ¹⁷ Utility facility	Air transportation service Automotive sales and service, nonmarine ⁵ Business service, intensive Cannabis cooperative Family child-care home Manufactured housing community Manufacturing, heavy Resource land use Retail sales, bulk Single detached dwelling unit Vehicle refueling station

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Health care and social assistance</i> <i>Laboratory⁸</i> <i>Manufacturing, light</i> <i>Mobile food service⁹</i> <i>Multiple-family dwelling¹⁰</i> <i>Office</i> <i>Park</i> <i>Personal service</i> <i>Recreational facility, indoor</i> <i>Recreational facility, outdoor^{3,11}</i> <i>Religious institution</i> <i>Retail sales¹²</i> <u><i>Single room occupancy¹⁰</i></u> <i>Standalone parking¹³</i> <i>Supportive living facility</i> <i>Temporary lodging</i> <i>Transportation¹⁴</i> <i>Vehicle or equipment rental</i> <i>Warehousing¹⁵</i> <i>Wholesale trade</i>		

10 Allowed only as part of a mixed use development subject to the conditions of Chapter 18.50 KMC.

18.26.050 Use allowances – Regional business west subarea.

The following uses listed in Table C are identified as permitted, conditionally permitted, or prohibited uses in the regional business west subarea:

Table C. Regional Business West Subarea Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Adult entertainment business¹</i> <i>Ambulatory surgery center</i> <i>Arts, entertainment, indoor</i> <i>Arts, entertainment, outdoor</i> <i>Automotive sales and service, marine²</i> <i>Business service, standard</i> <i>Cannabis business</i> <i>Community residential facility</i> <i>Day care</i> <i>Eating and drinking place³</i> <i>Educational service</i> <i>Fire or police facility</i>	<i>College/university</i> <i>Laboratory⁴</i> <i>Manufacturing, light</i> <i>Regional land use</i>	<i>Air transportation service</i> <i>Animal kennel/shelter</i> <i>Auction house</i> <i>Automotive sales and service, nonmarine</i> <i>Business service, intensive</i> <i>Cannabis cooperative</i> <i>Cemetery, columbarium or mausoleum</i> <i>Construction and trade</i> <i>Family child-care home</i> <i>Funeral home/crematory</i> <i>Hospital</i>

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Health care and social assistance</i> <i>Laboratory⁴</i> <i>Mobile food service⁵</i> <i>Multiple-family dwelling⁶</i> <i>Office</i>		<i>Manufactured housing community</i> <i>Manufacturing, heavy</i> <i>Resource land use</i> <i>Retail sales, bulk</i> <i>Secure facility</i>
<i>Park</i> <i>Personal service</i> <i>Recreational facility, indoor</i> <i>Recreational facility, outdoor⁷</i> <i>Religious institution</i> <i>Retail sales⁸</i> <i>Single room occupancy⁶</i> <i>Standalone parking⁹</i> <i>Supportive living facility</i> <i>Temporary lodging</i> <i>Transportation¹⁰</i> <i>Vehicle or equipment rental¹¹</i> <i>Vehicle refueling station¹²</i>		<i>Single detached dwelling unit</i> <i>Utility facility</i> <i>Warehousing</i> <i>Wholesale trade</i>

⁶ Allowed only as part of a mixed use development subject to the conditions of Chapter 18.50 KMC.

18.26.070 Zoning standards.

The following zone-specific development standards in Table D apply in the regional business zone:

Table D. Regional Business Zone Development Standards

STANDARD	REQUIREMENT
Base Density: <i>Dwelling Units/Acre¹</i>	48 du/ac
Maximum Density: <i>Dwelling Units/Acre¹</i>	72 du/ac ²⁴
Minimum Street <i>Setback</i>	10 ft. ³²
Minimum Interior <i>Setback</i>	20 ft. ⁴³
Maximum Height	55 ft.
Maximum <i>Impervious Surface:</i> Percentage	90%

¹ *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

²¹ This density may only be achieved through the application of residential density incentives or *transfer of density credits in mixed use developments*. See Chapter 18.80 KMC.

³² Gas station pump islands shall be placed no closer than 25 feet to *street front lines*.

⁴³ Required on property lines adjoining residential zones.

Chapter 18.27

PUBLIC AND SEMI-PUBLIC ZONE

18.27.020 Public and semi-public zone – Use allowances.

A. The following *uses* listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited uses* in the public and semi-public zone:

Table A. Public and Semi-Public Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Arts, entertainment, indoor	College/university	Cannabis business
Arts, entertainment, outdoor ¹	Construction and trade ⁴	Cannabis cooperative
Educational service		Regional land use ⁵
Fire or police facility		Secure facility
Multiple-family dwelling ^{6,7}		
Office ²		
Park		
Recreational facility, indoor		
Recreational facility, outdoor		
<u>Single room occupancy^{6,7}</u>		
Standalone parking ³		
Utility facility		

6. Limited to: (a) developments sponsored by a *public agency* on properties abutting SR-522 containing at least 25 percent *very-low or low-income affordable housing units*; or (b) developments on surplus *public agency* property. Developments containing *very-low or low-income affordable housing units* shall meet the standards of Chapter 18.77 KMC.

7. A standalone townhouse development is prohibited on properties abutting SR-522.

18.27.040 Public and semi-public zone – Development standards.

A. Specific zone-based development standards for the public and semi-public zone in Table B shall apply to the public and semi-public zone as follows:

Table B. Public and Semi-Public Zone Development Standards

Standard	Requirement
Maximum Density: <i>Dwelling Units/Gross Acre</i> ¹	150 ²⁴
Minimum Lot Size	4,500 sq. ft. ³²
Minimum Lot Width	35 ft.
Minimum <i>Street Setback</i>	0 ft., 10 ft., or 20 ft. ⁴³
Minimum Interior <i>Setback</i>	0 ft., 5 ft., or 20 ft. ⁴³
Base Height	35 ft. ^{54,65}
Maximum <i>Impervious Surface</i> : Percentage	70%, 90% ⁷⁶

¹ *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

²⁴ Maximum density allowed only for development projects abutting SR-522 and containing at least 25 percent very *low-income* or *low-income affordable housing units*. Permitted densities for other housing projects shall be consistent with permitted residential densities in adjoining zoning districts.

³² The minimum lot size may be reduced if the *city manager* determines *use* on the site is compatible with adjoining property, does not impair *development* of adjoining property and does not adversely affect the public health, safety or welfare.

⁴³ a. *Street setbacks*: the minimum *street setback* for nonresidential or *mixed use development* varies depending on the adjacent zoning:

(1) Zero feet if adjacent zoning is downtown commercial or downtown residential.

(2) Twenty feet if adjacent zoning is R-1 to R-6.

(3) Ten feet in all other cases.

b. *Interior setbacks* for nonresidential or *mixed use development*: zero feet if adjacent zoning is downtown commercial or downtown residential; 20 feet if adjacent zoning is R-1 to R-6; five feet in all other cases.

c. *Setbacks* for residential development shall match those of the adjoining zoning district.

⁵⁴ Height limits may be increased when portions of the *building* 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 does not exceed 75 feet. Properties abutting downtown commercial or downtown residential zones or regional business zones may achieve

the heights allowed by those abutting zones if meeting conditions for the maximum height as expressed in those abutting zones.

⁶⁵ Building heights and orientation for proposals within the great blue heron rookery buffer shall be carefully assessed through the required habitat management plan (see Chapter 18.55 KMC, Articles XIII through XV). In particular, potential impacts related to the flyway and shadowing of nest trees shall be evaluated. The *city manager* may require adjustments to maximum building height and/or building orientation to protect the rookery.

⁷⁶ a. Ninety percent if abutting properties are zoned downtown commercial or downtown residential or regional business. Seventy percent in all other cases.

b. Measures to reduce *impervious surfaces* and to promote *low impact development* shall be employed unless infeasible, consistent with adopted Kenmore stormwater management standards.

Chapter 18.29

TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY

18.29.040 Use allowances.

The following uses listed in Table A are identified as *permitted*, conditionally permitted or *prohibited uses* for properties electing to develop under provisions of the TOD district overlay.

All uses not specifically listed in this section shall be prohibited.

**Table A – TOD District Overlay
Use Allowances**

Permitted	Conditionally Permitted	Prohibited
Arts, entertainment, indoor ^{1,3}	Ambulatory surgery center ²	Adult entertainment business
Business service, standard ^{1,3}	Animal kennel/shelter ^{2,5}	Air transportation service
Day care	College/university ²	Arts, entertainment, outdoor
Eating and drinking place ¹	Fire or police facility ²	Auction house

Permitted	Conditionally Permitted	Prohibited
Educational service ¹	Laboratory ²	Automotive sales and service, marine
Health care and social assistance ^{1,3}	Park	Automotive sales and service, nonmarine
Manufacturing, light ^{1,3,5}	Regional land use	Business service, intensive
Mobile food service ⁴	Religious institution ²	Cemetery, columbarium or mausoleum
Multiple-family dwelling ⁶	Supportive living facility ²	Community residential facility
Office ¹		Construction and trade
Personal service ^{1,3}		Family child-care home
Recreational facility, indoor ^{1,3}		Funeral home/crematory
Retail sales ^{1,3,5}		Hospital
<u>Single room occupancy⁶</u>		Manufactured housing community
Temporary lodging ^{1,3}		Manufacturing, heavy
		Cannabis business
		Recreational facility, outdoor
		Resource land use
		Retail sales, bulk
		Secure facility

Permitted	Conditionally Permitted	Prohibited
		Single detached dwelling unit
		Standalone parking
		Transportation
		Utility facility
		Vehicle or equipment rental
		Vehicle refueling station
		Warehousing
		Wholesale trade

⁶ Townhouse development shall be prohibited.

18.29.050 Zoning standards.

The following development standards in Table B apply to properties electing to develop under provisions of the TOD district overlay:

Table B – TOD Overlay District Development Standards

STANDARD	REQUIREMENT
Minimum Density: Dwelling Units/Gross Acre ¹	60 ²¹
Maximum Density: Dwelling Units/Gross Acre ¹	150 ²¹
Maximum Height	65' ³²

¹ *Sleeping units are calculated as 1 sleeping unit = ¼ dwelling unit.*

²¹ Portions of any property developing under the TOD district overlay regulations with an underlying zoning of R-1 shall cluster development 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. The open space tract shall be permanent and meet the provisions of KMC 17.20.130(B).

