

## City of Kenmore

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City of Kenmore - 18120 68th Avenue NE Kenmore, WA 98028 Phone: 425-398-8900  
Agendas also available at [www.kenmorewa.gov](http://www.kenmorewa.gov) E-mail: [cityhall@kenmorewa.gov](mailto:cityhall@kenmorewa.gov)

### City Council Special & Regular Meeting

**ON-SITE & ONLINE**

**July 25, 2022 - 6:30 PM**

**ZOOM LINK:** <https://kenmorewa-gov.zoom.us/j/83724052057>

US: +12532158782,,83724052057# or +16699009128,,83724052057#

Or Telephone: Dial US: +1 253 215 8782

Webinar ID: 837 2405 2057

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#### **I. CALL SPECIAL MEETING TO ORDER - 6:30 PM**

#### **II. EXECUTIVE SESSION**

Pursuant to RCW 42.30.110(1)(i), the City Council will now enter an executive session to discuss pending or potential litigation. The session is expected to conclude at 7 p.m. No Action is expected.

**NO ACTION TAKEN**

#### **III. ADJOURN SPECIAL MEETING**

#### **IV. CALL REGULAR MEETING TO ORDER - 7 PM**

#### **V. ROLL CALL**

#### **VI. FLAG SALUTE**

#### **VII. AGENDA APPROVAL**

#### **VIII. PRESENTATION**

- A. Honoring Inglemoor High School's Girls Rowing Champions

#### **IX. PUBLIC COMMENTS**

- A. We welcome our community members to the Council's meeting. In this forum, the Council does not engage or dialogue with the public; the primary role of the Council is to listen. We will hear from our on-site guests first, followed by our virtual guests. If you're online, please use the "raise hand" feature now if you wish to speak. All guests must address comments to the Mayor and City Council. The Clerk will acknowledge your request and call your name when it is your turn. Your time will start when we confirm that we can hear you. Please state your name and city of residence for the record and keep your comments to

the allotted time. We will not split your time with others or reset your time except by express approval of the Presiding Officer. Screen-sharing is not allowed; you can submit materials to the Council or Clerk in advance. Please do not comment about pending development projects on which the Council will make future decisions as those are quasi-judicial matters, and Councilmembers must limit their communications about such matters. This meeting is being recorded. Thank you for taking the time to express your comments.

## **X. CONSENT AGENDA**

### **APPROVED**

- A. Approve Minutes:  
[City Council July 18, 2022 Special Meeting](#)
- B. Receive & File May 2022 Financial Report  
[May 2022 Financial Report](#)
- C. Receive & File June 2022 Financial Report  
[June 2022 Financial Report](#)
- D. Authorize the City Manager to Execute contracts with Business Street LLC for the following:
  - Contract 22-C2839 for a Development Strategy for the Bench Properties for a Contract Amount Not to Exceed \$22,000 (\$20,000 contract amount plus 10% contingency).
  - Contract 22-C2841 for a Development Strategy for the Holt and Other Properties for a Contract Amount Not to Exceed \$22,000 (\$20,000 contract amount plus 10% contingency).[Agenda Bill - Contracts for Development Strategies](#)  
[Attachment 1 - Scope of Work - Holt and Other Properties \(uploaded 7/23\)](#)  
[Attachment 2 - Scope of Work - The Bench](#)
- E. Authorize the City Manager to Execute Amendment No. 10 of Contract 17-C1656 with Mott MacDonald in an amount not to exceed \$9,950.25.  
[Agenda Bill - Amendment No. 10 for 17-C1656 - Mott MacDonald](#)  
[Attachment A - Fee Matrix](#)
- F. Adopt Ordinance No. 22-0556, Extending the Frontier Communications Northwest, LLC dba Ziply Fiber Franchise Agreement  
[Agenda Bill - Ziply Extension](#)  
[Ordinance 22-0556 Extending Ziply Franchise \(July 2022\)](#)
- G. Authorize the City Manager to Execute Grant Award Contracts with the Washington State Department of Commerce  
[Agenda Bill - Department of Commerce Grants](#)
- H. Cancel All Regular Meetings for August 2022

## **XI. BUSINESS AGENDA**

### **ADOPTED**

- A. Ordinance No. 22-0554 Residential Renter Protection Regulations, presented by Community Development Director Debbie Bent and City Attorney Dawn Reitan , *for Adoption*  
[Agenda Bill - Renter Protections](#)  
[Ordinance 22-0554 Amending KMC 18.55 Tenant Protections](#)  
[Ex. 1 to Ordinance 22-0554 Chap. 8.55 KMC Tenant Protections \(July 25\) Final \(7/25/22\)](#)  
[Ordinance 22-0545 Amending KMC 18.55 Tenant Protections](#)
- B. Rhododendron Boathouse Quarterly Update, presented by Parks Project Manager Rob Sayre-McCord, and the Kenmore Boathouse Fundraising Committee, *for Information*  
**UPDATE GIVEN**  
[Agenda Bill - Rhododendron Boathouse Fundraising Committee Update](#)

## **XII. PUBLIC HEARING**

- A. Extending and Renewing Interim Regulations for Development within the Transit Oriented Development (TOD) District Overlay Area for an Additional Six-Month Period (through 1/25/23) by Adoption of Ordinance 22-0555  
**PUBLIC HEARING HELD**  
[Agenda Bill - Extending Interim Regulations Ordinance 22-0555](#)  
[Ordinance 22-0555 Extending Interim Regulations \(July 25th Reg Meeting\)](#)  
[Ordinance 22-0543 TOD Interim Regulations](#)

## **XIII. BUSINESS AGENDA - CONTINUED**

- A. Ordinance No. 22-0555, Extending and Renewing Interim Regulations for Development within the Transit Oriented Development (TOD) District Overlay Area for an Additional Six Months, presented by Community Development Director Debbie Bent, *for Discussion and Action*  
**ADOPTED**  
[Agenda Bill - Extending Interim Regulations Ordinance 22-0555](#)  
[Ordinance 22-0555 Extending Interim Regulations \(July 25th Reg Meeting\)](#)  
[Ordinance 22-0543 TOD Interim Regulations](#)
- B. Comprehensive Plan Development Regulation Amendments - Continued Discussion, presented by Community Development Director Debbie Bent, and Principal Planner Lauri Anderson, *for Discussion*  
**DISCUSSED**  
[Agenda Bill - Comprehensive Plan Amendments Continued Discussion](#)  
[Attachment 1 - Responses to Questions and Comments](#)  
[Attachment 2 - Revised Vision Statement](#)  
[Attachment 3 - Revised Land Use Element \(002\)](#)  
[Attachment 4 - Revised Housing Element](#)  
[Attachment 5 - Revised Capital Facilities Element \(1\)](#)

[Attachment 6 - Revised Zoning Map](#)

[Attachment 7a - Missing Middle Housing Code Amendments](#)

[Attachment 7b - Figure 18.21.025.1](#)

[Attachment 8 - Kenmore Middle-housing-Grant Application](#)

[Presentation - Missing Middle Housing](#)

- C. Ordinance No. 22-0557, Amendment to the City Code to Allow for Disposition of Surplus Real Property at No Cost for Affordable Housing Purposes, presented by Assistant City Manager Stephanie Lucash, *for Adoption*

**ADOPTED**

[City Council Agenda Bill - Disposition of Surplus Real Property for Affordable Housing Purposes](#)

[Ordinance 22-0557 - Surplus Property Code Amendment](#)

#### **XIV. STAFF REPORT**

#### **XV. COUNCILMEMBER REPORTS & COMMENTS**

#### **XVI. ADJOURNMENT**

#### **UPCOMING MEETINGS:**

- A. August 19, 2022 Special Meeting - 12:15 PM  
September 12, 2022 Regular Meeting  
September 19, 2022 Regular Meeting  
September 26, 2022 Regular Meeting

**Note: All Regular Meetings in August will be Cancelled - Council in Recess**



**City of Kenmore  
City Council Meeting  
Special Meeting Minutes  
July 18, 2022**

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 Corina Pfeil  
Councilmember Angela Kugler  
Councilmember Debra Srebnik  
Councilmember David Baker - Remote  
Councilmember Joe Marshall - Excused

Staff: City Manager Rob Karlinsey  
Assistant City Manager/ARPA Administrator Stephanie Lucash  
City Clerk Anastasiya Warhol  
Co-Clerk Tela Gardner  
City Attorney Dawn Reitan  
Community Development Director Debbie Bent  
Principal Planner Lauri Anderson  
Interim Development Services Director Samantha Loyuk  
Human Resources Manager Leonora Palaña  
Policy Intern Garrett Oppenheim  
City Engineer John Vicente  
Chanin Kelly-Rae – City Consultant (DEI)  
Kinnon Williams – Counsel

Speaking Guests: Carlos Gil – DEI Task Force Member  
Nancy Thai – DEI Task Force Member  
Lily Bishop – DEI Task Force Member  
Julianna Pooley – DEI Task Force Member  
Juanita Aguilar – DEI Task Force Member  
John Peeples, Kenmore Resident  
Dakota Rash, Lake Forest Park Resident  
Victoria Grayland, Kenmore Resident  
David Dorian, Kenmore Resident  
Phyllis Finley, Kenmore Resident  
Stacey Valenzuela, Kenmore Resident  
Nancy Hansen, Kenmore Resident  
Tiff Stoner, Kenmore Resident

**CALL SPECIAL MEETING TO ORDER**

Mayor Herbig called the Special Meeting to order at 6:30 pm.

**FLAG SALUTE**

Mayor Herbig led the Council in the flag salute.

**AGENDA APPROVAL**

The agenda was approved as presented.

**STUDY SESSION**

- A. **Diversity, Equity, and Inclusion (DEI) Task Force Final Recommendations Report, presented by Consultant Chanin Kelly-Rae, Human Resources Manager Leonora Palaña, and DEI Task Force Members, for Discussion**  
[Agenda Bill - DEI July 18 Council Meeting](#)  
[Organizational Assessment City of Kenmore 2021-2022 Final](#)  
[City of Kenmore Community DEI Survey Report 2022](#)  
[City of Kenmore Phase 2 Executive Interview Insights 2021-22 Final](#)  
[City of Kenmore Staff DEI Workplace Culture Survey Report 2022 Final](#)  
[Kenmore Community Open-Ended](#)  
[City of Kenmore Diversity Equity Inclusion and Accessibility Policy 2022](#)  
[City of Kenmore Diversity Equity Inclusion Task Force Final Recommendations 2022](#)  
[City of Kenmore Community DEI Dashboard \(3\) \(You Need Microsoft Power BI Desktop to fully use this file\)](#)  
[City of Kenmore Community DEI Dashboard Visual - PDF Version](#)  
[City of Kenmore Community Profile 2021](#)

Human Resources Manager Leonora introduced members of the Diversity, Equity, and Inclusion Task Force. She highlighted their work and explained the need for an Equity Plan. Specifically, she requested that the City Council allocate \$60,000 for the City's DEI Consultant to continue the work by creating said plan. Chanin Kelly-Rae displayed and discussed both the Diversity, Equity, Inclusion, and Accessibility Policy as well as the DEI task Force Final Recommendations. The City Council asked whether the next phase of the work can be done internally. The Staff explained that it would be a challenge to attempt to tackle the next season of work with internal capacity, and the result might not be as robust. In addition, Councilmembers expressed concern over allocating the funds in light of the current budget. The Council also expressed support for the work and wanted to continue to evaluate future funding requests by looking at more data analysis. City Manager Rob Karlinsey noted that the Diversity, Equity, and Inclusion Task Force has officially sunset. The Task Force will now move to a less formal advisory committee to continue its involvement in this work.

**MOTION:** Councilmember Srebnik moved to approve the budget as indicated (Fund a 3- year Equity Plan, which would help the City of Kenmore Deliver actionable strategy with performance measures, in an amount not to exceed \$60,000). Councilmember Kugler seconded the motion.

**VOTE:** 6 Yes, 0 No, 0 Abstain. **MOTION CARRIED.**

**PUBLIC COMMENTS**

The Council took comments from the public.

Timestamped link included here: [https://youtu.be/dEQ7qJ\\_xyas?t=3770](https://youtu.be/dEQ7qJ_xyas?t=3770)

**CONSENT AGENDA**

- A. Approve Minutes:  
[City Council June 27, 2022, Special & Regular Meeting Minutes](#)  
[City Council July 11, 2022, Special & Regular Meeting Minutes](#)
- B. Approve Total Check #s 49879 through 49970 totaling \$3,619,223.11 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 6/17/22 in the amount totaling \$207,569.25 and an ACH Payment to Road Construction NW in the amount of \$235,163.33, and an ACH Payment to Thomco Construction in the amount of \$183,863.43, and an ACH Payment to WA Federal Bank in the amount of \$13,760.21  
[Voucher Approval Report dated 6/24/22](#)
- C. Approve Total Check #s 49771 through 50041 totaling \$602,535.59 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 7/1/22 in the amount totaling \$189,017.24 and an ACH Payment to KBA INC in the amount of \$15,079.97, and ACH Payments to US Bank Purchase Cards in the amount of \$12,215.96, and Payroll Check #s 10179 & 10180 in the amount of \$695.95.  
[Voucher Approval Report Dated 7/08/22](#)
- D. Adopt Resolution No. 22-389 to Reduce the Speed Limit on NE 175th St Between 61st Ave NE and 73rd Ave NE from 30 to 25 MPH.  
[Agenda Bill - Reducing Speed Limits via Resolution No. 22-389](#)  
[Resolution No. 389 - Establishing New Reduced Speed Limit](#)

**MOTION:** Councilmember Pfeil moved to approve the consent agenda including items A-D outlined above. Deputy Mayor O’Cain seconded the motion.

**VOTE:** Consent Agenda was approved by UNANIMOUS CONSENT.

**BUSINESS AGENDA**

- A. **61st Avenue Northeast Sidewalk Replacement Options, presented by City Engineer John Vicente, *for Discussion and Action***  
[Agenda Bill - Sidewalk Replacement Options 61st Ave NE Sidewalk Repair](#)  
[Sidewalk Replacement Options Exhibit A - 61st Ave Sidewalk Repair](#)  
[Presentation - 61st Ave Sidewalk Replacement Presentation](#)

City Engineer John Vicente explained that staff seek direction on handling trees in a few locations related to the 61<sup>st</sup> Ave NE Sidewalk Replacement Project. Mr. Vicente presented the following three options:

- Option 1 – Remove trees: This option would involve removing the trees along the corridor between NE 190th St and the north city limits where such trees are responsible for the damage to the adjacent sidewalk. Trees that are removed will be replaced at the same location, if possible, along with installation of trees elsewhere within the corridor where space allows to reduce the overall loss of trees on the corridor. Tree replacement

would consist of trees that are more appropriate for the space available with measures taken to protect the new sidewalk from future tree growth.

- Option 2 – Preserve trees: This option would involve preserving trees by bridging over the tree roots. This option would not prevent some trees from having to be removed. In some locations, tree removal is the only possible option to maintain accessibility, provide access to private properties, and stay within available right of way space.
- Option 3 - Relocate sidewalk: This option would relocate sidewalk, where possible, to the backside of the curb. New curbing would be installed where needed to help provide the necessary space for the sidewalk. In some locations, trees will need to be removed due to limited available right of way space.

The Council requested that Mr. Vicente further investigate Option 3 and report back to the Council. The Council expressed interest in retaining as many trees as possible. In addition, the Council suggested that neighbors on 61<sup>st</sup> and the surrounding vicinity be provided a public forum to give comment on the issue.

- B. **Comprehensive Plan and Development Regulation Amendments - Continued, presented by Community Development Director Debbie Bent, and Principal Planner Lauri Anderson, *for Discussion and Direction***  
[Agenda Bill - Comprehensive Plan Amendments Discussion - Continued](#)  
[Attachment 1 - Responses to Questions and Comments](#)  
[Attachment 2 - Revised Vision Statement](#)  
[Attachment 3 - Revised Land Use Element \(002\)](#)  
[Attachment 4 - Revised Housing Element](#)  
[Attachment 5 - Revised Capital Facilities Element \(1\)](#)  
[Attachment 6 - Revised Zoning Map](#)  
[Attachment 7a - Missing Middle Housing Code Amendments](#)  
[Attachment 7b - Figure 18.21.025.1](#)  
[Attachment 8 - Kenmore Middle-housing-Grant Application](#)

Principal Planner Lauri Anderson provided an overview of the proposed changes to the Comprehensive Plan Amendments. The Council offered additional recommendations to some of the following items (discussion linked here: [https://youtu.be/dEQ7qJ\\_xyas?t=7325](https://youtu.be/dEQ7qJ_xyas?t=7325)).

1. The Vision Statement;
2. Kenmore as a High Capacity Transit Community and a Candidate Countywide Growth Center with related regional responsibilities;
3. Higher residential densities and affordable housing requirements in the area of the TOD and Downtown;
4. A minimum floor area ratio (FAR) to promote multi-story development Downtown;
5. Support for inclusionary affordable housing requirements when development densities are increased;
6. Small-scale, neighborhood commercial uses within walking or bicycling distance of homes;
7. Support for the large number of home-based businesses in Kenmore and recognition of their importance as a way to keep jobs closer to home;

8. Opportunities for small-scale pedestrian-oriented commercial development near trails to serve passers-by;
9. Support for people of color, indigenous and immigrant populations, and other individuals or groups who have historically been underrepresented in community goal-setting and implementation;
10. Comprehensive Plan Land Use Map and Zoning Map amendments, including the rezone for the new Public Works facility site; and
11. Removal of the Tolt Trail between 73rd and 80th Avenues NE from the list of possible parks projects

Lauri Anderson explained that the Council will continue discussions on July 25, 2022.

- C. **Adopt Ordinance No. 22-0552 Providing for the Acquisition of Property Located at 7010 NE 181st Street, Kenmore, WA (Parcel No 011410-0590-07) for Affordable Housing**  
[Agenda Bill - Holt Property Acquisition](#)  
[Attachment 1. Ordinance no. 22-0552](#)  
[Attachment 2. Property Survey](#)

Kinnon Williams, Counsel representing the City, explained that this acquisition relates to a property which has been vacant for a long time. The property owners have agreed to the condemnation of the property which gives certain tax advantages. The due diligence on the property is complete and the City is ready to proceed should the Council give direction.

**MOTION:** Councilmember Pfeil moved to Adopt Ordinance No. 22-0554 (Scrivener's error; the correct Ordinance No. is 22-0552) providing for the acquisition of property located at 7010 NE 181st Street, Kenmore, WA (parcel no. 011410-059007) for affordable housing. Councilmember Kugler seconded the motion.

**VOTE:** 4 Yes, 2 No, 0 Abstain. **MOTION CARRIED.**

- D. **Tree Regulations in Kenmore and Proposed Amendments - Continued, presented by Interim Development Services Director Samantha Loyuk, and Policy Intern Garrett Oppenheim, for Discussion and Direction**  
[Agenda Bill - 2022 Tree Regulation Amendments \(List 2\)](#)  
[Attachment 1- PowerPoint Presentation](#)  
[Attachment 3 - Native Replacements and Tree Fund Memo](#)  
[Attachment 2 - Draft Exceptional Tree Ordinance](#)

Interim Development Services Director Samantha Loyuk and Policy Intern Garrett Oppenheim proposed the following recommendations relating to tree management in Kenmore:

1. Maintain a balance of trees to housing units by keeping the required tree units to 30 per net buildable acre.
2. Decrease the allowance for single-family tree removal to one per year, regardless of lot size.
3. Always require replacement when trees are removed. Establish a fee-in-lieu of replacement when site constraints make full replacement infeasible.
4. When replacing trees that have been removed, require native trees.

5. Establish an exceptional tree program whereby removal of exceptional trees is prohibited except under very limited and exigent circumstances. Exceptional trees shall be a list of trees native to the Puget Sound lowlands, with diameters at breast height specified for each tree. All other trees not identified on the list (except for Leyland Cypress, English Holly, Black Cottonwood, and Alder) shall be deemed significant when their DBH reaches or exceeds 48 inches

The Council discussed raising the tree unit requirement, showed support for requiring native tree replacement, and expressed continued interest in the exceptional tree program. Staff agreed to return to the City with an update and a possible ordinance reflecting the recommendations.

- E. **Development Services Department Update, presented by Interim Development Services Director Samantha Loyuk, *for Information***  
[Agenda Bill- Development Services Department Update](#)  
[Presentation - Development Services Department Update](#)

Ms. Loyuk provided a department update. She highlighted the rise in projects, public records requests, building permits, and code enforcement cases. The Council expressed gratitude for the professionalism and efficiency in the department.

#### **COUNCIL COMMENTS**

The City Council agreed to discuss code enforcement and abatement relating to escalated hoarding at a future meeting. City Manager Karlinsey agreed to discuss internally on when this item can be revisited.

#### **ADJOURNMENT**

Mayor Herbig adjourned the meeting at 10:37 p.m.

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Nigel Herbig, Mayor

**ATTEST:**

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Anastasiya Warhol, City Clerk





Sales Tax revenue generated \$5.1 million through May 31, 2022 (17 months). This represents 86% of the amended biennium budget amount of \$6 million.

Sales tax revenue for the month of May 2022 was 23% higher than the amount received in May 2021. In comparison May 2021 receipts were 53% higher than amount received in 2020.

Sales Tax revenues for the first five months of 2022 were \$1,533,790. This is 6% higher than the amount received in 2021 for the same period. Construction sales tax declined 10% (\$43,000) while retail increased 11%.

A review of the top 506 sales tax remitters accounting for 85% of total remittances in the month of May indicates that 20% of the total was generated from internet-based companies. In the retail category approximately 47% of the revenue was from internet sales.

Utility Taxes totaled \$1.6 million or 65% of the amount budgeted of \$2.4 million.

Development fees & permits revenue was \$2 million or 114% of the amount budgeted for the biennium (\$1.7 million).

Expenditures:

Expenditures totaled \$18 million for the first seventeen months of the biennium. This is 63% of the budgeted amount of \$28.7 million.

Fund Balance:

The ending fund balance for the General fund, as of May 31, 2022, was \$8.4 million

Street Fund:

As of May 31, 2022, the year-to-date revenues totaled \$2.1 million or 56% of total budgeted revenues in the amount of \$3.8 million. Expenditures for the same time totaled \$2 million or 59% of total budget expenditures in the amount of \$3.3 million. The ending cash balance in this fund as of May 31, 2022, was \$1.7 million.

Surface Water Management Fund:

As of May 31, 2022, biennium to date revenues totaled \$4.6 million or 74% of the amended budgeted amount (\$6.2 million). Expenditures during the same time-period, totaled \$3 million or 39% of the amended biennial budgeted amount of \$7.7 million. Expenditures are lower during this time of the year as the transfer out (expense) to the Surface Water Management Capital Fund will be made at the end of the year.

**COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:**

Kenmore budget Policy 9a: A revenue/expenditure report will be produced monthly so that it can be directly compared to the actual results of the fiscal year to date.

Kenmore Budget Policy 9b: All budget amendments, both revenues and expenditures, will be noted in the monthly report.

Priority Based budgeting Result: Governance: Supports decision making with timely and accurate short-term and long-range analysis that enhances vision and planning.





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18120 68<sup>TH</sup> AVE. NE  
KENMORE, WASHINGTON 98028

## MEMORANDUM

TO: Rob Karlinsey, City Manager  
FROM: Leticia Salcido, Finance Director  
DATE: June 27, 2022  
RE: May 2022 Financial Reports for the City of Kenmore, Washington

**May 2022** financial information is presented for your review and delivery to the City Council. Attached you will find the following reports:

- General Fund Summary
- General Fund Revenue Graphs
- General Fund Expenditure Graphs
- Street Fund Summary
- Cash and Investment Report
- Investment Schedule and Portfolio Analysis
- Sales Tax Receipts by Business Type
- Retail Sales and Use Tax Distribution

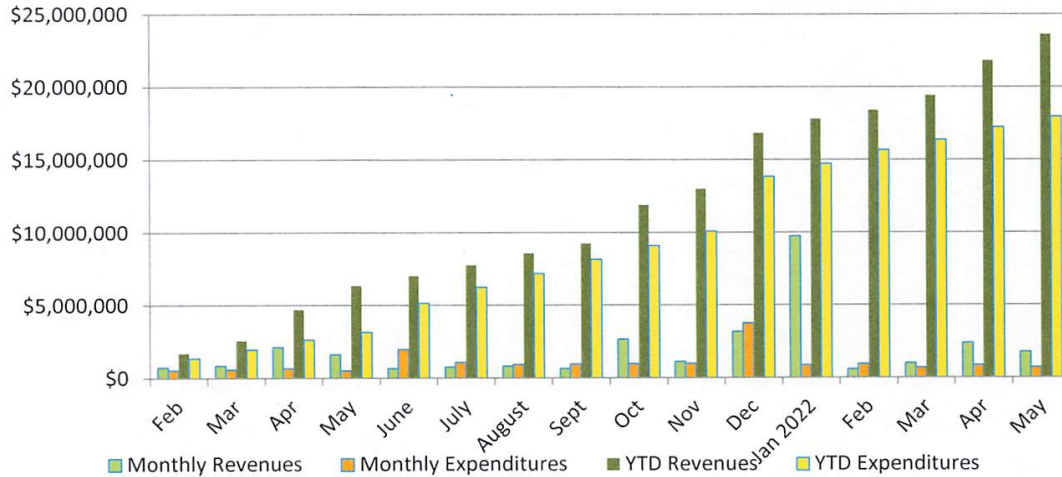
If you would like additional information or have any questions regarding the financial reports, please feel free to contact me.

### GENERAL FUND

The first section of the monthly financial report is a review of the General Fund. This fund accounts for operational activities and includes all financial resources except those required or elected to be accounted for in another fund. Revenues include various taxes, per capita distributions from the State, fines and forfeitures, permits and licenses, and fees for service. In the context of the biennial budget, May is the seventeenth month (71%) of the 2021-2022 biennial budget period. For the month of May, revenues exceeded expenditures in the General Fund by \$1,070,588. Biennium to date, revenues exceed expenditures by \$5,642,943.

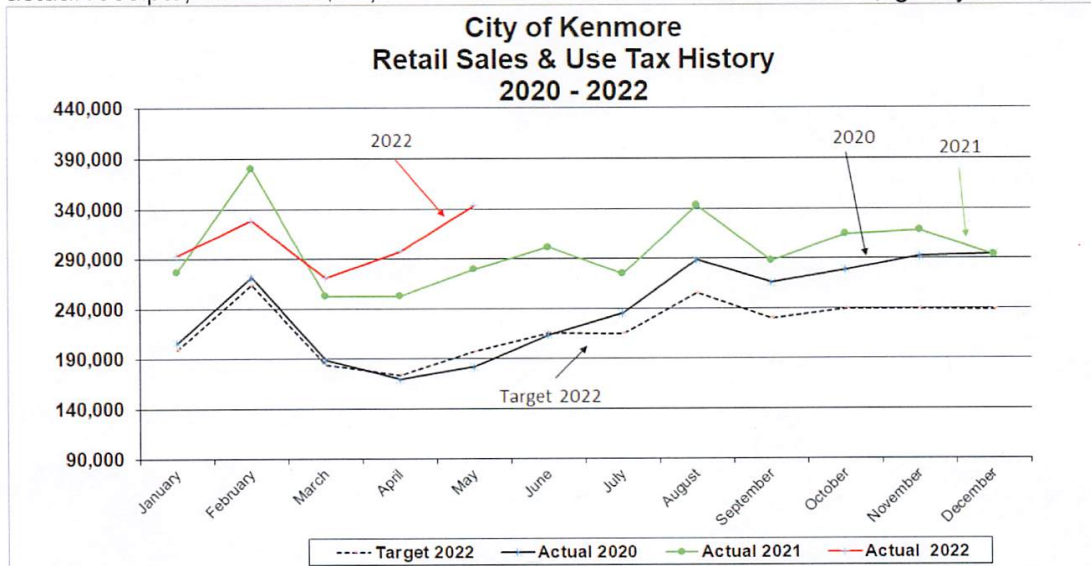
The following chart illustrates the monthly revenue and expenditure activity in the General Fund through May 2022.

City of Kenmore, Washington  
Monthly Financial Report  
May 2022



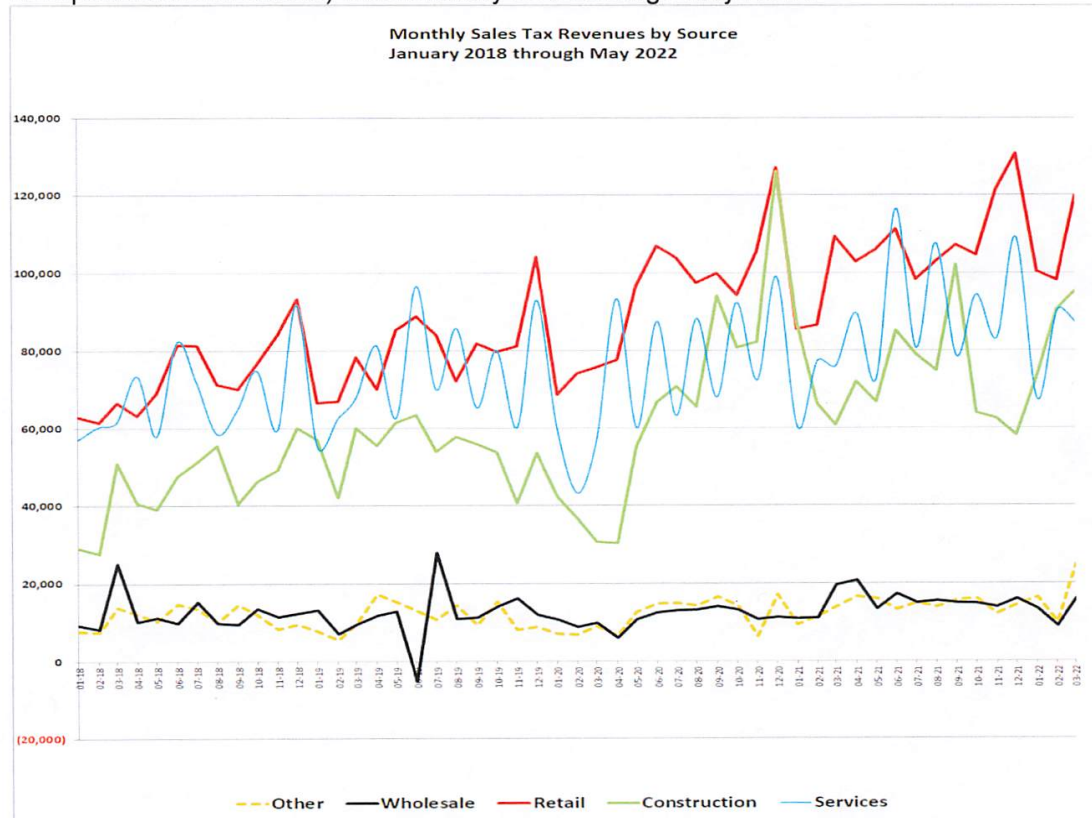
Total **revenues** for the month were **\$1,780,033**. Biennium to date revenues are \$23,601,942 which is 77% of the amended budgeted revenues of \$30,589,770. Primary sources of revenue for the month included property taxes in the amount of \$1,091,325, development fees & permits in the amount of \$152,392, retail sales and use taxes in the amount of \$343,261, intergovernment & grants in the amount of \$72,866, franchise fees in the amount of \$2,624, and utility taxes in the amount of \$89,121.

A summary of sales tax revenues received in **May** is attached. These receipts are based on **March** sales activity. The chart below gives a historical perspective of monthly sales tax receipts over the last several years. The black dotted Target 2022 line is a monthly average of actual receipts during 2019, 2020, and 2021. The red line represents 2022 actual receipts, which are \$91,006 above 2021 and ahead of the 2022 target by \$513,795.



City of Kenmore, Washington  
Monthly Financial Report  
May 2022

The following chart illustrates the historical trends of sales tax receipts from the major segments: construction, retail, wholesale, other (agriculture, services, manufacturing, transportation and utilities) from January 2018 through May 2022.



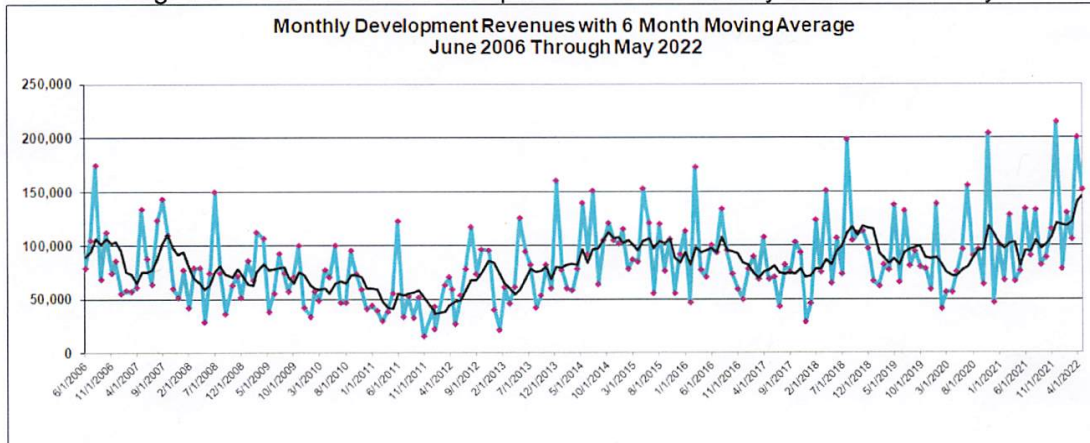
In May, the top 506 sales tax remitters, accounting for 85% or \$292,648 of total remittances, were reviewed for internet sales activity.

Of the \$292,648 of sales tax remitted by these companies in May, \$58,763 (20% of the total) was generated from internet-based companies. Below is a chart that illustrates the amount of internet based sales tax in the major segments that include it:

	Total Sales Tax Remitted in May	Internet Based Companies	% of Total Internet Sales Tax Collected
Retail Trade	\$83,950	\$39,433	47%
Information	9,282	2,729	29%
Services	64,201	13,950	22%
Wholesale	11,614	1,916	16%
Other	123,601	735	1%
	<b>\$292,648</b>	<b>\$58,763</b>	

City of Kenmore, Washington  
Monthly Financial Report  
May 2022

The following chart illustrates the development revenue activity over the last 15 years.



**May 2022 expenditures were \$709,446.** Biennium to date expenditures are \$17,958,999, which is 63% of the amended biennial budget expenditures of \$28,659,582.

Total City cash (\$28,305,639) and long-term investments (\$7,563,118), at the end of May, totaled \$35,868,757. Proposition 1 levy funds and ARPA Recovery Funds are included in this cash balance.

Total non-General Fund revenues were \$6,110,555 and total non-General Fund expenditures were \$2,451,068.

In the **Street Fund** revenue from gas tax distributions were \$36,914. \$52,053 was expended for maintenance and operations during the month.

In the **Transportation Capital Fund**, there were expenditures in the amount of \$958,303 on pedestrian safety projects & street maintenance. The fund received \$1,760,195 in grant reimbursements during the month.

The **Sammamish Bridge Replacement Fund** had \$460,661 in expenditures during the month. The fund received \$135,089 in bridge grant reimbursements during the month.

The **Park Impact Fee** fund received \$57,046 in revenues during the month.

There were \$130,296 in revenues for the **Transportation Impact Fee** fund during the month.

City of Kenmore, Washington  
Monthly Financial Report  
May 2022

The **Real Estate Excise Tax** Fund received \$291,495 of real estate excise taxes (REET) in May from sales activity that occurred in April. 51 transactions were reported during the month. The 2022 year to date revenue is lower than the 2021 revenue by \$19,886.

The **Park Capital** fund had \$607,853 in Park improvement expenditures during the month.

The **Walkways & Waterways Debt Service** Fund collected \$210,370 in property taxes related to the Prop 1 Bond for a biennium to date total revenue of \$1,325,280.

The **Public Works Shop** Fund received \$2,582,728 during the month from the limited tax GO Bond.

The **Transportation Benefit District** Fund received \$31,086 in vehicle license fees during the month.

#### **SUMMARY**

This concludes the financial report for the City of Kenmore as of **May 31, 2022**. I appreciate your feedback and encourage you to contact me if you have any questions prior to the City Council meeting.



City of Kenmore, Washington  
General Fund Summary Report  
May 31, 2022



	CURRENT PERIOD 2021-2022				PREVIOUS PERIOD 2019-2020			
	MONTH <u>May 2022</u>	BIENNIUM TO DATE <u>2021-2022</u>	% of <u>BUDGET</u>	AMENDED BIENNIUM BUDGET <u>2021-2022</u>	MONTH <u>May 2020</u>	BIENNIUM TO DATE <u>2019-2020</u>	% of <u>BUDGET</u>	AMENDED BIENNIUM BUDGET <u>2019-2020</u>
<b>REVENUES</b>								
Beginning Fund Balance		2,748,005		2,748,005		4,934,368		4,934,368
Property Taxes	1,091,325	8,200,961	75.5%	10,865,654	360,060	7,545,693	73.8%	10,224,205
Sales and Use Taxes	343,261	5,110,896	85.8%	5,954,280	227,655	4,789,674	77.1%	6,212,000
Utility Taxes	89,121	1,559,515	65.0%	2,399,290	108,069	1,488,191	60.3%	2,466,355
Other Taxes	21,088	153,237	84.1%	182,200	5,842	172,104	94.6%	181,868
Development Fees & Permits	152,392	1,962,323	114.1%	1,720,003	74,862	1,382,812	74.6%	1,854,042
Franchise Fees	2,624	1,295,037	74.1%	1,746,569	3,887	1,304,237	71.2%	1,831,835
Intergovernmental and Grants	72,866	2,012,887	82.1%	2,452,594	16,060	817,203	38.1%	2,142,292
Investment Interest	1,905	30,687	46.5%	66,000	16,927	160,253	168.2%	95,300
Fines and Forfeitures	0	2,341	0.0%	0	0	4,173	0.0%	0
Transfers and Other Revenues	5,451	3,274,058	62.9%	5,203,180	29,325	1,217,609	56.5%	2,155,352
Total Revenues	1,780,033	23,601,942	77.2%	30,589,770	842,688	18,881,949	69.5%	27,163,249

City of Kenmore, Washington  
General Fund Summary Report  
May 31, 2022

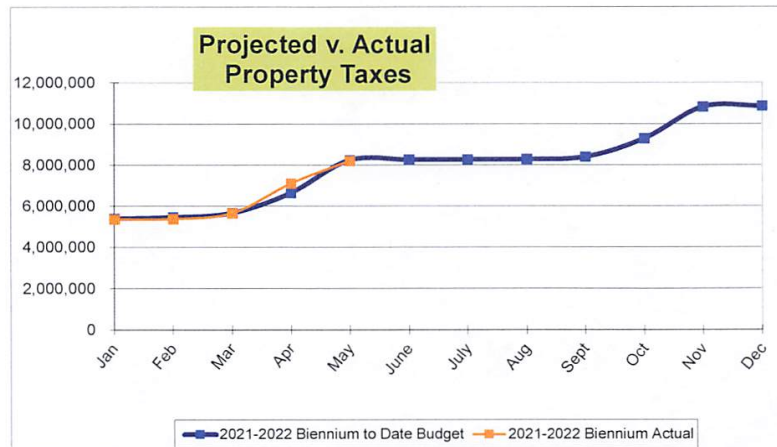


	CURRENT PERIOD 2021-2022				PREVIOUS PERIOD 2019-2020			
	MONTH	BIENNIUM	% of	AMENDED	MONTH	BIENNIUM	% of	AMENDED
	<u>May 2022</u>	<u>TO DATE</u>	<u>BUDGET</u>	<u>BIENNIUM</u>	<u>May 2020</u>	<u>TO DATE</u>	<u>BUDGET</u>	<u>BIENNIUM</u>
<u>EXPENDITURES</u>		<u>2021-2022</u>		<u>2021-2022</u>		<u>2019-2020</u>		<u>2019-2020</u>
<u>Cost Center</u>								
City Council	9,540	234,504	70.5%	332,711	9,159	259,920	77.3%	336,208
City Manager	111,417	2,052,734	65.8%	3,121,846	179,543	2,393,013	75.5%	3,170,520
City Clerk	100,362	727,021	77.6%	937,052	43,259	514,681	56.0%	919,466
Finance	49,321	1,628,419	73.6%	2,212,820	50,764	1,438,634	74.7%	1,925,756
Human Resources	16,161	193,603	0.0%	319,432		0	0.0%	0
Legal	43,164	672,191	119.0%	565,000	24,929	440,916	67.3%	654,782
Interfund Transfers	0	2,303,405	74.0%	3,110,617	0	2,606,529	80.8%	3,226,484
Public Safety	24,896	4,141,525	45.3%	9,152,371	45,352	4,531,349	50.5%	8,967,044
Engineering & Environmental Services	74,530	1,041,010	61.6%	1,689,574	43,683	910,748	58.5%	1,555,790
Community Development	64,605	1,196,383	70.5%	1,695,828	53,802	1,095,708	69.3%	1,580,826
Developmental Services	99,791	1,859,988	65.4%	2,845,428	132,118	1,795,904	95.8%	1,874,061
Parks & Facility Maintenance	115,659	1,908,214	71.3%	2,676,904	117,862	2,245,201	69.1%	3,247,606
Total Expenditures	709,446	17,958,999	62.7%	28,659,582	700,471	18,232,604	63.9%	28,543,158
Revenues over Expenditures	1,070,588	5,642,943		1,930,188	142,217	649,345		(1,379,909)
Ending Fund Balance		8,390,948		4,678,193	142,217	5,583,713	0	3,554,460

**City of Kenmore, Washington  
General Fund Revenue Graphs  
May 31, 2022**

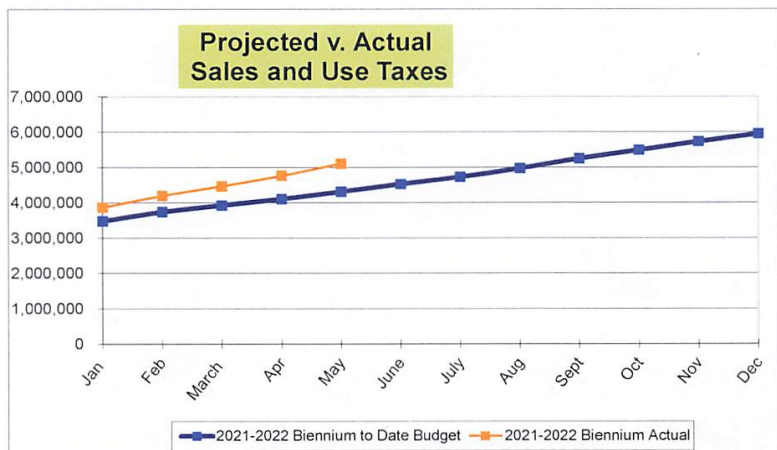
**PROPERTY TAXES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	5,383,410	5,347,981
Jan	5,401,023	5,365,476
Feb	5,468,860	5,381,481
Mar	5,670,301	5,661,041
Apr	6,652,450	7,109,637
May	8,244,136	8,200,961
June	8,259,460	
July	8,274,655	
Aug	8,290,802	
Sept	8,401,090	
Oct	9,291,005	
Nov	10,834,497	
Dec	10,865,654	
2021-22	10,865,654	
Year To Date		
Actual v. Projected		99%



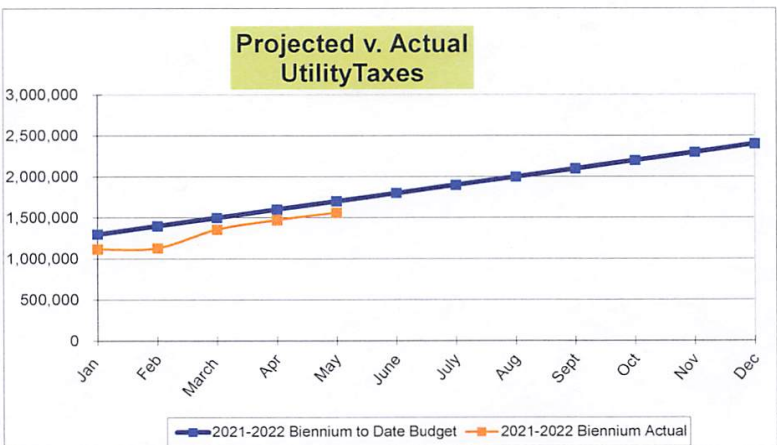
**SALES & USE TAXES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	3,300,000	3,577,108
Jan	3,481,493	3,870,242
Feb	3,742,900	4,198,660
March	3,928,951	4,469,848
Apr	4,108,559	4,767,637
May	4,315,086	5,110,898
June	4,530,232	
July	4,730,589	
Aug	4,978,663	
Sept	5,258,728	
Oct	5,497,740	
Nov	5,739,531	
Dec	5,954,280	
2021-22	5,954,280	
Year To Date		
Actual v. Projected		118%



**UTILITY TAXES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,199,640	933,662
Jan	1,299,611	1,117,517
Feb	1,399,582	1,131,117
March	1,499,553	1,356,930
Apr	1,599,523	1,470,394
May	1,699,494	1,559,515
June	1,799,465	
July	1,899,436	
Aug	1,999,407	
Sept	2,099,378	
Oct	2,199,348	
Nov	2,299,319	
Dec	2,399,290	
2021-22	2,399,290	
Year To Date		
Actual v. Projected		92%



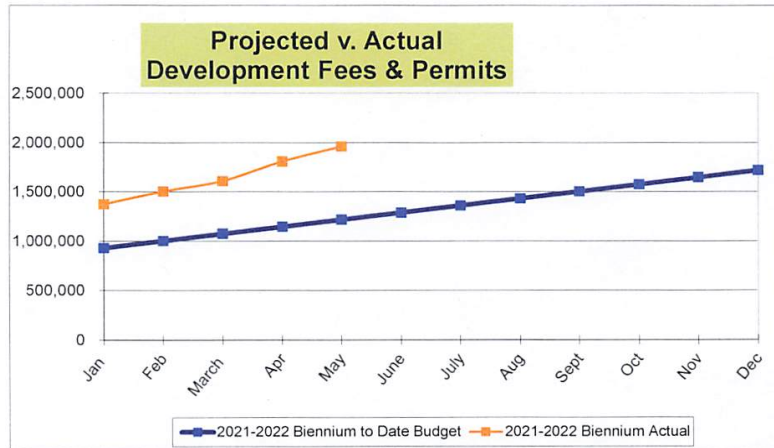
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**City of Kenmore, Washington  
General Fund Revenue Graphs  
May 31, 2022**

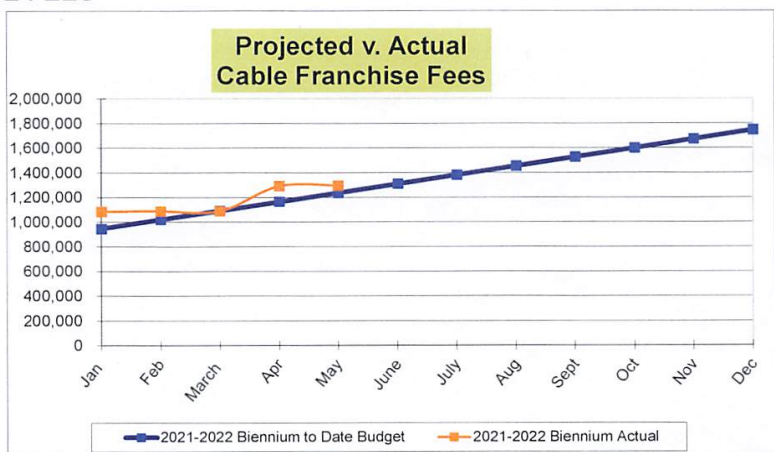
**DEVELOPMENT FEES & PERMITS**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	860,004	1,297,301
Jan	931,671	1,375,004
Feb	1,003,337	1,504,765
March	1,075,004	1,609,951
Apr	1,146,670	1,809,930
May	1,218,337	1,962,323
June	1,290,004	
July	1,361,670	
Aug	1,433,337	
Sept	1,505,003	
Oct	1,576,670	
Nov	1,648,336	
Dec	1,720,003	
'2021-22	1,720,003	
Year To Date		
Actual v. Projected		161%



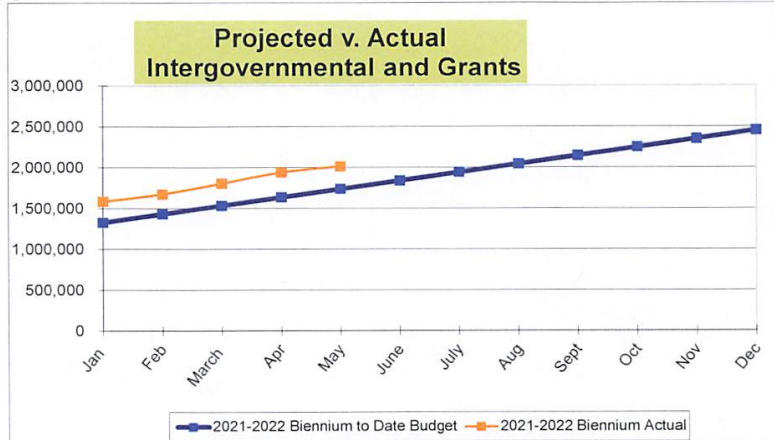
**CABLE/WATER/SEWER FRANCHISE FEES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	873,288	848,118
Jan	946,061	1,085,513
Feb	1,018,835	1,088,169
March	1,091,608	1,088,169
Apr	1,164,382	1,292,413
May	1,237,155	1,295,037
June	1,309,929	
July	1,382,702	
Aug	1,455,475	
Sept	1,528,249	
Oct	1,601,022	
Nov	1,673,796	
Dec	1,746,569	
'2021-22	1,746,569	
Year To Date		
Actual v. Projected		105%



**INTERGOVERNMENTAL & GRANTS**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,226,292	1,433,882
Jan	1,328,484	1,584,645
Feb	1,430,676	1,672,962
March	1,532,868	1,803,507
Apr	1,635,059	1,940,022
May	1,737,251	2,012,887
June	1,839,443	
July	1,941,635	
Aug	2,043,827	
Sept	2,146,019	
Oct	2,248,210	
Nov	2,350,402	
Dec	2,452,594	
'2021-22	2,452,594	
Year To Date		
Actual v. Projected		116%

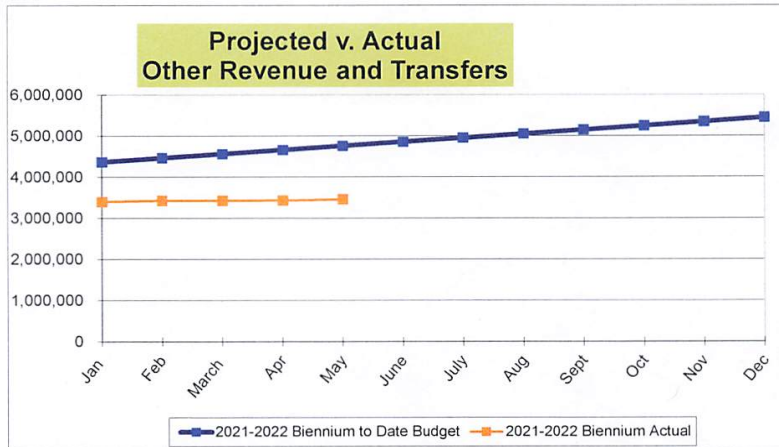


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**City of Kenmore, Washington  
General Fund Revenue Graphs  
May 31, 2022**

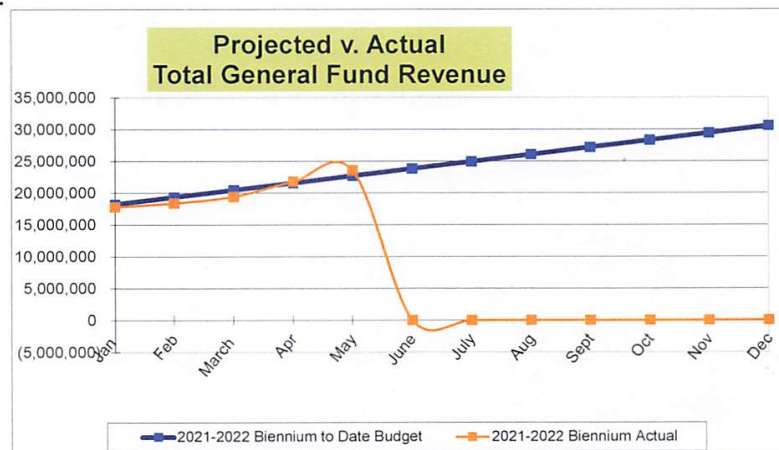
**OTHER REVENUES AND TRANSFERS**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	4,269,442	3,385,984
Jan	4,367,937	3,400,357
Feb	4,466,432	3,427,124
March	4,564,927	3,429,241
Apr	4,663,421	3,431,875
May	4,761,916	3,460,320
June	4,860,411	
July	4,958,906	
Aug	5,057,401	
Sept	5,155,896	
Oct	5,254,390	
Nov	5,352,885	
Dec	5,451,380	
'2021-22 Year To Date	5,451,380	
Actual v. Projected		73%



**TOTAL GENERAL FUND REVENUE**

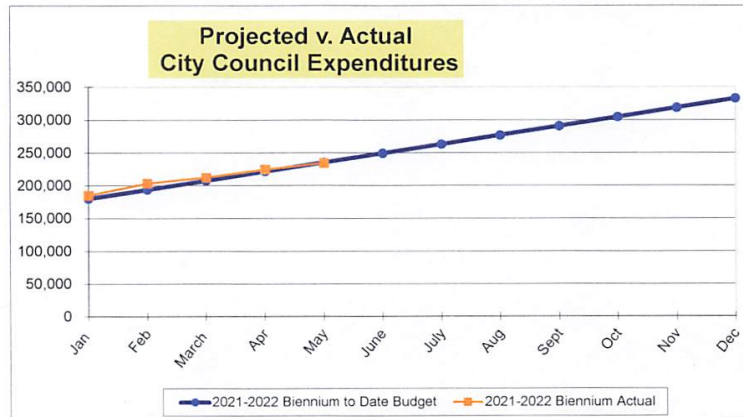
	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	17,112,076	16,824,033
Jan	18,235,217	17,798,754
Feb	19,358,358	18,404,278
March	20,481,500	19,418,687
Apr	21,604,641	21,821,909
May	22,727,782	23,601,942
June	23,850,923	0
July	24,974,064	0
Aug	26,097,205	0
Sept	27,220,347	0
Oct	28,343,488	0
Nov	29,466,629	0
Dec	30,589,770	0
'2021-22 Year To Date	30,589,770	0
Actual v. Projected		104%



**City of Kenmore, Washington**  
**General Fund Expenditure Graphs\***  
**May 31, 2022**

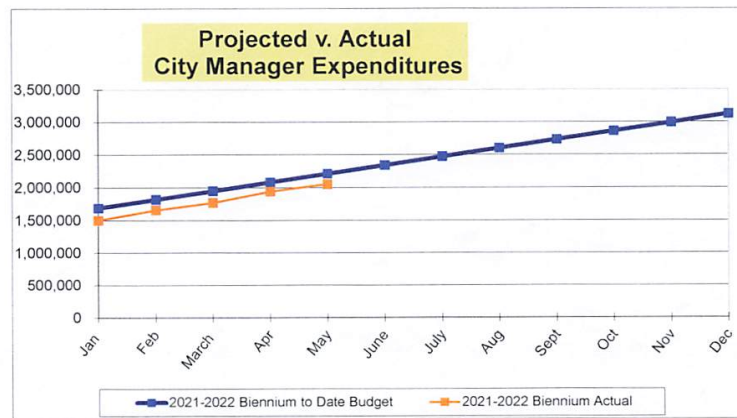
**CITY COUNCIL**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	166,356	141,202
Jan	180,219	185,182
Feb	194,082	203,467
March	207,945	212,391
Apr	221,808	224,965
May	235,671	234,504
June	249,534	
July	263,396	
Aug	277,259	
Sept	291,122	
Oct	304,985	
Nov	318,848	
Dec	332,711	
2021-22	332,711	
Year To Date		
Actual v. Projected		100%



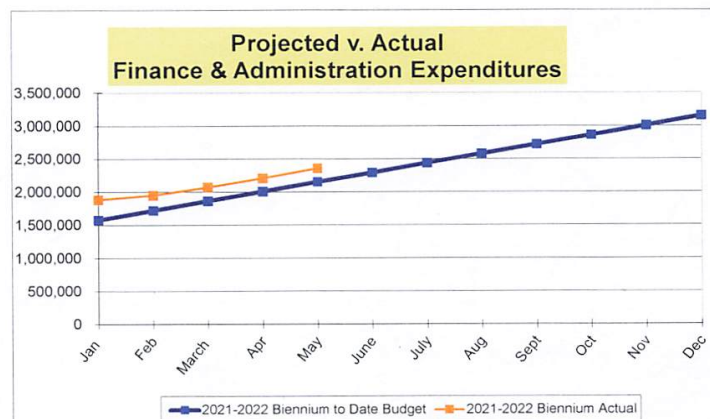
**CITY MANAGER**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,560,924	1,405,465
Jan	1,691,001	1,501,723
Feb	1,821,078	1,658,675
March	1,951,155	1,771,082
Apr	2,081,231	1,941,316
May	2,211,308	2,052,733
June	2,341,385	
July	2,471,462	
Aug	2,601,539	
Sept	2,731,616	
Oct	2,861,692	
Nov	2,991,769	
Dec	3,121,846	
2021-22	3,121,846	
Year To Date		
Actual v. Projected		93%



**FINANCE & ADMINISTRATION**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,436,124	1,466,725
Jan	1,578,936	1,885,672
Feb	1,721,749	1,949,745
March	1,864,561	2,069,996
Apr	2,007,373	2,205,757
May	2,150,185	2,355,440
June	2,292,998	
July	2,435,810	
Aug	2,578,622	
Sept	2,721,434	
Oct	2,864,247	
Nov	3,007,059	
Dec	3,149,871	
2021-22	3,149,871	
Year To Date		
Actual v. Projected		110%

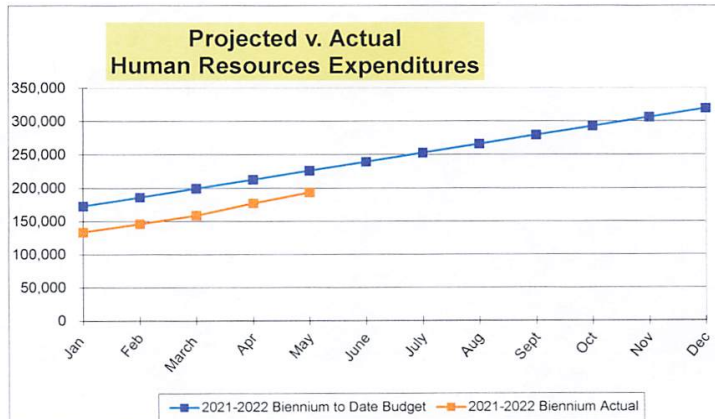




**City of Kenmore, Washington  
General Fund Expenditure Graphs\*  
May 31, 2022**

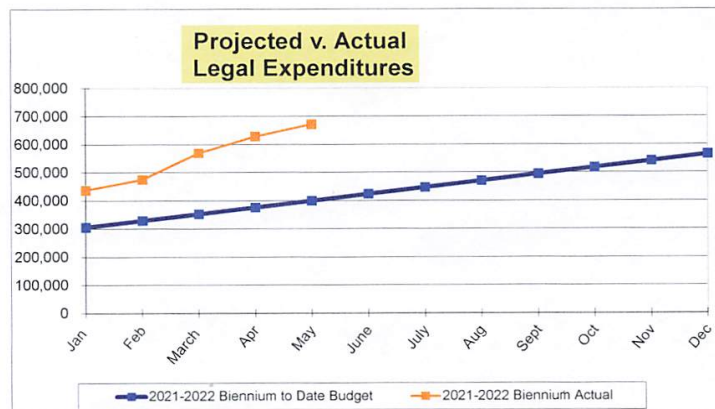
**HUMAN RESOURCES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	159,720	121,298
Jan	173,029	133,802
Feb	186,339	146,326
March	199,648	159,020
Apr	212,957	177,441
May	226,267	193,603
June	239,576	
July	252,885	
Aug	266,195	
Sept	279,504	
Oct	292,813	
Nov	306,123	
Dec	319,432	
2021-22	319,432	
Year To Date		
Actual v. Projected		86%



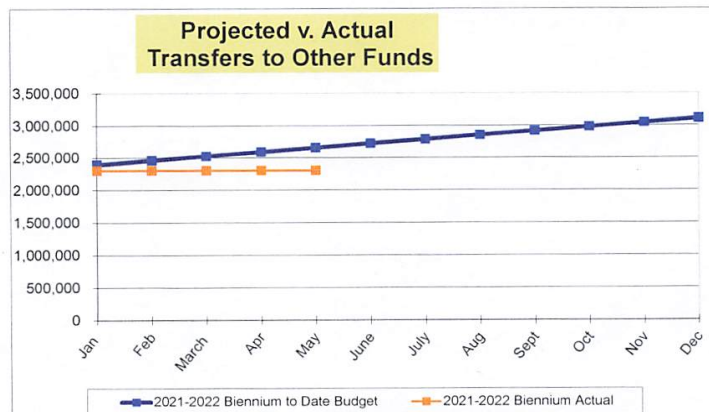
**LEGAL**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	282,504	437,313
Jan	306,045	437,313
Feb	329,587	475,661
March	353,128	569,513
Apr	376,669	629,027
May	400,211	672,191
June	423,752	
July	447,293	
Aug	470,835	
Sept	494,376	
Oct	517,917	
Nov	541,459	
Dec	565,000	
2021-22	565,000	
Year To Date		
Actual v. Projected		168%



**TRANSFERS TO OTHER FUNDS**

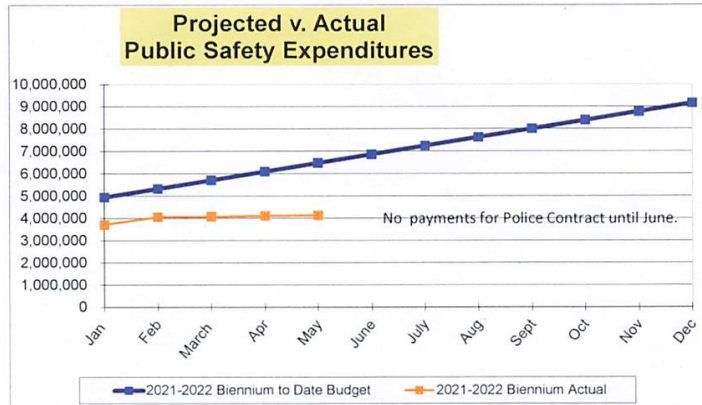
	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	2,330,312	2,303,405
Jan	2,395,337	2,303,405
Feb	2,460,363	2,303,405
March	2,525,388	2,303,405
Apr	2,590,414	2,303,405
May	2,655,439	2,303,405
June	2,720,465	
July	2,785,490	
Aug	2,850,515	
Sept	2,915,541	
Oct	2,980,566	
Nov	3,045,592	
Dec	3,110,617	
2021-22	3,110,617	
Year To Date		
Actual v. Projected		87%



**City of Kenmore, Washington**  
**General Fund Expenditure Graphs\***  
**May 31, 2022**

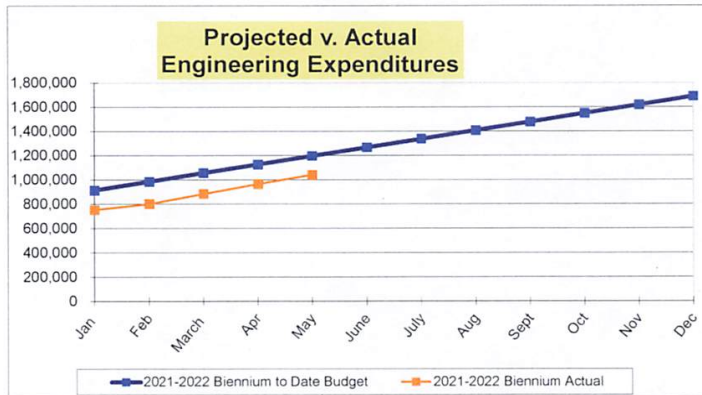
**PUBLIC SAFETY**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	4,576,188	3,716,797
Jan	4,957,537	3,716,847
Feb	5,338,885	4,062,529
March	5,720,234	4,081,910
Apr	6,101,582	4,116,629
May	6,482,931	4,141,525
June	6,864,280	
July	7,245,628	
Aug	7,626,977	
Sept	8,008,325	
Oct	8,389,674	
Nov	8,771,022	
Dec	9,152,371	
2021-22	9,152,371	
Year To Date		
Actual v. Projected		64%



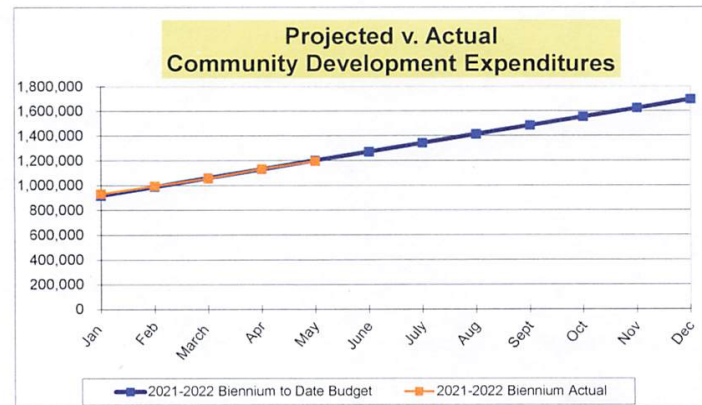
**ENGINEERING**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	844,788	701,750
Jan	915,187	754,024
Feb	985,586	802,031
March	1,055,985	884,917
Apr	1,126,383	966,480
May	1,196,782	1,041,010
June	1,267,181	
July	1,337,580	
Aug	1,407,979	
Sept	1,478,378	
Oct	1,548,776	
Nov	1,619,175	
Dec	1,689,574	
2021-22	1,689,574	
Year To Date		
Actual v. Projected		87%



**COMMUNITY DEVELOPMENT**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	847,908	869,569
Jan	918,568	931,860
Feb	989,228	994,326
March	1,059,888	1,056,562
Apr	1,130,548	1,131,778
May	1,201,208	1,196,383
June	1,271,868	
July	1,342,528	
Aug	1,413,188	
Sept	1,483,848	
Oct	1,554,508	
Nov	1,625,168	
Dec	1,695,828	
2021-22	1,695,828	
Year To Date		
Actual v. Projected		100%

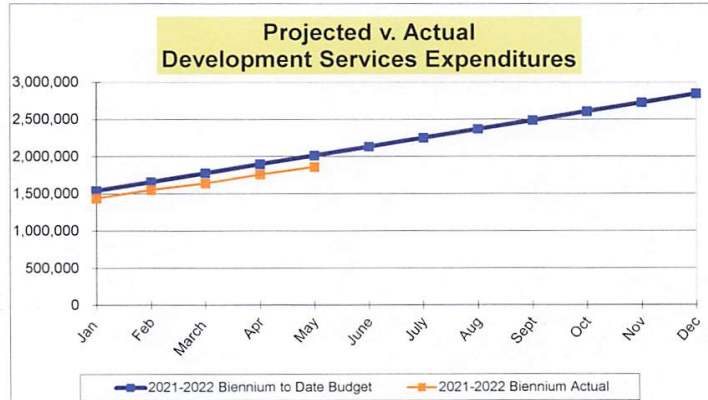


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**City of Kenmore, Washington  
General Fund Expenditure Graphs\*  
May 31, 2022**

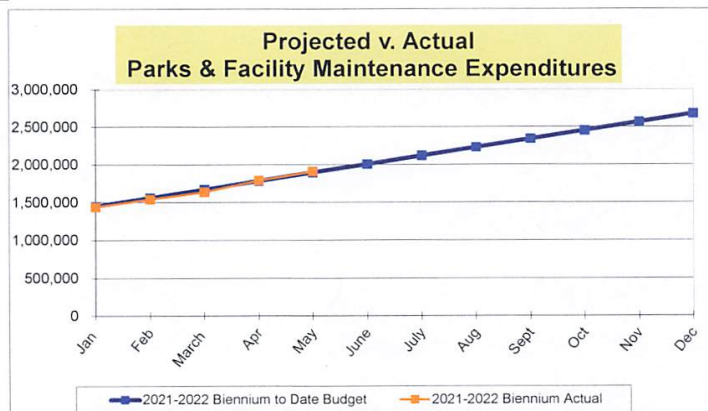
**DEVELOPMENT SERVICES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,422,708	1,297,449
Jan	1,541,268	1,437,972
Feb	1,659,828	1,551,087
March	1,778,388	1,639,536
Apr	1,896,948	1,760,198
May	2,015,508	1,859,989
June	2,134,068	
July	2,252,628	
Aug	2,371,188	
Sept	2,489,748	
Oct	2,608,308	
Nov	2,726,868	
Dec	2,845,428	
2021-22	2,845,428	
Year To Date		
Actual v. Projected		92%



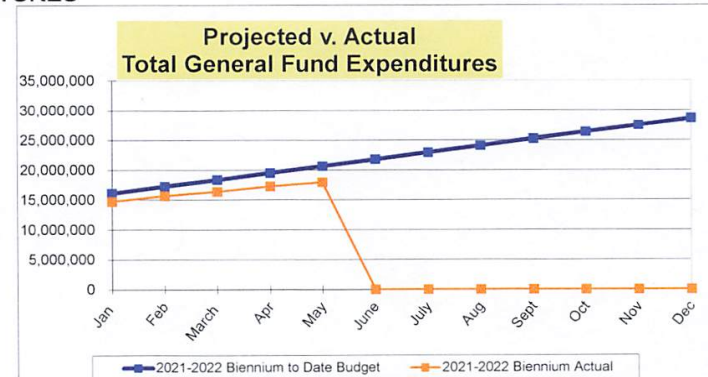
**PARKS & FACILITY MAINTENANCE**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,338,456	1,392,427
Jan	1,449,993	1,439,239
Feb	1,561,531	1,540,936
March	1,673,068	1,638,478
Apr	1,784,605	1,792,556
May	1,896,143	1,908,215
June	2,007,680	
July	2,119,217	
Aug	2,230,755	
Sept	2,342,292	
Oct	2,453,829	
Nov	2,565,367	
Dec	2,676,904	
2021-22	2,676,904	
Year To Date		
Actual v. Projected		101%



**TOTAL GENERAL FUND EXPENDITURES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	14,965,988	13,853,401
Jan	16,107,121	14,727,038
Feb	17,248,254	15,688,188
March	18,389,387	16,386,810
Apr	19,530,519	17,249,552
May	20,671,652	17,958,998
June	21,812,785	0
July	22,953,918	0
Aug	24,095,051	0
Sept	25,236,184	0
Oct	26,377,316	0
Nov	27,518,449	0
Dec	28,659,582	0
2021-22	28,659,582	
Year To Date		
Actual v. Projected		87%



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City of Kenmore, Washington  
Street Fund Summary Report  
May 31, 2022



2021 - 2022				
	MONTH	BIENNIUM TO DATE	% of	BUDGET
	<u>May 2022</u>	<u>2021-2022</u>	<u>BUDGET</u>	<u>2021-2022</u>
<b>REVENUES</b>				
Beginning Fund Balance		1,605,323		1,311,996
Fuel Tax	36,914	595,884	63.5%	938,058
Investment Interest	487	10,260	331.0%	3,100
Miscellaneous	1,622	25,222	353.7%	7,131
ROW Permit Fees/Inspections	33,872	190,761	65.0%	293,460
Multimodal Transportation	0	39,467	62.5%	63,160
MVA Transpo City	0	27,652	0.0%	0
Transfer from General Fund	0	753,405	48.3%	1,560,617
Transfer from REET	0	100,000	50.0%	200,000
Transfer from TBD	0	350,000	50.0%	700,000
Total Revenues	72,895	2,092,651	55.6%	3,765,526

2021 - 2022				
	MONTH	BIENNIUM TO DATE	% of	BUDGET
	<u>May 2022</u>	<u>2021-2022</u>	<u>BUDGET</u>	<u>2021-2022</u>
<b>EXPENDITURES</b>				
Salary and Benefits	51,469	917,357	67.7%	1,355,214
Maintenance & Operations	52,053	1,020,734	54.5%	1,872,953
Capital	5,085	33,327	33.3%	100,000
Total Expenditures	108,607	1,971,417	59.2%	3,328,167
Revenues over Expenditures	(35,713)	121,233		437,359
Ending Fund Balance		1,726,556		1,749,355

**City of Kenmore, Washington**  
**Other Funds Monthly Activity**  
**May 31, 2022**

**STRATEGIC OPPORTUNITIES FUND**

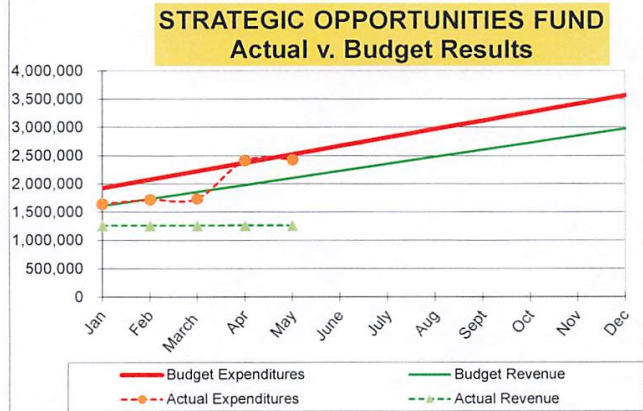
	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	1,781,748	1,645,707	1,488,360	1,262,308
Jan	1,930,228	1,645,707	1,612,390	1,262,699
Feb	2,078,707	1,722,451	1,736,420	1,262,808
March	2,227,187	1,739,571	1,860,450	1,262,981
Apr	2,375,666	2,413,909	1,984,480	1,263,190
May	2,524,146	2,432,087	2,108,510	1,263,674
June	2,672,626		2,232,540	
July	2,821,105		2,356,570	
Aug	2,969,585		2,480,600	
Sept	3,118,064		2,604,630	
Oct	3,266,544		2,728,660	
Nov	3,415,023		2,852,690	
Dec	3,563,503		2,976,718	
2021-22	3,563,503		2,976,718	

Total Actual to Date vs  
Total Budget

68%

42%

The purpose of the Strategic Opportunities Fund is to have funds available for the City to make key investments or take advantage of strategic opportunities as they present themselves.



**TRANSPORTATION BENEFIT DISTRICT FUND**

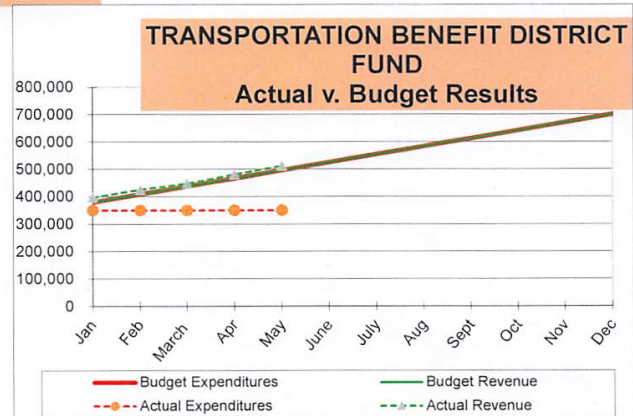
	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	350,004	350,000	350,004	369,121
Jan	379,171	350,000	379,171	396,139
Feb	408,338	350,000	408,338	424,939
March	437,505	350,000	437,505	448,008
Apr	466,672	350,000	466,672	480,535
May	495,839	350,000	495,839	511,698
June	525,006		525,006	
July	554,173		554,173	
Aug	583,340		583,340	
Sept	612,507		612,507	
Oct	641,674		641,674	
Nov	670,841		670,841	
Dec	700,000		699,998	
2021-22	700,000		700,000	

Total Actual to Date vs  
Total Budget

50%

73%

The Transportation Benefit District fund accounts for the \$20 vehicle license tab fees levied on vehicles located in the Kenmore city limits. The revenue generated will be used in maintaining the City's transportation system.

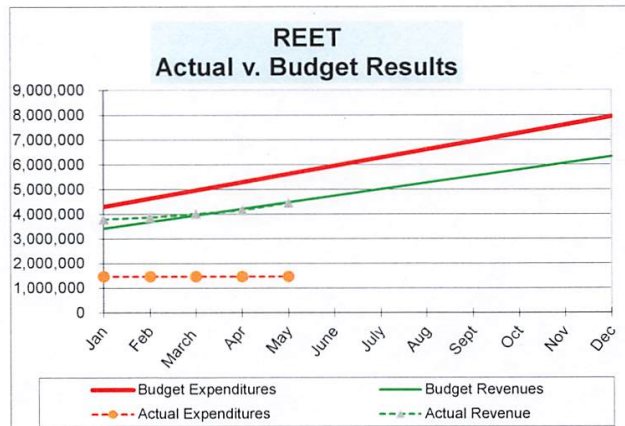




**City of Kenmore, Washington**  
**Other Funds Monthly Activity**  
**May 31, 2022**

**REAL ESTATE EXCISE TAX FUND**

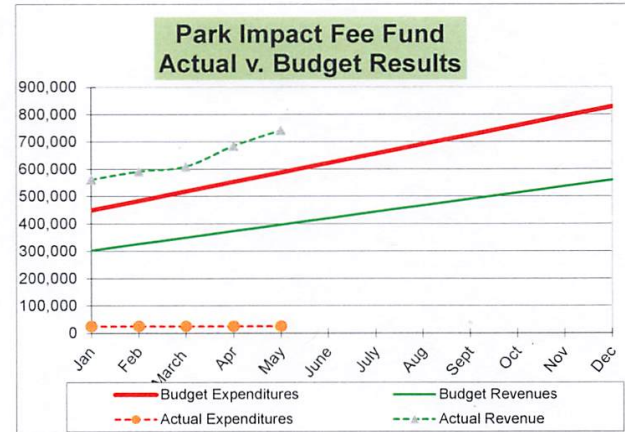
	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	3,970,056	1,467,680	3,163,080	3,671,216
Jan	4,300,894	1,467,680	3,426,670	3,800,239
Feb	4,631,732	1,467,680	3,690,271	3,879,280
March	4,962,570	1,467,680	3,953,861	4,017,276
Apr	5,293,408	1,467,680	4,217,451	4,171,010
May	5,624,246	1,467,680	4,481,041	4,463,826
June	5,955,084		4,744,631	
July	6,285,922		5,008,221	
Aug	6,616,760		5,271,811	
Sept	6,947,598		5,535,401	
Oct	7,278,436		5,798,991	
Nov	7,609,274		6,062,581	
Dec	7,940,122		6,326,171	
2021-22	7,940,122		6,326,171	
Total Actual to Date vs Total Budget		18%		71%



The Real Estate Excise Tax Fund accounts for the 1/2% real estate excise taxes levied by the City which are restricted to capital projects and improvements. Expenditures include transfers to the Park Capital Fund for park improvements and Transportation Capital Fund for transportation improvements. include transfers to the Park Capital Fund for park improvements and and Transportation Capital Fund for transportation improvements.

**PARK IMPACT FEE FUND**

	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	414,708	25,358	280,212	561,886
Jan	449,267	25,358	303,563	562,009
Feb	483,826	25,358	326,914	591,591
March	518,385	25,358	350,265	609,548
Apr	552,944	25,358	373,616	685,076
May	587,503	25,358	396,967	742,415
June	622,062		420,318	
July	656,621		443,669	
Aug	691,180		467,020	
Sept	725,739		490,371	
Oct	760,298		513,722	
Nov	794,857		537,073	
Dec	829,412		560,422	
2021-22	829,412		560,422	
Total Actual to Date vs Total Budget		3%		132%



This fund accounts for City imposed park impact fees on new development. Expenditures are for public park acquisitions and improvements.