³² Portions of any property developing under the TOD district overlay regulations that are within 50 feet of a single-family zone (R-1, R-4, R-6) shall have a maximum height of 35 feet within that area to provide a transition in height to the lower intensity uses.

18.29.070 Parking.

Parking in the TOD district overlay 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 choosing to develop under the TOD district overlay 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 ratios provided in KMC 18.40.055:

1. Market-rate dwelling unit, exception as follows:

a. Pioneer Project Incentive. For purposes of this section, a pioneer project consists of the first 100 bonus housing units provided in the city under the TOD district overlay regulations. The first 100 bonus housing units in a pioneer project(s) may elect to provide parking spaces for market rate bonus units at 0.6 parking spaces per dwelling unit.

2. Except as otherwise provided in KMC 18.40.055, one additional parking space per every five market rate dwelling units shall be provided and designated as guest parking for use by all guests.

3. For single room occupancy housing, no minimum parking is required for developments within one-half mile walking distance of a major transit stop (any TOD parcel).

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. Minimum on-site parking may be reduced further by provisions of KMC 18.40.090(B) for properties within the TOD district overlay that meet the requirements of KMC 18.40.090(B) for accessibility to high frequency transit service.

3. Shared parking among uses is encouraged within the TOD district overlay. Developments that propose shared parking arrangements shall submit a parking management plan as defined in KMC 18.20.1995 that describes the terms and conditions of shared parking arrangements on site.

D. Parking Provided in Excess of Minimum. Provision of parking in excess of the minimum parking requirements outlined in subsections A and B of this section 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, is interim in nature, and is temporarily located on land reserved for future phases not yet built.

E. Maximum parking within the TOD district overlay 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.

F. All other parking requirements shall be as provided in Chapter 18.40 KMC. [Ord. 24-0609 § 1 (Exh. A); Ord. 22-0543 § 3(C) (Exh. A); Ord. 16-0428 § 13 (Att. I); Ord. 15-0406 § 1 (Att. A).]

18.29.100 Significant tree grove retention.

A. Definitions.

1. Significant Tree Grove Definition. A "significant tree grove" shall consist of two or more trees with a minimum of five and one-half tree units total. A qualifying tree has two tree units minimum. The maximum distance measured in feet between qualifying trees shall be equal to two times the critical root zone in order to be defined as a significant tree grove. For example a 24-inch d.b.h. tree must be within 24 feet of another tree in the grove to be included in the significant tree grove. A tree of any size that is topped or considered a "hazard tree" as defined in KMC 18.20.3084 may not qualify as part of a significant tree grove as herein defined. For purposes of this chapter, a significant tree grove may not contain trees that are located within a critical area or critical area buffer protected under Chapter 18.55 KMC. A significant tree grove is not the same as a "grove," as defined in KMC 18.20.1273.

2. Tree Units. See KMC 18.57.060(B) for translation of diameter at breast height (d.b.h.) to tree units.

B. Applicability.

1. If the underlying zone within the TOD district overlay requires tree retention as provided in Chapter 18.57 KMC, then the provisions of Chapter 18.57 KMC shall be retained. If Chapter 18.57 KMC exempts a property from tree retention then it shall remain exempt.

2. Development proposals within the boundaries of the TOD district overlay that elect to develop under the provisions of this chapter shall be eligible to benefit from ~~providing less parking or~~ more dwelling units ~~or any combination of the two~~ if the development retains one or more significant tree grove(s) as defined in this section in perpetuity. ~~A development may be able to benefit from both reduced parking and additional dwelling units by preserving a significant tree grove so long as the same tree credits are not counted towards both reductions in parking and additional bonus dwellings.~~ Trees or groves retained through the provisions of Chapter 18.57 KMC may count towards the significant tree grove retention if they meet the definitions found in subsection A of this section.

3. Tree on Property Line. In instances where one or more trees that would qualify as part of a significant tree grove is located on a property line such that the tree is on more than one property, and the properties are in separate ownerships, the tree shall qualify to be counted as part of a separate tree grove by each property owner.

~~C. Tree Retention – Residential Land Uses. Where compliance with both parking requirements and tree retention requirements would make a proposed residential development or redevelopment infeasible, there is no minimum parking requirement in order to meet minimum tree retention requirements. Reduced Parking. In order to retain qualifying significant tree groves, required parking may be reduced at the maximum rate of one stall per each five and one-half tree units. Parking quantities may be reduced up to a maximum of 20 percent from the parking requirement after other reductions are applied, if any.~~

D. Residential Bonus Units. In order to retain qualifying significant tree groves, residential units are offered at the rate of one bonus unit per each 11 tree units preserved. Grove bonus units are not included in maximum unit density calculations. Grove bonus units are not subject to the affordability requirements of KMC 18.29.060.

E. Significant Tree Grove Preservation Requirements.

1. Tree Protection Plan Required. A tree protection plan as identified in KMC 18.57.050 shall be required for any development application proposing to protect one or more significant tree groves through this section.

2. Recorded on Title. The map of significant tree groves preserved through this section, along with a covenant preventing removal, shall be recorded and shown on the property title.

3. Subject to Tree Protection Measures of Chapter 18.57 KMC. Significant tree groves protected under this section shall be subject to the tree protection measures during construction found in KMC 18.57.090, the post-construction replacement, financial guarantee, and maintenance requirements of KMC 18.57.100, and the penalties and enforcement of KMC 18.57.110. [Ord. 22-0543 § 3(C) (Exh. A); Ord. 15-0406 § 1 (Att. A).]

Chapter 18.30

DEVELOPMENT STANDARDS - GENERAL

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;

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).]

F. *Sleeping units shall be calculated as 1 sleeping unit = ¼ dwelling unit.*

Chapter 18.40

DEVELOPMENT STANDARDS – PARKING AND CIRCULATION

18.40.030 Computation of required off-street parking spaces.

A. Except as modified in KMC 18.40.035, 18.40.040, 18.40.050, 18.40.055 or 18.40.090, off-street parking areas shall contain at a minimum the number of *parking spaces* as stipulated in the following table. Off-street parking ratios expressed as number of spaces per square feet means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building maintenance areas, storage areas, closets, restrooms and exterior walls. If the formula for determining the number of off-street *parking spaces* results in a fraction, the number of off-street *parking spaces* shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
RESIDENTIAL¹:		
Single detached dwelling unit	2.0 per dwelling unit	2.0 per dwelling unit; tandem stalls permitted
Townhouse	2.0 per dwelling unit	1.5 per dwelling unit; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
Apartment:		
Microhousing dwelling unit	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 dwelling unit	1.0:du; tandem stalls permitted
One-bedroom unit	1.5 per dwelling unit	1.0:du; tandem stalls permitted
Two-bedroom unit	1.7 per dwelling unit	1.5:du; tandem stalls permitted
Three-bedroom unit or larger	2.0 per dwelling unit	1.7:du; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
Manufactured housing community	2.0 per dwelling unit	2.0 per dwelling unit
Senior citizen assisted living	1 per 2 dwelling or sleeping units	1 per 2 dwelling or sleeping units
Community residential facility	1 per 2 bedrooms	1 per 2 bedrooms
Single room occupancy Dormitory, including religious	Within ½ mile of a Major Transit Stop: 0 off-street parking spaces per sleeping unit. More than ½ mile of a Major Transit Stop: no more than 0.25 off-street parking spaces per sleeping unit. 1 per 2 bedrooms	No minimum parking spaces required 1 per 2 bedrooms
Hotel/motel	1 per bedroom	1 per bedroom

LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility	1 per guest room, plus 2 per facility
Other residential land uses	<i>(city manager)</i>	<i>(city manager)</i>
RECREATIONAL/CULTURAL:		
<i>Recreational/cultural land uses</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Bowling center	5 per lane	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of clubhouse facilities	–
Tennis club	4 per tennis court, plus 1 per 300 square feet of clubhouse facility	–
Golf driving range	1 per tee	–
<i>Park/playfield</i>	<i>(city manager)</i>	<i>(city manager)</i>
Theater	1 per 3 fixed seats	1 per 3 fixed seats
<i>Conference center</i>	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 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:		
<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	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor

LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
	without fixed seats used for assembly purposes	area without fixed seats used for assembly purposes
Outpatient and veterinary clinic office	1 per 300 square feet of office, labs and examination rooms	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care facility	1 per 4 beds	–
<i>Hospital</i>	1 per bed	1 per bed
Elementary school	1 per <i>school classroom</i> , plus 1 per 50 students	1 per <i>school classroom</i> , plus 1 per 50 students
Secondary schools:		
Middle/junior high school	1 per <i>school classroom</i> , plus 1 per 50 students	1 per <i>school classroom</i> , plus 1 per 50 students
High school	1 per <i>school classroom</i> , plus 1 per 10 students	1 per <i>school classroom</i> , plus 1 per 10 students
High school with stadium	Greater of 1 per <i>school classroom</i> , plus 1 per 10 students, or 1 per 3 fixed seats in stadium	Greater of 1 per <i>school classroom</i> , plus 1 per 10 students, or 1 per 3 fixed seats in stadium
<i>Vocational school</i>	1 per <i>school classroom</i> , plus 1 per 5 students	1 per <i>school classroom</i> , plus 1 per 5 students
<i>Specialized instruction school</i>	1 per <i>school classroom</i> , plus 1 per 2 students	1 per <i>school classroom</i> , plus 1 per 2 students
<i>College/university</i>	1 per 2 commuting students, faculty and staff	–
GOVERNMENT/BUSINESS SERVICES:		
<i>Government/business services land uses</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
<i>Public agency yard</i>	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas	–
<i>Public agency archive</i>	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas	–

LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Court	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
<i>Fire or police facility</i>	<i>(city manager)</i>	<i>(city manager)</i>
<i>Construction and trade</i>	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
<i>Warehousing and storage</i>	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
<i>Self-service storage</i>	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	–
<i>Heavy equipment repair</i>	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas	–
RETAIL/WHOLESALE:		
<i>Retail land uses</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet	3 plus 1 per 350 square feet
<i>Vehicle refueling stations w/o grocery</i>	3 per facility, plus 1 per service bay	3 per facility, plus 1 per service bay
<i>Vehicle refueling stations w/grocery, no service bays</i>	1 per facility, plus 1 per 300 square feet of store	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas	1 per 75 square feet in dining or lounge areas
<i>Wholesale trade uses</i>	0.9 per 1,000 square feet	0.9 per 1,000 square feet
<i>Retail sales and wholesale trade mixed use</i>	1 per 300 square feet	1 per 300 square feet
MANUFACTURING:		

LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
<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)

¹Tandem parking stalls shall be permitted in all residential land uses.

B. An *applicant* may request a modification of the minimum required number of *parking spaces* by providing a parking demand analysis demonstrating that parking demand can be met with a reduced parking requirement. In such cases, the *city manager* may approve a reduction of up to 50 percent of the minimum required number of spaces.

C. When the *City* has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or *uses* authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible *uses* results in different parking requirements, the *city manager* will establish the amount of parking based on a likely range of *uses*.

D. Where other provisions of this code stipulate maximum parking allowed or reduced minimum parking requirements, those provisions shall apply.

E. In any *development* required to provide six or more *parking spaces*, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise specified.

1. 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

1. —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.

1.2. Tree Retention – Residential Land Uses. Where compliance with both parking requirements and tree retention requirements would make a proposed residential development or redevelopment infeasible, there is no minimum parking requirement in order to meet minimum tree retention 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).]

18.40.110 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 120 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	**	**

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
	Min 8.5 Desired 9.0	17.0 18.0	16.5 17.0	10.0 10.0	20.0 20.0	42.0 44.0	53.0 54.0
45	8.0* Min 8.5 Desired 9.0	11.5* 12.0 12.5	17.0*	12.0 12.0 12.0	20.0 20.0 20.0	** 50.0 51.0	** 58.0 59.0
60	8.0* Min 8.5 Desired 9.0	9.6* 10.0 10.5	18.0 20.0 21.0	18.0 18.0 18.0	20.0 20.0 20.0	** 58.0 60.0	** 60.0 62.0
90	8.0* Min 8.5 Desired 9.0	8.0* 8.5 9.0	16.0* 18.0 18.0	24.0 24.0 23.0	24.0 24.0 24.0	** 60.0 60.0	** 60.0 60.0

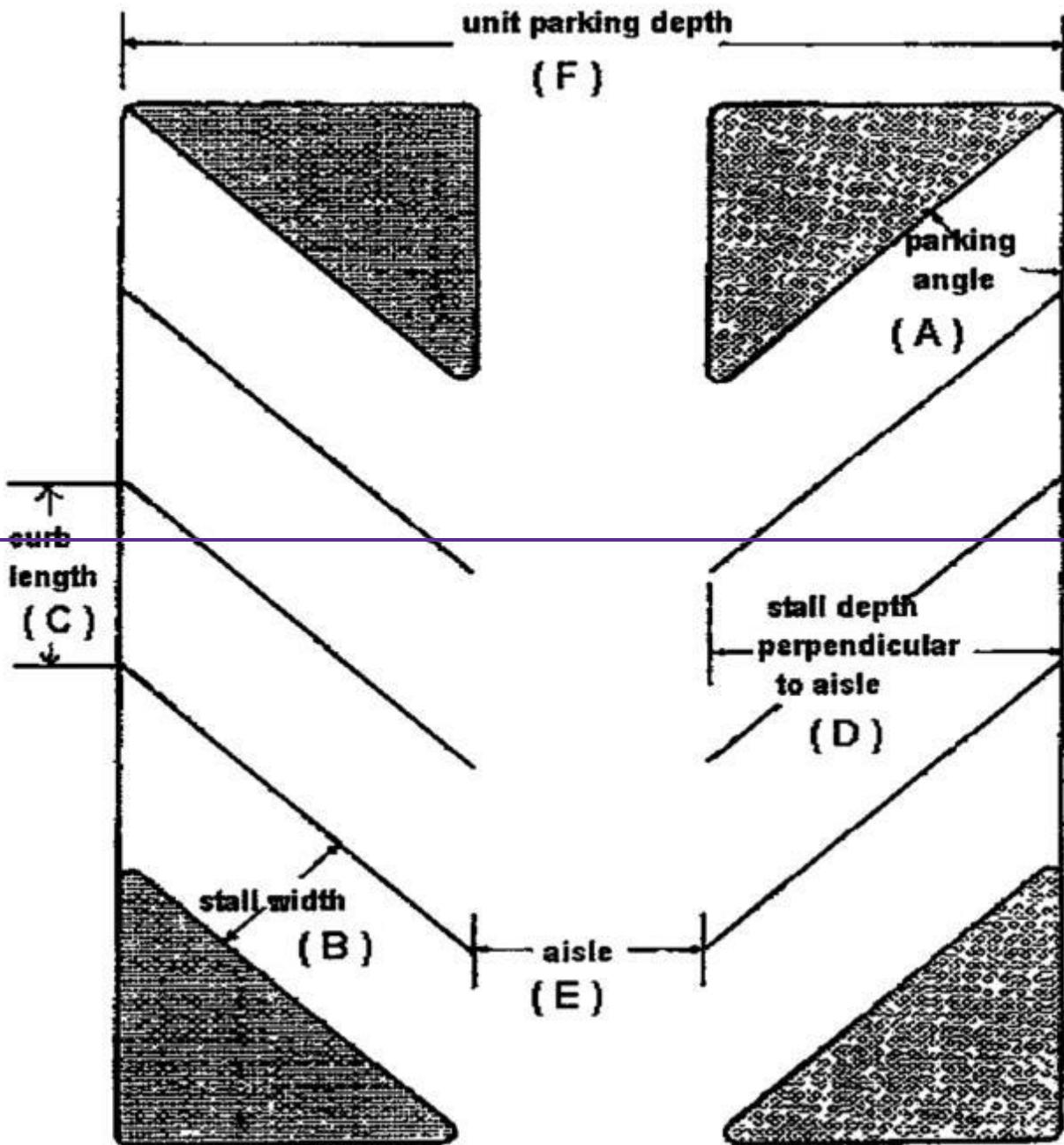
A	B	C	D	E	F	
PARKING ANGLE	SPACE WIDTH (feet)	SPACE LENGTH (feet)	TOTAL LENGTH (feet)	CURB WIDTH (feet)	AISLE WIDTH	
					(TWO-WAY TRAFFIC) (feet)	(ONE- WAY TRAFFIC) (feet)
90° (Perpendicular)	8	16* 20	20	8	24	24
60°	8	16* 20	24.5	9.25	20	16
45°	8	16* 20	28	11.25	20	14
30°	8	16* 20	34	16	20	12
0° (Parallel)	8	16* 20	N/A	23	20	12

* for compact stalls only

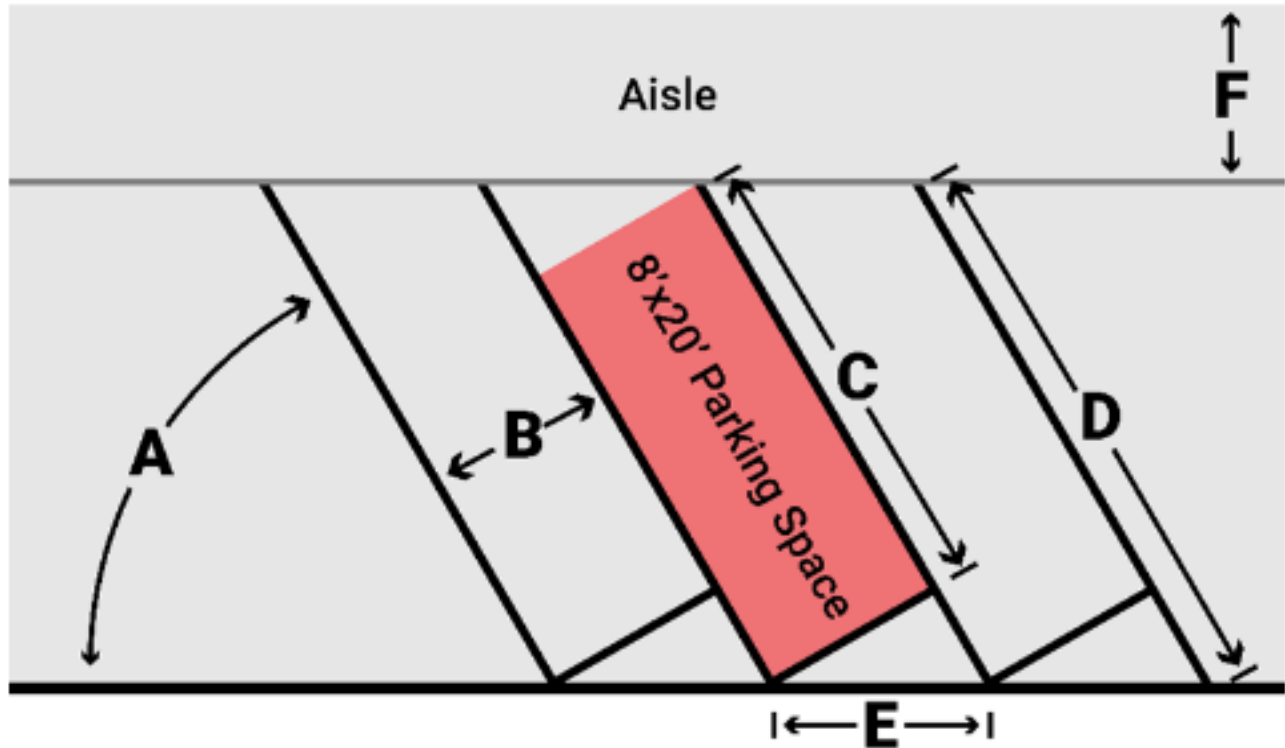
** variable with compact and standard combinations

1

NOMENCLATURE OF OFF-STREET PARKING AREA



2



C. Any *parking spaces* abutting a required landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent *parking space* by a parking space division stripe.

D. The *parking space* depth may be reduced if vehicles overhang a walkway or landscaping 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*. Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress. ~~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).]

O. Existing parking spaces that do not conform to the requirements of this section by June 6, 2024, are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

Chapter 18.52
DESIGN STANDARDS

18.52.230 Structured parking.

~~7. Townhouse Units. Each unit shall have an individual garage, enclosed under the living spaces. Such garage shall be located on a different facade from the main entry of the unit.~~

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.

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

1 and the *City*, as described in KMC 18.77.050, is recorded, or the date when the affordable
2 housing becomes available for occupancy as determined by the *City*.