**City of Kenmore, Washington**  
**Other Funds Monthly Activity**  
**May 31, 2022**

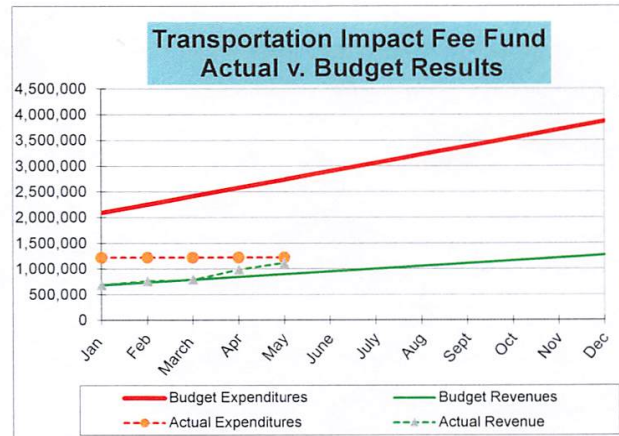
**TRANSPORTATION IMPACT FEE FUND**

	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	1,931,268	1,222,440	632,352	690,105
Jan	2,092,207	1,222,440	685,048	690,476
Feb	2,253,146	1,222,440	737,744	758,649
March	2,414,085	1,222,440	790,440	796,547
Apr	2,575,024	1,222,440	843,136	981,888
May	2,735,963	1,222,440	895,832	1,112,896
June	2,896,902		948,528	
July	3,057,841		1,001,224	
Aug	3,218,780		1,053,920	
Sept	3,379,719		1,106,616	
Oct	3,540,658		1,159,312	
Nov	3,701,597		1,212,008	
Dec	3,862,547		1,264,695	
2021-22	3,862,547		1,264,695	

Total Actual to Date vs  
Total Budget

32%

88%



This fund accounts for City imposed transportation impact fees on new development. Expenditures are for public transportation improvements

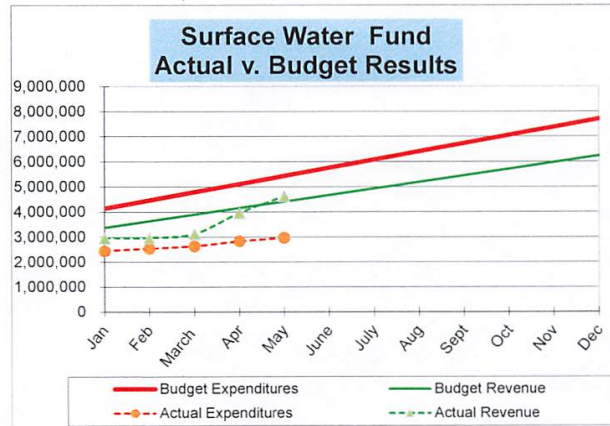
**SURFACE WATER MANAGEMENT FUND**

	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	3,811,740	2,314,112	3,116,172	2,958,871
Jan	4,136,330	2,444,737	3,375,853	2,965,041
Feb	4,460,920	2,544,319	3,635,534	2,971,877
March	4,785,510	2,636,895	3,895,215	3,128,738
Apr	5,110,100	2,828,697	4,154,896	3,960,684
May	5,434,690	2,966,068	4,414,577	4,620,664
June	5,759,280		4,674,258	
July	6,083,870		4,933,939	
Aug	6,408,460		5,193,620	
Sept	6,733,050		5,453,301	
Oct	7,057,640		5,712,982	
Nov	7,382,230		5,972,663	
Dec	7,706,812		6,232,337	
2021-22	7,706,812		6,232,337	

Total Actual to Date vs  
Total Budget

38%

74%



This fund accounts for receipts from surface water assessments. The assessments are collected through the property tax billings; the majority of the receipts are collected in May and November. Expenditures are for surface water maintenance activities such as sweeping and drainage as well as capital improvements. collected in May and November.

**City of Kenmore, Washington**  
**Cash and Investment Report**  
**May 31, 2022**



<u>Fund</u>	<u>Beg. Cash &amp; Inv.</u> <u>from Prev. Mo.</u>	<u>Monthly</u> <u>Revenues</u>	<u>Monthly</u> <u>Expenditures</u>	<u>End. Cash &amp; Inv.</u> <u>Current Month</u>
General	\$6,495,959	\$1,787,983	\$709,446	7,574,496
Street	1,763,744	72,895	108,607	1,728,031
Transportation Capital	-2,388,170	1,760,195	958,303	(1,586,279)
Public Art	118,659	34	0	118,693
Park Impact Fee	971,138	57,340	0	1,028,477
Transportation Impact Fee	2,362,048	131,009	0	2,493,057
Swamp Creek Basin	769,387	220	0	769,607
Transportation Benefit District	257,421	31,163	0	288,584
ARPA Fiscal Recovery Fund	1,881,215	0	36,007	1,845,208
Sammamish Bridge Replacement	1,662,637	135,089	460,661	1,337,066
Walkways & Waterways Debt Service	525,690	210,370	0	736,060
Real Estate Excise Tax	4,615,322	292,816	0	4,908,138
Park Capital	-2,397,716	0	607,853	(3,005,570)
Walkways & Waterways Bond	6,165,986	7,758	0	6,173,743
Surface Water Management	3,725,629	659,980	137,370	4,248,239
Surface Water Capital	232,113	59,500	44,834	246,779
Public Works Shop Fund	8,970	2,582,728	35,102	2,556,596
Strategic Reserve	1,353,047	387	0	1,353,434
Strategic Opportunities	1,709,505	484	18,178	1,691,810
Equipment Replacement	446,161	128	0	446,289
Trust & Agency	851,989	108,462	44,152	916,299
<b>Totals</b>	<b>\$31,130,733</b>	<b>\$7,898,538</b>	<b>\$3,160,514</b>	<b>\$35,868,757</b>

<u>Fund</u>	<u>Cash, Savings,</u> <u>Local Govt Investment Pool</u>	<u>(&gt; One Year)</u> <u>Fixed</u> <u>Investments</u>	<u>Total</u>
General	\$5,146,378	\$2,428,118	7,574,496
Street	878,032	850,000	1,728,032
Transportation Capital	-1,586,279	0	(1,586,279)
Public Art	103,693	15,000	118,693
Park Impact Fee	98,477	930,000	1,028,477
Transportation Impact Fee	2,463,057	30,000	2,493,057
Swamp Creek Basin	-630,393	1,400,000	769,607
Transportation Benefit District	288,584	0	288,584
ARPA Fiscal Recovery Fund	1,845,208	0	1,845,208
Sammamish Bridge Replacement	1,337,066	0	1,337,066
Walkways & Waterways Debt Service	736,060	0	736,060
Real Estate Excise Tax	4,908,138	0	4,908,138
Park Capital	-3,005,570	0	(3,005,570)
Walkways & Waterways Bond	6,173,743	0	6,173,743
Surface Water Management	3,738,239	510,000	4,248,239
Surface Water Capital	246,779	0	246,779
Public Works Shop Fund	2,556,596	0	2,556,596
Strategic Reserve	503,434	850,000	1,353,434
Strategic Opportunities	1,691,810	0	1,691,810
Equipment Replacement	-3,712	450,000	446,288
Trust & Agency	816,299	100,000	916,299
<b>Totals</b>	<b>\$28,305,639</b>	<b>\$7,563,118</b>	<b>\$35,868,757</b>

note: negative balances are due to pending transfers from other funds, not yet recorded.



City of Kenmore, Washington  
Investment Schedule  
May 31, 2022



Average Yield to Maturity-Securities								Overall	0.51%
								Average Yield	0.51%
								Principal or	Yield
Investment #	Type	Purchase Date	Maturity Date	Rate	Yield			Balance	Equivalents
<b>Time Value Investments</b>									
3135G05G4	FNMA	11/9/2020	7/10/2023	0.20%	0.20%			1,501,588.50	3,003.18
3133EMHL9	FFCB	11/24/2020	11/30/2023	0.30%	0.30%			1,501,500.00	4,504.50
3130AQTTO	FHLB	3/2/2022	2/28/2025	1.67%	1.67%			1,494,768.00	24,962.63
3133EMMN9	FFCB	1/25/2021	1/11/2024	0.19%	0.19%			1,000,000.00	1,900.00
9128286Z8	US TREAS	1/25/2021	6/30/2024	0.18%	0.18%			1,065,261.38	1,917.47
<b>Total TVI Purchases</b>								<b>6,563,117.88</b>	<b>36,287.77</b>

<b>Pacific Premier CD's</b>									
11495975	CD	8/10/2021	8/10/2022	0.25%	0.25%			1,000,000.00	2,500.00
<b>Total Pacific Premier CD's</b>								<b>1,000,000.00</b>	<b>2,500.00</b>

TOTAL ALL SECURITIES

**\$ 7,563,117.88 \$ 38,787.77**

Banner Checking and Savings	0.02%	6,760,244.50	1,352.05
Pacific Premier Savings	0.41%	3,159,658.16	12,888.25
LGIP - Primary Account	0.70%	5,410,016.69	38,108.16
LGIP - Bond Proceeds Account	0.70%	12,975,719.65	91,400.97

**Total Accounts \$ 35,868,756.88 182,537.19**

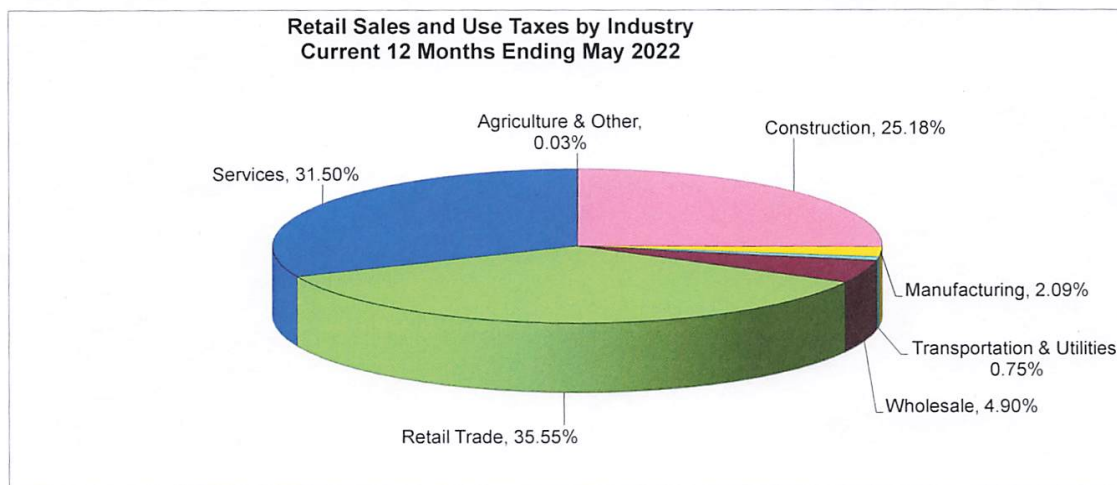
City of Kenmore, Washington  
**SALES TAX RECEIPTS BY BUSINESS TYPE**  
 May 2022

	SALES TAX	USE TAX	TOTAL	PERCENT
AGRICULTURE & OTHER	21.82	0.00	21.82	0.0%
CONSTRUCTION	91,572.33	3,816.14	95,388.46	27.8%
MANUFACTURING	15,319.04	29.43	15,348.46	4.5%
TRANSPORTATION & UTILITIES	2,129.61	315.74	2,445.34	0.7%
WHOLESALE	15,141.53	931.78	16,073.31	4.7%
RETAIL TRADE	119,657.74	183.43	119,841.16	34.9%
SERVICES	73,869.57	2,023.44	75,893.02	22.1%
INFORMATION	11,185.79	198.70	11,384.48	3.3%
PUBLIC SERVICES	12.49	6,852.36	6,864.85	2.0%
	<u>328,909.91</u>	<u>14,351.01</u>	<u>343,260.92</u>	<u>100.0%</u>

**City of Kenmore, Washington**  
**Retail Sales and Use Tax Distribution**  
**May 31, 2022**

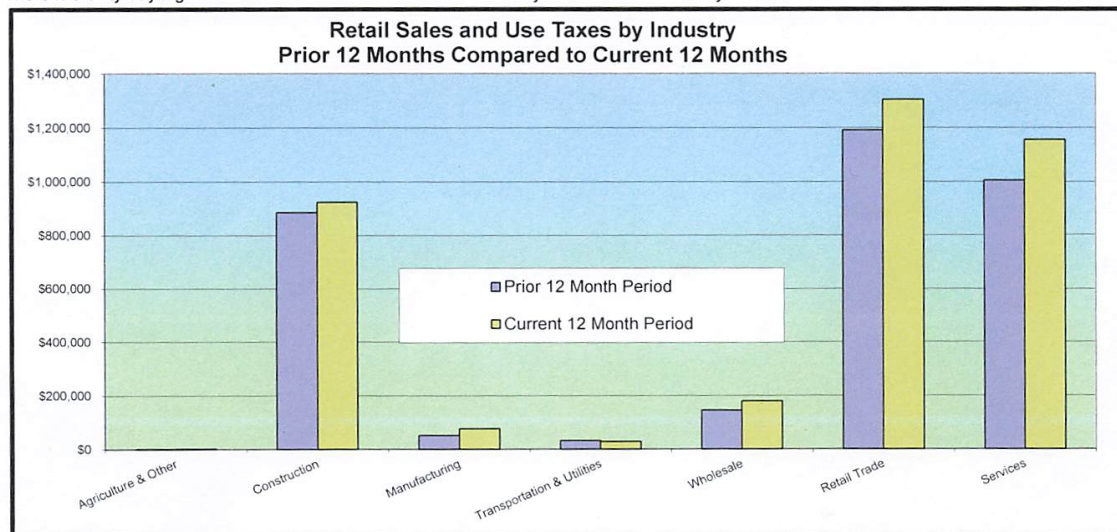


<u>Industry</u>	<u>Prior 12 Months ending May 2021</u>	<u>Current 12 Months ending May 2022</u>	<u>% Increase/ (Decrease)</u>	<u>% of Total</u>
Agriculture & Other (Landscaping, Animal Hospitals)	\$732	\$1,031	40.85%	0.03%
Construction	886,214	923,580	4.22%	25.18%
Manufacturing (Printing, Publishing, Other Manuf.)	51,448	76,512	48.72%	2.09%
Transp/Comm/Utilities (Telecomm., Air Transport.)	32,163	27,663	-13.99%	0.75%
Wholesale (Lumber, Other Wholesale)	145,759	179,814	23.36%	4.90%
Retail Trade (Eating, Merchandise, Food Stores)	1,190,722	1,303,873	9.50%	35.55%
Services (Auction, Recreation, Auto Repair, Financial)	<u>1,005,086</u>	<u>1,155,638</u>	14.98%	31.50%
<b>Totals</b>	<b>\$3,312,124</b>	<b>\$3,668,112</b>	<b>10.75%</b>	<b>100%</b>
<b>Increase/(Decrease)</b>		<b>\$355,988</b>	<b>10.75%</b>	



NOTE: Due to the City's Confidentiality Agreement with the Department of Revenue, specific business information cannot be disclosed.

There is a sixty-day lag between sales taxes collected and when they are remitted to the City



V:\Admin and Finance\Monthly Reports\2022\May 2022SalesTaxDist

**Signature:**   
Rob Karlinsey (Jul 18, 2022 20:23 PST)  
**Email:** [rkarlinsey@kenmorewa.gov](mailto:rkarlinsey@kenmorewa.gov)



# Monthly Finanacial Report 5-22

Final Audit Report


2022-07-19

Created:	2022-07-19
By:	Leticia Salcido (lsalcido@kenmorewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA4Zlw5JCc2yLEFdT4ORm0EmissDLPhRdn

## "Monthly Finanacial Report 5-22" History

 Document created by Leticia Salcido (lsalcido@kenmorewa.gov)


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 Document emailed to rkarlinsey@kenmorewa.gov for signature

2022-07-19 - 0:51:21 AM GMT

 Email viewed by rkarlinsey@kenmorewa.gov

2022-07-19 - 3:22:27 AM GMT - IP address: 50.235.209.34

 Document e-signed by Rob Karlinsey (rkarlinsey@kenmorewa.gov)

Signature Date: 2022-07-19 - 3:23:07 AM GMT - Time Source: server- IP address: 50.235.209.34

 Agreement completed.

2022-07-19 - 3:23:07 AM GMT



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**City Council Business Agenda Item  
City of Kenmore, WA**

**Subject/Topic:**

June 2022 Financial Report

For Council Meeting Agenda of: July 25, 2022

**Department:** Finance & Administration**Prepared by:** Leticia Salcido, Director of Finance & Administration**Proposed Council Action/Motion:**

Receive &amp; file:

June 2022 Financial Report  
for the City of Kenmore Washington

Approved by Department Head:

Approved by City Attorney:

Approved by Finance Director:

Approved by City Manager:

Initial & Date

N/A

RGL  
RGL**Exhibits/Attachments:**June 2022 Financial Report  
for the City of Kenmore, Washington**INFORMATION/BACKGROUND:**

The June 2022 monthly financial report is presented for Council review. This provides the opportunity for the City Council and the community to receive information on the City of Kenmore's biennium to date revenues and expenditures in comparison to the City's 2021-2022 adopted biennial budget. The budget was adopted on November 23, 2020.

**FISCAL CONSIDERATION:**

June 2022 is the 18th month of the 2021-2022, biennium budget period with 75% of the biennium elapsed.

**General Fund:**

The General Fund accounts for operational activities and includes all financial resources except those required or elected to be accounted for in another fund. Activities within the General Fund include Public Safety, Public Works Engineering, Community Development, Development Services, Parks, Facility Maintenance, and administrative services such as City Manager, Legal, Finance, City Clerk and City Council.

**Revenues:**

As of June 30, 2022, biennium to date, revenues exceeded expenditures by \$4.3 million. Revenues totaled \$24.3 million while expenditures totaled \$20 million. Revenues in the amount of \$24.3 million represent 79.5% of the amended budget revenues in the amount of \$30.6 million. Major revenue sources in the General Fund include property taxes, sales taxes, utility taxes, franchise fees, building related fees and other.

Property tax which is the major revenue source for the City generated \$8.2 million through June 30, 2022. This represents 76% of the biennium budget amount. The budget for the biennium for this revenue source is \$10.9 million.

Sales Tax revenue generated \$5.4 million through June 30, 2022 (18 months). This represents 91% of the amended biennium budget amount of \$6 million.

Sales tax revenue for the month of June 2022 was 8% higher than the amount received in June 2021. In comparison June 2021 receipts were 41% higher than amount received in June 2020.

Sales Tax revenues for the six months of 2022 were \$1.9 million. This is 7% higher than the amount received in 2021 for the same period.

Monthly sales tax for June 2022 in comparison to June 2021 - Construction sales tax declined 9% (\$44,000) while retail increased 10%.

A review of the top 506 sales tax remitters accounting for 88% of total remittances in the month of June indicates that 19% of the total was generated from internet-based companies. In the retail category approximately 45% of the revenue was from internet sales.

Utility Taxes totaled \$1.6 million or 68% of the amount budgeted of \$2.4 million.

Development fees & permits revenue was \$2.1 million or 120% of the amount budgeted for the biennium (\$1.7 million).

**Expenditures:**

Expenditures totaled \$20 million for the first eighteen months of the biennium. This is 70% of the budgeted amount of \$28.7 million.

**Fund Balance:**

The ending fund balance for the General fund, as of June 30, 2022, was \$7 million

**Street Fund:**

As of June 30, 2022, the year-to-date revenues totaled \$2.2 million or 57% of total budgeted revenues in the amount of \$3.8 million. Expenditures for the same time totaled \$2.1 million or 62% of total budget expenditures in the amount of \$3.3 million. The ending cash balance in this fund as of June 30, 2022, was \$1.7 million.

**Surface Water Management Fund:**

As of June 30, 2022, biennium to date revenues totaled \$4.6 million or 74% of the amended budgeted amount (\$6.2 million). Expenditures during the same time-period, totaled \$3.1 million or 40% of the amended biennial budgeted amount of \$7.7 million. Expenditures are lower during this time of the year as the transfer out (expense) to the Surface Water Management Capital Fund will be made at the end of the year.

**COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:**

Kenmore budget Policy 9a: A revenue/expenditure report will be produced monthly so that it can be directly compared to the actual results of the fiscal year to date.

Kenmore Budget Policy 9b: All budget amendments, both revenues and expenditures, will be noted in the monthly report.

Priority Based budgeting Result: Governance: Supports decision making with timely and accurate short-term and long-range analysis that enhances vision and planning.



18120 68<sup>TH</sup> AVE. NE  
KENMORE, WASHINGTON 98028

## MEMORANDUM

TO: Rob Karlinsey, City Manager  
FROM: Leticia Salcido, Finance Director  
DATE: July 14, 2022  
RE: June 2022 Financial Reports for the City of Kenmore, Washington

**June 2022** financial information is presented for your review and delivery to the City Council. Attached you will find the following reports:

- General Fund Summary
- General Fund Revenue Graphs
- General Fund Expenditure Graphs
- Street Fund Summary
- Cash and Investment Report
- Investment Schedule and Portfolio Analysis
- Sales Tax Receipts by Business Type
- Retail Sales and Use Tax Distribution

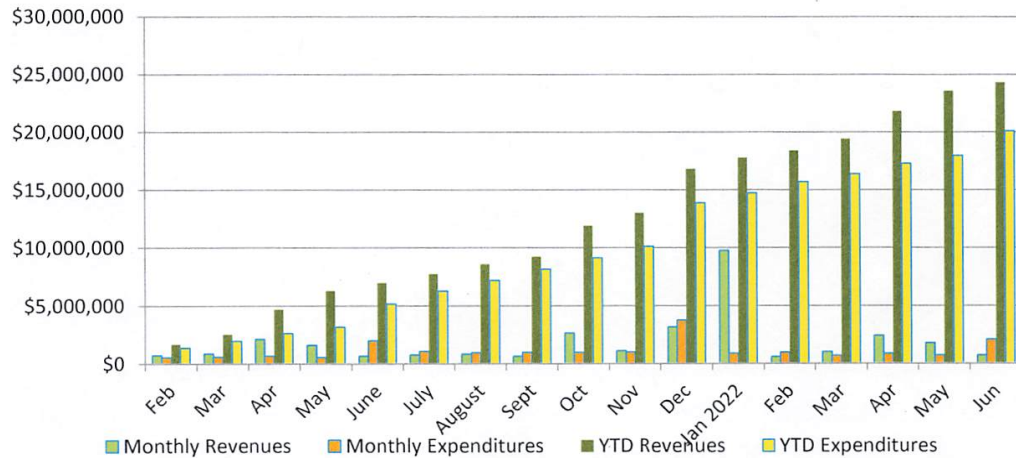
If you would like additional information or have any questions regarding the financial reports, please feel free to contact me.

### GENERAL FUND

The first section of the monthly financial report is a review of the General Fund. This fund accounts for operational activities and includes all financial resources except those required or elected to be accounted for in another fund. Revenues include various taxes, per capita distributions from the State, fines and forfeitures, permits and licenses, and fees for service. In the context of the biennial budget, June is the eighteenth month (75%) of the 2021-2022 biennial budget period. For the month of June, expenditures exceeded revenues in the General Fund by \$1,388,218. This is primarily due to the King County Police Services invoice. Jan – May 2022 invoices were paid this month. Biennium to date, revenues exceed expenditures by \$4,254,725.

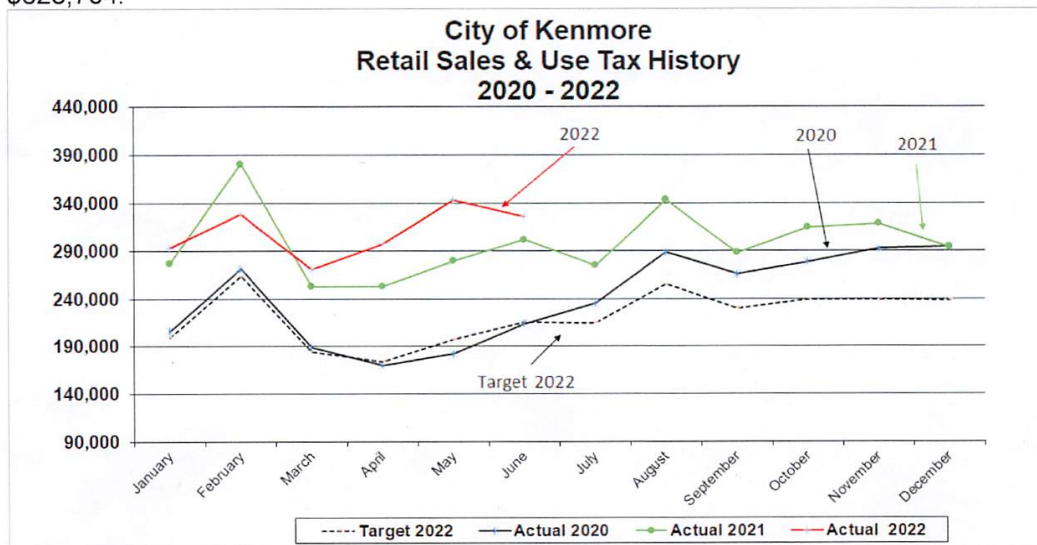
The following chart illustrates the monthly revenue and expenditure activity in the General Fund through June 2022.

City of Kenmore, Washington  
Monthly Financial Report  
June 2022



Total **revenues** for the month were **\$709,141**. Biennium to date revenues are \$24,311,083 which is 79% of the amended budgeted revenues of \$30,589,770. Primary sources of revenue for the month included property taxes in the amount of \$35,582, development fees & permits in the amount of \$111,406, retail sales and use taxes in the amount of \$325,842, intergovernment & grants in the amount of \$128,224, and utility taxes in the amount of \$79,746.

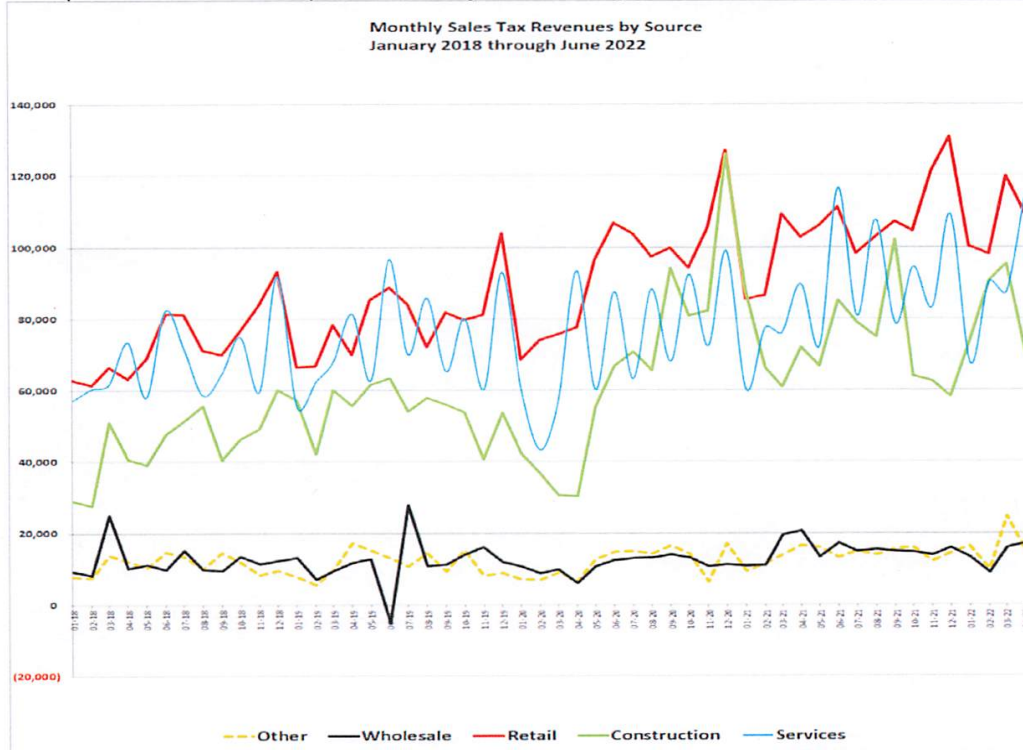
A summary of sales tax revenues received in **June** is attached. These receipts are based on **April** sales activity. The chart below gives a historical perspective of monthly sales tax receipts over the last several years. The black dotted Target 2022 line is a monthly average of actual receipts during 2019, 2020, and 2021. The red line represents 2022 actual receipts, which are \$115,107 above 2021 and ahead of the 2022 target by \$623,704.





City of Kenmore, Washington  
Monthly Financial Report  
June 2022

The following chart illustrates the historical trends of sales tax receipts from the major segments: construction, retail, wholesale, other (agriculture, services, manufacturing, transportation and utilities) from January 2018 through June 2022.



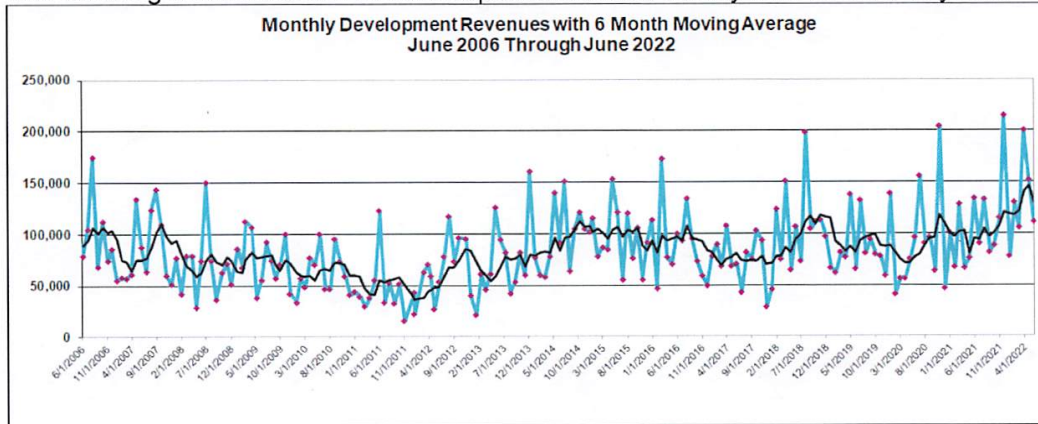
In June, the top 506 sales tax remitters, accounting for 88% or \$285,158 of total remittances, were reviewed for internet sales activity.

Of the \$285,158 of sales tax remitted by these companies in June, \$55,537 (19% of the total) was generated from internet-based companies. Below is a chart that illustrates the amount of internet based sales tax in the major segments that include it:

	Total Sales Tax Remitted in June	Internet Based Companies	% of Total Internet Sales Tax Collected
Retail Trade	\$77,614	\$34,547	45%
Information	8,798	3,081	35%
Services	94,357	14,449	15%
Wholesale	13,744	2,744	20%
Other	90,645	716	1%
	\$285,158	\$55,537	

City of Kenmore, Washington  
Monthly Financial Report  
June 2022

The following chart illustrates the development revenue activity over the last 15 years.



**June 2022 expenditures** were **\$2,097,360**. Biennium to date expenditures are \$20,056,358, which is 70% of the amended biennial budget expenditures of \$28,659,582.

Total City cash (\$25,265,599) and long-term investments (\$7,563,118), at the end of June, totaled \$32,828,717. Proposition 1 levy funds and ARPA Recovery Funds are included in this cash balance.

Total non-General Fund revenues were \$1,356,819 and total non-General Fund expenditures were \$3,013,266.

In the **Street Fund** revenue from gas tax distributions were \$34,906. \$26,224 was expended for maintenance and operations during the month.

In the **Transportation Capital Fund**, there were expenditures in the amount of \$1,053,612 on pedestrian safety projects & street maintenance. The fund received \$291,661 in grant reimbursements during the month.

The **Sammamish Bridge Replacement Fund** had \$233,797 in expenditures during the month. The fund received \$505,924 in bridge grant reimbursements during the month.

The **Park Impact Fee** fund received \$3,885 in revenues during the month.

There were \$10,115 in revenues for the **Transportation Impact Fee** fund during the month.



City of Kenmore, Washington  
Monthly Financial Report  
June 2022

The **Real Estate Excise Tax** Fund received \$263,514 of real estate excise taxes (REET) in June from sales activity that occurred in May. 49 transactions were reported during the month. The 2022 year to date revenue is lower than the 2021 revenue by \$29,823.

The **Park Capital** fund had \$1,102,454 in Park improvement expenditures during the month.

The **Walkways & Waterways Debt Service** Fund collected \$6,863 in property taxes related to the Prop 1 Bond for a biennium to date total revenue of \$1,332,143.

The **Transportation Benefit District** Fund received \$30,789 in vehicle license fees during the month.

#### **SUMMARY**

This concludes the financial report for the City of Kenmore as of **June 30, 2022**. I appreciate your feedback and encourage you to contact me if you have any questions prior to the City Council meeting.

City of Kenmore, Washington  
General Fund Summary Report  
June 30, 2022



	CURRENT PERIOD 2021-2022				PREVIOUS PERIOD 2019-2020			
	MONTH <u>June 2022</u>	BIENNIUM TO DATE <u>2021-2022</u>	% of <u>BUDGET</u>	AMENDED BIENNIUM BUDGET <u>2021-2022</u>	MONTH <u>June 2020</u>	BIENNIUM TO DATE <u>2019-2020</u>	% of <u>BUDGET</u>	AMENDED BIENNIUM BUDGET <u>2019-2020</u>
<b>REVENUES</b>								
Beginning Fund Balance		2,748,005		2,748,005		4,934,368		4,934,368
Property Taxes	35,582	8,236,543	75.8%	10,865,654	250,024	7,795,717	76.2%	10,224,205
Sales and Use Taxes	325,842	5,436,738	91.3%	5,954,280	259,465	5,049,140	81.3%	6,212,000
Utility Taxes	79,746	1,639,261	68.3%	2,399,290	135,528	1,623,719	65.8%	2,466,355
Other Taxes	4,552	157,789	86.6%	182,200	2,830	174,934	96.2%	181,868
Development Fees & Permits	111,406	2,073,729	120.6%	1,720,003	96,264	1,479,076	79.8%	1,854,042
Franchise Fees	0	1,295,037	74.1%	1,746,569	0	1,304,237	71.2%	1,831,835
Intergovernmental and Grants	128,224	2,141,111	87.3%	2,452,594	55,380	872,583	40.7%	2,142,292
Investment Interest	3,869	34,556	52.4%	66,000	1,172	161,425	169.4%	95,300
Fines and Forfeitures	0	2,341	0.0%	0	0	4,173	0.0%	0
Transfers and Other Revenues	19,920	3,293,978	63.3%	5,203,180	36,366	1,253,975	58.2%	2,155,352
Total Revenues	709,141	24,311,083	79.5%	30,589,770	837,029	19,718,978	72.6%	27,163,249

City of Kenmore, Washington  
General Fund Summary Report  
June 30, 2022



	CURRENT PERIOD 2021-2022				PREVIOUS PERIOD 2019-2020			
	MONTH <u>June 2022</u>	BIENNIUM TO DATE <u>2021-2022</u>	% of <u>BUDGET</u>	AMENDED BIENNIUM BUDGET <u>2021-2022</u>	MONTH <u>June 2020</u>	BIENNIUM TO DATE <u>2019-2020</u>	% of <u>BUDGET</u>	AMENDED BIENNIUM BUDGET <u>2019-2020</u>
<b>EXPENDITURES</b>								
Cost Center								
City Council	16,014	250,518	75.3%	332,711	6,378	266,298	79.2%	336,208
City Manager	121,261	2,173,994	69.6%	3,121,846	128,645	2,521,658	79.5%	3,170,520
City Clerk	35,477	762,498	81.4%	937,052	32,416	547,097	59.5%	919,466
Finance	52,314	1,680,733	76.0%	2,212,820	51,267	1,489,901	77.4%	1,925,756
Human Resources	12,634	206,237	0.0%	319,432		0	0.0%	0
Legal	46,734	718,925	127.2%	565,000	16,668	457,584	69.9%	654,782
Interfund Transfers	0	2,303,405	74.0%	3,110,617	0	2,606,529	80.8%	3,226,484
Public Safety	1,444,908	5,586,433	61.0%	9,152,371	13,043	4,544,392	50.7%	8,967,044
Engineering & Environmental Services	75,914	1,116,925	66.1%	1,689,574	43,393	954,142	61.3%	1,555,790
Community Development	66,296	1,262,678	74.5%	1,695,828	53,842	1,149,550	72.7%	1,580,826
Developmental Services	140,520	2,000,509	70.3%	2,845,428	72,395	1,868,299	99.7%	1,874,061
Parks & Facility Maintenance	85,289	1,993,503	74.5%	2,676,904	79,659	2,324,861	71.6%	3,247,606
Total Expenditures	2,097,360	20,056,358	70.0%	28,659,582	497,707	18,730,311	65.6%	28,543,158
Revenues over Expenditures	(1,388,218)	4,254,725		1,930,188	339,322	988,667		(1,379,909)
Ending Fund Balance		7,002,730		4,678,193	339,322	5,923,036	0	3,554,460

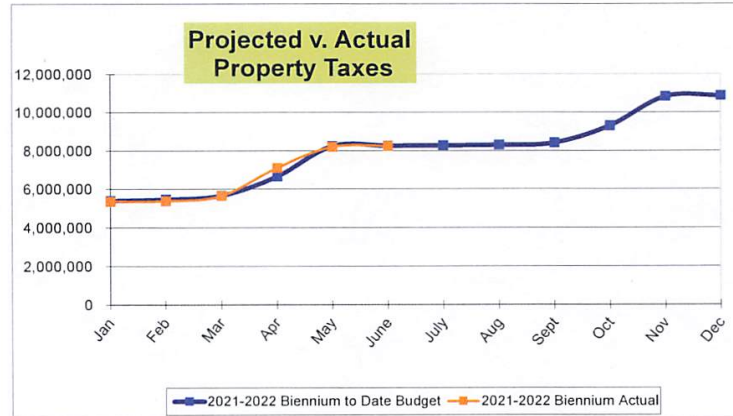
**City of Kenmore, Washington  
General Fund Revenue Graphs  
June 30, 2022**

**PROPERTY TAXES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	5,383,410	5,347,981
Jan	5,401,023	5,365,476
Feb	5,468,860	5,381,481
Mar	5,670,301	5,661,041
Apr	6,652,450	7,109,637
May	8,244,136	8,200,961
June	8,259,460	8,236,543
July	8,274,655	
Aug	8,290,802	
Sept	8,401,090	
Oct	9,291,005	
Nov	10,834,497	
Dec	10,865,654	
2021-22	10,865,654	

Year To Date  
Actual v. Projected

100%

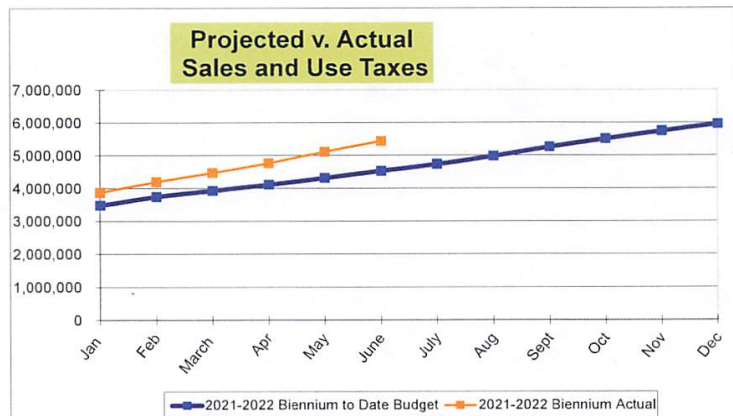


**SALES & USE TAXES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	3,300,000	3,577,108
Jan	3,481,493	3,870,242
Feb	3,742,900	4,198,660
March	3,928,951	4,469,848
Apr	4,108,559	4,767,637
May	4,315,086	5,110,898
June	4,530,232	5,436,740
July	4,730,589	
Aug	4,978,663	
Sept	5,258,728	
Oct	5,497,740	
Nov	5,739,531	
Dec	5,954,280	
2021-22	5,954,280	

Year To Date  
Actual v. Projected

120%

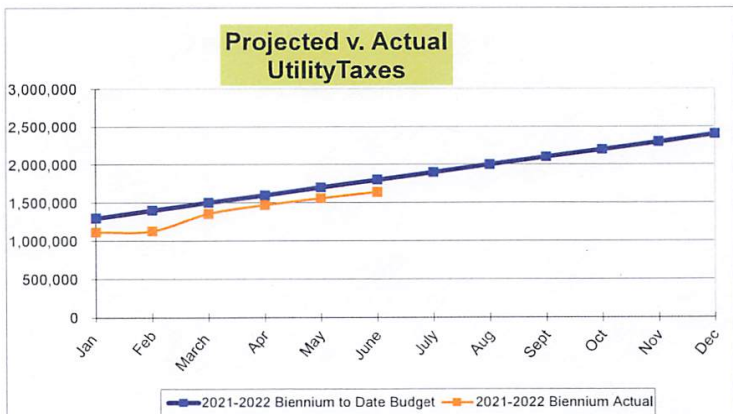


**UTILITY TAXES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,199,640	933,662
Jan	1,299,611	1,117,517
Feb	1,399,582	1,131,117
March	1,499,553	1,356,930
Apr	1,599,523	1,470,394
May	1,699,494	1,559,515
June	1,799,465	1,639,261
July	1,899,436	
Aug	1,999,407	
Sept	2,099,378	
Oct	2,199,348	
Nov	2,299,319	
Dec	2,399,290	
2021-22	2,399,290	