3 E. Timing/Phasing. The affordable housing units shall be available for occupancy in a time
4 frame comparable to the availability of the rest of the *dwelling units* in the *development*. [Ord.
5 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]

6 F. For Single Room Occupancy housing, sleeping units shall be calculated as ¼ of a dwelling unit
7 for the purposes of affordable housing incentives.

8
9 **Chapter 15.40**
10 **KENMORE PROPERTY MAINTENANCE CODE**

11
12 **15.40.305 Interior structure.**

13 A. General. The interior of a *structure* and equipment therein shall be maintained in good repair,
14 structurally sound, and in a sanitary condition. *Occupants* shall keep that part of the *structure*
15 that they occupy or control in a clean and sanitary condition. Every *owner* of a *structure*
16 containing ~~a rooming house, housekeeping units,~~ a hotel, ~~a dormitory,~~ two or more *dwelling units*
17 or two or more nonresidential *occupancies* shall maintain, in a clean and sanitary condition, the
18 shared or public areas of the *structure* and *exterior property*.

19 **15.40.503 Toilet rooms.**

20 A. Privacy. *Toilet rooms* and *bathrooms* shall provide privacy and shall not constitute the only
21 passageway to a hall or other space, or to the exterior. A door and interior locking device shall
22 be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

23 B. Location. *Toilet rooms* and *bathrooms* serving hotel units, ~~rooming units, dormitory units or~~
24 ~~housekeeping units~~ shall have access by traversing not more than one flight of stairs and shall
25 have access from a common hall or passageway.

26 C. Floor Surface. In other than *dwelling units*, every *toilet room* floor shall be maintained to be a
27 smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and
28 sanitary condition. [Ord. 23-0577 § 1 (Exh. A).]

CITY OF KENMORE

City Council Meeting

Single Room Occupancy and Residential Parking Regulations *Public Hearing*

July 21, 2025



Overview

- History
- Code Changes
- Next Steps



History

2024

State passes HB 1998, RCW 36.70A.535, allowing SRO on lots with 6+ residential units

**Apr.
2025**

City Council -
SRO and Residential Parking Introduction

**June
2025**

City Council -
Draft Code on SRO and Residential Parking

**July
2025**

City Council - Public Hearing on SRO and
Residential Parking

Code Changes

SRO is allowed in R-4

- SRO allowed in all zones except:
 - R-1
 - Golf Course
 - Parks
 - Manufactured Housing Community

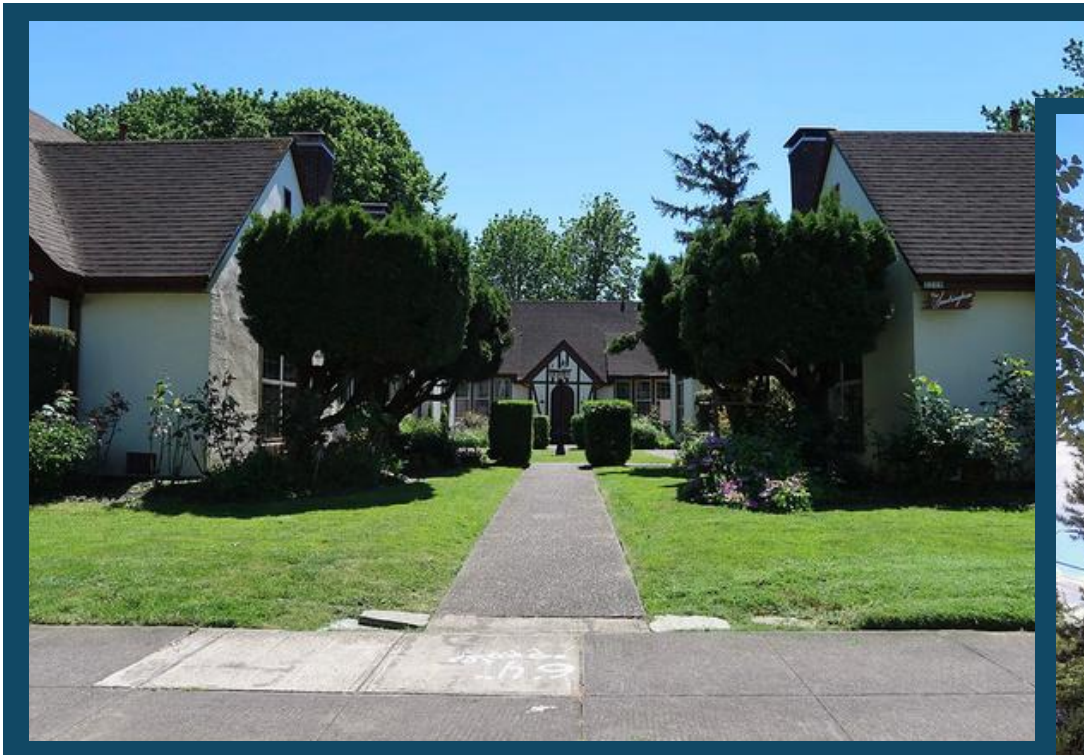


R-4 and R-6 Housing Types in a Neighborhood

Code Changes

Design and other standards: Dependent on the building type/zone

Detached dwelling units - Cottage Housing



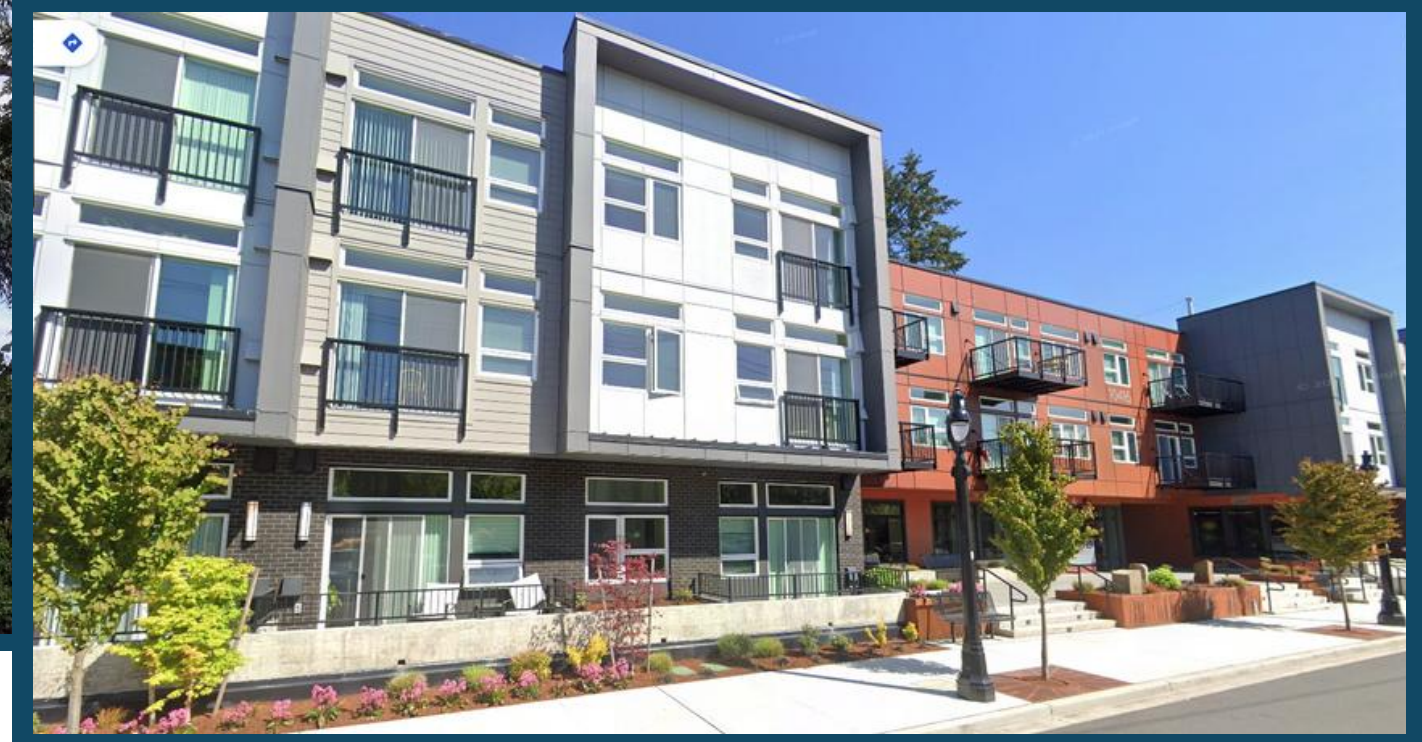
- Open space
- Variation in materials/colors

Attached dwelling units - Duplex



- Fire resistance
- Utilities

Detached dwelling units - Apartments



- Recessed entries
- Landscaped gardens
- Plazas

Next Steps

Current:

- SEPA Comment Period
- Department of Commerce Comment Period

Sept. 8th, 2025:

- Adoption of ordinance



For comments and questions:

Brittany Chue

Senior Planner, Community Development Department

bchue@kenmorewa.gov

425-984-6157



King County Public Hospital District #2 Levy Lid Lift

City of Kenmore
July 21, 2025

Ettore Palazzo, MD, FACP
Chief Executive Officer



A photograph of a modern multi-story hospital building with a glass facade on the left and a brick facade on the right. The building features the EvergreenHealth logo and name in large white letters on a blue background. The sky is clear blue.

Mission

To advance the health of the community through high -quality, safe, compassionate, and cost-effective health care.

Vision

To create an inclusive community health system that is the most trusted source for health care solutions.

Values

Compassion
Respect
Excellence
Collaboration
Accountability

Board of Commissioners



Virgil Snyder
Board Chair

Commissioner Position #7
At-Large Representative
Board member since 2016



Jeff Cashman
Board Secretary

Commissioner Position #6
At-Large Representative
Board member since 2023



Nancy Stewart

Commissioner Position #1
Represents Bothell/Duvall/Woodinville
Board member since 2023



Suzanne Greathouse

Commissioner Position #2
Represents Kirkland/Kenmore
Board member since 2024



Norman Seabrooks

Commissioner Position #3
Represents Redmond/Sammamish
Board member since 2024



Charles Pilcher, MD

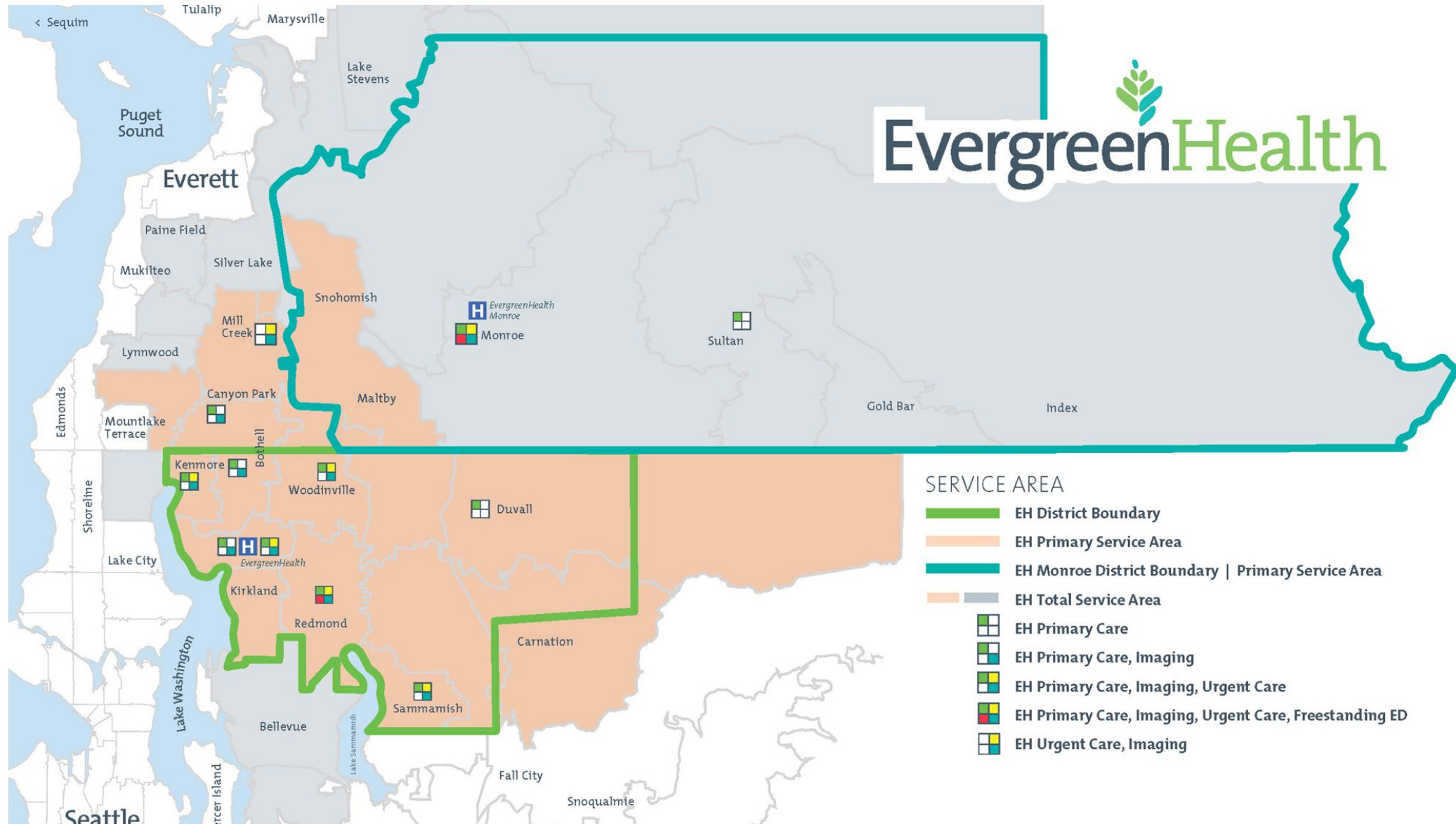
Commissioner Position #4
At-Large Representative
Board member since 2010



Robin Campbell, Ph.D.

Commissioner Position #5
At-Large Representative
Board member since 2024

Convenient Locations Across Our Communities



EvergreenHealth Exists to Serve Our Community

EvergreenHealth is a public hospital district – similar to a school district and a fire district – serving the health, wellness, and emergency medical needs of over 1 million Eastside residents.



A portion of district residents' property tax dollars fund EvergreenHealth.

Here for Your Health & Wellness Needs

354-bed acute care hospital serving Kirkland, Redmond, Duvall, Woodinville, Sammamish, Bothell and Kenmore.



4,448
Babies
Welcomed



16,418
Inpatient
Admissions



12,435
Home
Health
Patients



446,478
Hospital
Outpatient
Visits



2 Emergency
Departments
8 Urgent
Care Centers



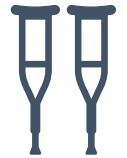
15-bed
Hospice
Care
Center



390+
Physician
Multispecialty
Group



12
Primary
Care
Practices



40+
Specialty
Practices

Post Acute Care – Largest Home Health / Hospice Care in Puget Sound Region

Home Care Services include Hospice, Home Health, Behavioral Health



Neonatal & Pediatric Specialty Care Services

EvergreenHealth | Seattle Children's®

Starting July 1, 2025

The partnership brings expanded access to advanced specialty services for the children and families we serve!



EvergreenHealth in Kenmore

- Primary Care, Mammography, Rehab Services, and Urgent Care clinics all conveniently located in Kenmore.
- Premier sponsor of Kenmore Farmers Market.
- Bothell Kenmore Chamber member.



Bothell Kenmore
CHAMBER

Investing in Our Community

EvergreenHealth's Levy Funded programs provided **\$6.2 million** in 2024 to support critical needs identified by our community.

Supporting Youth Mental Health through funding for Northshore School District's mental health therapists, providing speakers for our STEM Global Health Education partnership and the Youth Mental Health Taskforce.

Caring for Seniors through our Geriatric Care Clinic and funding for Senior Center programs.

Addressing Social Determinants of Health for patients via the Community Healthcare Access Team (CHAT) who assess and assist patients in accessing financial assistance, long term care, and insurance enrollment.

End of Life Care via our Palliative Medicine and Hospice Care center. Our multidisciplinary teams specialize in supporting patients and families during this vulnerable time.

Recognition of Our Care

National recipient of
 healthgrades™

'America's 50 Best Hospitals' Award™
for 5 Years in a Row



Where every person
and outcome matters.

Cardiac Care Distinction



Critical Care Distinction



Gastrointestinal Care Distinction



Neurosciences Care Distinction



Orthopedics Care Distinction



Pulmonary Care Distinction



Monroe



Kirkland



Excellence in Quality and Patient Safety



5 Straight Years



6 Straight Years



9 Straight Years

1. **EvergreenHealth, WA**
2. Houston Methodist, TX
3. Inova Loudon, VA
4. Lancaster General, PA
5. Lee Memorial, FL
6. Mayo Clinic Mankato, MN
7. Mayo Clinic, AZ
8. Mayo Clinic, FL
9. Ronald Regan UCLA Medical Center, CA
10. Scripps Memorial Hospital, CA
11. St. Luke's Hospital-Bethlehem Campus, PA
12. Stanford, CA

Ongoing Financial Challenges for Hospitals in Washington State



Hospital Finances: Losses from 2021-2024



Source: WSHA Hospital/Health System Financial Surveys, 2021-2024, representing 94% of licensed beds.
1: 2024 data is from January-September.

Growth in expenses: 2021-2023



Growth in length of stay: 2019-2023



Source: : WA Discharge dataset aka CHARS for all acute care hospitals, excluding psychiatric, long-term care and swing bed claims.
2: Complex patients stay in hospitals longer than 31 days, many without a medical need.

EXCLUSIVE HEALTHCARE

U.S. Delays Hospital Payments as Medicaid Scrutiny Intensifies

Hospitals across the country are laying off staff and pausing payments to medical suppliers as they wait for millions in funding

By Dominique Mosbergen [Follow](#)

May 2, 2025 5:30 am ET

LOCAL BIZ NATION SPORTS ENTERTAINMENT LIFE HOMES OPINION | THE TICKET JOBS EXPLORE All Sections

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Health | Local News | Northwest | Puget Sound

Virginia Mason Medical Center to close downtown Seattle birth center

Oct. 2, 2024 at 12:51 pm | Updated Oct. 2, 2024 at 3:39 pm



LOCAL BIZ NATION SPORTS ENTERTAINMENT LIFE HOMES OPINION | THE TICKET JOBS EXPLORE All Sections

Politics Law & Justice Watchdog Mental Health Education Lab Project Homeless Traffic Lab Eastside Climate Lab Obituaries

Health | Local Business | Local News | Northwest | Puget Sound

Seattle-area hospital to close 5 clinics, and some inpatient care

May 14, 2025 at 10:00 am | Updated May 14, 2025 at 10:00 am



Clark County, WA • Locally Owned Since 1890

PeaceHealth cuts 1 percent of its 16,000 employees, freezes hiring through 2025

Impact on Vancouver's Peacehealth Southwest Medical Center not yet clear

By Sarah Wolf, Columbian staff reporter

Published: May 29, 2025, 10:58am

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Monday, June 9, 2025

Local news Sports Food & Drink Life Business Opinion Contests Archives

Providence Everett plans 25% cut to nursing assistant staffing

The reduction, effective July 11, will affect all 39 per diem nursing assistants and 80 full-time and part-time assistants.

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WA hospital closes Tacoma virtual care center, affecting 200 jobs

June 6, 2025 at 3:46 pm



Washington State Hospital Association Statement on Passage of the One Big Beautiful Bill Act

[Washington State Hospital Association Statement on Passage of the One Big Beautiful Bill Act](#) | [Washington State Hospital Association](#)

“The One Big Beautiful Bill Act as passed by the Senate today is a disaster for Washington State’s hospitals and the patients we serve. There is no way we can absorb this level of cuts in the Medicaid program without massive impacts to all Washingtonians’ access to care.”