Year To Date  
Actual v. Projected

91%



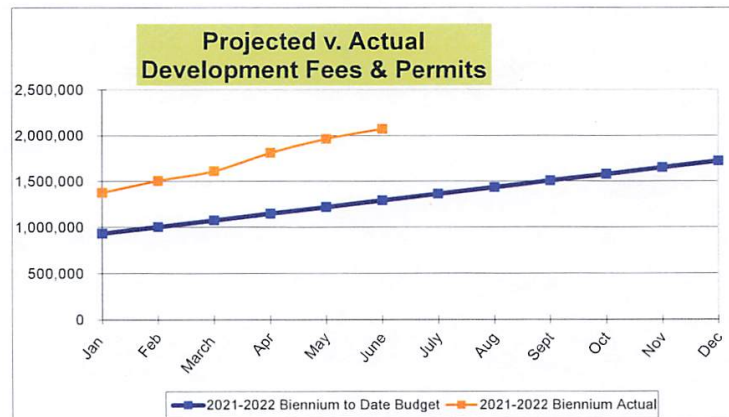
**DEVELOPMENT FEES & PERMITS**

M:\Departments (V)\Admin and Finance\Monthly Reports\2022\June 2022 General Fund Rev Graphs



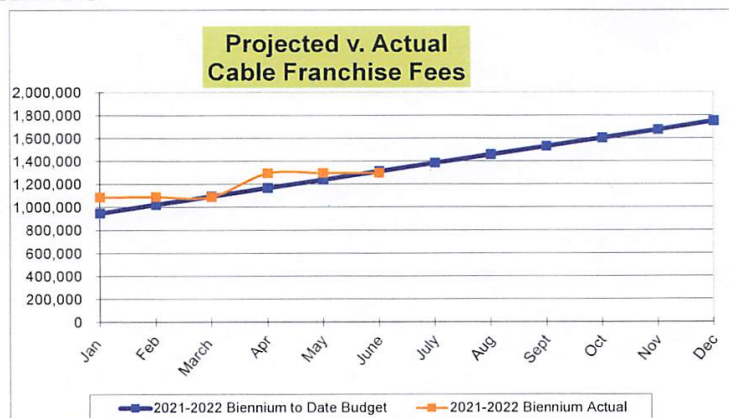
**City of Kenmore, Washington  
General Fund Revenue Graphs  
June 30, 2022**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	860,004	1,297,301
Jan	931,671	1,375,004
Feb	1,003,337	1,504,765
March	1,075,004	1,609,951
Apr	1,146,670	1,809,930
May	1,218,337	1,962,323
June	1,290,004	2,073,729
July	1,361,670	
Aug	1,433,337	
Sept	1,505,003	
Oct	1,576,670	
Nov	1,648,336	
Dec	1,720,003	
'2021-22	1,720,003	
Year To Date		
Actual v. Projected		161%



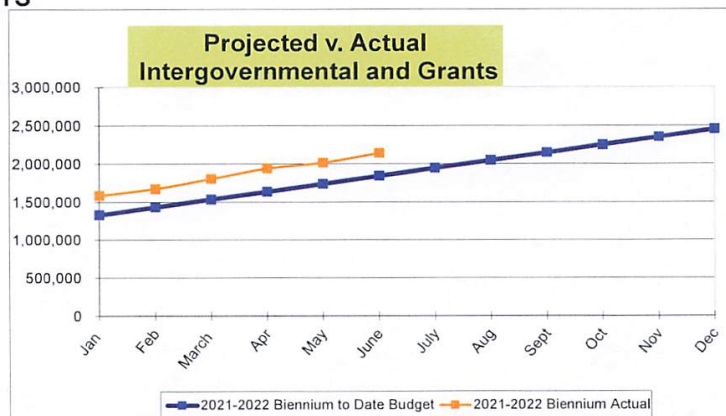
**CABLE/WATER/SEWER FRANCHISE FEES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	873,288	848,118
Jan	946,061	1,085,513
Feb	1,018,835	1,088,169
March	1,091,608	1,088,169
Apr	1,164,382	1,292,413
May	1,237,155	1,295,037
June	1,309,929	1,295,037
July	1,382,702	
Aug	1,455,475	
Sept	1,528,249	
Oct	1,601,022	
Nov	1,673,796	
Dec	1,746,569	
'2021-22	1,746,569	
Year To Date		
Actual v. Projected		99%



**INTERGOVERNMENTAL & GRANTS**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,226,292	1,433,882
Jan	1,328,484	1,584,645
Feb	1,430,676	1,672,962
March	1,532,868	1,803,507
Apr	1,635,059	1,940,022
May	1,737,251	2,012,887
June	1,839,443	2,141,112
July	1,941,635	
Aug	2,043,827	
Sept	2,146,019	
Oct	2,248,210	
Nov	2,350,402	
Dec	2,452,594	
'2021-22	2,452,594	
Year To Date		
Actual v. Projected		116%

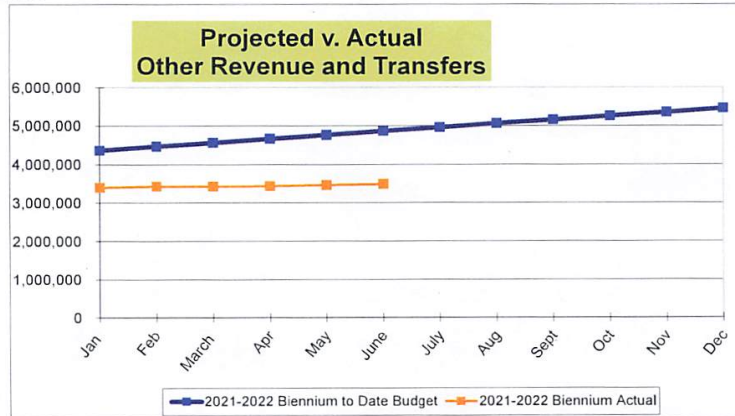




**City of Kenmore, Washington  
General Fund Revenue Graphs  
June 30, 2022**

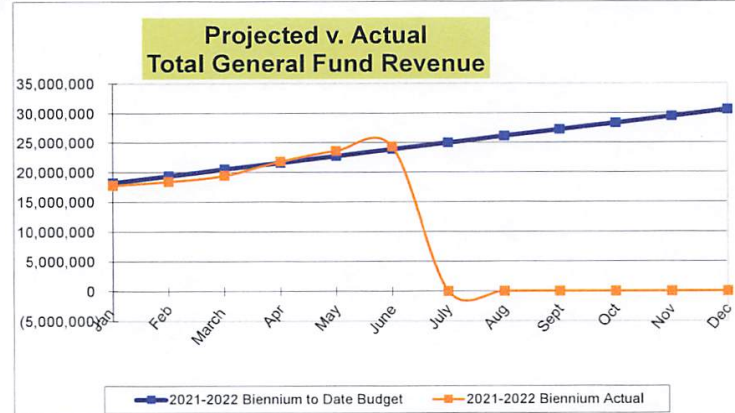
**OTHER REVENUES AND TRANSFERS**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	4,269,442	3,385,984
Jan	4,367,937	3,400,357
Feb	4,466,432	3,427,124
March	4,564,927	3,429,241
Apr	4,663,421	3,431,875
May	4,761,916	3,460,320
June	4,860,411	3,488,661
July	4,958,906	
Aug	5,057,401	
Sept	5,155,896	
Oct	5,254,390	
Nov	5,352,885	
Dec	5,451,380	
'2021-22 Year To Date	5,451,380	
Actual v. Projected		72%



**TOTAL GENERAL FUND REVENUE**

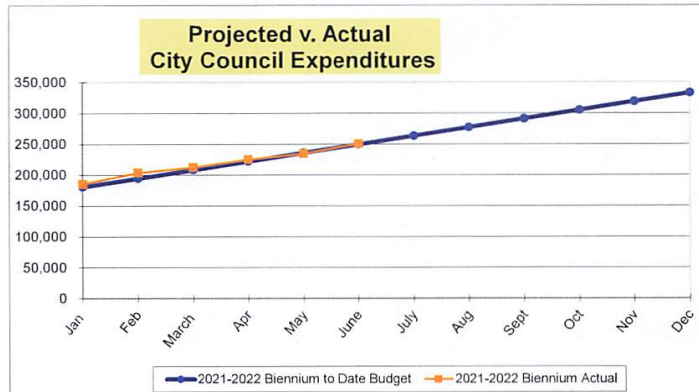
	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	17,112,076	16,824,033
Jan	18,235,217	17,798,754
Feb	19,358,358	18,404,278
March	20,481,500	19,418,687
Apr	21,604,641	21,821,909
May	22,727,782	23,601,942
June	23,850,923	24,311,083
July	24,974,064	0
Aug	26,097,205	0
Sept	27,220,347	0
Oct	28,343,488	0
Nov	29,466,629	0
Dec	30,589,770	0
'2021-22 Year To Date	30,589,770	
Actual v. Projected		102%



**City of Kenmore, Washington**  
**General Fund Expenditure Graphs\***  
**June 30, 2022**

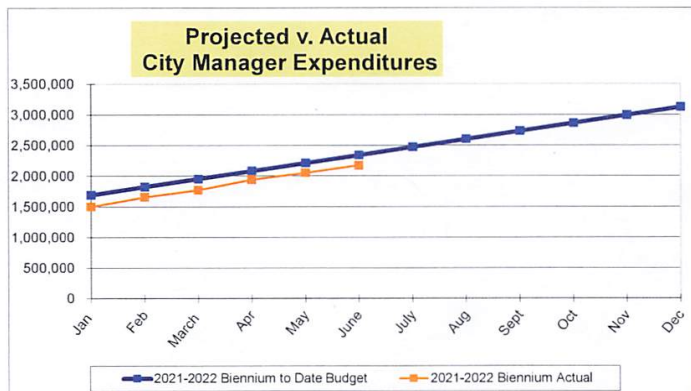
**CITY COUNCIL**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	166,356	141,202
Jan	180,219	185,182
Feb	194,082	203,467
March	207,945	212,391
Apr	221,808	224,965
May	235,671	234,504
June	249,534	250,518
July	263,396	
Aug	277,259	
Sept	291,122	
Oct	304,985	
Nov	318,848	
Dec	332,711	
2021-22	332,711	
Year To Date		
Actual v. Projected		100%



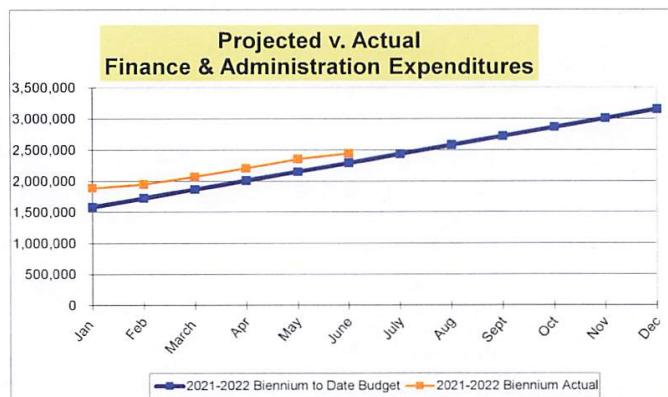
**CITY MANAGER**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,560,924	1,405,465
Jan	1,691,001	1,501,723
Feb	1,821,078	1,658,675
March	1,951,155	1,771,082
Apr	2,081,231	1,941,316
May	2,211,308	2,052,733
June	2,341,385	2,173,994
July	2,471,462	
Aug	2,601,539	
Sept	2,731,616	
Oct	2,861,692	
Nov	2,991,769	
Dec	3,121,846	
2021-22	3,121,846	
Year To Date		
Actual v. Projected		93%



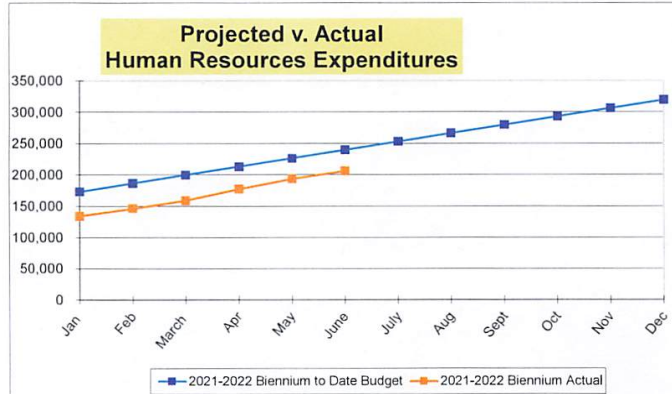
**FINANCE & ADMINISTRATION**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,436,124	1,466,725
Jan	1,578,936	1,885,672
Feb	1,721,749	1,949,745
March	1,864,561	2,069,996
Apr	2,007,373	2,205,757
May	2,150,185	2,355,440
June	2,292,998	2,443,231
July	2,435,810	
Aug	2,578,622	
Sept	2,721,434	
Oct	2,864,247	
Nov	3,007,059	
Dec	3,149,871	
2021-22	3,149,871	
Year To Date		
Actual v. Projected		107%



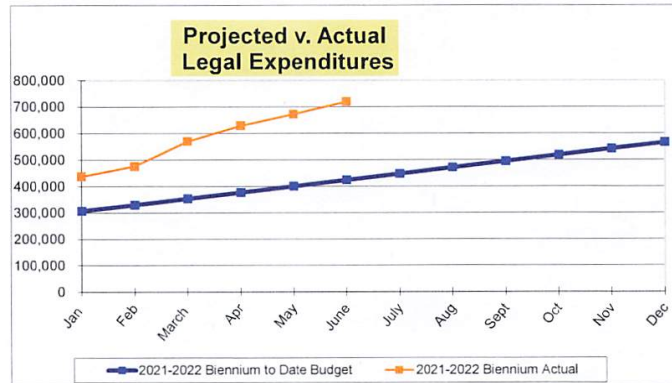
**City of Kenmore, Washington**  
**General Fund Expenditure Graphs\***  
**June 30, 2022**  
**HUMAN RESOURCES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	159,720	121,298
Jan	173,029	133,802
Feb	186,339	146,326
March	199,648	159,020
Apr	212,957	177,441
May	226,267	193,603
June	239,576	206,236
July	252,885	
Aug	266,195	
Sept	279,504	
Oct	292,813	
Nov	306,123	
Dec	319,432	
2021-22	319,432	
Year To Date		
Actual v. Projected		86%



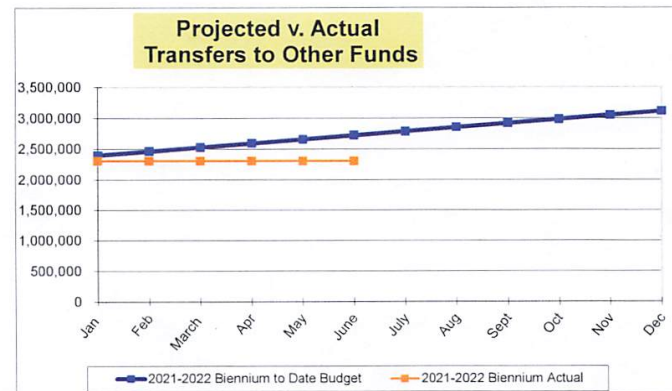
**LEGAL**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	282,504	437,313
Jan	306,045	437,313
Feb	329,587	475,661
March	353,128	569,513
Apr	376,669	629,027
May	400,211	672,191
June	423,752	718,925
July	447,293	
Aug	470,835	
Sept	494,376	
Oct	517,917	
Nov	541,459	
Dec	565,000	
2021-22	565,000	
Year To Date		
Actual v. Projected		170%



**TRANSFERS TO OTHER FUNDS**

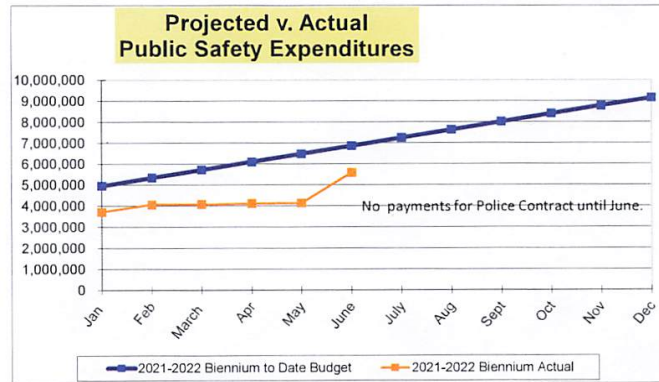
	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	2,330,312	2,303,405
Jan	2,395,337	2,303,405
Feb	2,460,363	2,303,405
March	2,525,388	2,303,405
Apr	2,590,414	2,303,405
May	2,655,439	2,303,405
June	2,720,465	2,303,405
July	2,785,490	
Aug	2,850,515	
Sept	2,915,541	
Oct	2,980,566	
Nov	3,045,592	
Dec	3,110,617	
2021-22	3,110,617	
Year To Date		
Actual v. Projected		85%



**City of Kenmore, Washington  
General Fund Expenditure Graphs\*  
June 30, 2022**

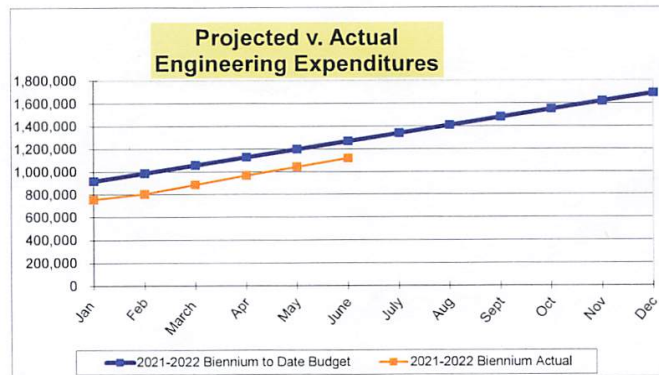
**PUBLIC SAFETY**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	4,576,188	3,716,797
Jan	4,957,537	3,716,847
Feb	5,338,885	4,062,529
March	5,720,234	4,081,910
Apr	6,101,582	4,116,629
May	6,482,931	4,141,525
June	6,864,280	5,586,432
July	7,245,628	
Aug	7,626,977	
Sept	8,008,325	
Oct	8,389,674	
Nov	8,771,022	
Dec	9,152,371	
2021-22	9,152,371	
Year To Date		
Actual v. Projected		81%



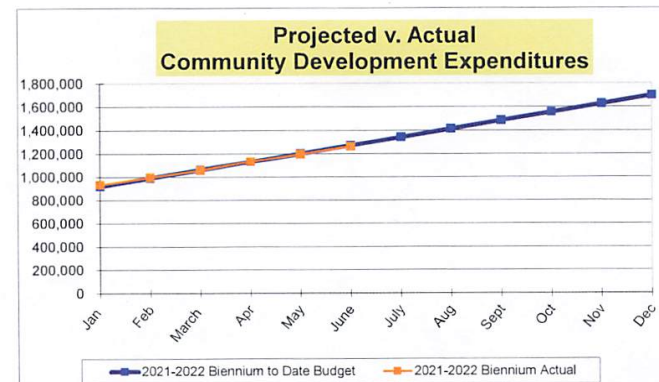
**ENGINEERING**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	844,788	701,750
Jan	915,187	754,024
Feb	985,586	802,031
March	1,055,985	884,917
Apr	1,126,383	966,480
May	1,196,782	1,041,010
June	1,267,181	1,116,924
July	1,337,580	
Aug	1,407,979	
Sept	1,478,378	
Oct	1,548,776	
Nov	1,619,175	
Dec	1,689,574	
2021-22	1,689,574	
Year To Date		
Actual v. Projected		88%



**COMMUNITY DEVELOPMENT**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	847,908	869,569
Jan	918,568	931,860
Feb	989,228	994,326
March	1,059,888	1,056,562
Apr	1,130,548	1,131,778
May	1,201,208	1,196,383
June	1,271,868	1,262,679
July	1,342,528	
Aug	1,413,188	
Sept	1,483,848	
Oct	1,554,508	
Nov	1,625,168	
Dec	1,695,828	
2021-22	1,695,828	
Year To Date		
Actual v. Projected		99%



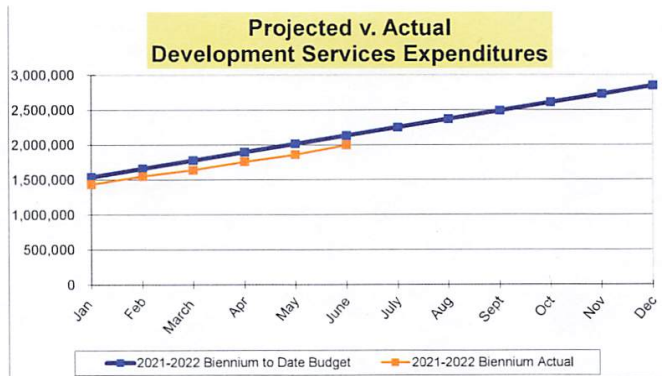
**DEVELOPMENT SERVICES**

M:\Departments (V)\Admin and Finance\Monthly Reports\2022\June 2022\General Fund Exp Graphs



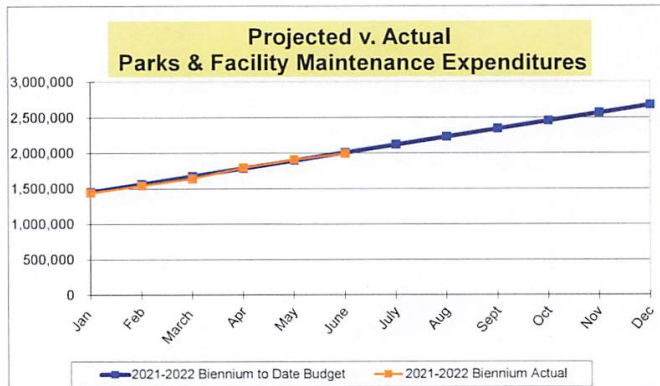
**City of Kenmore, Washington  
General Fund Expenditure Graphs\*  
June 30, 2022**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,422,708	1,297,449
Jan	1,541,268	1,437,972
Feb	1,659,828	1,551,087
March	1,778,388	1,639,536
Apr	1,896,948	1,760,198
May	2,015,508	1,859,989
June	2,134,068	2,000,509
July	2,252,628	
Aug	2,371,188	
Sept	2,489,748	
Oct	2,608,308	
Nov	2,726,868	
Dec	2,845,428	
2021-22	2,845,428	
Year To Date		
Actual v. Projected		94%



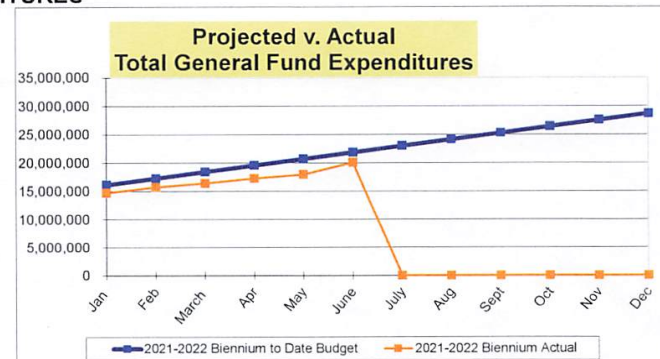
**PARKS & FACILITY MAINTENANCE**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	1,338,456	1,392,427
Jan	1,449,993	1,439,239
Feb	1,561,531	1,540,936
March	1,673,068	1,638,478
Apr	1,784,605	1,792,556
May	1,896,143	1,908,215
June	2,007,680	1,993,504
July	2,119,217	
Aug	2,230,755	
Sept	2,342,292	
Oct	2,453,829	
Nov	2,565,367	
Dec	2,676,904	
2021-22	2,676,904	
Year To Date		
Actual v. Projected		99%



**TOTAL GENERAL FUND EXPENDITURES**

	2021-2022 Biennium to Date Budget	2021-2022 Biennium Actual
2021	14,965,988	13,853,401
Jan	16,107,121	14,727,038
Feb	17,248,254	15,688,188
March	18,389,387	16,386,810
Apr	19,530,519	17,249,552
May	20,671,652	17,958,998
June	21,812,785	20,056,357
July	22,953,918	0
Aug	24,095,051	0
Sept	25,236,184	0
Oct	26,377,316	0
Nov	27,518,449	0
Dec	28,659,582	0
2021-22	28,659,582	
Year To Date		
Actual v. Projected		92%





City of Kenmore, Washington  
Street Fund Summary Report  
June 30, 2022



	2021 - 2022			
	<u>MONTH</u> <u>June 2022</u>	<u>BIENNIUM TO DATE</u> <u>2021-2022</u>	<u>% of</u> <u>BUDGET</u>	<u>BUDGET</u> <u>2021-2022</u>
<b>REVENUES</b>				
Beginning Fund Balance		1,605,323		1,311,996
Fuel Tax	34,906	630,789	67.2%	938,058
Investment Interest	1,045	11,305	364.7%	3,100
Miscellaneous	416	25,639	359.5%	7,131
ROW Permit Fees/Inspections	17,750	208,511	71.1%	293,460
Multimodal Transportation	7,920	47,387	75.0%	63,160
MVA Transpo City	6,930	34,582	0.0%	0
Transfer from General Fund	0	753,405	48.3%	1,560,617
Transfer from REET	0	100,000	50.0%	200,000
Transfer from TBD	0	350,000	50.0%	700,000
Total Revenues	68,967	2,161,618	57.4%	3,765,526

	2021 - 2022			
	<u>MONTH</u> <u>June 2022</u>	<u>BIENNIUM TO DATE</u> <u>2021-2022</u>	<u>% of</u> <u>BUDGET</u>	<u>BUDGET</u> <u>2021-2022</u>
<b>EXPENDITURES</b>				
Salary and Benefits	53,495	970,852	71.6%	1,355,214
Maintenance & Operations	26,224	1,046,958	55.9%	1,872,953
Capital	0	33,327	33.3%	100,000
Total Expenditures	79,720	2,051,137	61.6%	3,328,167
Revenues over Expenditures	(10,753)	110,480		437,359
Ending Fund Balance		1,715,803		1,749,355

**City of Kenmore, Washington**  
**Other Funds Monthly Activity**  
**June 30, 2022**

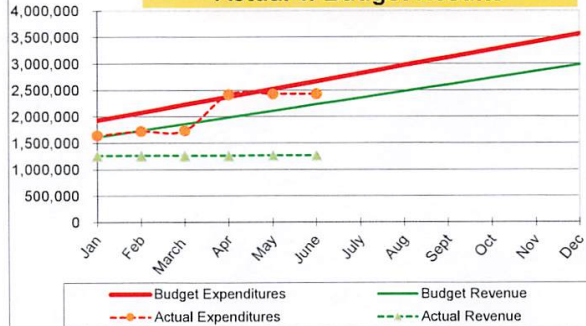
**STRATEGIC OPPORTUNITIES FUND**

	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	1,781,748	1,645,707	1,488,360	1,262,308
Jan	1,930,228	1,645,707	1,612,390	1,262,699
Feb	2,078,707	1,722,451	1,736,420	1,262,808
March	2,227,187	1,739,571	1,860,450	1,262,981
Apr	2,375,666	2,413,909	1,984,480	1,263,190
May	2,524,146	2,432,087	2,108,510	1,263,674
June	2,672,626	2,432,567	2,232,540	1,264,704
July	2,821,105		2,356,570	
Aug	2,969,585		2,480,600	
Sept	3,118,064		2,604,630	
Oct	3,266,544		2,728,660	
Nov	3,415,023		2,852,690	
Dec	3,563,503		2,976,718	
2021-22	3,563,503		2,976,718	

Total Actual to Date vs 68%  
Total Budget 42%

The purpose of the Strategic Opportunities Fund is to have funds available for the City to make key investments or take advantage of strategic opportunities as they present themselves.

**STRATEGIC OPPORTUNITIES FUND**  
**Actual v. Budget Results**



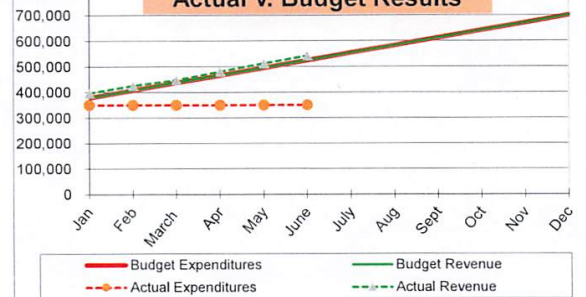
**TRANSPORTATION BENEFIT DISTRICT FUND**

	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	350,004	350,000	350,004	369,121
Jan	379,171	350,000	379,171	396,139
Feb	408,338	350,000	408,338	424,939
March	437,505	350,000	437,505	448,008
Apr	466,672	350,000	466,672	480,535
May	495,839	350,000	495,839	511,698
June	525,006	350,000	525,006	542,681
July	554,173		554,173	
Aug	583,340		583,340	
Sept	612,507		612,507	
Oct	641,674		641,674	
Nov	670,841		670,841	
Dec	700,000		699,998	
2021-22	700,000		700,000	

Total Actual to Date vs 50%  
Total Budget 78%

The Transportation Benefit District fund accounts for the \$20 vehicle license tab fees levied on vehicles located in the Kenmore city limits. The revenue generated will be used in maintaining the City's transportation system.

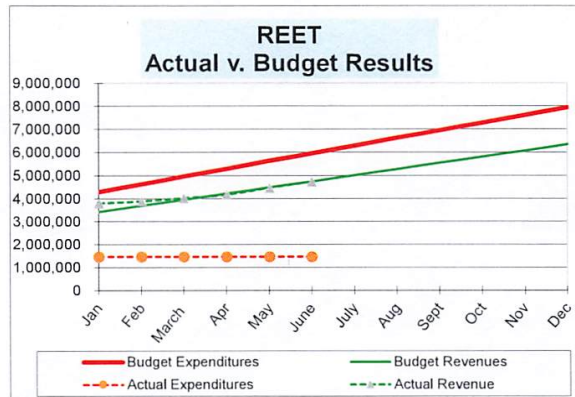
**TRANSPORTATION BENEFIT DISTRICT FUND**  
**Actual v. Budget Results**



City of Kenmore, Washington  
Other Funds Monthly Activity  
June 30, 2022

**REAL ESTATE EXCISE TAX FUND**

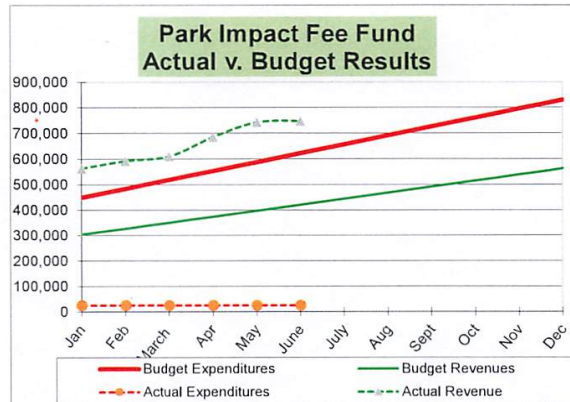
	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	3,970,056	1,467,680	3,163,080	3,671,216
Jan	4,300,894	1,467,680	3,426,670	3,800,239
Feb	4,631,732	1,467,680	3,690,271	3,879,280
March	4,962,570	1,467,680	3,953,861	4,017,276
Apr	5,293,408	1,467,680	4,217,451	4,171,010
May	5,624,246	1,467,680	4,481,041	4,463,826
June	5,955,084	1,467,680	4,744,631	4,730,489
July	6,285,922		5,008,221	
Aug	6,616,760		5,271,811	
Sept	6,947,598		5,535,401	
Oct	7,278,436		5,798,991	
Nov	7,609,274		6,062,581	
Dec	7,940,122		6,326,171	
2021-22	7,940,122		6,326,171	
Total Actual to Date vs Total Budget		18%		75%



The Real Estate Excise Tax Fund accounts for the 1/2% real estate excise taxes levied by the City which are restricted to capital projects and improvements. Expenditures include transfers to the Park Capital Fund for park improvements and Transportation Capital Fund for transportation improvements. include transfers to the Park Capital Fund for park improvements and and Transportation Capital Fund for transportation improvements.

**PARK IMPACT FEE FUND**

	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	414,708	25,358	280,212	561,886
Jan	449,267	25,358	303,563	562,009
Feb	483,826	25,358	326,914	591,591
March	518,385	25,358	350,265	609,548
Apr	552,944	25,358	373,616	685,076
May	587,503	25,358	396,967	742,415
June	622,062	25,358	420,318	746,929
July	656,621		443,669	
Aug	691,180		467,020	
Sept	725,739		490,371	
Oct	760,298		513,722	
Nov	794,857		537,073	
Dec	829,412		560,422	
2021-22	829,412		560,422	
Total Actual to Date vs Total Budget		3%		133%



This fund accounts for City imposed park impact fees on new development. Expenditures are for public park acquisitions and improvements.



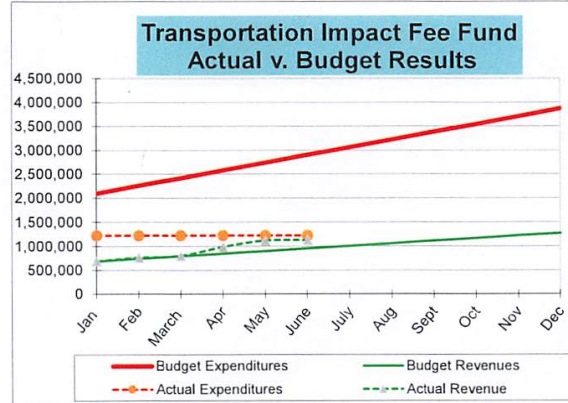
City of Kenmore, Washington  
Other Funds Monthly Activity  
June 30, 2022

**TRANSPORTATION IMPACT FEE FUND**

	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	1,931,268	1,222,440	632,352	690,105
Jan	2,092,207	1,222,440	685,048	690,476
Feb	2,253,146	1,222,440	737,744	758,649
March	2,414,085	1,222,440	790,440	796,547
Apr	2,575,024	1,222,440	843,136	981,888
May	2,735,963	1,222,440	895,832	1,112,896
June	2,896,902	1,222,440	948,528	1,124,535
July	3,057,841		1,001,224	
Aug	3,218,780		1,053,920	
Sept	3,379,719		1,106,616	
Oct	3,540,658		1,159,312	
Nov	3,701,597		1,212,008	
Dec	3,862,547		1,264,695	
2021-22	3,862,547		1,264,695	

Total Actual to Date vs Total Budget      32%      89%

This fund accounts for City imposed transportation impact fees on new development. Expenditures are for public transportation improvements

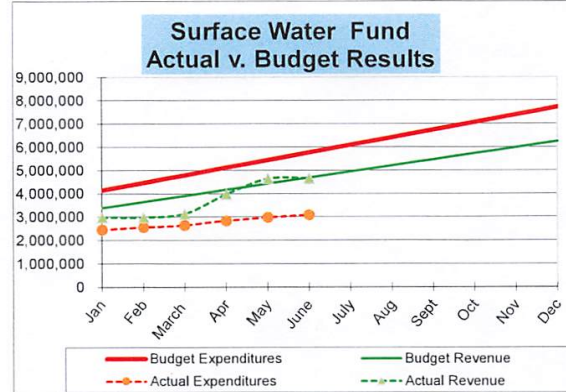


**SURFACE WATER MANAGEMENT FUND**

	2021-2022 Budget Expenditures	2021-2022 Actual Expenditures	2021-2022 Budget Revenue	2021-2022 Actual Revenue
2021	3,811,740	2,314,112	3,116,172	2,958,871
Jan	4,136,330	2,444,737	3,375,853	2,965,041
Feb	4,460,920	2,544,319	3,635,534	2,971,877
March	4,785,510	2,636,895	3,895,215	3,128,738
Apr	5,110,100	2,828,697	4,154,896	3,960,684
May	5,434,690	2,966,068	4,414,577	4,620,664
June	5,759,280	3,080,746	4,674,258	4,636,433
July	6,083,870		4,933,939	
Aug	6,408,460		5,193,620	
Sept	6,733,050		5,453,301	
Oct	7,057,640		5,712,982	
Nov	7,382,230		5,972,663	
Dec	7,706,812		6,232,337	
2021-22	7,706,812		6,232,337	

Total Actual to Date vs Total Budget      40%      74%

This fund accounts for receipts from surface water assessments. The assessments are collected through the property tax billings; the majority of the receipts are collected in May and November. Expenditures are for surface water maintenance activities such as sweeping and drainage as well as capital improvements. collected in May and November.





**City of Kenmore, Washington**  
**Cash and Investment Report**  
**June 30, 2022**



Fund	Beg. Cash & Inv. from Prev. Mo.	Monthly Revenues	Monthly Expenditures	End. Cash & Inv. Current Month
General	\$7,574,496	\$709,241	\$2,097,360	6,186,378
Street	1,728,031	68,967	79,720	1,717,278
Transportation Capital	-1,586,279	291,661	1,053,612	(2,348,231)
Public Art	118,693	72	0	118,765
Park Impact Fee	1,028,477	4,514	0	1,032,991
Transportation Impact Fee	2,493,057	11,639	0	2,504,695
Swamp Creek Basin	769,607	469	0	770,075
Transportation Benefit District	288,584	30,983	0	319,568
ARPA Fiscal Recovery Fund	1,845,208	0	-26,708	1,871,916
Sammamish Bridge Replacement	1,337,066	505,924	233,797	1,609,194
Walkways & Waterways Debt Service	736,060	6,864	250,575	492,349
Real Estate Excise Tax	4,908,138	266,663	0	5,174,801
Park Capital	-3,005,570	119,550	1,102,454	(3,988,474)
Walkways & Waterways Bond	6,173,743	10,784	0	6,184,527
Surface Water Management	4,248,239	15,768	114,678	4,149,329
Surface Water Capital	246,779	3,500	15,956	234,323
Public Works Shop Fund	2,556,596	0	80,442	2,476,154
Strategic Reserve	1,353,434	824	0	1,354,258
Strategic Opportunities	1,691,810	1,030	480	1,692,360
Equipment Replacement	446,289	272	0	446,560
Trust & Agency	916,299	17,335	108,259	825,375
<b>Totals</b>	<b>\$35,868,757</b>	<b>\$2,066,060</b>	<b>\$5,110,625</b>	<b>\$32,824,191</b>

Fund	Cash, Savings, Local Govt Investment Pool	(> One Year) Fixed Investments	Total
General	\$3,762,785	\$2,428,118	6,190,903
Street	867,279	850,000	1,717,279
Transportation Capital	-2,348,231	0	(2,348,231)
Public Art	103,765	15,000	118,765
Park Impact Fee	102,991	930,000	1,032,991
Transportation Impact Fee	2,474,695	30,000	2,504,695
Swamp Creek Basin	-629,925	1,400,000	770,075
Transportation Benefit District	319,567	0	319,567
ARPA Fiscal Recovery Fund	1,871,916	0	1,871,916
Sammamish Bridge Replacement	1,609,194	0	1,609,194
Walkways & Waterways Debt Service	492,349	0	492,349
Real Estate Excise Tax	5,174,801	0	5,174,801
Park Capital	-3,988,474	0	(3,988,474)
Walkways & Waterways Bond	6,184,527	0	6,184,527
Surface Water Management	3,639,329	510,000	4,149,329
Surface Water Capital	234,323	0	234,323
Public Works Shop Fund	2,476,154	0	2,476,154
Strategic Reserve	504,259	850,000	1,354,259
Strategic Opportunities	1,692,360	0	1,692,360
Equipment Replacement	-3,440	450,000	446,560
Trust & Agency	725,375	100,000	825,375
<b>Totals</b>	<b>\$25,265,599</b>	<b>\$7,563,118</b>	<b>\$32,828,717</b>

note: negative balances are due to pending transfers from other funds, not yet recorded.

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City of Kenmore, Washington  
Investment Schedule  
June 30, 2022



Average Yield to Maturity-Securities							Overall	0.51%
							Average Yield	0.75%
Investment #	Type	Purchase Date	Maturity Date	Rate	Yield	Principal or Balance	Yield	Equivalents
<b>Time Value Investments</b>								
3135G05G4	FNMA	11/9/2020	7/10/2023	0.20%	0.20%	1,501,588.50		3,003.18
3133EMHL9	FFCB	11/24/2020	11/30/2023	0.30%	0.30%	1,501,500.00		4,504.50
3133EMMN9	FFCB	1/25/2021	1/11/2024	0.19%	0.19%	1,000,000.00		1,900.00
3130AQTT0	FHLB	3/2/2022	2/28/2025	1.67%	1.67%	1,494,768.00		24,962.63
9128286Z8	US TREAS	1/25/2021	6/30/2024	0.18%	0.18%	1,065,261.38		1,917.47
<b>Total TVI Purchases</b>						<b>6,563,117.88</b>		<b>36,287.77</b>

<b>Pacific Premier CD's</b>								
11495975	CD	8/10/2021	8/10/2022	0.25%	0.25%	1,000,000.00		2,500.00
<b>Total Pacific Premier CD's</b>						<b>1,000,000.00</b>		<b>2,500.00</b>

TOTAL ALL SECURITIES

**\$ 7,563,117.88 \$ 38,787.77**

Banner Checking and Savings	0.02%	3,703,090.01	740.62
Pacific Premier Savings	0.70%	3,161,492.44	22,209.48
LGIP - Primary Account	1.01%	5,414,512.88	54,751.55
LGIP - Bond Proceeds Account	1.01%	12,986,503.60	131,319.52
<b>Total Accounts</b>		<b>\$ 32,828,716.81</b>	<b>247,808.95</b>

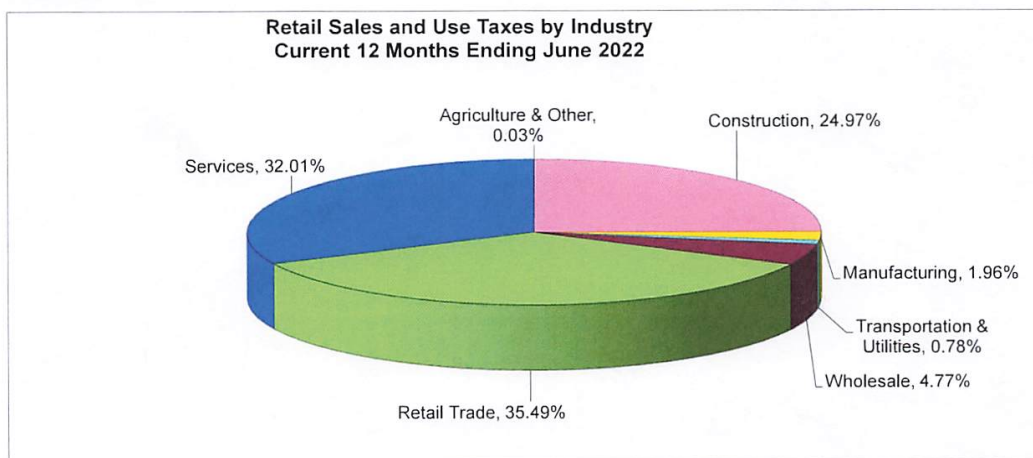
City of Kenmore, Washington  
**SALES TAX RECEIPTS BY BUSINESS TYPE**  
 June 2022

	SALES TAX	USE TAX	TOTAL	PERCENT
AGRICULTURE & OTHER	39.48	0.00	39.48	0.0%
CONSTRUCTION	69,398.10	896.48	70,294.58	21.6%
MANUFACTURING	4,809.92	17.50	4,827.42	1.5%
TRANSPORTATION & UTILITIES	2,539.48	487.84	3,027.32	0.9%
WHOLESALE	15,891.24	1,370.16	17,261.41	5.3%
RETAIL TRADE	108,974.87	355.24	109,330.11	33.6%
SERVICES	101,729.75	2,098.37	103,828.12	31.9%
INFORMATION	10,374.24	116.97	10,491.21	3.2%
PUBLIC SERVICES	16.59	6,726.03	6,742.63	2.1%
	<u>313,773.68</u>	<u>12,068.59</u>	<u>325,842.27</u>	<u>100.0%</u>

**City of Kenmore, Washington**  
**Retail Sales and Use Tax Distribution**  
**June 30, 2022**

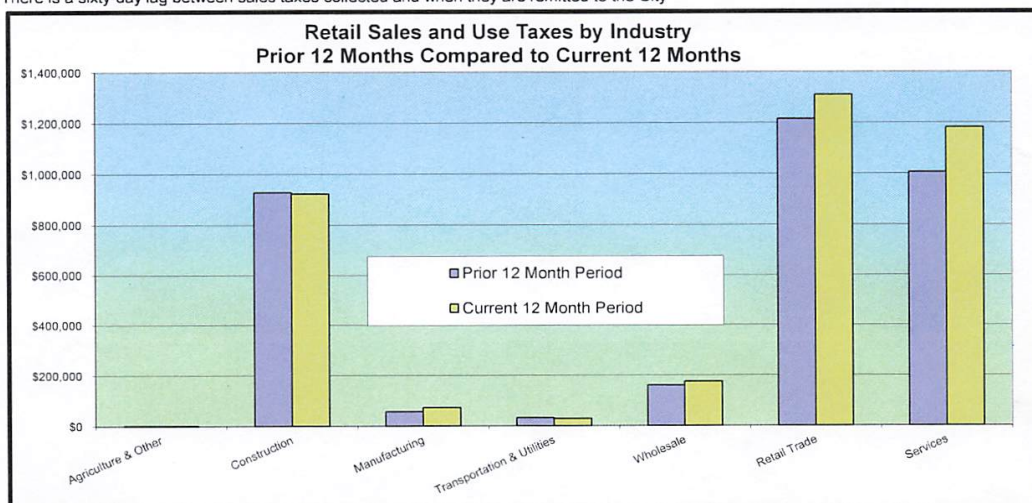


Industry	Prior 12 Months ending June 2021	Current 12 Months ending June 2022	% Increase/ (Decrease)	% of Total
Agriculture & Other (Landscaping, Animal Hospitals)	\$767	\$1,006	31.14%	0.03%
Construction	927,844	921,925	-0.64%	24.97%
Manufacturing (Printing, Publishing, Other Manuf.)	57,488	72,188	25.57%	1.96%
Transp/Comm/Utilities (Telecomm., Air Transport.)	32,765	28,655	-12.55%	0.78%
Wholesale (Lumber, Other Wholesale)	160,588	176,278	9.77%	4.77%
Retail Trade (Eating, Merchandise, Food Stores)	1,215,897	1,310,388	7.77%	35.49%
Services (Auction, Recreation, Auto Repair, Financial)	1,004,723	1,181,773	17.62%	32.01%
<b>Totals</b>	<b>\$3,400,072</b>	<b>\$3,692,212</b>	<b>8.59%</b>	<b>100%</b>
<b>Increase/(Decrease)</b>		<b>\$292,140</b>	<b>8.59%</b>	



NOTE: Due to the City's Confidentiality Agreement with the Department of Revenue, specific business information cannot be disclosed.

There is a sixty-day lag between sales taxes collected and when they are remitted to the City



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**Signature:** RGK  
RGK (Jul 19, 2022 23:47 PDT)

**Email:** rkarlinsey@kenmorewa.gov

# Monthly Financial Report 6-22-v2

Final Audit Report

2022-07-20

Created:	2022-07-19
By:	Leticia Salcido (lsalcido@kenmorewa.gov)
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Transaction ID:	CBJCHBCAABAAYPv5sY_gVOMER_bv48CSy_2Y2ruiBttQ

## "Monthly Financial Report 6-22-v2" History



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## City Council Business Agenda Item City of Kenmore, WA

<p><b>Subject/Topic:</b> Contract 22-C2839 with Business Street for a development strategy for the Bench Properties and Contract 22-C2841 with Business Street for a development strategy for the Holt and other properties.</p> <p><b>Proposed Council Action/Motion:</b></p> <ol style="list-style-type: none"> <li>1. Council motion authorizing the City Manager to execute Contract 22-C2839 with Business Street for a development strategy for the Bench Properties for a contract amount not to exceed \$22,000 (\$20,000 contract amount plus 10% contingency).</li> <li>2. Council motion authorizing the City Manager to execute Contract 22-C2841 with Business Street for a development strategy for the Holt and Other Properties for a contract amount not to exceed \$22,000 (\$20,000 contract plus 10% contingency).</li> </ol>	<p><b>For Council Meeting Agenda of:</b> 7/25/22</p> <p><b>Department:</b> Community Development</p> <p><b>Prepared by:</b> Debbie Bent, Community Development Director and Stephanie Lucash, Assistant City Manager</p> <table border="0" style="width: 100%;"> <tr> <td></td><td style="text-align: right;"><u><b>Initial &amp; Date</b></u></td></tr> <tr> <td><b>Approved by Department Head:</b></td><td style="text-align: right;">DB and SLL, 7/15/22</td></tr> <tr> <td><b>Approved by City Attorney:</b></td><td style="text-align: right;">N/A</td></tr> <tr> <td><b>Approved by Finance Director:</b></td><td style="text-align: right;">_____</td></tr> <tr> <td><b>Approved by City Manager:</b></td><td style="text-align: right;">RK 7/22/22</td></tr> </table> <p><b>Exhibits/Attachments:</b></p> <ol style="list-style-type: none"> <li>1. Draft scope of work for the Holt Property</li> <li>2. Draft scope of work for the Bench Properties</li> </ol>		<u><b>Initial &amp; Date</b></u>	<b>Approved by Department Head:</b>	DB and SLL, 7/15/22	<b>Approved by City Attorney:</b>	N/A	<b>Approved by Finance Director:</b>	_____	<b>Approved by City Manager:</b>	RK 7/22/22
	<u><b>Initial &amp; Date</b></u>										
<b>Approved by Department Head:</b>	DB and SLL, 7/15/22										
<b>Approved by City Attorney:</b>	N/A										
<b>Approved by Finance Director:</b>	_____										
<b>Approved by City Manager:</b>	RK 7/22/22										
<p><b><u>INFORMATION/BACKGROUND:</u></b> Contract 22-C2841 with Business Street will provide a development strategy to assist with facilitating redevelopment of the Holt property, a key Kenmore downtown property, and other properties. Contract 22-C2839 with Business Street will provide a development strategy to assist with facilitating redevelopment of the Bench Properties to further creation of Kenmore's Crown-of-the-Lake brand.</p> <p>At the 5/23/22 Council meeting, Rod Stevens of Business Street gave a presentation and "SWOT" (strengths, weaknesses, opportunities, and threats) analysis regarding attracting more development for downtown Kenmore. At the 6/4/22 Council retreat, Council discussed downtown vitality. A 6/2/22 staff memo provided for the Council retreat included recommendations based on both the 2018 Economic Development Strategy and Mr. Stevens' presentation.</p> <p><b>Holt Property:</b> The Holt property is a vacant parcel located at 7010 NE 181<sup>st</sup> Street. The City is in the process of acquiring the property and an ordinance giving direction to purchase the property is on the Council's 7/18/22 agenda for consideration. The scope of analysis for Business Street (Attachment #1) includes identifying feasible ways to develop the property and other properties in a way that will benefit the public, advance the City Council's priorities and meet the Council's financial goals.</p> <p><b>Bench Properties:</b> The Bench Properties consist of twelve individual parcels located on the south side of SR522 (between 6100 and 6300 NE Bothell Way). The City recently acquired one of the parcels, the former Cozy Inn property located at 6215 NE Bothell Way. The scope of analysis for Business Street (Attachment #2) includes examining the highest and best uses for the Bench Properties, actions the City can take to facilitate redevelopment and financial options for realizing the Bench properties value.</p> <p><b><u>FISCAL CONSIDERATION:</u></b> The \$42,000 to execute the contracts is not budgeted within the 2021-2022 budget. The budget amount will be identified as a budget adjustment for the 2022 budget.</p> <p><b><u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u></b></p> <p>2021—2022 Council Priorities: Priority #1 Increase and preserve the options for affordable housing stock</p>											

Scope-of-Work  
Holt and Other Properties  
Development Strategy

Overview: This strategy will identify feasible ways to develop the Holt and other properties, in a way that will benefit the public, advance the Kenmore City Council's priorities, and meet the Council's financial goals.

Steps of the Analysis

1. Due diligence review of property conditions. This will include title, survey, zoning, geotechnical, and other considerations directly affecting development and value and recommendations for any needed environmental cleanup on any of the properties including researching possible funding sources for cleanup activities.
2. Market testing and market conditions. The consultant, under direction of the Assistant City Manager, will test a program, to be developed by an internal city committee, that will include the potential number and size of residential units, parking needs, possible ground floor uses and other considerations for each of the properties. The consultant will test this program with various non-profit developers and managers. The consultant will also test this program with potential developers to determine their interest in the sites, including the possibility of developing housing above social and/or educational uses on the ground floor. The consultant will provide information on local and comparable projects that have been successful. The consultant will also provide a list of who developed the projects, a summary and location of the projects, and contact information for the developers. If no examples or comparables exist, the consultant will explain why and how the proposals are feasible.
3. Identify actions the City can take to add value to the properties.
4. Cost estimating. Make an order-of-magnitude estimate of project costs for each of the properties including pre-construction, construction and maintenance costs using information gathered by the consultant and also information provided by the internal city committee.
5. Strategy development. Under direction of the Assistant City Manager, develop a strategy for proceeding with the projects that may include options such as selling the property to a developer, partnering with a developer while the city retains ownership, or other scenarios, and recommend the next steps for moving the sites to development.

Reporting and Presentations

The consultant will memorialize his findings and recommendations in memos and PowerPoint presentations rather than "reports," summarizing information in bullets, dates, financial figures when possible, and a site plan to illustrate findings. Recommendations should include market studies, examples of similar successful projects, and developer contact information (in a list).

Time and Cost

This work will be carried out on a time-and-materials basis, at an hourly rate of \$250, and not to exceed \$20,000. This work is expected to take place from approximately September to December 2022.



Scope-of-Work  
Bench Properties  
Asset Options

Overview: This analysis will examine the highest and best uses for the Bench properties, actions the City can take to facilitate redevelopment, and financial options for realizing the Bench properties' value.

Steps of the Analysis

1. Due diligence review. This review will include title, zoning, environmental, and geotechnical considerations for the Bench properties (South side of SR522 in Kenmore between 61<sup>st</sup> Avenue and 65<sup>th</sup> Avenue) if the information is readily available.
2. Market testing. This testing will include rental and for-sale housing, hospitality, and office (retail will not be evaluated). The consultant will interview brokers and developers who have worked with similarly scaled and situated properties to discuss potential use and demand for the properties, including rental and for-sale housing, hospitality uses, and offices. Issues to be addressed include market demand from the end-users; traffic, scale and geotechnical issues; financing obstacles; and market "appetite" for the properties.
3. Program development. The consultant assumes that the City will not be acquiring any additional Bench properties. Based on this assumption, the consultant will suggest potential strategies for property consolidation that supports a conceptual development program and/or the consultant will suggest potential strategies for a phased development approach. The consultant will prepare a conceptual development program for the Bench properties to include a positioning statement based on the recommended development strategy identified; two options for the mix of uses; the overall scale, height and net developable area; a summary of the development challenges; and actions the City can take to make the properties easier to develop and that will raise its value. The consultant will estimate the net sales proceeds from selling the City owned property based on the recommended development strategy., although this will not constitute an appraisal. The consultant will meet (virtually) with Schemata Workshop Inc to outline the two options for the mix of uses and potential phasing prior to Schemata creating visual concepts. The consultant will review proposed visual concepts prepared by Schemata Workshop Inc.
4. Identify asset management options. These options will include positioning the Bench properties for redevelopment based on the recommended development strategy, as outlined above and to be carried out over the next 18 to 36 months. The consultant will prepare a preliminary timeline illustrating necessary steps and timing to complete the strategy within the allotted time; selling the City-owned Cozy Inn property (assuming building demolition completed by the City) in the next one to two years; and holding the Cozy Inn property for five or more years in the expectation that development conditions may change. The consultant will suggest potential interim uses of the property if the property is recommended to be held for five or more years. The consultant will summarize the advantages and disadvantages of each scenario, especially as this relates to property value, cash proceeds, management time, and community benefit.

Reporting and Presentations

The consultant will memorialize his findings and recommendations in memos and PowerPoint presentations rather than "reports", summarizing information when possible in bullets, dates, and financial figures. However, the positioning statement will be provided in a Word document.

Time and Cost

This work will be carried out on a time-and-materials basis not to exceed \$20,000 (\$250 per hour) and will likely require six to eight weeks to complete.



**City Council Business Agenda Item  
City of Kenmore, WA**

<p><b>Subject/Topic:</b> Log Boom Park Waterfront Access Project - Amendment No. 10 to Mott MacDonald Professional Services Contract 17-C1656 for Construction Engineering Support Services.</p> <p><b>Proposed Council Action/Motion:</b> Motion to authorize the City Manager to execute Amendment No. 10 of Contract 17-C1656 with Mott MacDonald in an amount not to exceed \$9,950.25.</p>	<p>For Council Meeting Agenda of July 25, 2022</p> <p><b>Department:</b> Community Development</p> <p><b>Prepared by:</b> Maureen Colaizzi, Parks Project Manager</p> <table border="0"> <thead> <tr> <th></th><th style="text-align: right;"><u>Initial &amp; Date</u></th></tr> </thead> <tbody> <tr> <td>Approved by Department Head:</td><td style="text-align: right;">7/12/22</td></tr> <tr> <td>Approved by City Attorney:</td><td style="text-align: right;">N/A</td></tr> <tr> <td>Approved by Finance Director:</td><td style="text-align: right;">LS 7/13/22</td></tr> <tr> <td>Approved by City Manager:</td><td style="text-align: right;">RK 7/18/22</td></tr> </tbody> </table> <p><b>Exhibits/Attachments:</b> Attachment A: Amendment 10 Fee Schedule and Contract 17-C1656 budget summary</p>		<u>Initial &amp; Date</u>	Approved by Department Head:	7/12/22	Approved by City Attorney:	N/A	Approved by Finance Director:	LS 7/13/22	Approved by City Manager:	RK 7/18/22
	<u>Initial &amp; Date</u>										
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Approved by City Manager:	RK 7/18/22										
<p><b>INFORMATION/BACKGROUND:</b> Staff recommends that Council approve a motion authorizing the City Manager to execute Amendment No. 10 of Contract 17-C1656 with Mott MacDonald in an amount not to exceed \$9,950.25 for continued construction support services to complete permit required mitigation affidavits and as-built drawings including public works needed irrigation as-builts for the Log Boom Park Waterfront Access and Viewing Project. Attachment A includes the draft fee estimate for Amendment No. 10 in an amount of \$9,950.25 for a total contract amount of \$90,4047.99. The budget for Amendment 10 is currently within the 2021-22 CIP budget assumptions.</p> <p><b>Contract 17-C1656:</b> Mott MacDonald was selected through RFQ 15-C1375 for Waterfront Access Improvements for Log Boom Park to provide for consulting services from concept plan through engineering support services during construction. On February 27, 2017, City Council passed a motion giving the authority to the City Manager to execute Contract 17-C1656 for an amount up to \$388,500 to advance the Log Boom Park project from conceptual design through preliminary design and environmental permitting. Contract 17-C1656 was executed by the City Manager on March 15, 2017, for a total contract amount of \$351,381.</p> <p>Contract 17-C1656 has been amended seven times since execution. Below is a summary:</p> <ul style="list-style-type: none"> <li>• <b>Original Contract:</b> signed 3/15/17 for \$351,381 (Council Authorize up to \$388,500 on 2/27/17 – a potential increase of \$37,119 -that was not used until Amendment 3)</li> <li>• <b>Amendment No. 1:</b> signed 10/20/17 extended contract from 12/31/17 to 4/30/18 &amp; amended tasks but not the contract amount.</li> <li>• <b>Amendment No. 2:</b> signed 4/16/18 extended contract from 4/30/18 to 10/31/18.</li> <li>• <b>Amendment No. 3:</b> signed 9/28/18 extended contract from 10/31/18 to 4/30/19 &amp; increased contract from \$351,381 to \$385,227.65 for an increase of \$33,346.65 to address environmental; regulatory agency questions. This amendment was within Council authorization from the original contract authorization on 2/27/17.</li> </ul>											

- **Amendment No. 4:** signed 5/31/19 and extended the contract from 4/30/19 to 5/31/20 & increased contract from \$385,227.65 to \$612,343.65 for an increase of \$227,116 to begin Phase 3, 60-90% design. On 5/20/19 Council authorized up to \$250,000 or up to \$635,227.65 – an increase of \$22,884.
- **Amendment No. 5:** signed 4/28/20 extended contract from 5/31/20 to 12/31/20 & increase contract from \$612,343.65 to \$634,152.65 for an increase of \$21,809 to address changes to the design to meet regulatory agency requirements. This fee was authorized by Council on 5/20/19 with Amendment No 4.
- **Amendment No. 6:** signed 7/28/20 and extended the contract from 12/31/20 to 3/31/221 & increased contract from \$634,152.65 to \$786,719.65, an increase of \$152,567 to begin Phase 4, Final Design & Bid Support. On 7/13/20 Council authorized \$160,000 or an additional \$7,433 up to \$794,152.65.
- **Amendment No. 7:** signed 3/19/21 and extended the contract from 3/31/21 to 3/31/2022 & increased the contract from \$786,719.65 to \$794,107.65 to address changes to the design to meet engineering permit requirements, an increase of \$7,388 which was within Council authorization on 7/13/20.
- **Amendment No. 8:** signed 6/24/21 extended the contract from 3/31/22 to 8/31/23 & increase contract from \$794,107.65 to \$876,487.65 an increase of \$82,380.00 for construction support services. This fee was authorized by Council on 6/24/21, up to \$100,000 – an increase of \$17,620.00.
- **Amendment No. 9:** signed 3/24/22 increase \$17,610.09 from \$876,487.65 to 894,097.74 authorized by Council with Amendment No. 8 on 6/24/21. Fee increase needed due to construction delays during concrete labor strike.

**FISCAL CONSIDERATION:** Amendment 10 is currently within the 2021-22 CIP budget. The total project budget is \$4,668,442 with \$255,000 identified in future years for mitigation monitoring and maintenance and \$3,403,343 allocated in the 2021-2026 Capital Improvement Program (CIP) adopted 12/6/21 (Ordinance No. 21-0541). The 6-yr. CIP budget includes: \$632,000 in REET funds, \$1,613,809 in bond funds, \$470,575 in RCO ALEA grant funds, \$287,500 in King County Trail Levy funds, \$45,559 in Public Art funds and \$353,900 Park Impact Fee funds. Project expenditures prior to 2021 total \$1,010,099 (\$954,191 bond funds and \$55,908 Park Impact Fee funds).

**COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:**

Council 2021-2022 Priority #5: Implement the Walkways & Waterways Projects.



<div>Mott MacDonald</div> <div>Project: City of Kenmore Log Boom Park</div> <div>Fee Estimation Matrix</div> <div>Prepared By: AG</div> <div>Amendment No. 10</div> <div>Tasks &amp; Subtasks</div>												
DRAFT												
2.5%												
	Principal Engineer II	Engineer VII	Engineer V	Admin	Total Hours	MM Subtotal	Direct Costs	MM Total	JAB	CEC	Subs	Total
	\$ 220.00	\$ 185.21	\$ 165.00	\$ 99.75								
4.1 - Construction Phase Support								\$5,194.25	\$3,474.75	\$1,281.25	\$4,756.00	\$9,950.25
<div>M</div> <div>M</div> <div>MOTT MACDONALD</div> <div>(Note: Labor rates include overhead + profit Subconsultants (+2.5%) and Direct Costs</div>	Total Hours:	4	25	3	32	\$5,194.25		\$5,194.25	\$3,474.75	\$1,281.25	\$4,756.00	\$9,950.25
	Labor Cost:	\$770.00	\$4,125.00	\$299.25								
	Subtotal Costs	\$770.00	\$4,125.00	\$299.25				\$5,194.25	\$3,474.75	\$1,281.25		
	TOTAL PROJECT COST											\$9,950.25

Rates are subject to 5% increase beginning in 2023

Client: City of Kenmore  
Project Name: City of Kenmore Park Improvement Project  
Project Location: Log Boom Park  
MM Project No. 353381

CONTRACT NO. 17-C1656 - AMENDMENT # 10

EXHIBIT B - BUDGET SUMMARY

Log Boom Park	Contracted		Amendment #1		Amendment #3		Amendment #4		Amendment #5*		Amendment #6		Amendment #7		Amendment #8		Amendment #9		Amendment #10		New Contracted Amount with Amendment #10	
	Task #	Budget	Task #	Rev Budget	Task #	Rev Budget	Task #	New Budget	Task #	New Budget	Task #	New Budget	Task #	Rev Budget	Task #	New Budget	Task #	New Budget	Task #	New Budget	Task #	Budget
Kickoff Meeting	1.1	\$ 3,678.00	1.1	\$ -	1.1	\$ -	1.1	\$ -	1.1	\$ -	1.1		1.1		1.1		1.1		1.1		1.1	\$ 3,207.50
Data Collection	1.2	\$ 67,987.00	1.2	\$ -	1.2	\$ 6,167.06	1.2	\$ -	1.2	\$ -	1.2		1.2		1.2		1.2		1.2		1.2	\$ 62,261.55
Mitigation Strategy-Planning	1.3	\$ 21,600.00	1.3	\$ -	1.3	\$ -	1.3	\$ -	1.3	\$ -	1.3		1.3		1.3		1.3		1.3		1.3	\$ 22,424.33
Conceptual Design Updates	1.4	\$ 19,390.00	1.4	\$ -	1.4	\$ 3,302.05	1.4	\$ -	1.4	\$ -	1.4		1.4		1.4		1.4		1.4		1.4	\$ 20,222.28
Regulatory Pre-Application	1.5	\$ 15,155.00	1.5	\$ -	1.5	\$ 896.02	1.5	\$ -	1.5	\$ -	1.5		1.5		1.5		1.5		1.5		1.5	\$ 14,965.77
Public Outreach	1.6	\$ 4,243.00	1.6	\$ -	1.6	\$ 999.38	1.6	\$ -	1.6	\$ -	1.6		1.6		1.6		1.6		1.6		1.6	\$ 4,520.30
Preliminary Design	1.7	\$ 117,018.00	1.7	\$ -	1.7	\$ 9,013.09	1.7	\$ -	1.7	\$ -	1.7		1.7		1.7		1.7		1.7		1.7	\$ 111,015.63
Permitting	1.8	\$ 63,490.00	1.8	\$ -	1.8	\$ 2,821.24	1.8	\$ -	1.8	\$ -	1.8		1.8		1.8		1.8		1.8		1.8	\$ 68,209.08
Regulatory Assistance	1.9	\$ 18,407.00	1.9	\$ (8,623.10)	1.9	\$ 13,650.34	1.9	\$ -	1.9	\$ -	1.9		1.9		1.9		1.9		1.9		1.9	\$ 33,968.16
Project Management	1.10	\$ 20,407.00	1.10	\$ -	1.10	\$ 1,081.02	1.10	\$ -	1.10	\$ -	1.10		1.10		1.10		1.10		1.10		1.10	\$ 23,745.49
Seasonal Float Evaluation	1.11	\$ -	1.11	\$ 8,623.10	1.11	\$ (4,173.55)	1.11	\$ -	1.11	\$ -	1.11		1.11		1.11		1.11		1.11		1.11	\$ 4,449.55
Permit Level Design (90%)	2.1	\$ -	2.1	\$ -	2.1	\$ -	2.1	\$ 131,089.00	2.1	\$ -	2.1		2.1		2.1		2.1		2.1		2.1	\$ 131,089.00
Meetings	2.2	\$ -	2.2	\$ -	2.2	\$ -	2.2	\$ 37,394.00	2.2	\$ -	2.2		2.2		2.2		2.2		2.2		2.2	\$ 37,394.00
Regulatory Permitting Support	2.3	\$ -	2.3	\$ -	2.3	\$ -	2.3	\$ 37,862.00	2.3	\$ -	2.3		2.3		2.3		2.3		2.3		2.3	\$ 37,862.00
Project Management	2.4	\$ -	2.4	\$ -	2.4	\$ -	2.4	\$ 20,771.00	2.4	\$ -	2.4		2.4		2.4		2.4		2.4		2.4	\$ 20,771.00
90% Specifications	2.5	\$ -	2.5	\$ -	2.5	\$ -	2.5	\$ -	2.5	\$ 31,965.00	2.5		2.5		2.5		2.5		2.5		2.5	\$ 31,965.00
Hydraulic Modeling	2.6	\$ -	2.6	\$ -	2.6	\$ -	2.6	\$ -	2.6	\$ 6,082.00	2.6		2.6		2.6		2.6		2.6		2.6	\$ 6,082.00
KC Coord. & SW Revisions	3.1		3.1		3.1		3.1		3.1	\$ 34,270.00	3.1		3.1		3.1		3.1		3.1		3.1	\$ 34,270.00
Final Design	3.2		3.2		3.2		3.2		3.2	\$ 100,181.00	3.2	\$ 7,388.00	3.2		3.2		3.2		3.2		3.2	\$ 107,569.00
Bidding Assistance	3.3		3.3		3.3		3.3		3.3	\$ 18,116.00	3.3		3.3		3.3		3.3		3.3		3.3	\$ 18,116.00
Construction Phase Support	4.1		4.1		4.1		4.1		4.1		4.1		4.1		4.1	\$ 82,380.00	4.1	\$ 17,610.09	4.1	\$ 9,950.25	4.1	\$ 109,940.34
MM Totals		\$ 351,381.00		\$ -		\$ 33,846.65		\$ 227,116.00		\$ 38,047.00		\$ 152,567.00		\$ 7,388.00		\$ 82,380.00		\$ 17,610.09		\$ 9,950.25		\$ 904,047.99

\*Adjustments to Task 1.1 to Task 1.10 were made to bring forward the remaining budget from Phase 1 (30% design) as a cost savings measure for additional work to be performed in Task 2.5.



**City Council Business Agenda Item  
City of Kenmore, WA**

<p><b>Subject/Topic:</b> Extension of Non Exclusive Cable Television Franchise Agreement with Frontier Communications Northwest, LLC dba Ziplly Fiber</p> <p><b>Proposed Council Action/Motion:</b> Approve Ordinance 22-0556 and extend the Frontier Communications Northwest, LLC dba Ziplly Fiber Franchise Agreement.</p>	<p><b>For Council Meeting Agenda of:</b> July 25, 2022</p> <p><b>Department:</b> Public Works Engineering</p> <p><b>Prepared by:</b> John Vicente, City Engineer</p> <table border="0"> <tr> <td></td><td style="text-align: right;"><u><b>Initial &amp; Date</b></u></td></tr> <tr> <td><b>Approved by Department Head:</b></td><td style="text-align: right;"><b>JFV 7/12/2022</b></td></tr> <tr> <td><b>Approved by City Attorney:</b></td><td style="text-align: right;"><b>N/A</b></td></tr> <tr> <td><b>Approved by Finance Director:</b></td><td style="text-align: right;"><b>N/A</b></td></tr> <tr> <td><b>Approved by City Manager:</b></td><td style="text-align: right;"><b>RGK 7/12/2022</b></td></tr> </table> <p><b>Exhibits/Attachments:</b> Ordinance 22-0556</p>		<u><b>Initial &amp; Date</b></u>	<b>Approved by Department Head:</b>	<b>JFV 7/12/2022</b>	<b>Approved by City Attorney:</b>	<b>N/A</b>	<b>Approved by Finance Director:</b>	<b>N/A</b>	<b>Approved by City Manager:</b>	<b>RGK 7/12/2022</b>
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<b>Approved by Finance Director:</b>	<b>N/A</b>										
<b>Approved by City Manager:</b>	<b>RGK 7/12/2022</b>										
<p><b><u>RECOMMENDATION:</u></b> Approve Ordinance 22-0556 and extending the non exclusive cable television franchise agreement with Frontier Communications Northwest, LLC dba Ziplly Fiber.</p> <p><b><u>INFORMATION/BACKGROUND:</u></b> In February 2020, the Kenmore City Council approved an ordinance (20-0507) transferring control of a franchise agreement for cable television from Frontier Communications Northwest to Northwest Fiber, LLC (doing business as Ziplly Fiber). In July 2021, the franchise agreement was extended to August 15, 2022. This extension was granted to allow the new Franchisee to assess conditions and infrastructure in Kenmore; a franchise requirement to provide service to the entire city was also set aside during this extension period.</p> <p>Ziplly Fiber has obtained permits and has deployed new fiber in several areas in Kenmore not previously served by Frontier and has been adding new services.</p> <p>This ordinance will also amend Ziplly Fiber's corporate name to Ziplly Fiber Northwest, LLC.</p> <p>This proposed extension will provide an additional year to continue deployment of cable services and incorporate relevant topics into an updated franchise agreement.</p> <p><b><u>FISCAL CONSIDERATION:</u></b> The extension allows further progress on service development and other franchise issues.</p> <p><b><u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u></b> Council Priority 9: Implement the Economic Development Plan.</p>											

**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 22-0556**

**AN ORDINANCE OF THE CITY OF KENMMORE, WASHINGTON,  
EXTENDING ITS CABLE TELEVISION FRANCHISE WITH FRONTIER  
COMMUNICATIONS NORTHWEST, LLC, DBA ZIPLY FIBER, TO  
AUGUST 15, 2023; AND ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council adopted Ordinance 08-0284, which granted a non-exclusive cable television franchise (“Franchise”), subject to certain terms and conditions (“Franchise Agreement”) to Verizon Northwest Inc.; and

**WHEREAS**, on December 1, 2009, the City Council adopted Ordinance 09-0300, which approved transfer of control of the Franchise to Frontier Communications Northwest, Inc., a Washington corporation, and wholly owned subsidiary of Frontier Communications Corporation (“Frontier Communications Northwest, LLC”); and

**WHEREAS**, on February 24, 2020, the City Council adopted Ordinance 20-0507, which approved a transfer of the Franchise, and now the operator of the franchise is Frontier Communications Northwest, LLC dba Ziplly Fiber; and

**WHEREAS**, on July 19, 2021, the City Council adopted Ordinance 21-0528, which extended the Franchise agreement to August 15, 2022; and

**WHEREAS**, Ziplly Fiber has changed its legal name to Ziplly Fiber Northwest, LLC dba Ziplly Fiber; and

**WHEREAS**, the term of the Franchise is set to expire on August 15, 2022, and the parties desire to extend the term to August 15, 2023, to provide sufficient time for the parties to evaluate potential service options during franchise renewal discussions under the terms and conditions of the Franchise Agreement; and

**WHEREAS**, neither party under the existing Franchise Agreement waives any right which it enjoys under law as a result of agreeing to this extension;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON  
ORDAINS AS FOLLOWS:**

Section 1.     **Amendment:** The City Council amends section 2.3 (*Term*) of Ordinance 08-0284, as amended by Exhibit 1 to Ordinance 20-0507, and Ordinance 21-0528 as follows:

Section 2.3 (*Term*) of the Franchise Agreement is amended to read: “This Franchise shall become effective on August 15, 2008 (the “Effective Date”). The Term of this Franchise shall be fifteen ~~fourteen~~ years (August 15, 2023) from the Effective Date unless the Franchise is earlier revoked as provided herein.”



Section 2.     No waiver & acceptance. The City and Ziply Fiber Northwest, LLC dba Ziply Fiber agree that by extending the Franchise, neither is waiving any rights under law. The rights and privileges granted under this Ordinance shall not become effective until its terms and conditions are accepted by Ziply Fiber Northwest, LLC dba Ziply Fiber.

Section 3.     Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4.     Effective Date. This ordinance shall be published in the City's newspaper of record, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25<sup>th</sup> DAY OF JULY 2022.

CITY OF KENMORE

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Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

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Anastasiya Warhol, City Clerk

Approved as to form:

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Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
ORDINANCE NO.:  
DATE OF PUBLICATION:  
EFFECTIVE DATE:

ACKNOWLEDGEMENT & ACCEPTANCE OF FRANCHISE EXTENSION

This Acknowledgement of Franchise Extension is made this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by and between Ziply Fiber Northwest, LLC dba Ziply Fiber ("Ziply Fiber") and the City of Kenmore, Washington, a Washington municipal corporation ("City").

Whereas, the City Council adopted Ordinance 08-0284, which granted a nonexclusive cable television franchise ("Franchise"), as amended by Ordinance Nos. 20-0507 and 21-0528; and

Whereas, the parties wish to agree to and acknowledge the continued effect of the Franchise until August 15, 2023;

Now, therefore, Ziply Fiber and the City acknowledge and agree as follows:

1. Term. The Franchise Agreement, as amended by Ordinance Nos. 20-0507 and 21-0528, is hereby acknowledged and agreed to be extended until August 15, 2023.

2. Ratification. All other terms and conditions of the Franchise, as amended by Ordinance 20-0507 and Ordinance 21-0528, are hereby ratified and confirmed. Ziply Fiber unconditionally accepts and promises to comply with all provisions, terms and conditions of the Franchise Agreement, as amended by Ordinance 20-0507 and Ordinance 21-0528, during the extension period.

3. Nonwaiver. Ziply Fiber and the City agree that by extending the term of the Franchise Agreement neither party waives any rights under law.

**Counterparts.** This Franchise Extension may be executed in several counterparts, each of which when so executed shall be deemed to be an original copy, and all of which together shall constitute one agreement binding on all parties hereto, notwithstanding that all parties shall not have signed the same counterpart.