*-Cassie Sauer, WSHA President & CEO
7/1/25*

- ✓ \$1 trillion in federal Medicaid spending cuts allocated across states over next decade
- ✓ For WA State: Decrease in federal spending of \$31B - \$51B (at least \$3B/year)

1,860,000 children and adults are enrolled in Washington Medicaid

Among all Medicaid enrollees in Washington:

2 in 5 (39%) are children

1 in 6 (16%) live in a rural area

1 in 9 (12%) have three or more chronic conditions

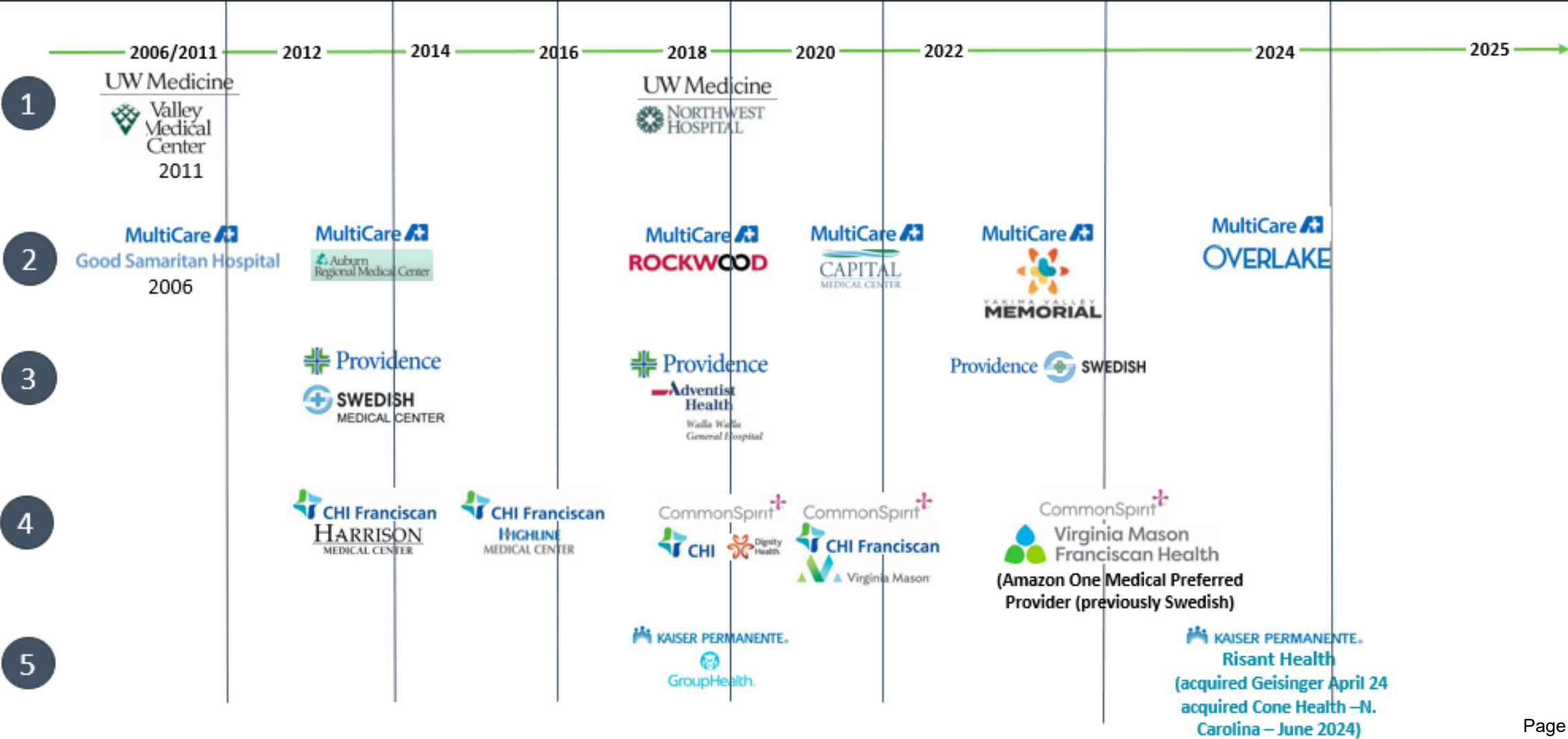
In Washington, Medicaid covers...



Puget Sound Landscape

Significant Consolidation of Local Health Systems

Our market has consolidated into 5 main systems, including a public academic (UW Medicine), a secular non-profit (MultiCare), two faith-based systems (Prov, VM Franciscan), and a managed care model (Kaiser)



Your Care, Your Community



Vote August 5th

Scan to learn more

| evergreenhealth.com

EvergreenHealth *then vs now*



1972

- EvergreenHealth would open as Evergreen General Hospital
- The hospital held just 76 beds
- The area's population totaled roughly 22,000 residents
- **Levy \$0.75/\$1000 assessed property value**

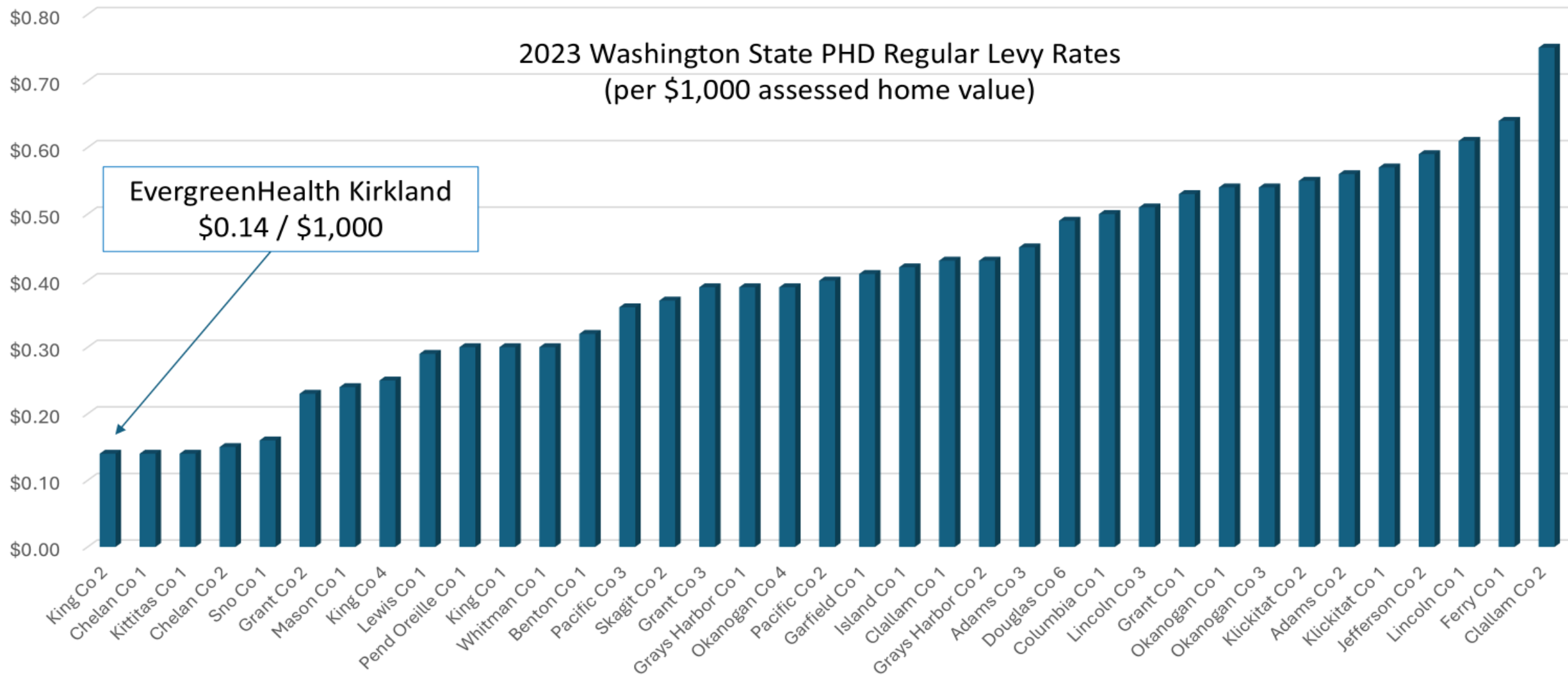
Today

- 354 Bed acute care hospital serving PHD #2
- 12 Primary Care Practices, 40+ Specialty Practices, Home Care, NICU/Ped, 8 Urgent Care clinics & Emergency Services in Kirkland and Redmond
- Our district population has grown to more than 330,000 residents!
- **Levy \$0.14/\$1000 assessed property value (2023)**



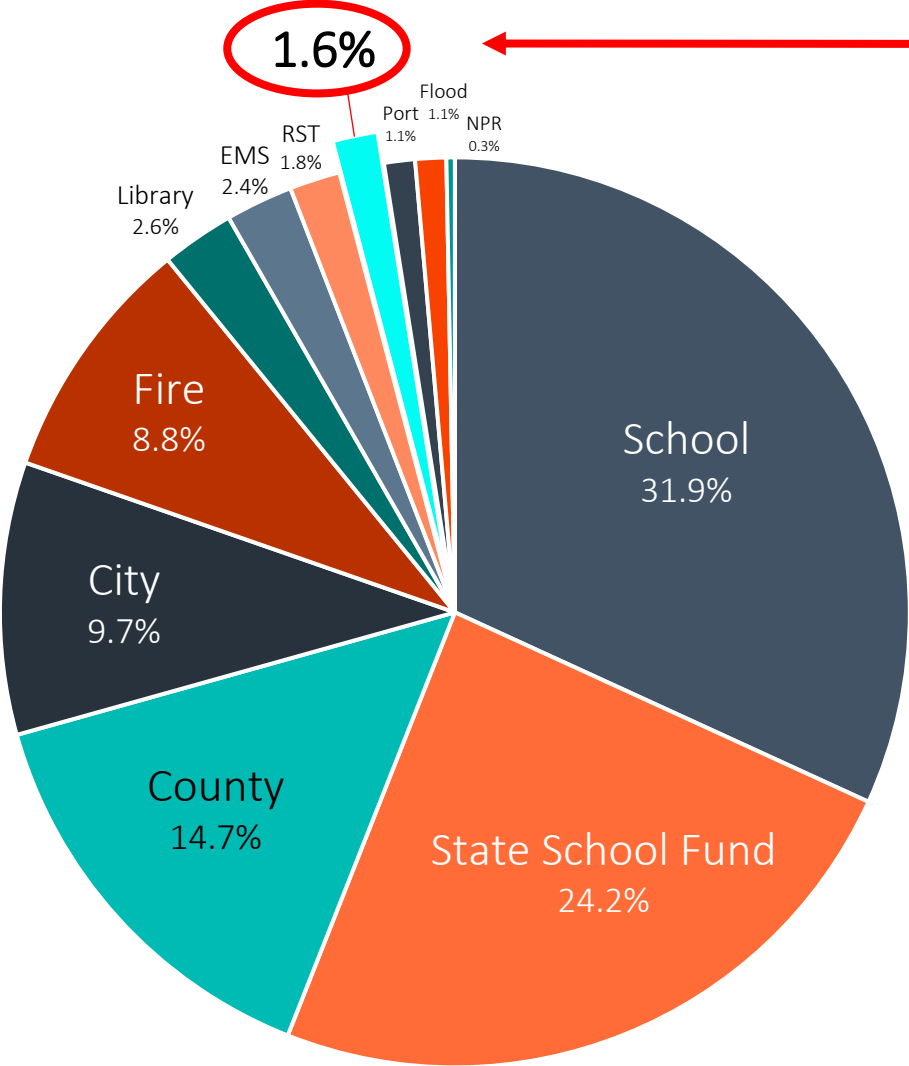
57 PHDs (Public Hospital Districts)
38 PHDs associated with hospitals
37 PHD hospitals with regular levy

2023 Washington State PHD Regular Levy Rates
(per \$1,000 assessed home value)



District Resident Contribution to EvergreenHealth

Property Tax Breakdown



EvergreenHealth
Public Hospital
District Levy

\$0.14/\$1000
assessed property
value

Supporting the Future Needs of our Community

Currently, district residents pay \$0.14 per \$1,000 of assessed home value toward the EvergreenHealth levy.