**CITY OF KENMORE**

By: \_\_\_\_\_  
Mayor, Nigel Herbig

Dated: \_\_\_\_\_

**ZIPLY FIBER NORTHWEST LLC dba ZIPLY FIBER**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_



**Business of the City Council  
City of Kenmore, WA**

<p><b>Subject/Topic:</b> Washington State Department of Commerce Grant Awards for Comprehensive Plan and Development Regulation Amendments</p> <p><b>Proposed Council Action/Motion:</b> Authorize the City Manager to execute grant award contracts with the Washington State Department of Commerce</p>	<p><b>For Council Meeting Agenda of:</b> 7/25/22</p> <p><b>Department:</b> Community Development</p> <p><b>Prepared by:</b> Debbie Bent, Community Development Director, Richard Sawyer, Environmental Services Manager, and Lauri Anderson, Principal Planner</p> <table border="0"> <tr> <td></td><td style="text-align: right;"><u><b>Initial &amp; Date</b></u></td></tr> <tr> <td><b>Approved by Department Head:</b></td><td style="text-align: right;"><b>DB, 7/13/22</b></td></tr> <tr> <td><b>Approved by City Attorney:</b></td><td style="text-align: right;"><b>NA</b></td></tr> <tr> <td><b>Approved by Finance Director:</b></td><td style="text-align: right;"><b>LS, 7/14/22</b></td></tr> <tr> <td><b>Approved by City Manager:</b></td><td style="text-align: right;"><b>RGK, 7/17/22</b></td></tr> </table> <p><b>Exhibits/Attachments:</b> none</p>		<u><b>Initial &amp; Date</b></u>	<b>Approved by Department Head:</b>	<b>DB, 7/13/22</b>	<b>Approved by City Attorney:</b>	<b>NA</b>	<b>Approved by Finance Director:</b>	<b>LS, 7/14/22</b>	<b>Approved by City Manager:</b>	<b>RGK, 7/17/22</b>
	<u><b>Initial &amp; Date</b></u>										
<b>Approved by Department Head:</b>	<b>DB, 7/13/22</b>										
<b>Approved by City Attorney:</b>	<b>NA</b>										
<b>Approved by Finance Director:</b>	<b>LS, 7/14/22</b>										
<b>Approved by City Manager:</b>	<b>RGK, 7/17/22</b>										
<p>Staff recommends that the City Council authorize the City Manager to execute grant award contracts with the Washington State Department of Commerce. The grant amounts and authorizations would be as follows:</p> <ul style="list-style-type: none"> <li>• Up to \$120,000 from the Washington State Department of Commerce for continued work on Missing Middle housing, including related public participation efforts.</li> <li>• Up to \$80,000 from the Washington State Department of Commerce to develop a Climate Change and Resiliency Element of the Comprehensive Plan.</li> <li>• Up to \$125,000 from the Washington State Department of Commerce to pursue additional work on the City's Comprehensive Plan update and associated development regulations.</li> </ul> <p>In June, staff submitted applications for two grants from the Washington State Department of Commerce: \$120,000 to continue work on Missing Middle housing and \$80,000 for assistance with the Comprehensive Plan Climate Change Element. Early indications from Department of Commerce staff are that both grants will be awarded.</p> <p>The City also is authorized for an award of \$125,000 from the Department for additional work on the Comprehensive Plan update and associated development regulations over the next two years (periodic update grants). The first half of this award will be for the period from July 1, 2022, through June 30, 2023. The second half will be for the period from July 1, 2023, through June 30, 2024. The projects to be undertaken with this grant have not yet been determined.</p> <p>Formal notification of these grant awards is anticipated this month and as the City Council is not meeting in August, staff asks that the Council authorize the City Manager to sign grant contracts with the State so that requests for consultant assistance with these projects are not delayed.</p>											
<p><b>FISCAL CONSIDERATION:</b> Grant funding for further work on Missing Middle housing, the Climate Change and Resiliency Element, and one-half of the general planning grant (\$62,500) would be for the period from July 1, 2022 through June 30, 2023. The balance of the general planning grant (\$62,500) would be for the period from July 1, 2023 through June 30, 2024.</p>											
<p><b>COUNCIL PRIORITY BEING ADDRESSED:</b> Most of the City Council's priorities are addressed by the Comprehensive Plan update, including Priority 1. "Implement the Adopted Climate Action Plan and Promote Environmental Stewardship, including Water, Air, Forest, and Habitat Restoration and Preservation;" Priority 2: "Increase and preserve the options for Affordable Housing stock;" and Priority 9: "Foster Community Engagement and Participation."</p>											



**City Council Business Agenda Item  
City of Kenmore, WA**

<p><b>Subject/Topic:</b> Ordinance 22-0554 Residential Renter Protection Regulations</p> <p><b>Proposed Council Action/Motion:</b> Motion to adopt Ordinance No. 22-0554 Residential Renter Protection Regulations.</p>	<p><b>For Council Meeting Agenda of:</b> 7/25/22</p> <p><b>Department:</b> Community Development</p> <p><b>Prepared by:</b> Debbie Bent, Community Development Director and Dawn Reitan, City Attorney</p> <table border="0"> <tr> <td></td><td style="text-align: right;"><u><b>Initial &amp; Date</b></u></td></tr> <tr> <td>Approved by Department Head:</td><td style="text-align: right;"><u>DB 7/13/22</u></td></tr> <tr> <td>Approved by City Attorney:</td><td style="text-align: right;"><u>DR e-mail 7/13/22</u></td></tr> <tr> <td>Approved by Finance Director:</td><td style="text-align: right;"><u>N/A</u></td></tr> <tr> <td>Approved by City Manager:</td><td style="text-align: right;"><u>RK e-mail 7/15/22</u></td></tr> </table> <p><b>Exhibits/Attachments:</b></p> <ol style="list-style-type: none"> <li>1. Ordinance 22-0554</li> <li>2. Ordinance 22-0545</li> </ol>		<u><b>Initial &amp; Date</b></u>	Approved by Department Head:	<u>DB 7/13/22</u>	Approved by City Attorney:	<u>DR e-mail 7/13/22</u>	Approved by Finance Director:	<u>N/A</u>	Approved by City Manager:	<u>RK e-mail 7/15/22</u>
	<u><b>Initial &amp; Date</b></u>										
Approved by Department Head:	<u>DB 7/13/22</u>										
Approved by City Attorney:	<u>DR e-mail 7/13/22</u>										
Approved by Finance Director:	<u>N/A</u>										
Approved by City Manager:	<u>RK e-mail 7/15/22</u>										
<p><b><u>INFORMATION/BACKGROUND:</u></b> At the 7/25/22 Council meeting, staff is seeking Council direction on adoption of Ordinance 22-0554 which includes the following renter protection measures:</p> <ul style="list-style-type: none"> <li>• Just cause eviction protections that supplement state protections by removing exceptions and requiring landlords to give just cause for all evictions, refusals to continue or renew rental agreements or otherwise terminate the tenancy of tenants within Kenmore. Just cause eviction protections prevent landlords from evicting tenants without good cause and gives specific notice requirements for terminating a tenancy depending on the reason for termination.</li> <li>• Ban on abusive, deceptive, and unfair practices in rental housing. Landlords are prohibited from unfair, abusive, or deceptive acts or practices, such as taking advantage of a tenant's lack of understanding of their rights.</li> </ul> <p>At the 6/21/22 Council meeting, Council passed a motion to discuss at a future meeting, whether the city can restrict landlords from requiring three to five times the rent in income as part of the screening criteria. Council discussed in general can the amount of income relative to rent be restricted. Staff needs additional time to research this issue and so this item will be brought forward at a future meeting for discussion and direction, potentially in September.</p> <p><b><u>BACKGROUND:</u></b> Below are links to Council agenda information where residential tenant protections were discussed. The following link is to the City's website page for Tenant Protections which also includes a link to Frequently Asked Questions (FAQ). <a href="#">Kenmore Tenant Protections   City of Kenmore Washington</a>.</p> <p><b>1/8/22 Council Meeting (Council Retreat):</b> Link to 1/8/22 Council Agenda: <a href="#">Kenmore – Document Center (civicweb.net)</a>. Residential tenant protection was a discussion topic for the January 2022 Council retreat agenda. A staff memo provided the following: 1. A summary of residential tenant protections in Kenmore and 2. A summary of residential tenant protections adopted by cities in King County, tracked on the King County Regional Affordable Housing Dashboard.</p> <p>The following is excerpted from the Council Retreat Summary Report, approved by Council 2/28/22 Link to 2/28/22 Council Agenda <a href="#">Kenmore – Document Center (civicweb.net)</a>. "The participants next discussed the need for Tennant Protections within Kenmore. It was noted that the city has already done work on protecting tenants from evictions during the Covid Pandemic. It was noted that it may be time to consider a more permanent set of protections going forward. It was noted that other jurisdictions such as King County and the City of Seattle have provided tenant protections in part by funding groups such as the Housing Justice Project and Stay Housed Stay Healthy group. It was noted that there is recent legislation prohibiting income discrimination against renters. It was noted that tenant protections would be important to discuss in the broader context of the housing crisis and the need for a larger housing supply. After a discussion the</p>											



participants agreed to the following: Agreement Fourteen: The City Manager will meet with staff to determine the nature and timing of bringing back to the City Council a package of possible tenant protections”.

**2/14/22 Council Meeting:** Link to 2/14/22 Council Agenda [Kenmore - Document Center \(civicweb.net\)](#). Representatives from the Transit Riders Union (Katie Wilson), Housing Justice Project (Edmund Witter), and the Rental Housing Association of Washington (Jim Henderson) attended the meeting to provide information and answer questions. Some councilmembers had expressed interest in regulations in the King County renter protection ordinance and the policies of the Transit Riders Union Stay Housed Stay Healthy Campaign.

At the 2/14/22 Council Meeting, Council did not want to move forward with the following:

- No rent increase if property in poor condition
- Right to live with family
- Rental unit inspection program

At the 2/14/22 Council Meeting, Council direction was to bring forward an ordinance for the following renter protections:

- Increasing notice for rent increases
- Capping late fees
- Capping move-in fees and deposits
- Authorizing tenant payment plans
- Prohibiting the requirement for a Social Security number in screening materials
- Authorizing alteration of rent due date due to tenant’s fixed income.

Council was also interested in further discussion of the following renter protections at a future Council meeting. Target date for discussion 5/23/22.

- Just cause eviction protection
- Right to relocation assistance
- Ban on abusive, deceptive, and unfair practices in rental housing
- Landlord may not require child or person with disability to be signatory to lease if tenant of record is already a signatory
- Prohibition on criminal background checks

**3/28/22 Council Meeting:** Link to 3/28/22 Council Agenda [Kenmore - Document Center \(civicweb.net\)](#)

At the 3/28/22 council meeting, Council adopted Ordinance 22-0545 (Attachment #2) which included the following residential renter protections.

- Notice of rent increase required: 120 days’ notice if rent increase is more than 3% and 180 days if rent increase is more than 10%.
- Cap on late fees: Establishes a cap on any fees for late payment of rent at 1.5% of monthly rent.
- Cap on move in fee: One month’s rent.
- Right to Payment Plan: 6 installments if lease < 6 months, or 2 if > 6 months.
- Bars discrimination due to immigration status: Comparable to State Law and Seattle regulations.
- Bars requirement of social security number: Comparable to unincorporated King County regulations.
- Rent due date may be altered due to tenant’s fixed income: Comparable to State Law and unincorporated King County regs.

**4/18/22 Council Meeting:** At the 4/18/22 Council meeting, Council passed a motion (4-3) to discuss at the May 23, 2022, Council meeting, whether to exempt renter protection regulations for landlords renting four or fewer rental units.

**5/9/22 Council Meeting:** At the 5/9/22 council meeting under Staff Report, staff noted that additional time was needed to bring forward information on additional renter protections for Council discussion/direction. Information would be brought forward at the 6/13/22 council meeting rather than the 5/23/22 council meeting. Policy direction on whether to exempt renter protection regulations for landlords renting four or fewer rental units will also be discussed by Council 6/13/22.

**6/13/22 Council Meeting:** Link to 6/13/22 Council Agenda [Kenmore - Document Center \(civicweb.net\)](#)

At the 6/13/22 Council meeting, Council direction to bring back an ordinance with regulations addressing the following:

- Just cause eviction protections and removal of just cause exemptions
- Ban on abusive, deceptive and unfair practices in rental housing

At the 6/13/22 Council meeting, Council did not want to move forward with the following:

- Right to relocation assistance for low-income tenants
- Landlord may not require child or person with disability to be signatory to a lease if the tenant of record is already a signatory
- Prohibition on criminal background checks as part of the tenant screening process
- Rental unit registration program
- Exemption to renter protection regulations for landlords who own four or fewer units

**6/21/22 Council Meeting:** At the 6/21/22 Council meeting, Council passed a motion to discuss at a future meeting, whether the city can restrict landlords from requiring 3-5 x the rent in income as part of the screening criteria. Council discussed in general can the amount of income relative to rent be restricted

**FISCAL CONSIDERATION:** Staff time

**COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:**

2021—2022 Council Priorities: Priority #1 Increase and preserve the options for affordable housing stock  
 Agreement Fourteen in the January 2022 Council retreat report: The City Manager will meet with staff to determine the nature and timing of bringing back to the City Council a package of possible tenant protections.

**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 22-0554**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,  
AMENDING CHAPTER 8.55 OF THE KENMORE MUNICIPAL CODE,  
“TENANT PROTECTIONS” TO ADOPT REGULATIONS REQUIRING  
JUST CAUSE FOR EVICTIONS, TENANCY TERMINATIONS, OR  
FAILURE TO RENEW TENANCIES, PROHIBITING UNFAIR OR  
ABUSIVE ACTS BY LANDLORDS, AND ADOPTING DEFENSES TO  
EVICTIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING  
AN EFFECTIVE DATE**

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WHEREAS, over the past several years rents in Kenmore and King County have increased, and vacancies for affordable rental housing are at low levels, making it difficult for tenants, especially those with low incomes, to locate affordable rental housing; and

WHEREAS, the King County Regional Affordable Housing Task Force issued its *Final Report and Recommendations for King County*, December 2018 (rev. March 2019) (“*Affordable Housing Task Force Final Report*”), which identifies that renting rather than owning a home increases the chances of being severely cost burdened,<sup>1</sup> and recognizes an existing affordable housing crisis in King County;<sup>2</sup> and

WHEREAS, the *Affordable Housing Task Force Final Report* includes a regional plan with goals, strategies and a five-year action plan to address the affordable housing crisis, and Goal 4 of the action plan is to “[p]reserve access to affordable homes for renters by supporting tenant protections to increase housing stability and reduce risk of homelessness”;<sup>3</sup> and

WHEREAS, a report by the Seattle Women’s Commission and the Housing Justice Project of the King County Bar Association, entitled *Losing Home The Human Cost of Eviction in Seattle* (Sept. 2018) (“*Losing Home Report*”)<sup>4</sup> identifies that: 1) national research shows eviction is one of the leading cause of homelessness; 2) research data shows that 51.7% of tenants evicted were people of color; 3) tenants face steep financial costs resulting from eviction; and 4) 86.5% of eviction filings were for nonpayment of rent and of these, 52% were for one month or less;<sup>5</sup> and

WHEREAS, the *Losing Home Report* states that “[b]ecause evictions disproportionately impact marginalized communities and have long-lasting harm on individuals as well as the broader

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<sup>1</sup> King County Regional Affordable Housing Task Force, *Final Report and Recommendations for King County*, December 2018 (rev. March 2019) at 15.

<sup>2</sup> *Id.* at 7.

<sup>3</sup> *Id.* at 8.

<sup>4</sup> *Losing Home Report* lead authors: Tara Cookson, PhD, Margaret Diddams, PhD, Xochitl Maykovich, and Edmund Witter.

<sup>5</sup> *Losing Home Report* at 7.

community, it is imperative for local and state governments to take immediate action to address evictions”<sup>6</sup>; and

WHEREAS, in 2019, the City Council adopted Ordinance 19-0484, codified at Chap. 18.55 of the Kenmore Municipal Code (“KMC”), adopting notice of rent increase protections and findings in support of said protections; and

WHEREAS, in the face of the affordable housing crisis, several other cities, such as Seattle, Auburn, Burien, Kent, Tukwila, and Federal Way, and King County have adopted tenant protections; and

WHEREAS, the City Council has reviewed substantial information relating to tenant protections at its January 8, 2022 retreat, and regular meetings of February 14, 2022, March 28, 2022, April 18, 2022, June 13, 2022 and July 25, 2022; and

WHEREAS, on March 28, 2022, the City Council adopted Ordinance No. 22-0545, amending Chap. 18.55 KMC to adopt the following tenant protections: 1) increases notice of rent increases; 2) cap on late fees; 3) cap on move in fees and deposits; 3) right to payment plans; 4) prohibit the requirement that social security numbers be given as screening information; and 5) authorization to alter rent due dates due to tenant’s fixed income (“Tenant Protections”); and

WHEREAS, pursuant to the Residential Landlord-Tenant Act, RCW 59.18.290, landlords may not evict residential tenants without a court order, which can be issued by a court only after the tenant has an opportunity to contest the eviction; and

WHEREAS, pursuant to RCW 59.18.650, the Washington Legislature established just cause evictions for some tenancies at the state level; and

WHEREAS, on June 13, 2022, the City Council considered adopting additional tenant protections to require landlords to give just cause for all evictions and termination of tenancies regulated under the Residential Landlord-Tenant Act, and prohibit unfair or abusive acts by landlords (“Additional Tenant Protections”); and

WHEREAS, the City Council finds and declares that this Ordinance is necessary to stabilize rental housing within Kenmore and reduce homelessness by building upon and supplementing the state’s just cause protections by requiring landlords to give just cause for all evictions, refusals to continue or renew a tenancy after expiration of a rental agreement, or otherwise terminate any tenancy regulated under the Residential Landlord-Tenant Act; and

WHEREAS, the City Council finds that adoption of this Ordinance aligns with its 2021-2022 Council Priorities: Priority #1 Increase and preserve options for affordable housing stock, and Goal 4 of the *Affordable Housing Task Force Final Report*; and

WHEREAS, the City Council desires to amend Chap. 8.55 KMC to adopt the proposed Additional Tenant Protections, and finds that adoption of the proposed regulations is in the best interests of the residents and necessary to protect public health, safety and welfare; and

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<sup>6</sup> Losing Home Report at 7.



WHEREAS, this Ordinance is adopted pursuant to the City's police powers and regulatory authority derived from Wash. Const. Art. XI, Sec. 11, and powers granted pursuant to Title 35A RCW;

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

Section 1. Findings. The City Council adopts the recitals set forth above, and in Ordinance Nos. 19-048 and 22-0545 as findings in support of this Ordinance, which are incorporated by reference as if set forth in full.

Section 2. Amendment. The City Council amends Chapter 8.55 of the Kenmore Municipal Code, "Tenant Protections" as set forth in Exhibit 1 to this Ordinance, attached hereto and incorporated by reference as if set forth in full.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, shall not be affected or affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 4. Effective Date. Pursuant to KMC 1.30.040, this Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force thirty (30) days from the time of passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2022.

CITY OF KENMORE

\_\_\_\_\_  
Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Anastasiya Warhol, City Clerk

Approved as to form:

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Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
ORDINANCE NO.:  
DATE OF PUBLICATION:  
EFFECTIVE DATE:

EXHIBIT 1 to ORD. 22-0554  
Tenant Protections

1. Amendment: Chapter 8.55 of the Kenmore Municipal Code is amended to read as follows:

**Chapter 8.55  
TENANT PROTECTIONS**

Section:

- 8.55.010 Definitions.**
- 8.55.020 Applicability.**
- 8.55.030 Notice of Rent Increase.**
- 8.55.040 Move in fees and security deposits – limits – exceptions – payments by tenants.**
- 8.55.050 Late fees – limits.**
- 8.55.060 Late fees – specification of dates – notice – accommodation request not a basis for landlord’s refusal to enter rental agreement.**
- 8.55.070 Requirement of social security number by landlord not required but may be requested –tenant not agreeing to provide social security number not a basis for landlord’s refusal to enter rental agreement – allowed information for screening – allowed landlords actions – liability of landlord for violation.**
- 8.55.075 Just cause for landlord’s eviction, refusing to continue tenancy or termination of tenancy – M/MHLTA - notices.**
- 8.55.078 Unfair or abusive acts by landlords prohibited.**
- 8.55.080 Provisions in violation of restrictions null and void; exemption.**
- 8.55.090 Rental agreement that waives tenant’s remedies prohibited – Exception.**
- 8.55.095 Defense to eviction**
- 8.55.100 Violation of chapter by landlord – liability.**

**8.55.010 Definitions.**

The definitions of this section apply throughout this chapter unless the context clearly requires otherwise. The definitions of RCW 59.18.030 under the Residential Landlord-Tenant Act (RLTA) also apply to this chapter unless otherwise defined in this section.

A. "Dwelling" or "dwelling unit" has the same meaning as RCW 59.18.030(10), as may be amended. At the time of passage of the ordinance codified in this chapter, the RLTA defined "dwelling unit" to mean a structure or that part of a structure which is used as a home, residence, or sleeping place by one person or by two or more persons maintaining a common household, including but not limited to single-family residences and units of multiplexes, apartment buildings, and mobile homes.

B. "Landlord" has the same meaning as RCW 59.18.030(16), as may be amended, and excluding the living arrangements identified in RCW 59.18.040. At the time of passage of the ordinance codified in this chapter, the RLTA defined landlord as the owner, lessor, or sublessor of the dwelling unit or the property of which it is a part, and included any person designated as representative of the landlord, including, but not limited to, an agent, a resident manager, or a designated property manager.

C. ["Manufactured/Mobile Home Landlord-Tenant Act or M/MHLTA" means Chap. 59.20 RCW, as may be amended.](#)

D. "Rental agreement" or "lease" has the same meaning as RCW 59.18.030(30), as may be amended. At the time of the passage of the ordinance codified in this chapter, the RLTA defined "rental agreement" as all agreements which establish or modify the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a dwelling unit.

~~E~~. ["Residential Landlord-Tenant Act or RLTA" means Chap. 59.18 RCW, as may be amended.](#)

F. "Subsidized housing" has the same meaning as RCW 59.18.030(33), as may be amended. At the time of the passage of the ordinance codified in this chapter, the RLTA defined "subsidized housing" as rental housing for very low-income or low-income households that is a dwelling unit operated directly by a public housing authority or its affiliate, or that is insured, financed, or assisted in whole or in part through one of the following sources: (a) A federal program or state housing program administered by the department of commerce or the Washington state housing finance commission; (b) A federal housing program administered by a city or county government; (c) An affordable housing levy authorized under RCW [84.52.105](#); or (d) The surcharges authorized in RCW [36.22.178](#) and [36.22.179](#) and any of the surcharges authorized in chapter [43.185C](#) RCW.

~~G~~. "Tenant" has the same meaning as RCW 59.18.030(34), as may be amended, and excluding the living arrangements identified in RCW 59.18.040, and RCW 59.20.030(24), as may be amended. At the time of passage of the ordinance codified in this chapter, the RLTA defined "tenant" as any person who is entitled to occupy a dwelling unit primarily for living or dwelling purposes under a rental agreement, and RCW 59.20.030 defined "tenant" as any person, except a transient, who rents a mobile home lot.

#### **8.55.020 Applicability.**

[Except as set forth in KMC 8.55.075.C](#), KMC 8.55.030 through KMC 8.55.100 apply to tenancies governed by Chapter 59.18 RCW (RLTA) and Chapter 59.20 RCW (Manufactured/Mobile Home Landlord-Tenant Act) and are in addition to the provisions provided in said chapters.

#### **8.55.030 Notice of rent increase.**

A. Any *rental agreement* or renewal of a *rental agreement* shall include, or shall be deemed to include, a provision requiring not less than:

1. one hundred twenty (120) days' written notice for rent increases greater than three percent (3%); or
2. one hundred eighty (180) days' written notice for rent increases greater than ten percent (10%).

B. If the *rental agreement* governs *subsidized housing* where the amount of rent is based on the income of the *tenant* or circumstances specific to the subsidized household, the *landlord* shall provide a minimum of thirty (30) days' prior written notice of an increase in the amount of rent to each affected *tenant*.

**8.55.040 Move in fees and security deposits – limits – exceptions – payments by tenants.**

A. All move in fees and security deposits charged by a *landlord* before a *tenant* takes possession of a *dwelling unit* shall not exceed one month's rent, except in *subsidized housing* where the amount of rent is set based on the income of the tenant. The exception for *subsidized housing* shall not include tenancies regulated under Section 8 of the Housing Act of 1937, 42 U.S.C. Sec. 1437f, commonly known as the choice voucher program.

B. *Tenants* entering *rental agreements* with terms lasting six or more months may choose to pay their move in fees and security deposits in six equal monthly installments over the first six months occupying the *dwelling unit*.

C. *Tenants* entering *rental agreements* with terms lasting fewer than six months or month-to-month *rental agreements*, may choose to pay move in fees and security deposits in two equal monthly installments over the first two months occupying the *dwelling unit*.

**8.55.050 Late fees - limits.**

Late fees or costs due to nonpayment of rent charged to a *tenant* shall not exceed one and one-half percent (1.5%) of the *tenant's* monthly rent.

**8.55.060 Late fees - specification of dates - notice - accommodation request not a basis for landlord's refusal to enter rental agreement.**

A. *Rental agreements* shall include or shall be deemed to include a provision stating that when late fees may be assessed after rent becomes due, the *tenant* may propose that the due date be altered to a different date of the month. Additionally, the provision shall specify that, according to RCW 59.18.170(3), a *landlord* shall agree to such a proposal if it is submitted in writing and the *tenant* can demonstrate that his or her primary source of income is a regular, monthly source of



governmental assistance that is not received until after the date rent is due in the *rental agreement*.

B. A *landlord* shall not refuse to enter into a *rental agreement* with a prospective tenant because the prospective tenant requests the accommodations specified in Subsection A.

**8.55.070 Requirement of social security number by landlord not required but may be requested - tenant not agreeing to provide social security number not a basis for landlord's refusal to enter into rental agreement - allowed information for screening - allowed landlord actions - liability of landlord for violation.**

A. A *landlord* shall not require a social security number for the purposes of screening a prospective tenant, as allowed under RCW 59.18.257. A *landlord* may request a social security number and screen prospective tenants. A *landlord* shall not refuse to enter into a *rental agreement* with a prospective tenant because the prospective tenant does not agree to provide a social security number. A *landlord* may utilize information including, but not limited to, previous names, addresses, personal references and work history to screen prospective tenants. A *landlord* shall maintain the right to take adverse action because of inaccurate, unfavorable or unavailable screening results.

B. A *landlord* found in violation of subsection A. of this section shall be liable to such a prospective tenant in a private right of action for the greater of double the tenant's economic and noneconomic damages or one month of rent of the dwelling unit at issue, and reasonable litigation costs and attorneys' fees.

**8.55.075 Just cause for landlord's eviction, refusing to continue tenancy or termination of tenancy – M/MHLTA - notices.**

A. A landlord shall not evict or attempt to evict any tenant, refuse to continue or renew a tenancy after expiration of the rental agreement, or otherwise terminate or attempt to terminate the tenancy of any tenant except for the just causes enumerated in subsection B of this section.

B. The causes enumerated in the RLTA (RCW 59.18.650(2)(a)-(p)), as may be amended, and as set forth below, shall constitute just cause as required under subsection A:

1. The tenant continues in possession in person or by subtenant after a default in the payment of rent, and after written notice requiring, in the alternative, the payment of the rent or the surrender of the detained premises has remained uncomplied with for the period set forth in RCW 59.12.030(3). The written notice may be served at any time after the rent becomes due;

2. The tenant continues in possession after substantial breach of a material program requirement of subsidized housing, material term subscribed to by the tenant within the lease or rental agreement, or a tenant obligation imposed by law, other than one for monetary damages, and after the landlord has served written notice specifying the acts or omissions

constituting the breach and requiring, in the alternative, that the breach be remedied or the rental agreement will end, and the breach has not been adequately remedied by the date specified in the notice, which date must be at least 10 days after service of the notice;

3. The tenant continues in possession after having received at least three days' advance written notice to quit after he or she commits or permits waste or nuisance upon the premises, unlawful activity that affects the use and enjoyment of the premises, or other substantial or repeated and unreasonable interference with the use and enjoyment of the premises by the landlord or neighbors of the tenant;

4. The tenant continues in possession after the landlord of a dwelling unit in good faith seeks possession so that the owner or his or her immediate family may occupy the unit as that person's principal residence and no substantially equivalent unit is vacant and available to house the owner or his or her immediate family in the same building, and the owner has provided at least 90 days' advance written notice of the date the tenant's possession is to end. There is a rebuttable presumption that the owner did not act in good faith if the owner or immediate family fails to occupy the unit as a principal residence for at least 60 consecutive days during the 90 days immediately after the tenant vacated the unit pursuant to a notice to vacate using this subsection B.4 as the cause for the lease ending;

5. The tenant continues in possession after the owner elects to sell a single-family residence and the landlord has provided at least 90 days' advance written notice of the date the tenant's possession is to end. For the purposes of this subsection B.5, an owner "elects to sell" when the owner makes reasonable attempts to sell the dwelling within 30 days after the tenant has vacated, including, at a minimum, listing it for sale at a reasonable price with a realty agency or advertising it for sale at a reasonable price by listing it on the real estate multiple listing service. There shall be a rebuttable presumption that the owner did not intend to sell the unit if:

(i) Within 30 days after the tenant has vacated, the owner does not list the single-family dwelling unit for sale at a reasonable price with a realty agency or advertise it for sale at a reasonable price by listing it on the real estate multiple listing service; or

(ii) Within 90 days after the date the tenant vacated or the date the property was listed for sale, whichever is later, the owner withdraws the rental unit from the market, the landlord rents the unit to someone other than the former tenant, or the landlord otherwise indicates that the owner does not intend to sell the unit;

6. The tenant continues in possession of the premises after the landlord serves the tenant with advance written notice pursuant to RCW 59.18.200(2)(c);

7. The tenant continues in possession after the owner elects to withdraw the premises to pursue a conversion pursuant to RCW 64.34.440 or 64.90.655;

8. The tenant continues in possession, after the landlord has provided at least 30 days' advance written notice to vacate that: (i) The premises has been certified or condemned as uninhabitable by a local agency charged with the authority to issue such an order; and (ii) continued habitation of the premises would subject the landlord to civil or criminal penalties. However, if the terms of the local agency's order do not allow the landlord to provide at least 30 days' advance written notice, the landlord must provide as much advance written notice as is possible and still comply with the order;

9. The tenant continues in possession after an owner or lessor, with whom the tenant shares the dwelling unit or access to a common kitchen or bathroom area, has served at least 20 days' advance written notice to vacate prior to the end of the rental term or, if a periodic tenancy, the end of the rental period;

10. The tenant continues in possession of a dwelling unit in transitional housing after having received at least 30 days' advance written notice to vacate in advance of the expiration of the transitional housing program, the tenant has aged out of the transitional housing program, or the tenant has completed an educational or training or service program and is no longer eligible to participate in the transitional housing program. Nothing in this subsection B.10 prohibits the ending of a tenancy in transitional housing for any of the other causes specified in this section;

11. The tenant continues in possession of a dwelling unit after the expiration of a rental agreement without signing a proposed new rental agreement proffered by the landlord; provided, that the landlord proffered the proposed new rental agreement at least 30 days prior to the expiration of the current rental agreement and that any new terms and conditions of the proposed new rental agreement are reasonable. This subsection B.11 does not apply to tenants whose tenancies are or have become periodic;

12. The tenant continues in possession after having received at least 30 days' advance written notice to vacate due to intentional, knowing, and material misrepresentations or omissions made on the tenant's application at the inception of the tenancy that, had these misrepresentations or omissions not been made, would have resulted in the landlord requesting additional information or taking an adverse action;

13. The tenant continues in possession after having received at least 60 days' advance written notice to vacate for other good cause prior to the end of the period or rental agreement and such cause constitutes a legitimate economic or business reason not covered or related to a basis for ending the lease as enumerated under this subsection B. When the landlord relies on this basis for ending the tenancy, the court may stay any writ of restitution for up to 60 additional days for good cause shown, including difficulty procuring alternative housing. The court must condition such a stay upon the tenant's continued payment of rent during the stay period. Upon granting such a stay, the court must award court costs and fees as allowed under Chap. 59.18 RCW;

14.

(a)The tenant continues in possession after having received at least 60 days' written notice to vacate prior to the end of the period or rental agreement and the tenant has committed four or more of the following violations, other than ones for monetary damages, within the preceding 12-month period, the tenant has remedied or cured the violation, and the landlord has provided the tenant a written warning notice at the time of each violation: A substantial breach of a material program requirement of subsidized housing, a substantial breach of a material term subscribed to by the tenant within the lease or rental agreement, or a substantial breach of a tenant obligation imposed by law;

(b) Each written warning notice must:

(i) Specify the violation;

(ii) Provide the tenant an opportunity to cure the violation;

(iii) State that the landlord may choose to end the tenancy at the end of the rental term if there are four violations within a 12-month period preceding the end of the term; and

(iv) State that correcting the fourth or subsequent violation is not a defense to the ending of the lease under this subsection;

(c) The 60-day notice to vacate must:

(i) State that the rental agreement will end upon the specified ending date for the rental term or upon a designated date not less than 60 days after the delivery of the notice, whichever is later;

(ii) Specify the reason for ending the lease and supporting facts; and

(iii) Be served to the tenant concurrent with or after the fourth or subsequent written warning notice;

(d) The notice under this subsection must include all notices supporting the basis of ending the lease;

(e) Any notices asserted under this subsection must pertain to four or more separate incidents or occurrences; and

(f) This subsection B.14 does not absolve a landlord from demonstrating by admissible evidence that the four or more violations constituted breaches under B.2 of this subsection at the time of the violation had the tenant not remedied or cured the violation;

15. The tenant continues in possession after having received at least 60 days' advance written notice to vacate prior to the end of the rental period or rental agreement if the tenant is required to register as a sex offender during the tenancy, or failed to disclose a requirement to register as a sex offender when required in the rental application or otherwise known to the property owner at the beginning of the tenancy;

16. The tenant continues in possession after having received at least 20 days' advance written notice to vacate prior to the end of the rental period or rental agreement if the tenant has made unwanted sexual advances or other acts of sexual harassment directed at the property owner, property manager, property employee, or another tenant based on the person's race, gender, or other protected status in violation of any covenant or term in the lease.

C. This section shall not apply to rental agreements between a landlord and tenant subject to RCW 59.20.080 of the M/MLTA, as may be amended, which shall govern the just cause grounds for a landlord's termination of tenancy or occupancy or failure to renew a tenancy or occupancy regulated thereunder.

D. The notices required by this section shall comply with and be served consistent with state law.

**8.55.078 Unfair or abusive acts by landlords prohibited.**

A. Landlords are prohibited from unfair or abusive acts or practices or deceptive acts or practices as defined in this section.

B. For the purposes of this section:

1. "Deceptive acts or practices" means representations, omissions, acts or practices that mislead or are likely to mislead a tenant; the tenant's interpretation of the representation, omission, act or practice is reasonable under the circumstances; and the representation, omission, act or practice is material. "Deceptive acts or practices" includes threatening to evict a tenant for nonpayment of charges except as authorized by KMC 8.55.075.

2. "Unfair or abusive acts or practices" means those representations, omissions, acts or practices that:

(a) Materially interfere with the ability of any tenant to understand a term or condition of the rental agreement or the tenancy; or

(b) Take unreasonable advantage of a lack of understanding on the part of the tenant regarding the conditions of the tenancy or rights under the law or the inability of the tenant to protect the tenant's interests.

#### **8.55.080 Provisions in violation of restrictions null and void - Exemption.**

A. Any provisions in violation of this chapter KMC 8.55.030 through KMC 8.55.070 in a *rental agreement* are null and void and of no lawful force and effect.

B. Nothing in this chapter shall be interpreted or applied so as to create any conflict with state or federal law. In the event of any conflict, federal and state requirements shall supersede the requirements of this chapter.

#### **8.55.090 Rental agreement that waives tenant's remedies prohibited – Exception.**

A. No *rental agreement*, whether oral or written, may provide that the *tenant* waives or foregoes rights or remedies under this chapter, except as provided by subsection B of this section.

B. A *landlord* and *tenant* may agree, in writing, to waive specific requirements of this chapter if all of the following conditions have been met:

1. The agreement to waive specific provisions is in writing and identifies the specific provisions to be waived; and
2. The agreement may not appear in a standard form written *lease or rental agreement*; and
3. There is no substantial inequality in the bargaining position of the two parties; and
4. The attorney for the *tenant* has approved in writing the agreement as complying with subsections (B)(1), (2) and (3) of this section.

#### **8.55.095 Defense to eviction**



It shall be a defense against eviction that a landlord lacks just cause to evict a tenant as required in KMC 8.55.075 or is otherwise in violation of this chapter.

**8.55.100 Violation of chapter by landlord - liability.**

A *landlord* found in violation of any of the provisions in this chapter, unless otherwise provided in this chapter, shall be liable to such a *tenant* in a private right of action for the greater of double the *tenant's* economic and noneconomic damages or three times the monthly rent of the *dwelling unit* at issue, and reasonable litigation costs and attorneys' fees.

**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 22-0545**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,  
AMENDING CHAPTER 8.55 OF THE KENMORE MUNICIPAL CODE TO  
ADOPT TENANT PROTECTIONS INCREASING NOTICE FOR RENT  
INCREASES, CAPPING LATE FEES, CAPPING MOVE IN FEES AND  
DEPOSITS, AUTHORIZING TENANT PAYMENT PLANS,  
PROHIBITING REQUIREMENT FOR SOCIAL SECURITY NUMBER IN  
SCREENING MATERIALS, AND AUTHORIZING ALTERATION OF  
RENT DUE DATE DUE TO TENANT'S FIXED INCOME; PROVIDING  
FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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WHEREAS, over the past several years rents in Kenmore and King County have increased, and vacancies for affordable rental housing are at low levels, making it difficult for tenants, especially those with low incomes, to locate affordable rental housing; and

WHEREAS, the King County Regional Affordable Housing Task Force issued its *Final Report and Recommendations for King County*, December 2018 (rev. March 2019) ("*Affordable Housing Task Force Final Report*"), which identifies that renting rather than owning a home increases the chances of being severely cost burdened,<sup>1</sup> and recognizes an existing affordable housing crisis in King County;<sup>2</sup> and

WHEREAS, the *Affordable Housing Task Force Final Report* includes a regional plan with goals, strategies and a five-year action plan to address the affordable housing crisis, and Goal 4 of the action plan is to "[p]reserve access to affordable homes for renters by supporting tenant protections to increase housing stability and reduce risk of homelessness";<sup>3</sup> and

WHEREAS, a report by the Seattle Women's Commission and the Housing Justice Project of the King County Bar Association, entitled *Losing Home The Human Cost of Eviction in Seattle* (Sept. 2018) ("*Losing Home Report*")<sup>4</sup> identifies that: 1) national research shows eviction is one of the leading cause of homelessness; 2) research data shows that 51.7% of tenants evicted were people of color; 3) tenants face steep financial costs resulting from eviction; and 4) 86.5% of eviction filings were for nonpayment of rent and of these, 52% were for one month or less.<sup>5</sup> and

WHEREAS, the *Losing Home Report* states that "[b]ecause evictions disproportionately impact marginalized communities and have long-lasting harm on individuals as well as the broader

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<sup>1</sup> King County Regional Affordable Housing Task Force, *Final Report and Recommendations for King County*, December 2018 (rev. March 2019) at 15.

<sup>2</sup> *Id.* at 7.

<sup>3</sup> *Id.* at 8.

<sup>4</sup> *Losing Home Report* lead authors: Tara Cookson, PhD, Margaret Diddams, PhD, Xochitl Maykovich, and Edmund Witter.

<sup>5</sup> *Losing Home Report* at 7.

community, it is imperative for local and state governments to take immediate action to address evictions”<sup>6</sup>; and

WHEREAS, in 2019, the City Council adopted Ordinance 19-0484, codified at Chap. 18.55 of the Kenmore Municipal Code (“KMC”), adopting notice of rent increase protections and findings in support of said protections; and

WHEREAS, in the face of the affordable housing crisis, several other cities, such as Seattle, Auburn, Burien, Kent, Tukwila, and Federal Way, and King County have adopted tenant protections; and

WHEREAS, at its February 14, 2022, regular meeting, the City Council considered adoption of the following additional tenant protections: 1) increases notice of rent increases; 2) cap on late fees; 3) cap on move in fees and deposits; 3) right to payment plans; 4) prohibit the requirement that social security numbers be given as screening information; and 5) authorization to alter rent due dates due to tenant’s fixed income; and

WHEREAS, the City Council finds that adoption of the proposed tenant protections aligns with its 2021-2022 Council Priorities: Priority #1 Increase and preserve options for affordable housing stock, and Goal 4 of the *Affordable Housing Task Force Final Report*; and

WHEREAS, the City Council desires to amend Chap. 8.55 KMC to adopt the proposed tenant protections, and finds that adoption of the proposed tenant protections is in the best interests of the residents of Kenmore and will promote the public health, safety and welfare of the City; and

WHEREAS, this Ordinance is adopted pursuant to the City’s police powers and regulatory authority derived from Wash. Const. art. XI, Section 11;

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

Section 1. Findings. The City Council adopts the recitals set forth above and in Ordinance 19-048, as findings in support of this Ordinance, which are incorporated by reference as if set forth in full.

Section 2. Amendment. The City Council amends Chapter 8.55 of the Kenmore Municipal Code as set forth in Exhibit 1 to this Ordinance, attached hereto and incorporated by reference as if set forth in full.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, shall not be affected or affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

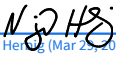
Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

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<sup>6</sup> Losing Home Report at 7.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE  
28th \_\_\_\_ DAY OF March \_\_\_\_ 2022.

CITY OF KENMORE


  
Nigel Heron (Mar 29, 2022 12:00 PDT)

Mayor

ATTEST/AUTHENTICATED:

  
Anastasiya Warhol (Mar 29, 2022 11:34 PDT)  
Anastasiya Warhol, City Clerk

Approved as to form:

  
Dawn Reitan (Mar 29, 2022 11:35 PDT)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 3/17/22

PASSED BY THE CITY COUNCIL: 3/28/22

ORDINANCE NO.: 22-0545

DATE OF PUBLICATION: 4/1/22

EFFECTIVE DATE: 4/7/22



EXHIBIT 1 to ORD. 22-0545  
Tenant Protections

1. Amendment: Chapter 8.55 of the Kenmore Municipal Code is amended to read as follows:

**Chapter 8.55  
TENANT PROTECTIONS**

Section:

- 8.55.010 Definitions.**
- 8.55.020 Applicability.**
- 8.55.030 Notice of Rent Increase.**
- 8.55.040 Move in fees and security deposits – limits – exceptions – payments by tenants.**
- 8.55.050 Late fees – limits.**
- 8.55.060 Late fees – specification of dates – notice – accommodation request not a basis for landlord’s refusal to enter rental agreement.**
- 8.55.070 Requirement of social security number by landlord not required but may be requested –tenant not agreeing to provide social security number not a basis for landlord’s refusal to enter rental agreement – allowed information for screening – allowed landlords actions – liability of landlord for violation.**
- 8.55.080 Provisions in violation of restrictions null and void; exemption.**
- 8.55.090 Rental agreement that waives tenant’s remedies prohibited – Exception.**
- 8.55.100 Violation of chapter by landlord – liability.**

**8.55.010 Definitions.**

The definitions of this section apply throughout this chapter unless the context clearly requires otherwise. The definitions of RCW 59.18.030 under the Residential Landlord-Tenant Act (RLTA) also apply to this chapter unless otherwise defined in this section.

A. "Dwelling" or "dwelling unit" has the same meaning as RCW 59.18.030(10), as may be amended. At the time of passage of the ordinance codified in this chapter, the RLTA defined "dwelling unit" to mean a structure or that part of a structure which is used as a home, residence, or sleeping place by one person or by two or more persons maintaining a common household, including but not limited to single-family residences and units of multiplexes, apartment buildings, and mobile homes.