If approved, the Levy Lid Lift would add 36 cents, bringing the total to 50 cents per \$1,000 of assessed value and provide EvergreenHealth the ability to:

- Hire more physicians in primary care and other high priority specialties
- Expand outpatient behavioral health services
- Purchase additional imaging equipment for the emergency department to improve throughput
- Expand surgical and procedural capabilities (space and equipment)
- Preserve essential services currently offered

To learn more about the state of healthcare and how EvergreenHealth is planning for the future of our shared community of care, visit: www.evergreenhealth.com





**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 25-431**

**A RESOLUTION OF THE CITY COUNCIL OF KENMORE, WASHINGTON,
EXPRESSING SUPPORT FOR PUBLIC HOSPITAL DISTRICT NO. 2
PROPOSITION NO. 1 LEVY LID LIFT FOR HEALTHCARE SERVICES.**

WHEREAS, King County Public Hospital District No. 2 operates EvergreenHealth and seeks voter approval of Proposition No. 1, scheduled for August 5, 2025 Primary Election; and

WHEREAS, the ballot title for Proposition No. 1 reads:

**Public Hospital District No. 2
Proposition No. 1
Levy Lid Lift for Healthcare Services**

The Commission of King County Public Hospital District No. 2 (EvergreenHealth) adopted Resolution No. 949-25 concerning the district's regular property tax levy. If approved, this proposition would provide additional operating and capital funds for EvergreenHealth to provide hospital and other healthcare services to its residents and other persons served by EvergreenHealth. It authorizes a maximum regular property levy rate for collection in 2026 of 50 cents per \$1,000 of assessed value. The 2026 levy amount will be used for the purpose of computing the limitations for levies in subsequent years. Should this proposition be:

Approved
Rejected

WHEREAS, the ballot measure's explanatory statement reads that

King County Public Hospital District No. 2 operates EvergreenHealth and provides hospital, outpatient, and other healthcare services to the residents of the public hospital district and other persons served by the district.

Under state law, public hospital districts are authorized to levy regular property taxes at a rate of up to 75 cents per \$1,000 of assessed value for purposes of operating and maintaining the hospital and other healthcare facilities and services. Because state law limits the amount that taxes can increase without voter approval, EvergreenHealth's levy rate has declined over the years to approximately 14 cents in 2025.

EvergreenHealth's board has determined that it is necessary and in the best interest of the residents served by EvergreenHealth to request approval of a regular property tax levy at the rate of 50 cents per \$1000 of assessed value beginning in 2026, which would be an increase of 36 cents from its current rate. The levy will provide additional operating and capital funds to support the delivery of hospital and other health care services including funds to sustain lifesaving, preventive care and other health care services by hiring additional providers and upgrading and expanding facilities to increase access to OB, cancer treatments, emergency services, cardiology, behavioral health, pediatrics, gastroenterology, primary care, and other specialties for the community served by EvergreenHealth.

The 2026 levy amount will be used for the purpose of computing the limitations for the District's levies in subsequent years.

WHEREAS, RCW 42.17A.555 authorizes the City Council to take action to express a collective decision, or to vote upon a resolution, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the council or members of the public are afforded an approximately equal opportunity for the expression of an opposing view; and

WHEREAS, in accordance with the procedural requirements of RCW 42.17A.555, the City Council discussed Public Hospital District No. 2 Proposition No. 1 Levy Lid Lift for Healthcare Services during its Regular Meeting of Monday, July 21, 2025. At this meeting, the City Council ensured that the Council and members of the public were given equal opportunity for expression of opposing views.

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

Section 1. The Kenmore City Council adopts this resolution to express its official support Public Hospital District No. 2 Proposition No. 1 Levy Lid Lift for Healthcare Services.

PASSED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 21st DAY OF JULY 2025.

CITY OF KENMORE

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

Michelle Kang, Acting City Clerk

APPROVED AS TO FORM:

Dawn Reitan, City Attorney



2026-2031 King County Parks Replacement Levy

King County Parks & Recreation Division
Department of Natural Resources & Parks



This levy renewal is designed to

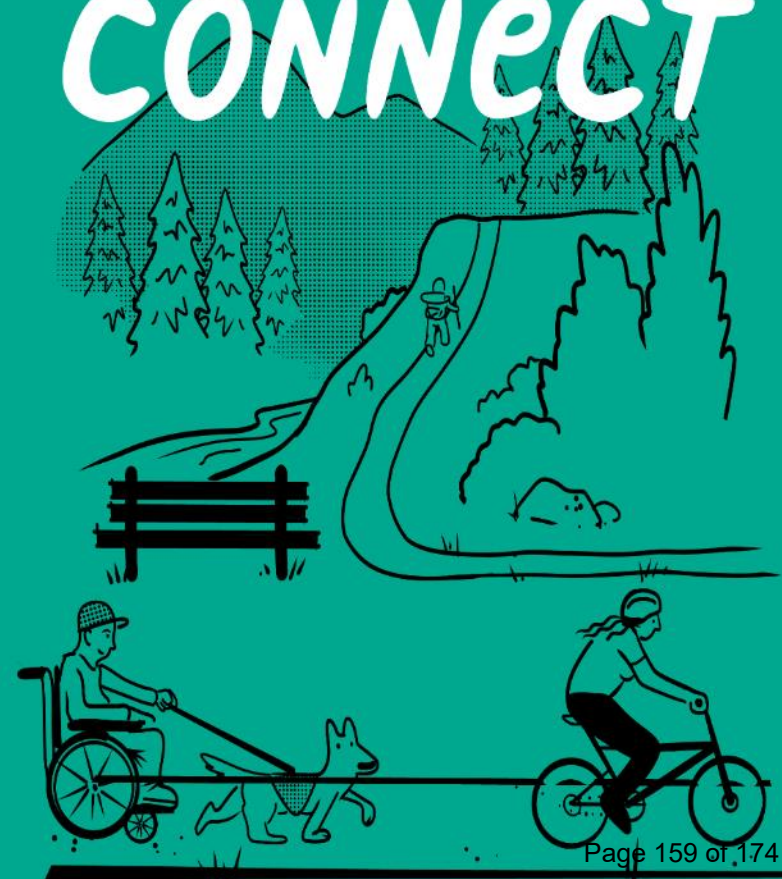
MAINTAIN



ENHANCE



GROW + CONNECT



Parks Levy Rate and Investments

Levy renewal rate

23.29¢ for every \$1,000 of assessed value

What would a homeowner pay?

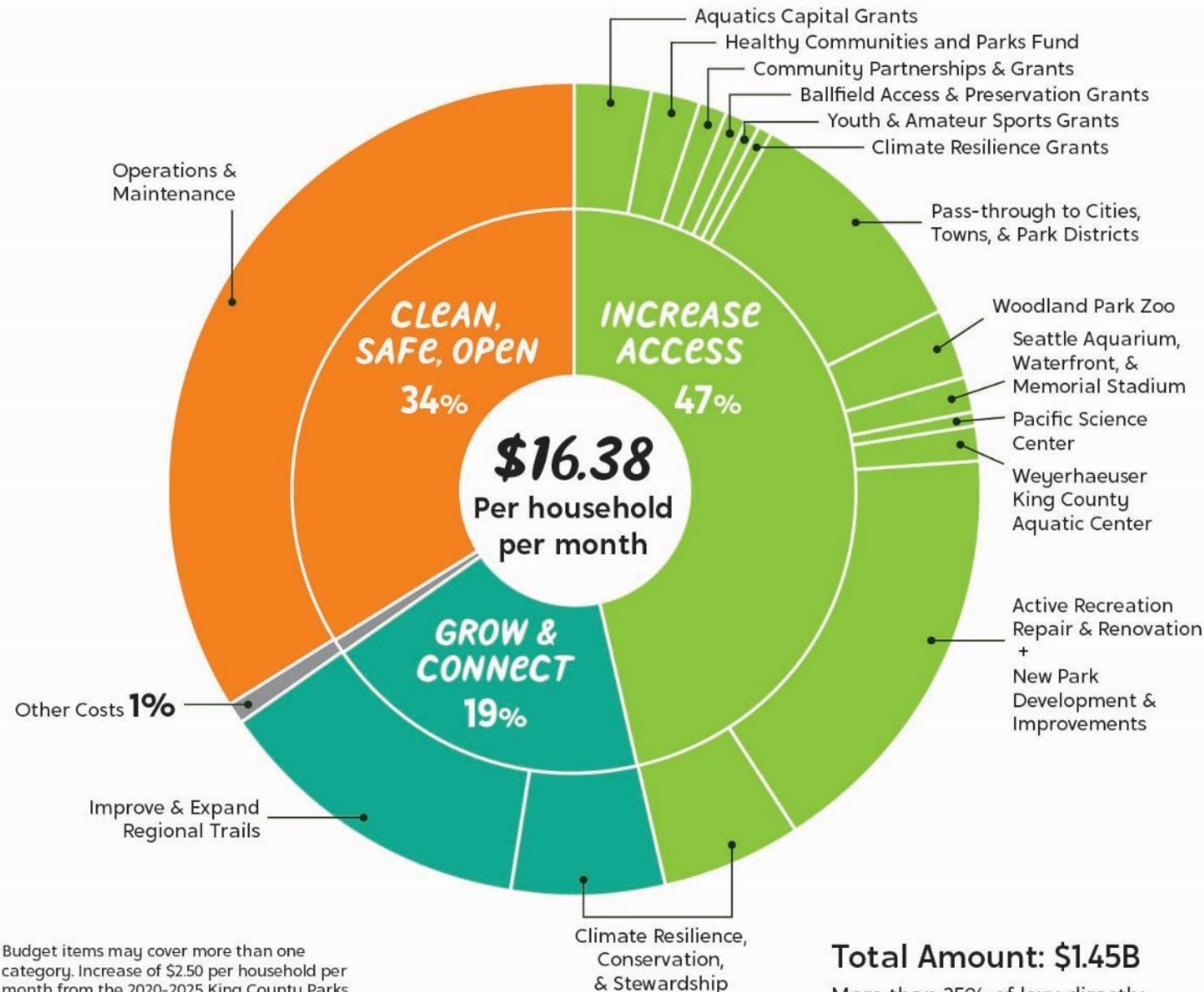
For a median-valued home (\$844,000):



54¢ per day
8¢ more than the current levy



\$16.38 per month
\$2.50 more than current levy



Budget items may cover more than one category. Increase of \$2.50 per household per month from the 2020-2025 King County Parks Levy. Household calculation based on median home value of \$844,000. Budget approved by King County Council on April 15, 2025.