B. "Landlord" has the same meaning as RCW 59.18.030(16), as may be amended, and excluding the living arrangements identified in RCW 59.18.040. At the time of passage of the ordinance codified in this chapter, the RLTA defined landlord as the owner, lessor, or sublessor of the dwelling unit or the property of which it is a part, and included any person designated as representative of the landlord, including, but not limited to, an agent, a resident manager, or a designated property manager.

C. “Rental agreement” or “lease” has the same meaning as RCW 59.18.030(30), as may be amended. At the time of the passage of the ordinance codified in this chapter, the RLTA defined “rental agreement” as all agreements which establish or modify the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a dwelling unit.

D. “Subsidized housing” has the same meaning as RCW 59.18.030(33), as may be amended. At the time of the passage of the ordinance codified in this chapter, the RLTA defined “subsidized housing” as rental housing for very low-income or low-income households that is a dwelling unit operated directly by a public housing authority or its affiliate, or that is insured, financed, or assisted in whole or in part through one of the following sources: (a) A federal program or state housing program administered by the department of commerce or the Washington state housing finance commission; (b) A federal housing program administered by a city or county government; (c) An affordable housing levy authorized under RCW [84.52.105](#); or (d) The surcharges authorized in RCW [36.22.178](#) and [36.22.179](#) and any of the surcharges authorized in chapter [43.185C](#) RCW.

E. “Tenant” has the same meaning as RCW 59.18.030(34), as may be amended, and excluding the living arrangements identified in RCW 59.18.040, and RCW 59.20.030(24), as may be amended. At the time of passage of the ordinance codified in this chapter, the RLTA defined “tenant” as any person who is entitled to occupy a dwelling unit primarily for living or dwelling purposes under a rental agreement, and RCW 59.20.030 defined “tenant” as any person, except a transient, who rents a mobile home lot.

#### **8.55.020 Applicability.**

KMC 8.55.030 through KMC 8.55.100 apply to tenancies governed by Chapter 59.18 RCW (RLTA) and Chapter 59.20 RCW (Manufactured/Mobile Home Landlord-Tenant Act) and are in addition to the provisions provided in said chapters.

#### **8.55.030 Notice of rent increase.**

A. Any *rental agreement* or renewal of a *rental agreement* shall include, or shall be deemed to include, a provision requiring not less than:

1. one hundred twenty (120) days' written notice for rent increases greater than three percent (3%); or
2. one hundred eighty (180) days' written notice for rent increases greater than ten percent (10%).

B. If the *rental agreement* governs *subsidized housing* where the amount of rent is based on the income of the *tenant* or circumstances specific to the subsidized household, the *landlord* shall provide a minimum of thirty (30) days' prior written notice of an increase in the amount of rent to each affected *tenant*.

**8.55.040 Move in fees and security deposits – limits – exceptions – payments by tenants.**

A. All move in fees and security deposits charged by a *landlord* before a *tenant* takes possession of a *dwelling unit* shall not exceed one month's rent, except in *subsidized housing* where the amount of rent is set based on the income of the tenant. The exception for *subsidized housing* shall not include tenancies regulated under Section 8 of the Housing Act of 1937, 42 U.S.C. Sec. 1437f, commonly known as the choice voucher program.

B. *Tenants* entering *rental agreements* with terms lasting six or more months may choose to pay their move in fees and security deposits in six equal monthly installments over the first six months occupying the *dwelling unit*.

C. *Tenants* entering *rental agreements* with terms lasting fewer than six months or month-to-month *rental agreements*, may choose to pay move in fees and security deposits in two equal monthly installments over the first two months occupying the *dwelling unit*.

**8.55.050 Late fees - limits.**

Late fees or costs due to nonpayment of rent charged to a *tenant* shall not exceed one and one-half percent (1.5%) of the *tenant's* monthly rent.

**8.55.060 Late fees - specification of dates - notice - accommodation request not a basis for landlord's refusal to enter rental agreement.**

A. *Rental agreements* shall include or shall be deemed to include a provision stating that when late fees may be assessed after rent becomes due, the *tenant* may propose that the due date be altered to a different date of the month. Additionally, the provision shall specify that, according to RCW 59.18.170(3), a *landlord* shall agree to such a proposal if it is submitted in writing and the *tenant* can demonstrate that his or her primary source of income is a regular, monthly source of governmental assistance that is not received until after the date rent is due in the *rental agreement*.

B. A *landlord* shall not refuse to enter into a *rental agreement* with a prospective tenant because the prospective tenant requests the accommodations specified in Subsection A.

**8.55.070 Requirement of social security number by landlord not required but may be requested - tenant not agreeing to provide social security number not a basis for landlord's refusal to enter into rental agreement - allowed information for screening - allowed landlord actions - liability of landlord for violation.**

A. A *landlord* shall not require a social security number for the purposes of screening a prospective tenant, as allowed under RCW 59.18.257. A *landlord* may request a social security number and screen prospective tenants. A *landlord* shall not refuse to enter into a *rental agreement* with a

prospective tenant because the prospective tenant does not agree to provide a social security number. A *landlord* may utilize information including, but not limited to, previous names, addresses, personal references and work history to screen prospective tenants. A *landlord* shall maintain the right to take adverse action because of inaccurate, unfavorable or unavailable screening results.

B. A *landlord* found in violation of subsection A. of this section shall be liable to such a prospective tenant in a private right of action for the greater of double the tenant's economic and noneconomic damages or one month of rent of the dwelling unit at issue, and reasonable litigation costs and attorneys' fees.

#### **8.55.080 Provisions in violation of restrictions null and void - Exemption.**

A. Any provisions in violation of KMC 8.55.030 through KMC 8.55.070 in a *rental agreement* are null and void and of no lawful force and effect.

B. Nothing in this chapter shall be interpreted or applied so as to create any conflict with federal law. In the event of any conflict, federal requirements shall supersede the requirements of this chapter.

#### **8.55.090 Rental agreement that waives tenant's remedies prohibited – Exception.**

A. No *rental agreement*, whether oral or written, may provide that the *tenant* waives or foregoes rights or remedies under this chapter, except as provided by subsection B of this section.

B. A *landlord* and *tenant* may agree, in writing, to waive specific requirements of this chapter if all of the following conditions have been met:

1. The agreement to waive specific provisions is in writing and identifies the specific provisions to be waived; and
2. The agreement may not appear in a standard form written *lease* or *rental agreement*; and
3. There is no substantial inequality in the bargaining position of the two parties; and
4. The attorney for the *tenant* has approved in writing the agreement as complying with subsections (B)(1), (2) and (3) of this section.

#### **8.55.100 Violation of chapter by landlord - liability.**

*A landlord found in violation of any of the provisions in this chapter, unless otherwise provided in this chapter, shall be liable to such a tenant in a private right of action for the greater of double the tenant's economic and noneconomic damages or three times the monthly rent of the dwelling unit at issue, and reasonable litigation costs and attorneys' fees.*











# Ordinance 22-0545 Amending KMC 18.55 Tenant Protections

Final Audit Report

2022-03-29

Created:	2022-03-29
By:	Anastasiya Warhol (awarhol@kenmorewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAYKk7VwtMreOom5jonHe4uXUse2aw-39Q

## "Ordinance 22-0545 Amending KMC 18.55 Tenant Protections" History

-  Document created by Anastasiya Warhol (awarhol@kenmorewa.gov)  
2022-03-29 - 6:28:57 PM GMT - IP address: 50.235.209.34
-  Document emailed to Nigel Herbig (nherbig@kenmorewa.gov) for signature  
2022-03-29 - 6:34:20 PM GMT
-  Document emailed to Dawn Reitan (dreitan@insleebest.com) for signature  
2022-03-29 - 6:34:20 PM GMT
-  Document emailed to Anastasiya Warhol (awarhol@kenmorewa.gov) for signature  
2022-03-29 - 6:34:20 PM GMT
-  Email viewed by Dawn Reitan (dreitan@insleebest.com)  
2022-03-29 - 6:34:45 PM GMT - IP address: 91.92.178.73
-  Document e-signed by Anastasiya Warhol (awarhol@kenmorewa.gov)  
Signature Date: 2022-03-29 - 6:34:47 PM GMT - Time Source: server- IP address: 50.235.209.34
-  Document e-signed by Dawn Reitan (dreitan@insleebest.com)  
Signature Date: 2022-03-29 - 6:35:06 PM GMT - Time Source: server- IP address: 24.22.164.109
-  Email viewed by Nigel Herbig (nherbig@kenmorewa.gov)  
2022-03-29 - 6:59:32 PM GMT - IP address: 172.58.46.133
-  Document e-signed by Nigel Herbig (nherbig@kenmorewa.gov)  
Signature Date: 2022-03-29 - 7:00:18 PM GMT - Time Source: server- IP address: 172.58.46.133
-  Agreement completed.  
2022-03-29 - 7:00:18 PM GMT



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**City Council Business Agenda Item**  
**City of Kenmore, WA**

<p><b>Subject/Topic:</b> Rhododendron Park Boathouse Fundraising Quarterly Update</p> <p><b>Proposed Council Action/Motion:</b> None, informational only</p>	<p><b>For Council Meeting Agenda of:</b> 7/25/2022</p> <p><b>Department:</b> Community Development</p> <p><b>Prepared by:</b> Rob Sayre-McCord, Parks Project Manager</p> <table border="0" style="width: 100%;"> <tr> <td></td><td style="text-align: right;"><u><b>Initial &amp; Date</b></u></td></tr> <tr> <td>Approved by Department Head:</td><td style="text-align: right;">DB 7/6/22</td></tr> <tr> <td>Approved by City Attorney:</td><td style="text-align: right;">N/A</td></tr> <tr> <td>Approved by Finance Director:</td><td style="text-align: right;">N/A</td></tr> <tr> <td>Approved by City Manager:</td><td style="text-align: right;">RGK</td></tr> </table> <p><b>Exhibits/Attachments:</b></p>		<u><b>Initial &amp; Date</b></u>	Approved by Department Head:	DB 7/6/22	Approved by City Attorney:	N/A	Approved by Finance Director:	N/A	Approved by City Manager:	RGK
	<u><b>Initial &amp; Date</b></u>										
Approved by Department Head:	DB 7/6/22										
Approved by City Attorney:	N/A										
Approved by Finance Director:	N/A										
Approved by City Manager:	RGK										
<p><b><u>INFORMATION/BACKGROUND:</u></b> At the 9/13/21 Council meeting Council requested quarterly updates from the Kenmore Boathouse Fundraising Committee beginning in 2022. At the 7/25/22 council meeting staff and members of the Rhododendron Park Boathouse Fundraising Committee will present a quarterly update (Q3) on the status of fundraising activities. Since the second quarterly update on 4/25/22, progress has been made. The fundraising committee identified several key stakeholders and critical committee roles. The committee is planning their first fundraising event scheduled for summer 2022 and is applying for appropriate grant opportunities with direction from the state and King County.</p> <p><b>4/25/22 Quarterly Update (Q2) 2022:</b> The fundraising committee identified the limited progress they'd made since January and were encouraged by Council to display more tangible results by the time of the third quarterly update. If needed, the boathouse management agreement also gives the city the right to institute a monthly or quarterly rent if the Fundraising Committee is not on pace to replenish the budget funds after a predetermined amount of time.</p> <p><b>1/24/22 Quarterly Update (Q1) 2022:</b> Representatives from the Pocock Foundation outlined the challenges faced by the fundraising committee in a pandemic and post-pandemic world and shared the outline for a fundraising strategy moving forward. The effects of the pandemic have been far-reaching on the philanthropic scene and so the fundraising campaign has been delayed and the fundraising strategy is being reconfigured to address the current landscape more appropriately. The final budget gap stands at \$560,000 largely due to pandemic related delay costs. The Fundraising Committee do not feel they can currently, accurately project an updated timeline for raising the \$560,000.</p> <p><b>Fundraising Committee:</b> The fundraising committee is comprised of members from the George Pocock Rowing Foundation (GPRF), Kenmore Rowing Club (KRC), Northshore School District Athletic Booster Clubs, and other local rowing representatives. The committee disbanded during the pandemic but has reformed and is in the process of formulating a fundraising strategy. The re-formed committee has been meeting since January 2022.</p>											
<p><b><u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u></b>  2021—2022 Council Priorities:  Council Priority #9 – Implement the Economic Development Plan  Council Priority #10 Foster and Create More Fun</p>											



**City Council Business Agenda Item**  
**City of Kenmore, WA**

<p><b>Subject/Topic:</b> Public Hearing regarding Ordinance 22-0555 extending and renewing interim regulations for development within the Transit Oriented Development (TOD) District Overlay for an additional six-month period</p> <p><b>Proposed Council Action/Motion:</b> Following conclusion of the Public Hearing and Council discussion. Motion to adopt Ordinance 22-0555 extending and renewing interim regulations for development within the Transit Oriented Development (TOD) District Overlay Area for an additional six-month period</p>	<p><b>For Council Meeting Agenda of:</b> 7/25/22</p> <p><b>Department:</b> Community Development</p> <p><b>Prepared by:</b> Debbie Bent, Community Development Director</p> <table border="0" style="width: 100%;"> <tr> <td></td><td style="text-align: right;"><u><b>Initial &amp; Date</b></u></td></tr> <tr> <td><b>Approved by Department Head:</b></td><td style="text-align: right;">7/12/22 DB</td></tr> <tr> <td><b>Approved by City Attorney:</b></td><td style="text-align: right;">email 7/12/22</td></tr> <tr> <td><b>Approved by Finance Director:</b></td><td style="text-align: right;">N/A</td></tr> <tr> <td><b>Approved by City Manager:</b></td><td style="text-align: right;">7/13/22 RK</td></tr> </table> <p><b>Exhibits/Attachments:</b></p> <ol style="list-style-type: none"> <li>1) Ordinance 22-0555</li> <li>2) Ordinance 22-0543</li> </ol>		<u><b>Initial &amp; Date</b></u>	<b>Approved by Department Head:</b>	7/12/22 DB	<b>Approved by City Attorney:</b>	email 7/12/22	<b>Approved by Finance Director:</b>	N/A	<b>Approved by City Manager:</b>	7/13/22 RK
	<u><b>Initial &amp; Date</b></u>										
<b>Approved by Department Head:</b>	7/12/22 DB										
<b>Approved by City Attorney:</b>	email 7/12/22										
<b>Approved by Finance Director:</b>	N/A										
<b>Approved by City Manager:</b>	7/13/22 RK										
<p><b><u>INFORMATION/BACKGROUND:</u></b> A Public Hearing is scheduled for 7/25/22 to receive public testimony on extending and renewing interim regulations for development within the Transit Oriented Development (TOD) District Overlay Area for an additional six-month period (through 1/25/23). Ordinance 22-0555 (Attachment #1) includes the justification for extending the interim regulations. Interim regulation were adopted 2/14/22 by Ordinance 22-0543 (Attachment #2) and are due to expire 8/14/22.</p> <p>The findings and justification for extending the interim regulations include providing additional time for the Planning Commission to review the City's TOD district regulations as part of the State-mandated Comprehensive Plan update. The Planning Commission recommendations for the TOD District are anticipated to be provided to Council in September.</p> <p>The purpose of the TOD district Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit. Renewal and extension of the TOD interim regulations allows certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process. The interim regulations prohibit townhome development, and for properties that do not choose to develop under the TOD provisions they must meet the base density of the underlying zone and include at least 25% of the total number of units as affordable units.</p>											
<p><b><u>FISCAL CONSIDERATION:</u></b> Staff time to work with the Planning Commission and Council on review of the City's TOD district regulations.</p>											
<p><b><u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u></b></p> <p>2021—2022 Council Priorities:</p> <p>#11 Engage and educate the community on growth and development in Kenmore.</p>											

**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 22-0555**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,  
AMENDING ORDINANCE 22-0543 TO EXTEND AND RENEW FOR AN  
ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM  
REGULATIONS WITHIN THE TRANSIT OVERLAY DEVELOPMENT  
(TOD) DISTRICT; PROVIDING FOR SEVERABILITY; AND  
ESTABLISHING AN EFFECTIVE DATE**

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WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, additional time is necessary for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the

City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six—month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, on July 25, 2022, the City Council held a public hearing on the proposed six—month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543; and

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

Section 1. Findings. The City Council adopts the recitals set forth above and in Ordinance No. 22-0543, which are incorporated herein by reference, as findings in support of the extension and renewal of interim regulations adopted under Ordinance 22-0543 for an additional six-month period.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543 is amended to read as follows:

Section 4. Duration. The interim regulations established by ~~in Section 3 above~~ Ordinance 22-0543 shall be extended and renewed ~~in effect~~ for a period of six (6) months from the effective date of this Ordinance 22-0555 (to and through ~~September 14, 2022~~ January 25, 2023) and shall automatically expire at the end of that day unless repealed, modified, or extended (after subsequent public hearing if extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward with the Planning Commission's review of appropriate development regulations relating to the TOD District Overlay area, and to bring its recommendation to the City Council for consideration and potential adoption.

Section 4. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the

remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25<sup>th</sup> DAY OF JULY 2022.

CITY OF KENMORE

\_\_\_\_\_  
Mayor Nigel Herbig

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Anastasiya Warhol, City Clerk

Approved as to form:

\_\_\_\_\_  
Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL: JULY 25, 2022  
ORDINANCE NO.: 22-0555  
DATE OF PUBLICATION:  
EFFECTIVE DATE:

**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 22-0543**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,  
ADOPTING SIX-MONTH INTERIM REGULATIONS WITHIN THE  
TRANSIT OVERLAY DEVELOPMENT (TOD) DISTRICT; REPEALING  
ORDINANCE NOS. 21-0533 AND 21-0535; DECLARING AN  
EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE  
DATE**

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WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021 the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021 following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, additional time is necessary for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, repeal of the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediate adoption of interim regulations allows certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and



WHEREAS, the City Council deems it to be in the best interest of the public, and necessary for the protection of the public health, safety, property, or peace, to establish immediate interim regulations on the acceptance, review, and approval of permits for the establishment, location, and/or construction of any development within the TOD District Overlay; and

WHEREAS, the regulation of zoning and land use are valid exercises of the City's police powers under Article XI, Section 11 of the Washington State Constitution, and such police powers grant the City Council authority to adopt a moratorium; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to adopt interim regulations on development or land use for six-months; and

WHEREAS, as provided in RCW 35A.63.220 and RCW 36.70A.390, the City Council advertised and held a public hearing on February 14, 2022 to take public testimony and consider adopting further findings justifying the imposition of interim regulations; and

WHEREAS, RCW 35A.13.190 provides that an ordinance may be made effective upon adoption if passed by a majority plus one of the whole membership of the council, and if designated as a public emergency ordinance necessary for the protection of the public health, public safety, public property or public peace; and

WHEREAS, pursuant to RCW 35A.13.190, the City Council finds that this ordinance is a public emergency ordinance necessary for the protection of public health, public safety, public property, or public peace for the reasons set forth herein;

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

Section 1. Findings. The City Council adopts the recitals set forth above, which are incorporated by reference, as findings in support of the interim regulations and declaration of this ordinance as a public emergency ordinance.

Section 2. Repeal of the Moratorium. The City Council hereby repeals Ordinance Nos. 21-0533 and Ordinance 21-0535, which established and amended the six-month moratorium.

Section 3. Interim Regulations.

A. Adoption. Pursuant to the City's police powers under Article XI, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, interim regulations are hereby adopted and imposed on the application for, intake of, review of, or issuance of any approval and/or development permit, including, but not limited to, building permits, site plan review, etc., for the establishment, location and/or construction of any development within the Transit Oriented Development (TOD) District Overlay area, as shown and depicted in KMC 18.29.020. The term "development" means the same as defined in KMC 18.20.715. The term "development permit" means the same as defined in KMC 18.20.735.

B. Exemptions. The interim regulations adopted by this Ordinance only apply to new development permit applications.

C. Adopted Interim Regulations: Interim regulations for the TOD District Overlay adopted and imposed pursuant to Section 3.A are set forth in Exhibit A, attached hereto and incorporated by reference.

Section 4. Duration. The interim regulations established in Section 3 above shall be in effect for a period of six (6) months from the effective date of this Ordinance (to and through September 14, 2022) and shall automatically expire at the end of that day unless repealed, modified, or extended (after subsequent public hearing if extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 5. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward with the Planning Commission's review of appropriate development regulations relating to the TOD District Overlay area, and to bring its recommendation to the City Council for consideration and potential adoption.

Section 6. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 7. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 8. Designation of Emergency Ordinance; Immediate Effective Date. Pursuant to RCW 35A.13.190, the City Council declares and designates this ordinance as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or the public peace. Upon adoption of this ordinance by a majority plus one of the whole membership of the council, this ordinance shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 14<sup>th</sup> DAY OF FEBRUARY 2022.

CITY OF KENMORE




\_\_\_\_\_  
Mayor Nigel Herbig

ATTEST/AUTHENTICATED:

  
Anastasiya Warhol (Feb 16, 2022 15:56 PST)

\_\_\_\_\_  
Anastasiya Warhol, City Clerk

Approved as to form:

  
Dawn Reitan (Feb 15, 2022 13:29 PST)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 2/10/22  
PASSED BY THE CITY COUNCIL: 2/14/22  
ORDINANCE NO.: 22-0543  
DATE OF PUBLICATION: 2/18/22  
EFFECTIVE DATE: 2/14/22

## EXHIBIT A

## Chapter 18.29 TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY

## Sections:

- [18.29.010 Intent.](#)
- [18.29.020 Area.](#)
- [18.29.030 Applicability.](#)
- [18.29.040 Use allowances.](#)
- [18.29.050 Zoning standards.](#)
- [18.29.055 Wireless communication facilities.](#)
- [18.29.060 Affordable housing requirements.](#)
- [18.29.070 Parking.](#)
- [18.29.080 Design requirements.](#)
- [18.29.090 Connectivity requirements.](#)
- [18.29.100 Significant tree grove retention.](#)

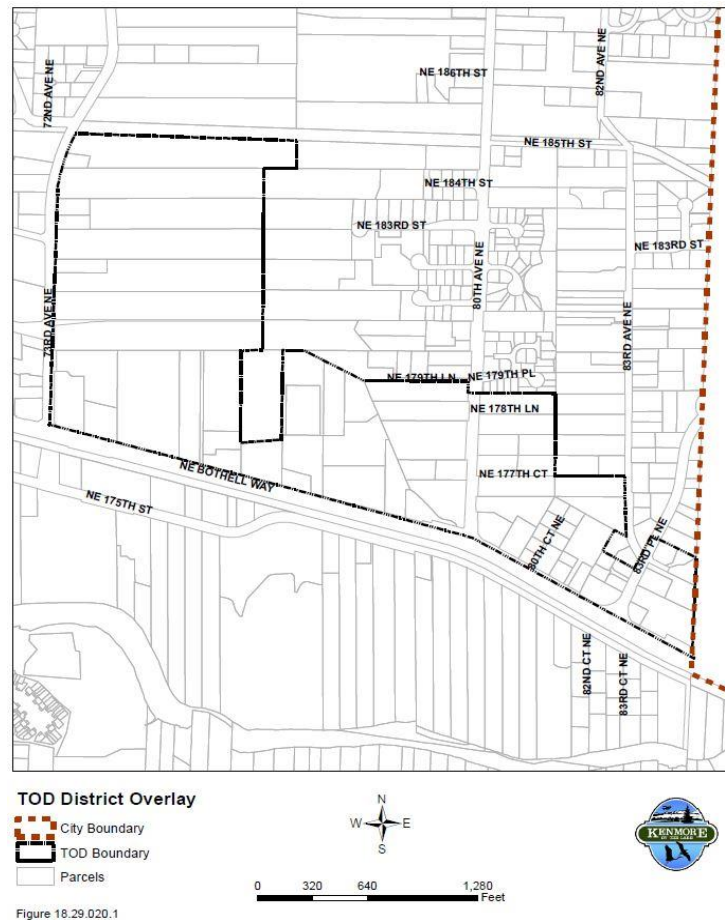
### 18.29.010 Intent.

The purpose of the transit oriented development (TOD) district overlay is to reinforce the City's planned concentration of pedestrian-oriented mixed use development at intensities that support and are supported by multi-modal transportation options, including high capacity transit. The TOD district overlay revitalizes the City's core by creating incentives and opportunities for a mix of jobs and residences, cultivates a respectful relationship among development within the district, the natural environment, and nearby traditional neighborhoods, and provides a framework for future infrastructure and service decisions. The TOD district overlay provides public benefits in the form of encouraging housing affordable to all economic groups, increased pedestrian connectivity, quality design, and incentive to preserve significant tree groves where they exist. [Ord. 15-0406 § 1 (Att. A).]

### 18.29.020 Area.

The area of the TOD district overlay is shown on Figure 18.29.020.1. In order to develop under the TOD district overlay, at least 50 percent of a parcel shown on Figure 18.29.020.1 shall be located within the TOD district overlay.

## EXHIBIT A



[Ord. 19-0481 § 2 (Att. A); Ord. 15-0406 § 1 (Att. A).]

### 18.29.030 Applicability.

A. The TOD district overlay is an incentive-based zoning overlay. Applicants who elect to develop under the provisions of the TOD district overlay shall adhere to all development standards set forth in this chapter; except that development standards not addressed in this chapter shall be governed by provisions of the underlying zone.

B. In order to be eligible to develop under the TOD district overlay regulations, a development application shall meet the following criteria:

1. The property must be located within the TOD district overlay area as described in KMC [18.29.020](#);
2. The proposed development must either:

## EXHIBIT A

- a. Be considered a mixed use development as defined in KMC [18.20.1740](#); or
- b. Be a residential-only development or mixed use development with commercial permitted only on the ground floor if located in the R-12, R-18, or R-24 underlying zones, which are areas designated as primarily residential.

C. Eligible properties within the TOD district overlay that do not choose to develop under the provisions of this chapter shall comply with the provisions of the underlying zone in their entirety with the following exceptions:-

1. In the R-12, R-18, R-24, UC East, and DC zones in the TOD district overlay area, the minimum density for residential development shall be no less than the base density for the underlying zone;

2. Except in the R-1 zone, townhouse development shall be prohibited.

3. At least twenty five percent of the total number of units in the development shall be *low- or very low-income affordable housing units* subject to the standards in KMC Chapter 18.77.

## 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 <sup>1,3</sup>	Ambulatory surgery center <sup>2</sup>	Adult entertainment business
Business service, standard <sup>1,3</sup>	Animal kennel/shelter <sup>2,5</sup>	Air transportation service
Day care	College/university <sup>2</sup>	Arts, entertainment, outdoor
Eating and drinking place <sup>1</sup>	Fire or police facility <sup>2</sup>	Auction house
Educational service <sup>1</sup>	Laboratory <sup>2</sup>	Automotive sales and service, marine
Health care and social assistance <sup>1,3</sup>	Park	Automotive sales and service, nonmarine



## EXHIBIT A

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

<b>Permitted</b>	<b>Conditionally Permitted</b>	<b>Prohibited</b>
Manufacturing, light <sup>1,3,5</sup>	Regional land use	Business service, intensive
Mobile food service <sup>4</sup>	Religious institution <sup>2</sup>	Cemetery, columbarium or mausoleum
Multiple-family dwelling <sup>5</sup>	Supportive living facility <sup>2</sup>	Community residential facility
Office <sup>1</sup>		Construction and trade
Personal service <sup>1,3</sup>		Family child-care home
Recreational facility, indoor <sup>1,3</sup>		Funeral home/crematory
Retail sales <sup>1,3,5</sup>		Hospital
Temporary lodging <sup>1,3</sup>		Manufactured housing community
		Manufacturing, heavy
		Marijuana business
		Recreational facility, outdoor
		Resource land use
		Retail sales, bulk
		Secure facility
		Single detached dwelling unit
		Standalone parking
		Transportation
		Utility facility
		Vehicle or equipment rental
		Vehicle refueling station
		Warehousing
		Wholesale trade

## EXHIBIT A

- <sup>1</sup> Commercial use limitations in residentially oriented underlying zones: If these uses are proposed for property with underlying zoning of R-12, R-18, or R-24, then each use is limited to maximum 5,000 square feet per use and 15,000 square feet total contiguous nonresidential area within the development.
- <sup>2</sup> Conditional use permit required in underlying urban corridor, downtown commercial, and public/semi-public zones. Prohibited in all other underlying zones within the TOD district overlay area.
- <sup>3</sup> Conditional use permit required in underlying R-12, R-18, R-24 zones. Permitted in underlying urban corridor, downtown commercial, and public/semi-public zones within the TOD district overlay area.
- <sup>4</sup> *Mobile food service* is permitted subject to the following requirements:
  - a. For a stand, location shall be on a sidewalk or near a storefront consistent with barrier-free regulations;
  - b. For a stand, location on the sidewalk or near a storefront shall provide for at least four feet of unobstructed sidewalk between the stand and the sidewalk edge for pedestrian movement;
  - c. No permanent fencing, walls, or other structures are installed which hinder removal of the structure from the site;
  - d. No required parking stall shall be blocked or rendered unusable as a result of the *mobile food service*;
  - e. Safe ingress and egress to the site shall be maintained. Visibility for transportation and pedestrian access shall be maintained;
  - f. The limited duration of the *mobile food service* shall be established as a condition of approval of any applicable permits; if accessory to a use, such operation is removed daily at the time of or prior to the close of business hours;
  - g. A sign permit is required for exterior signage in accordance with the sign code, Chapter [18.42](#) KMC.
- <sup>5</sup> No *outdoor storage* of materials shall be permitted.

<sup>6</sup> Townhouse development shall be prohibited.

[Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 15-0406 § 1 (Att. A).]

### 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:

## EXHIBIT A

Table B – TOD Overlay District Development Standards

STANDARD	REQUIREMENT
Minimum Density: Dwelling Units/Gross Acre	60 <sup>1</sup>
Maximum Density: Dwelling Units/Gross Acre	150 <sup>1</sup>
Maximum Height	65' <sup>2</sup>

<sup>1</sup> 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\(B\)](#).

<sup>2</sup> 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.

[Ord. 15-0406 § 1 (Att. A).]

### 18.29.055 Wireless communication facilities.

Use allowances and development regulations for *wireless communication facilities* in the TOD district overlay shall be as specified in Chapter [18.60](#) KMC for the underlying zoning district. [Ord. 16-0426 § 6 (Att. D).]

### 18.29.060 Affordable housing requirements.

For properties choosing to develop under the TOD district overlay, *development* shall provide affordable housing as described in Chapter [18.77](#) KMC. *Development* choosing to develop under the TOD district overlay shall not utilize the provisions of residential density incentives found in Chapter [18.80](#) KMC to achieve maximum densities. [Ord. 19-0481 § 2 (Exh. A); Ord. 15-0406 § 1 (Att. A).]

### 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 following ratios:

EXHIBIT A

1. 1.0 parking spaces per market-rate dwelling unit, except 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. 1.0 additional parking space per every five market rate dwelling units shall be provided and designated as guest parking for use by all guests.

3. 0.6 parking spaces per dwelling unit for affordable or senior dwelling units.

4. Affordable housing shall be as defined under KMC [18.29.060](#). Senior housing shall be defined as housing restricted to those meeting the definition of "senior citizen" as found in KMC [18.20.2500](#).

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. 16-0428 § 13 (Att. I); Ord. 15-0406 § 1 (Att. A).]

## EXHIBIT A

**18.29.080 Design requirements.**

Development within the TOD district overlay shall comply with Standard 1 provisions of the downtown design standards, as set forth in Chapter [18.52](#) KMC.

In addition, the following design requirements shall apply:

A. Relational Setback Requirements. Any proposed development within the TOD district overlay adjacent to an existing single-family zone (R-1, R-4, or R-6) shall be required to provide an interior ground-level setback of 15 feet on the side of the property facing the single-family zone, unless a larger setback is required in the underlying zone. In that event, the larger of the two setback requirements shall govern. The setback required by this subsection shall be landscaped with Type II landscaping as defined in KMC [18.35.040](#)(B) to provide a visual buffer. [Ord. 15-0406 § 1 (Att. A).]

**18.29.090 Connectivity requirements.**

The TOD district overlay should remove impediments to pedestrian use of the district and the downtown area by fostering the creation of an extensive network of sidewalks and pedestrian walkways.

Development proposals within the boundaries of the TOD district overlay that elect to develop under the provisions of this chapter shall:

A. Provide any direct pedestrian connections between proposed development and transit facilities, or arterials providing transit access in order to minimize walking distances to transit.

B. Comply with the downtown design standards pertaining to pedestrian walkways, as set forth in KMC [18.52.100](#).

C. Properties abutting water bodies (i.e., wetlands, rivers, lakes, or streams) shall provide a public access trail paralleling the water body from one property line to the next with setbacks that are consistent with the requirements of KMC Title [16](#) and Chapter [18.55](#) KMC. The public access trail shall connect to a public right-of-way.

1. Where a development proposal abuts a property with a public access trail segment, the public access segment on the subject property shall connect to abutting property public access segment(s).

2. The public access easement for public access trails shall be documented on the face of the plat or plan and recorded with the King County Department of Records and Elections. Public access easements shall run with the land in perpetuity. [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

## EXHIBIT A

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](#)(A) 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 provision 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. 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.



EXHIBIT A

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. 15-0406 § 1 (Att. A).]



**City Council Business Agenda Item**  
**City of Kenmore, WA**

<p><b>Subject/Topic:</b> Public Hearing regarding Ordinance 22-0555 extending and renewing interim regulations for development within the Transit Oriented Development (TOD) District Overlay for an additional six-month period</p> <p><b>Proposed Council Action/Motion:</b> Following conclusion of the Public Hearing and Council discussion. Motion to adopt Ordinance 22-0555 extending and renewing interim regulations for development within the Transit Oriented Development (TOD) District Overlay Area for an additional six-month period</p>	<p><b>For Council Meeting Agenda of:</b> 7/25/22</p> <p><b>Department:</b> Community Development</p> <p><b>Prepared by:</b> Debbie Bent, Community Development Director</p> <table border="0" style="width: 100%;"> <tr> <td></td><td style="text-align: right;"><u><b>Initial &amp; Date</b></u></td></tr> <tr> <td><b>Approved by Department Head:</b></td><td style="text-align: right;">7/12/22 DB</td></tr> <tr> <td><b>Approved by City Attorney:</b></td><td style="text-align: right;">email 7/12/22</td></tr> <tr> <td><b>Approved by Finance Director:</b></td><td style="text-align: right;">N/A</td></tr> <tr> <td><b>Approved by City Manager:</b></td><td style="text-align: right;">7/13/22 RK</td></tr> </table> <p><b>Exhibits/Attachments:</b></p> <ol style="list-style-type: none"> <li>1) Ordinance 22-0555</li> <li>2) Ordinance 22-0543</li> </ol>		<u><b>Initial &amp; Date</b></u>	<b>Approved by Department Head:</b>	7/12/22 DB	<b>Approved by City Attorney:</b>	email 7/12/22	<b>Approved by Finance Director:</b>	N/A	<b>Approved by City Manager:</b>	7/13/22 RK
	<u><b>Initial &amp; Date</b></u>										
<b>Approved by Department Head:</b>	7/12/22 DB										
<b>Approved by City Attorney:</b>	email 7/12/22										
<b>Approved by Finance Director:</b>	N/A										
<b>Approved by City Manager:</b>	7/13/22 RK										
<p><b><u>INFORMATION/BACKGROUND:</u></b> A Public Hearing is scheduled for 7/25/22 to receive public testimony on extending and renewing interim regulations for development within the Transit Oriented Development (TOD) District Overlay Area for an additional six-month period (through 1/25/23). Ordinance 22-0555 (Attachment #1) includes the justification for extending the interim regulations. Interim regulation were adopted 2/14/22 by Ordinance 22-0543 (Attachment #2) and are due to expire 8/14/22.</p> <p>The findings and justification for extending the interim regulations include providing additional time for the Planning Commission to review the City's TOD district regulations as part of the State-mandated Comprehensive Plan update. The Planning Commission recommendations for the TOD District are anticipated to be provided to Council in September.</p> <p>The purpose of the TOD district Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit. Renewal and extension of the TOD interim regulations allows certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process. The interim regulations prohibit townhome development, and for properties that do not choose to develop under the TOD provisions they must meet the base density of the underlying zone and include at least 25% of the total number of units as affordable units.</p>											
<p><b><u>FISCAL CONSIDERATION:</u></b> Staff time to work with the Planning Commission and Council on review of the City's TOD district regulations.</p>											
<p><b><u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u></b></p> <p>2021—2022 Council Priorities:</p> <p>#11 Engage and educate the community on growth and development in Kenmore.</p>											

**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 22-0555**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,  
AMENDING ORDINANCE 22-0543 TO EXTEND AND RENEW FOR AN  
ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM  
REGULATIONS WITHIN THE TRANSIT OVERLAY DEVELOPMENT  
(TOD) DISTRICT; PROVIDING FOR SEVERABILITY; AND  
ESTABLISHING AN EFFECTIVE DATE**

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WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, additional time is necessary for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the

City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six—month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, on July 25, 2022, the City Council held a public hearing on the proposed six—month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543; and

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

Section 1. Findings. The City Council adopts the recitals set forth above and in Ordinance No. 22-0543, which are incorporated herein by reference, as findings in support of the extension and renewal of interim regulations adopted under Ordinance 22-0543 for an additional six-month period.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543 is amended to read as follows:

Section 4. Duration. The interim regulations established by ~~in Section 3 above~~ Ordinance 22-0543 shall be extended and renewed ~~in effect~~ for a period of six (6) months from the effective date of this Ordinance 22-0555 (to and through ~~September 14, 2022~~ January 25, 2023) and shall automatically expire at the end of that day unless repealed, modified, or extended (after subsequent public hearing if extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward with the Planning Commission's review of appropriate development regulations relating to the TOD District Overlay area, and to bring its recommendation to the City Council for consideration and potential adoption.

Section 4. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the

remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25<sup>th</sup> DAY OF JULY 2022.

CITY OF KENMORE

\_\_\_\_\_  
Mayor Nigel Herbig

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Anastasiya Warhol, City Clerk

Approved as to form:

\_\_\_\_\_  
Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL: JULY 25, 2022  
ORDINANCE NO.: 22-0555  
DATE OF PUBLICATION:  
EFFECTIVE DATE:

**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 22-0543**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,  
ADOPTING SIX-MONTH INTERIM REGULATIONS WITHIN THE  
TRANSIT OVERLAY DEVELOPMENT (TOD) DISTRICT; REPEALING  
ORDINANCE NOS. 21-0533 AND 21-0535; DECLARING AN  
EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE  
DATE**

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WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021 the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021 following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, additional time is necessary for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, repeal of the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediate adoption of interim regulations allows certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and



WHEREAS, the City Council deems it to be in the best interest of the public, and necessary for the protection of the public health, safety, property, or peace, to establish immediate interim regulations on the acceptance, review, and approval of permits for the establishment, location, and/or construction of any development within the TOD District Overlay; and

WHEREAS, the regulation of zoning and land use are valid exercises of the City's police powers under Article XI, Section 11 of the Washington State Constitution, and such police powers grant the City Council authority to adopt a moratorium; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to adopt interim regulations on development or land use for six-months; and

WHEREAS, as provided in RCW 35A.63.220 and RCW 36.70A.390, the City Council advertised and held a public hearing on February 14, 2022 to take public testimony and consider adopting further findings justifying the imposition of interim regulations; and

WHEREAS, RCW 35A.13.190 provides that an ordinance may be made effective upon adoption if passed by a majority plus one of the whole membership of the council, and if designated as a public emergency ordinance necessary for the protection of the public health, public safety, public property or public peace; and

WHEREAS, pursuant to RCW 35A.13.190, the City Council finds that this ordinance is a public emergency ordinance necessary for the protection of public health, public safety, public property, or public peace for the reasons set forth herein;

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

Section 1. Findings. The City Council adopts the recitals set forth above, which are incorporated by reference, as findings in support of the interim regulations and declaration of this ordinance as a public emergency ordinance.

Section 2. Repeal of the Moratorium. The City Council hereby repeals Ordinance Nos. 21-0533 and Ordinance 21-0535, which established and amended the six-month moratorium.

Section 3. Interim Regulations.

A. Adoption. Pursuant to the City's police powers under Article XI, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, interim regulations are hereby adopted and imposed on the application for, intake of, review of, or issuance of any approval and/or development permit, including, but not limited to, building permits, site plan review, etc., for the establishment, location and/or construction of any development within the Transit Oriented Development (TOD) District Overlay area, as shown and depicted in KMC 18.29.020. The term "development" means the same as defined in KMC 18.20.715. The term "development permit" means the same as defined in KMC 18.20.735.