Total Amount: \$1.45B

More than 25% of levy directly allocated to cities, towns, park districts, and partners.



King County Parks Levy Allocation Plan

- Aquatic Facilities
- Ballfields and Sport Courts
- Grants and Community Partnerships
- King County Cities, Towns, and Park Districts
- King County Operations and Maintenance
- Climate Resilience, Conservation, and Stewardship
- Regional and Other Public Trails System
- New Park Development and Improvements
- Active Recreation (and Other) Repair and Renovation



Aquatic Facilities (\$68M)

Weyerhaeuser King County Aquatic Center (\$22M)

- Major maintenance needs
- Energy efficiency upgrades

Aquatic Facilities Grant Program (\$46M)

- For capital needs at new or existing aquatic facilities
- \$15M for specific projects (e.g., Shoreline, Kirkland, Bellevue, Evergreen Aquatic Center, Cottage Lake Pool)



Ballfields and Sport Courts (\$60M)

- New ballfields and sports courts
- Natural grass to synthetic turf field conversions
- Rehabilitation
- Synthetic turf replacement
- Ballfield Preservation and Access Grants (\$13.5M) **New**
To design, build, or program new and enhanced public recreation facilities on County or city-owned lands



Photo Credit: Erik Holsather

Grants and Community Partnerships

Community Partnerships and Grants (\$12.5M)

- For partners to design, build, or program new and enhanced public recreation facilities on County or city-owned lands

Healthy Communities and Parks Fund (\$30M)

- To increase access to and use of recreation facilities in traditionally underserved communities or for people with disabilities.

Youth and Amateur Sports Grants (\$10M)

- To support programs that increase access to sports, play and outdoor recreation

Municipal Parks Capital & Open Space Passthrough (\$25M) →

- New funding directed to cities and towns for parks capital and operations

Educational and Civic Venues (\$66.5M)

- Woodland Park Zoo (\$40M)
- Seattle Aquarium (\$12M)
- Seattle Waterfront Park (\$6M)
- Pacific Science Center (\$6M)
- Memorial Stadium Project (\$2.5M)

King County Cities, Towns, and Park Districts (\$144M)

- \$119M directly to cities, towns, and park districts
 - Continues passthrough similar to current levy, doubling the amount (from \$60M)
 - Distributions based on population and assessed value
- \$25M directly to cities and towns
 - Municipal Parks Capital & Open Space Passthrough (*from previous slide*)
 - Distributions based on population and equity considerations



King County Operations & Maintenance (\$490M)

- Operations, Maintenance, Program Delivery, Internal Supports
- Safety & Security Program
- Asset Management
- Land Use Stewardship and Encroachments
- Youth Conservation Corps
- Parks Beautification Program (aka Jobs & Housing)
- Tribal, Indigenous, and Historic Interpretation

Parks' Open Space System by the Numbers:





Climate Resilience, Conservation, Stewardship (\$175M)

Open Space Acquisition / Conservation (\$90M)

Climate Resilience (\$25M)

- Forest stewardship program
- Street tree planting
- Water features and amenities for cooling
- Stormwater Park pilot project
- Climate Resilience Grants (\$5M) **New**

Stewardship of Acquired Lands (\$10M)

- Smaller-scale planning and activation

Fish Passage Program (\$20M)

Environmental Stewardship (\$30M)

- District maintenance facilities
- Securing new property & demolitions
- Natural resource and site planning
- Remediation



Regional and Other Public Trails System (\$182M)

- Eastrail
- Georgetown to South Park Connection
- Green River Trail Extension – North
- Interurban Trail South
- Interurban Trail North
- Kent Regional Trails and Connections
- Kirkland Green Loop
- Lake to Sound Trail
- Maple Valley SR-169 Pedestrian Bridge
- Snoqualmie Valley Trail
- Soos Creek Trail

*And additional project planning to maintain future momentum...
(e.g., Preston-Snoqualmie Trail, Cedar River Trail)*

New Park Development & Improvements

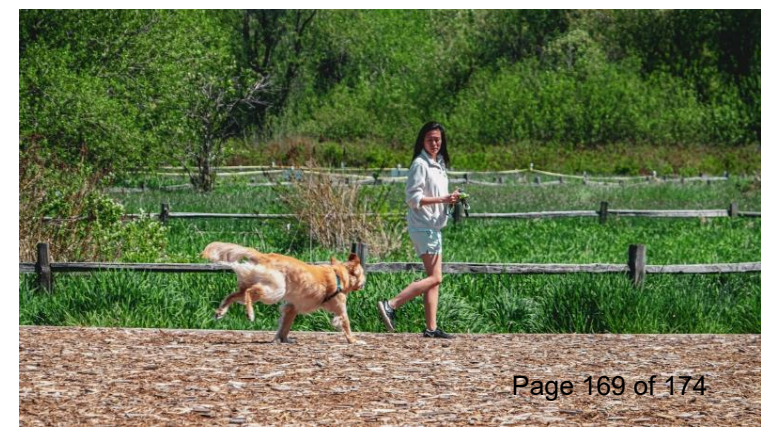
Active Recreation Repair & Renovation

New Park Development & Improvements (\$45.5M)

- County park projects (e.g., off-leash dog parks, park development, community centers)
- City park projects (e.g., skate parks, acquisitions, water access, community gardens)

Active Recreation Repair & Renovation (\$152M)

- ADA and accessibility rehabilitation
- Regional Trails rehabilitation
- County park projects (e.g., Marymoor Park, Sunset Park)
- Major Maintenance of Existing Infrastructure
 - General infrastructure, playgrounds, amenities
 - Water access and dock rehabilitation
 - Backcountry trails, rehabilitation and new
 - Project coordination (e.g., Sound Transit)



Election Day is August 5, 2025

For more information, visit kingcounty.gov/ParksLevy





King County

PARKS

Your Big Backyard



**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 25-432**

**A RESOLUTION OF THE CITY COUNCIL OF KENMORE, WASHINGTON,
EXPRESSING SUPPORT FOR KING COUNTY PROPOSITION NO. 1 PARKS,
RECREATION, TRAILS, AND OPEN SPACE LEVY.**

WHEREAS, King County seeks voter approval of Proposition No. 1, Parks, Recreation, Trails and Open Space Levy scheduled for the August 5, 2025 Primary Election; and

WHEREAS, the ballot title for Proposition No. 1 reads:

**King County
Proposition No. 1
Parks, Recreation, Trails, and Open Space Levy**

The King County Council adopted Ordinance No. 19922 replacing the expiring parks levy. If approved, this proposition supports county, city, park district, and town parks, open space, and trails; recreation; public pools; and educational and civic venues. It authorizes an additional six-year property tax beginning in 2026 at \$0.2329 per \$1,000 of assessed valuation, uses the 2026 levy amount to compute annual increases in 2027-2031 by the King County inflation plus population index or chapter 84.55 RCW limitation, whichever is greater, and exempts qualifying seniors, veterans, and disabled persons under RCW 84.36.381. Should this proposition be:

Approved
Rejected

WHEREAS, the ballot measure's explanatory statement reads that

Proposition 1 would authorize an additional regular property tax levy to replace an expiring levy and would fund King County's system of parks, trails, and open space. Levy proceeds would also be used for operations, maintenance, and facility improvement projects for county, town, city, and park district parks, and for grant programs and community partnerships throughout the County supporting healthy communities and parks, aquatic facilities, ballfield preservation and access, climate resilience, and youth and amateur sports. The levy would further provide funding for Woodland Park Zoo; Seattle Aquarium; Memorial Stadium; Seattle's Waterfront Park; Pacific Science Center; recreation facilities; and acquisition, conservation, and stewardship of additional open space and forests.

The levy would have a duration of six years beginning in 2026. The rate in the first year would be limited at just over 23 cents (\$0.2329) per one thousand dollars (\$1,000) of the prior year's assessed valuation. For a property with an assessed valuation of \$844,000, the maximum rate would be approximately \$16.38 per month in the first year. The dollar amount of the levy collected in the first year would be the base for computing annual increases for years 2027 – 2031 which would be limited by the greater of: (1) the King County inflation plus population index published by the King County office of economic and financial analysis; or (2) the chapter 84.55 RCW limitation. The levy would include an exemption for qualifying seniors, veterans and others under RCW 84.36.381 and provision for a levy oversight board.

WHEREAS, RCW 42.17A.555 authorizes the City Council to take action to express a collective decision, or to vote upon a resolution, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the council or members of the public are afforded an approximately equal opportunity for the expression of an opposing view; and

WHEREAS, in accordance with the procedural requirements of RCW 42.17A.555, the City Council discussed King County Proposition No. 1 Parks, Recreation, Trails, and Open Space Levy during its Regular Meeting of Monday, July 21, 2025. At this meeting, the City Council ensured that the Council and members of the public were given equal opportunity for expression of opposing views.

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

Section 1. The Kenmore City Council adopts this resolution to express its official support for King County Proposition No. 1 Parks, Recreation, Trails, and Open Space Levy.

PASSED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 21st DAY OF JULY 2025.

CITY OF KENMORE

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

Michelle Kang, Acting City Clerk

APPROVED AS TO FORM:

Dawn Reitan, City Attorney