B. Exemptions. The interim regulations adopted by this Ordinance only apply to new development permit applications.

C. Adopted Interim Regulations: Interim regulations for the TOD District Overlay adopted and imposed pursuant to Section 3.A are set forth in Exhibit A, attached hereto and incorporated by reference.

Section 4. Duration. The interim regulations established in Section 3 above shall be in effect for a period of six (6) months from the effective date of this Ordinance (to and through September 14, 2022) and shall automatically expire at the end of that day unless repealed, modified, or extended (after subsequent public hearing if extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 5. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward with the Planning Commission's review of appropriate development regulations relating to the TOD District Overlay area, and to bring its recommendation to the City Council for consideration and potential adoption.

Section 6. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 7. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 8. Designation of Emergency Ordinance; Immediate Effective Date. Pursuant to RCW 35A.13.190, the City Council declares and designates this ordinance as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or the public peace. Upon adoption of this ordinance by a majority plus one of the whole membership of the council, this ordinance shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 14<sup>th</sup> DAY OF FEBRUARY 2022.

CITY OF KENMORE




Mayor Nigel Herbig

ATTEST/AUTHENTICATED:

  
Anastasiya Warhol (Feb 16, 2022 15:56 PST)

Anastasiya Warhol, City Clerk

Approved as to form:

  
Dawn Reitan (Feb 15, 2022 13:29 PST)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 2/10/22  
PASSED BY THE CITY COUNCIL: 2/14/22  
ORDINANCE NO.: 22-0543  
DATE OF PUBLICATION: 2/18/22  
EFFECTIVE DATE: 2/14/22

## EXHIBIT A

## Chapter 18.29 TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY

## Sections:

- [18.29.010 Intent.](#)
- [18.29.020 Area.](#)
- [18.29.030 Applicability.](#)
- [18.29.040 Use allowances.](#)
- [18.29.050 Zoning standards.](#)
- [18.29.055 Wireless communication facilities.](#)
- [18.29.060 Affordable housing requirements.](#)
- [18.29.070 Parking.](#)
- [18.29.080 Design requirements.](#)
- [18.29.090 Connectivity requirements.](#)
- [18.29.100 Significant tree grove retention.](#)

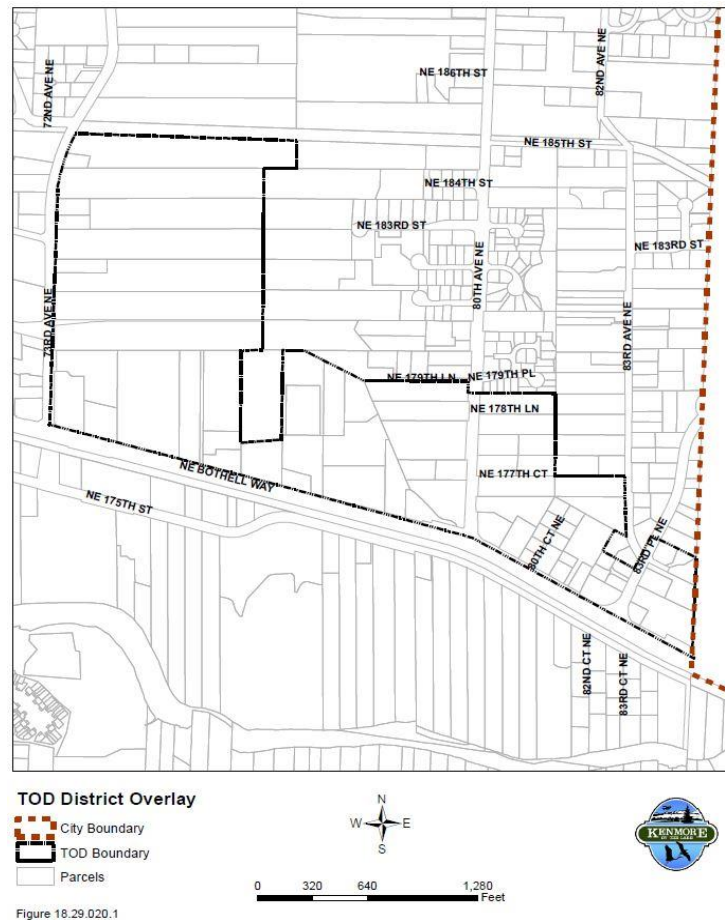
### 18.29.010 Intent.

The purpose of the transit oriented development (TOD) district overlay is to reinforce the City's planned concentration of pedestrian-oriented mixed use development at intensities that support and are supported by multi-modal transportation options, including high capacity transit. The TOD district overlay revitalizes the City's core by creating incentives and opportunities for a mix of jobs and residences, cultivates a respectful relationship among development within the district, the natural environment, and nearby traditional neighborhoods, and provides a framework for future infrastructure and service decisions. The TOD district overlay provides public benefits in the form of encouraging housing affordable to all economic groups, increased pedestrian connectivity, quality design, and incentive to preserve significant tree groves where they exist. [Ord. 15-0406 § 1 (Att. A).]

### 18.29.020 Area.

The area of the TOD district overlay is shown on Figure 18.29.020.1. In order to develop under the TOD district overlay, at least 50 percent of a parcel shown on Figure 18.29.020.1 shall be located within the TOD district overlay.

## EXHIBIT A



[Ord. 19-0481 § 2 (Att. A); Ord. 15-0406 § 1 (Att. A).]

### 18.29.030 Applicability.

A. The TOD district overlay is an incentive-based zoning overlay. Applicants who elect to develop under the provisions of the TOD district overlay shall adhere to all development standards set forth in this chapter; except that development standards not addressed in this chapter shall be governed by provisions of the underlying zone.

B. In order to be eligible to develop under the TOD district overlay regulations, a development application shall meet the following criteria:

1. The property must be located within the TOD district overlay area as described in KMC [18.29.020](#);
2. The proposed development must either:

## EXHIBIT A

- a. Be considered a mixed use development as defined in KMC [18.20.1740](#); or
- b. Be a residential-only development or mixed use development with commercial permitted only on the ground floor if located in the R-12, R-18, or R-24 underlying zones, which are areas designated as primarily residential.

C. Eligible properties within the TOD district overlay that do not choose to develop under the provisions of this chapter shall comply with the provisions of the underlying zone in their entirety **with the following exceptions:-**

**1. In the R-12, R-18, R-24, UC East, and DC zones in the TOD district overlay area, the minimum density for residential development shall be no less than the base density for the underlying zone:**

**2. Except in the R-1 zone, townhouse development shall be prohibited.**

**3. At least twenty five percent of the total number of units in the development shall be *low- or very low-income affordable housing units* subject to the standards in KMC Chapter 18.77.**

### 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**

<b>Permitted</b>	<b>Conditionally Permitted</b>	<b>Prohibited</b>
Arts, entertainment, indoor <sup>1,3</sup>	Ambulatory surgery center <sup>2</sup>	Adult entertainment business
Business service, standard <sup>1,3</sup>	Animal kennel/shelter <sup>2,5</sup>	Air transportation service
Day care	College/university <sup>2</sup>	Arts, entertainment, outdoor
Eating and drinking place <sup>1</sup>	Fire or police facility <sup>2</sup>	Auction house
Educational service <sup>1</sup>	Laboratory <sup>2</sup>	Automotive sales and service, marine
Health care and social assistance <sup>1,3</sup>	Park	Automotive sales and service, nonmarine



## EXHIBIT A

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

<b>Permitted</b>	<b>Conditionally Permitted</b>	<b>Prohibited</b>
Manufacturing, light <sup>1,3,5</sup>	Regional land use	Business service, intensive
Mobile food service <sup>4</sup>	Religious institution <sup>2</sup>	Cemetery, columbarium or mausoleum
Multiple-family dwelling <sup>5</sup>	Supportive living facility <sup>2</sup>	Community residential facility
Office <sup>1</sup>		Construction and trade
Personal service <sup>1,3</sup>		Family child-care home
Recreational facility, indoor <sup>1,3</sup>		Funeral home/crematory
Retail sales <sup>1,3,5</sup>		Hospital
Temporary lodging <sup>1,3</sup>		Manufactured housing community
		Manufacturing, heavy
		Marijuana business
		Recreational facility, outdoor
		Resource land use
		Retail sales, bulk
		Secure facility
		Single detached dwelling unit
		Standalone parking
		Transportation
		Utility facility
		Vehicle or equipment rental
		Vehicle refueling station
		Warehousing
		Wholesale trade

## EXHIBIT A

- <sup>1</sup> Commercial use limitations in residentially oriented underlying zones: If these uses are proposed for property with underlying zoning of R-12, R-18, or R-24, then each use is limited to maximum 5,000 square feet per use and 15,000 square feet total contiguous nonresidential area within the development.
- <sup>2</sup> Conditional use permit required in underlying urban corridor, downtown commercial, and public/semi-public zones. Prohibited in all other underlying zones within the TOD district overlay area.
- <sup>3</sup> Conditional use permit required in underlying R-12, R-18, R-24 zones. Permitted in underlying urban corridor, downtown commercial, and public/semi-public zones within the TOD district overlay area.
- <sup>4</sup> *Mobile food service* is permitted subject to the following requirements:
  - a. For a stand, location shall be on a sidewalk or near a storefront consistent with barrier-free regulations;
  - b. For a stand, location on the sidewalk or near a storefront shall provide for at least four feet of unobstructed sidewalk between the stand and the sidewalk edge for pedestrian movement;
  - c. No permanent fencing, walls, or other structures are installed which hinder removal of the structure from the site;
  - d. No required parking stall shall be blocked or rendered unusable as a result of the mobile *food service*;
  - e. Safe ingress and egress to the site shall be maintained. Visibility for transportation and pedestrian access shall be maintained;
  - f. The limited duration of the *mobile food service* shall be established as a condition of approval of any applicable permits; if accessory to a use, such operation is removed daily at the time of or prior to the close of business hours;
  - g. A sign permit is required for exterior signage in accordance with the sign code, Chapter [18.42](#) KMC.
- <sup>5</sup> No *outdoor storage* of materials shall be permitted.

<sup>6</sup> **Townhouse development shall be prohibited.**

[Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 15-0406 § 1 (Att. A).]

### **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:

## EXHIBIT A

Table B – TOD Overlay District Development Standards

STANDARD	REQUIREMENT
Minimum Density: Dwelling Units/Gross Acre	60 <sup>1</sup>
Maximum Density: Dwelling Units/Gross Acre	150 <sup>1</sup>
Maximum Height	65' <sup>2</sup>

<sup>1</sup> 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\(B\)](#).

<sup>2</sup> 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.

[Ord. 15-0406 § 1 (Att. A).]

### 18.29.055 Wireless communication facilities.

Use allowances and development regulations for *wireless communication facilities* in the TOD district overlay shall be as specified in Chapter [18.60](#) KMC for the underlying zoning district. [Ord. 16-0426 § 6 (Att. D).]

### 18.29.060 Affordable housing requirements.

For properties choosing to develop under the TOD district overlay, *development* shall provide affordable housing as described in Chapter [18.77](#) KMC. *Development* choosing to develop under the TOD district overlay shall not utilize the provisions of residential density incentives found in Chapter [18.80](#) KMC to achieve maximum densities. [Ord. 19-0481 § 2 (Exh. A); Ord. 15-0406 § 1 (Att. A).]

### 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 following ratios:

EXHIBIT A

1. 1.0 parking spaces per market-rate dwelling unit, except 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. 1.0 additional parking space per every five market rate dwelling units shall be provided and designated as guest parking for use by all guests.

3. 0.6 parking spaces per dwelling unit for affordable or senior dwelling units.

4. Affordable housing shall be as defined under KMC [18.29.060](#). Senior housing shall be defined as housing restricted to those meeting the definition of "senior citizen" as found in KMC [18.20.2500](#).

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. 16-0428 § 13 (Att. I); Ord. 15-0406 § 1 (Att. A).]

## EXHIBIT A

**18.29.080 Design requirements.**

Development within the TOD district overlay shall comply with Standard 1 provisions of the downtown design standards, as set forth in Chapter [18.52](#) KMC.

In addition, the following design requirements shall apply:

A. Relational Setback Requirements. Any proposed development within the TOD district overlay adjacent to an existing single-family zone (R-1, R-4, or R-6) shall be required to provide an interior ground-level setback of 15 feet on the side of the property facing the single-family zone, unless a larger setback is required in the underlying zone. In that event, the larger of the two setback requirements shall govern. The setback required by this subsection shall be landscaped with Type II landscaping as defined in KMC [18.35.040](#)(B) to provide a visual buffer. [Ord. 15-0406 § 1 (Att. A).]

**18.29.090 Connectivity requirements.**

The TOD district overlay should remove impediments to pedestrian use of the district and the downtown area by fostering the creation of an extensive network of sidewalks and pedestrian walkways.

Development proposals within the boundaries of the TOD district overlay that elect to develop under the provisions of this chapter shall:

A. Provide any direct pedestrian connections between proposed development and transit facilities, or arterials providing transit access in order to minimize walking distances to transit.

B. Comply with the downtown design standards pertaining to pedestrian walkways, as set forth in KMC [18.52.100](#).

C. Properties abutting water bodies (i.e., wetlands, rivers, lakes, or streams) shall provide a public access trail paralleling the water body from one property line to the next with setbacks that are consistent with the requirements of KMC Title [16](#) and Chapter [18.55](#) KMC. The public access trail shall connect to a public right-of-way.

1. Where a development proposal abuts a property with a public access trail segment, the public access segment on the subject property shall connect to abutting property public access segment(s).

2. The public access easement for public access trails shall be documented on the face of the plat or plan and recorded with the King County Department of Records and Elections. Public access easements shall run with the land in perpetuity. [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

## EXHIBIT A

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](#)(A) 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 provision 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. 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.



EXHIBIT A

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. 15-0406 § 1 (Att. A).]



## Business of the City Council City of Kenmore, WA

<p><b>Subject/Topic:</b> Comprehensive Plan and Development Regulation Amendments</p> <p><b>Proposed Council Action/Motion:</b> Discussion of Planning Commission's recommendations and direction to staff.</p>	<p><b>For Council Meeting Agendas of:</b> 7/18/22 and 7/25/22</p> <p><b>Department:</b> Community Development</p> <p><b>Prepared by:</b> Debbie Bent, Community Development Director and Lauri Anderson, Principal Planner</p> <p style="text-align: right;"><b><u>Initial &amp; Date</u></b></p> <p><b>Approved by Department Head:</b> DB, 7/8/22</p> <p><b>Approved by City Attorney:</b> NA</p> <p><b>Approved by Finance Director:</b> NA</p> <p><b>Approved by City Manager:</b> RK, 7/8/22</p> <p><b>Exhibits/Attachments:</b></p> <p>Attachment 1: Responses to 6/27/22 Council questions</p> <p>Attachment 2: Draft Vision Statement</p> <p>Attachment 3: Draft Land Use Element</p> <p>Attachment 4: Draft Housing Element</p> <p>Attachment 5: Draft Capital Facilities Element</p> <p>Attachment 6: Revised Zoning Map</p> <p>Attachments 7a and 7b: Draft "Missing Middle" amendments</p> <p>Attachment 8: Middle Housing grant application (without attachments)</p>
<p>On June 27, the Planning Commission presented their recommendations on the package of Comprehensive Plan amendments and revised development regulations. In response to City Council questions at the meeting, staff has prepared Attachment 1. The Planning Commission's recommendations on the revised Comprehensive Plan Vision Statement and the updated Land Use, Housing, and Capital Facilities Elements are found in Attachments 2-5. The Commission's recommended revised Zoning Map that includes the rezone for the proposed Public Works facility site is found in Attachment 6 and the regulatory changes to allow duplexes and triplexes in the R-6 zone in areas within 1/4-mile of the City's two main transit corridors are found in Attachments 7a/7b.</p> <p>On July 18 and 25, the City Council should discuss the Planning Commission's recommendations and provide direction to staff. Options in front of the City Council include:</p> <ol style="list-style-type: none"> <li>1. Recommend approval of the Planning Commission's recommendations and request staff prepare an ordinance for adoption. A Public Hearing by Council is not required.</li> <li>2. Recommend minor amendments to the Planning Commission's recommendations and request staff prepare an ordinance for adoption. A Public Hearing by Council is not required.</li> <li>3. Recommend significant changes to the Planning Commission's recommendations. A Public Hearing by Council is required before consideration of Ordinance adoption.</li> </ol> <p><b><u>July 18, 2022 Topics</u></b></p> <p>On July 18, the focus will be on changes other than those related to "Missing Middle" housing. At the meeting, staff will present a brief overview of the topics presented below or, if the Council prefers, the package of amendments may be discussed by exception.</p> <p>Topics include:</p>	

1. The Vision Statement;
2. Kenmore as a High Capacity Transit Community and a Candidate Countywide Growth Center with related regional responsibilities;
3. Higher residential densities and affordable housing requirements in the area of the TOD and Downtown;
4. A minimum floor area ratio (FAR) to promote multi-story development Downtown;
5. Support for inclusionary affordable housing requirements when development densities are increased;
6. Small-scale, neighborhood commercial uses within walking or bicycling distance of homes;
7. Support for the large number of home-based businesses in Kenmore and recognition of their importance as a way to keep jobs closer to home;
8. Opportunities for small-scale pedestrian-oriented commercial development near trails to serve passers-by;
9. Support for people of color, indigenous and immigrant populations, and other individuals or groups who have historically been underrepresented in community goal-setting and implementation;
10. Comprehensive Plan Land Use Map and Zoning Map amendments, including the rezone for the new Public Works facility site; and
11. Removal of the Tolt Trail between 73rd and 80th Avenues NE from the list of possible parks projects.

#### **July 25, 2022 Topics**

On July 25, changes to the Comprehensive Plan and the development regulation amendments related to “Missing Middle” housing will be considered. Again, staff will present a brief overview of the topics presented below unless the Council wishes to discuss the amendments by exception.

Topics include:

1. An incremental approach to providing a diversity of housing types, including duplexes and triplexes in some formerly low-density residential neighborhoods within ¼ mile of the City’s two major transit corridors;
2. Use of lot dimensions rather than lot sizes;
3. Dimensional standards for new duplex and triplex buildings;
4. Height limitations;
5. Building placement and entry design standards;
6. Garage standards;
7. Surface parking standards;
8. Driveway design standards;
9. Tree preservation requirements; and
10. Legitimizing existing legal housing types.

#### **Approval Criteria**

Approval criteria for Comprehensive Plan and development regulation amendments have been reviewed by staff and the Planning Commission (see agenda materials for June 7, 2022:

<https://kenmore.civicweb.net/filepro/documents/2566/?expanded=116733&preview=121037>

and for December 7, 2021:

<https://kenmore.civicweb.net/filepro/documents/109023/?preview=116313>.)

All concluded that the proposals meet the approval criteria and could be approved.

### **Timing Issues Related to Potential Adoption**

There are several timing issues that the City Council should consider when making decisions on the recommended amendments:

**Comprehensive Plan adoptions.** The City Council, generally, can only amend the Comprehensive Plan once per year. Anticipated adoptions are in the third quarter of 2022 for the current amendments, and in Spring 2023. Next spring's adoption would include the Transportation, Public Services, Utilities, and Economic Development Elements, and, if complete, the Climate Change Element. These amendments might also include changes to the Housing Element (see timing issue, below).

**TOD Code Amendments.** While the Comprehensive Plan recommendations include policy language to support changes to the TOD regulations and Downtown densities, the regulations were delayed after the February TOD Forum to allow time for a financial feasibility analysis of affordability requirements (to be completed by ARCH in July). The current schedule has the recommendations on the TOD regulations to the City Council in the fall—likely October--after Planning Commission consideration and a September public hearing.

The City has Interim Regulations in place in the TOD area that are effective until 8/14/22; an extension will be recommended by staff. The initial moratorium in the TOD was put in place on 8/16/21. Delaying Comprehensive Plan adoption until late in the year could impact the Planning Commission's ability to recommend new regulations based on Comprehensive Plan direction and could push adoption of the interim regulations beyond the recommended 18-month timeline (past 2/14/23).

**Public Works Facility and Plymouth Housing Proposals.** The current Public Works facility is located on the site of the proposed Plymouth Housing affordable housing project. The Plymouth Housing project is to start construction in summer 2023 (based on the developer's RFP). The proposed Public Works facility on NE 202<sup>nd</sup> Street needs a conditional use permit to authorize construction after approval of the Comprehensive Plan and Zoning Map changes. If adoption of the Comprehensive Plan and Zoning Map amendments are delayed, the ability of the Public Works facility and Plymouth Housing project to move through permitting also will be delayed.

**"Missing Middle" housing grant.** The City has been awarded a \$105,000 grant from the State Department of Commerce to further the consideration of middle housing in the City (see initial application, Attachment 8). This grant could support consideration of a variety of middle housing types, with analysis of appropriate areas and design considerations. The deadline for expenditure of the grant funds is June 2023 and while development of an ordinance(s) is a grant task, adoption of an ordinance(s) allowing these additional middle housing types is not a grant requirement. The grant also would support public involvement and a racial equity analysis.

**Additional State requirements related to the Housing Element.** HB 1220, adopted in 2021, requires more exacting "targets" for affordable housing in every jurisdiction. The State Department of Commerce was charged with developing the methodology for this target-setting and they are working alongside King County to determine an allocation strategy and make the assignments. Unfortunately, this work will not be completed until the end of 2022, so it is very likely that additional amendments to the Housing Element will be required. These amendments may be folded into the 2023 adoption. However, if extensive work is required, a 2024 adoption may be necessary. All Comprehensive Plan amendments must be considered by the Planning Commission.

### **Options for the 2022 City Council Comprehensive Plan and development regulation adoptions**

Given the timing constraints identified above, staff has identified two paths forward:

1. Either leave unchanged or make minor amendments to, and adopt, the current package of amendments. This could include the Planning Commission's "incremental" approach to "Missing Middle" housing. If desired, the Council could authorize a Phase 2 of the "Missing Middle" housing project, using the grant funding to consider geographic expansion and additional "Missing Middle" housing types. Further amendments to the Comprehensive Plan and implementing development regulations identified through Phase 2 would be scheduled for consideration later in 2022 and in early 2023, in time for adoption in the 2023 Comprehensive Plan amendment cycle. The Planning Commission would review any new Comprehensive Plan amendments.
2. Make more extensive amendments to the Comprehensive Plan and development regulations package at this time. This could include changes to the Comprehensive Plan Land Use Map and adjustments to policies to authorize "Missing Middle" housing throughout the area of the R-6 zoning district. A City Council public hearing would be required for this approach and a minor delay in adoption would result. The grant funding could be used to address development regulations for other "Missing Middle" housing types, including cottage housing. Depending on the analysis needed for the amendments, new regulations could be presented to the City Council later in 2022 or in early 2023.

**FISCAL CONSIDERATION:** The Community Development Department budgeted \$150,000 for the Comprehensive Plan update over the 2021-2022 biennium. Staff used consultant assistance in 2021 and 2022 to develop a public participation plan, conduct a statistically valid survey of residents to provide input to the planning process, host a community forum on "Missing Middle" housing, conduct outreach to those who use Spanish, and help prepare draft code amendments for duplexes and triplexes addressing neighborhood compatibility. The City has been awarded a \$105,000 grant to further consideration of Middle Housing types.

**COUNCIL PRIORITY BEING ADDRESSED:** Most of the City Council's 2021/2022 priorities are addressed by the Comprehensive Plan update, including Priority 1: "Increase and preserve the options for affordable housing stock;" Priority 2: "...promote Environmental Stewardship...;" Priority 3: "Develop and Implement a Diversity Equity, and Inclusion Policy...;" Priority 6: "Focus on and emphasize multimodal transportation safety...;" and Priority 11: "Engage and educate the community on growth and development in Kenmore."

## ATTACHMENT 1

### Responses to Councilmember Comments and Questions

*Note: Staff and the Planning Commission answered many questions at the 6/27/22 meeting and so not all questions are included below. The following responses to questions provide clarifying information. Too, some of the questions asked will be addressed during Council discussions of the Planning Commission's recommendations.*

#### **1. Would infrastructure be adequate to allow for new duplexes and triplexes?**

Response: Yes, because infrastructure needs for duplexes/triplexes would be comparable to the need created by new single-family development. Reviewing a small sample of 2021 new single-family residence permits in three different subdivisions, the average building footprint was 1,790 sq.ft. Looking at comparably-sized lots under the proposed duplex/triplex rules, a structure with a maximum footprint of 1,280 sq.ft. could be built. In other words, the impervious coverage of the new duplex/triplex structures (affecting stormwater management) could be less than that of new single-family residences on comparable lots. Unit sizes also would be smaller, requiring less energy on a per unit basis.

As household size generally is smaller in multifamily units, it is possible that beyond having a smaller footprint, there actually could be fewer total residents in a duplex or triplex building. For example, if each unit in a duplex was occupied by a couple, those four residents could be less than the total housed in a larger single-family residence occupied by a family. This has implications for both school and park usage and adequacy.

Rules related to infrastructure installation with new development (stormwater treatment, sidewalk installation, street improvements) would apply to duplex/triplex structures the same way they apply to single-family residences. Because more units are being built, however, more traffic and park impact fees would be collected from a duplex/triplex property to fund future infrastructure projects.

#### **2. Is new "Missing Middle" housing affordable?**

Response: No, it is not necessarily affordable, but is more affordable and more attainable than a detached single-family home. Those with lower incomes (below 80% of median) likely could not afford to purchase a unit in a new duplex or triplex. Even rents might be higher than those households could afford. However, new "Missing Middle" housing is more affordable than purchasing a new single-family residence. The dwelling units are smaller and they also offer the opportunity for a household to live in one unit and rent out the other one or two units to generate income.

In a snapshot of rental rates for existing duplexes and triplexes in other jurisdictions last fall, three-bedroom duplex units were affordable at 100-110% AMI and 2-bedroom duplex units were affordable at 85-110% AMI. For triplexes, 2-bedroom units were affordable at 95% AMI. Because this type of housing is rare ("missing"), this data is fairly unreliable. Too, the units were older—not new construction.

This contrasts with the price of purchasing a single-family home. Using the 2020 median household income in Kenmore (\$115,093) and the May 2022 median price of a single-family house in Kenmore

## ATTACHMENT 1

(\$1,323,000), a household would need about three times the median income to make a purchase (annual income of \$357,000, which is about 265% AMI for a family of four). This calculation assumes a 30-year mortgage at a 5.5% interest rate with a 10% downpayment (unaffordable in itself), as well as setbacks for property taxes, etc.

### **3. Why aren't regulations for cottage housing and smaller houses on smaller lots being proposed?**

Response: Addressing these two types of development is specifically referenced in the implementation measures in the Housing Element. The scope of the present project did not permit consideration of all possible code amendments associated with new policies. However, given the urgent nature of the housing crisis and the dire need to have more housing choices and inventory, the City Council may wish to include cottage housing in a future round of development regulations.

### **4. Why did the Planning Commission stop at ¼ mile distance to public transportation?**

Response: ¼ -mile is the distance that 70% of folks will walk on the way to a destination (Bellevue travel demand model, 2012). Between .25 and .50 miles, the number of likely walkers drops to 50%. The Planning Commission was concerned about the topography in some of the areas under consideration and so settled on ¼ mile from transit with their "incremental" approach. They did discuss a ½ mile distance, as well as allowing duplexes/triplexes on corner lots throughout the zoning district. Conversely, rather than singling out one housing type (missing middle), it could be argued that all housing types—single family, middle housing, or otherwise—should be close to public transportation.

### **5. Why reduce the height of a new duplex or triplex to 30'?**

Response: This design choice was recommended by Opticos Design as a way to ensure compatibility in single-family neighborhoods. Three stories is not a "typical" structure in a traditional single-family neighborhood, although more contemporary designs do take advantage of this opportunity.

### **6. Do Homeowner Association (HOA) covenants override local regulatory powers?**

Response: Yes, they could, if the HOA decides to enforce their rules. As many HOAs were developed to exclude certain types of housing, they have been targeted as potentially discriminatory. A "Missing Middle" housing bill in the last legislative session exempted properties covered by HOAs because, according to John Flanagan, Governor Inslee's senior policy adviser, there was a concern that existing HOAs would find a way to challenge the bill's legality. At the time, Mr. Flanagan noted that the governor's office was looking for a way to make existing HOAs amend their rules to allow some "Missing Middle" housing.

### **7. What proportion of the R-6 zoning district is targeted for "Missing Middle" housing?**

Response: The new regulations would allow "Missing Middle" housing on 20% of the single-family residential lots in the City (the calculations included all three single-family residential zoning districts--R-1, R-4, and R-6). We have asked our GIS consultant to determine how much of just the R-6 zone would be impacted by the changes.



ATTACHMENT 1

**8. Does the addition of MMH increase the amount of population growth we are expecting in Kenmore?**

Response: No. Estimated future population growth comes from the State Office of Financial Management. The numbers are then disaggregated through a countywide process into housing units and jobs, and growth “targets” are assigned to individual jurisdictions, depending on their role in the regional growth strategy. As a High-Capacity Transit community, Kenmore is expected to grow by 3,070 housing units and 3,200 jobs over the 20-year horizon of the Comprehensive Plan (to 2044). New opportunities for “Missing Middle” housing do not increase the City’s targets or expected growth, but do provide additional housing options for the growing population.

**9. How many duplex and triplex units could result from the Planning Commission’s “Missing Middle” housing proposal?**

Considering future development on vacant and redevelopable land only, it is estimated that 30-40 duplexes or triplexes could result if 25% of the lots under consideration were developed in that fashion. If 100% of the vacant and redevelopable land in the ¼ mile area was developed with duplexes or triplexes, approximately 325-390 units could be built in place of the approximately 75 single-family units that otherwise could be constructed. This latter scenario is considered highly unlikely given the experiences in other jurisdictions that have permitted “Missing Middle” housing.

**10. Does an incremental approach to “Missing Middle” housing continue to foster exclusionary zoning practices?**

Response: No. The DEI Task Force concluded that the incremental approach begins to undo historic exclusionary zoning practices (extensive areas of single-family zoning that are unaffordable to many community members). Although the Task Force hoped that changes to allow more “Missing Middle” housing could occur more quickly, they did not conclude that the incremental approach was in any way furthering exclusionary zoning.

**11. Is more public participation required, as some community members are not aware of “Missing Middle” housing?**

Response: Staff believes that the public outreach done for this project has been more than adequate. As noted in your June 27 agenda packet, efforts included a postcard about “Missing Middle” housing and other changes mailed to every address in Kenmore in advance of the Planning Commission’s public hearing. Of course, the Council could hold its own public hearing or direct future public notification if there is a perceived lack of awareness.

## ATTACHMENT 2

1 ~~Text~~ = deleted text

2 Text = new text

## 4 KENMORE 20-YEAR VISION

6 As we look into the future, we see Kenmore as a place that residents, businesses  
7 and visitors find welcoming, with courteous people, ~~and that~~ offering a high  
8 quality of life to live, raise children, shop, work, recreate, and socialize. In 2035~~44~~,  
9 we see Kenmore as a fun, vibrant ~~waterfront~~ community centered on the  
10 waterfront but including a variety of unique neighborhoods that

- 11 a. ~~offers~~encourages a diversity of well-maintained housing types to provide a choice of attractive living  
12 accommodations affordable to ~~for~~ all residents
- 13 b. protects natural and environmentally sensitive areas, significant open space, trees, ~~and~~ air and water  
14 quality, and healthy wildlife habitat, knowing that a healthy environment is critical to human health
- 15 c. leads and actively participates in regional efforts to promote environmental stewardship,  
16 sustainability, restoration, and conservation while continuing to act boldly and wisely to slow climate  
17 change and address its impacts
- 18 d. is friendly and inclusive, ~~and family friendly, with a small town feeling, that~~ welcoming all types of  
19 families, supporting diversity, and fostersing a sense of belonging and pride in all residents
- 20 e. is connected both visually and physically to its waterfront, recognizing it as a significant local and  
21 regional asset
- 22 f. supports recreation and health through well-maintained parks, community centers, trails, and open  
23 spaces
- 24 g. is a walkable and bikable community that provides a safe, reliable and effective system of streets,  
25 sidewalks, bike-ways, and trails, ~~and transit routes,~~ linking significant local and regional destinations
- 26 h. embraces its role as a high-capacity transit community, supporting bus rapid transit and other transit  
27 options as part of the regional network
- 28 i. provides convenient access to goods and services essential to residents' daily needs
- 29 j. ~~supports the character of~~ seeks to enhance the quality of life in its single-family residential  
30 neighborhoods
- 31 k. has its own sense of place and ~~an identifiable, walkable pedestrian-friendly~~ downtown offering  
32 commercial, civic, cultural and park spaces, integrated with ~~multifamily~~ housing
- 33 l. has an economic base that provides a range of goods and services, offers quality employment  
34 opportunities, and supports local businesses
- 35 m. has clear design standards creating attractive, functional, and enduring buildings and places
- 36 n. encourages volunteerism and public involvement and works as a good partner with citizen residents and  
37 governments throughout the region
- 38

ATTACHMENT 2

- 1 o. supports the safety, **physical and mental** health, and welfare of all of its **citizensresidents**
- 2 p. supports and encourages education and quality schools
- 3 q. supports local arts, culture and history
- 4 **To achieve this vision, responsible **and financially sustainable** commitments in**
- 5 **planning and resources will be made. We share and support this vision for**
- 6 **Kenmore.**

## ATTACHMENT 3

1 ~~Text~~ = deleted text

2 Text = new text

3

## 4 **LAND USE ELEMENT AMENDMENTS**

5

### 6 **INTRODUCTION**

#### 7 **Purpose**

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

#### 11 **Land Use**

- 12 • Downtown
- 13 • Community Design
- 14 • Natural Environment
- 15 • Shorelines
- 16 • Economic Development.

#### 17 **Growth Management Act**

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

- 23 • Distribution/location/extent of land uses: Agriculture, timber production, housing, commerce, industry,  
 24 recreation, open spaces, general aviation airports, public utilities, public facilities, ~~and other~~ land uses
- 25 • Population densities, building intensities, and estimates of future population growth
- 26 • Protection of the quality and quantity of ground water used for public water supplies
- 27 • Urban planning approaches that promote physical activity. ~~In Kenmore, goals, objectives and policies~~  
 28 ~~related to this responsibility also are included in the Parks, Recreation and Open Space Element.~~
- 29 • Drainage, flooding, and stormwater runoff within and nearby the jurisdiction as well as guidance for  
 30 corrective actions to mitigate or clean discharges to waters of the state. ~~In Kenmore, goals, objectives,~~  
 31 ~~and policies related to this responsibility also are found in the Surface Water Element.~~

32 Although the GMA directs growth at urban densities to the Urban Growth Area (including Kenmore), lower

## ATTACHMENT 3

development densities may be used as a strategy to protect critical areas.

## **VISION 2050**

**VISION 2050** is a regional growth strategy prepared by the Puget Sound Regional Council (PSRC) addressing King, Kitsap, Pierce, and Snohomish Counties. **VISION 2050** directs future development into the urban growth area, while focusing new housing and jobs in cities and within a limited number of designated regional growth centers. In **VISION 2050**, Kenmore is identified as a “**Larger City**,” which is described below as follows:

**Larger City** A Larger City has a combined population and employment total over 22,500, but is smaller than a Metropolitan or Core City. Many of these 18 cities (which include Edmonds, Kenmore, Mountlake Terrace, Shoreline, and Woodinville) are home to important local and regional transit stations, ferry terminals, park and ride facilities, and other transportation connections. Central places within this group of cities are expected to become the more important subregional job, service, cultural, and housing centers over time. The Regional Growth Strategy envisions an expanding role for these cities in accommodating growth. **High Capacity Transit Communities** include cities connected to existing or planned light rail, commuter rail, ferry, streetcar, and bus rapid transit facilities... As the region’s transit system grows, these 34 communities play an increasingly important role as hubs to accommodate regional employment and population growth. Targeting growth within these transit-rich communities helps to support mobility and reduces the number and length of vehicle trips.

**VISION 2050** calls for the High Capacity Transit Communities in King County to accommodate 11% of the County’s anticipated population growth and 6% of the anticipated employment growth between 2019 and 2044. Nine King County communities besides Kenmore (including some annexation areas) are designated as High Capacity Transit Communities, including Shoreline, Lake Forest Park and Woodinville.

~~VISION 2040 contains the~~ The Multi-County Planning Policies required by the Growth Management Act are part of **VISION 2050** and provides a common regionwide framework for countywide and local planning in the central Puget Sound region. Policies address regional collaboration, the regional growth strategy, the environment, climate change, development patterns, housing, economy, transportation, and public services. The policies reflect the commitment in the **VISION 2050** vision statement to provide, “protect the environment, support and create vibrant, livable, and healthy communities, offer economic opportunities for all, provide for safe and efficient mobility, and use the region’s resources wisely and efficiently an exceptional quality of life and opportunity for all, connected communities, a spectacular natural environment, and an innovative, thriving economy.”

## **Countywide Planning Policies**

The ~~2012~~ **2022** King County Countywide Planning Policies (CPPs) define an Urban Growth Area within which urban development should occur. The City of Kenmore is included within the Urban Growth Area. The overall land use goal is that “growth in King County occurs in a compact, centers-focused pattern that uses land and infrastructure efficiently, connects people to opportunity, and protects Rural and Natural Resource Lands. Residential, commercial, and industrial development should occur in an urban context and be sufficiently dense to efficiently support urban services.”

The policies establish a “centers” strategy. Growth is to be focused within cities with a countywide designated Urban or Manufacturing/Industrial Regional Growth Centers such as Seattle’s Northgate and

## ATTACHMENT 3

Kirkland's Totem Lake areas. ~~Local~~ **Countywide Growth** eCenters, including Kenmore, accommodate housing, employment and services in a compact form and at sufficient densities to support **existing or planned high capacity** transit service and to make efficient use of urban land. As in ~~Vision 2040~~ **VISION 2050**, Kenmore is identified as a "~~Larger City~~ **High Capacity Transit Community**."

**The CPPs contain goals and policies related to the environment, development patterns, housing, the economy, transportation, and public facilities and services. One of the guiding principles of the CPPs is, "centering social equity and health."**

## EXISTING CONDITIONS

### History of Kenmore

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

### **Native Americans**

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

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

### ~~Kenmore Founders~~ **White settlers**

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

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

## ATTACHMENT 3

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

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

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

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

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

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

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

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

### **Historic Structures and Places**

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

- Kenmore Bridge over the Sammamish River



## ATTACHMENT 3

- 1     • ~~Kenmore Community Clubhouse~~
- 2     • ~~Aqua Club~~
- 3     • ~~Inglewood Golf Course Clubhouse~~
- 4     • ~~St. Edward Seminary~~
- 5     • ~~St. Thomas Seminary (Bastyr University)~~
- 6     • ~~Kenmore Air Harbor House~~
- 7     • ~~Arnston Hartlove Grocery~~
- 8     • ~~Northlake Lutheran Church~~
- 9     • ~~Church of the Redeemer~~
- 10    • ~~Charles Thomsen House~~

Name	Address	Local Landmark?
<del>Kenmore Community Clubhouse</del>	<del>7304 NE 175<sup>th</sup> Street</del>	<del>Yes</del>
<del>Aqua Club</del>	<del>18512 58th Avenue NE</del>	
<del>Inglewood Golf Course Clubhouse</del>	<del>6505 Inglewood Road NE</del>	
<del>St. Edward Seminary (The Lodge at St. Edward State Park)</del>	<del>14477 Juanita Drive NE</del>	<del>Yes</del>
<del>St. Thomas Seminary (Bastyr University)</del>	<del>14500 Juanita Drive NE</del>	
<del>Kenmore Air Harbor House</del>	<del>6321 NE 175th Street</del>	
<del>Northlake Lutheran Church</del>	<del>6620 NE 185th Street</del>	
<del>Church of the Redeemer</del>	<del>6220 NE 181st Street</del>	
<del>Charles Thomsen House</del>	<del>7330 NE 170<sup>th</sup> Street</del>	<del>Yes</del>

11

12 The above sites are located on **Figure LU-1**. Most are potentially eligible for local landmark status. The

13 ~~Kenmore Community Clubhouse~~ was designated as a local landmark in 2015. The ~~Thomsen House~~ was

14 ~~designated as a King County Landmark prior to Kenmore's incorporation. Both of these~~ The City's local

15 landmark properties are described more fully below.

16 *Charles Thomsen House*

17 The Charles M. Thomsen House was built in 1927 ~~in the French Provincial Style and was designated as a~~

18 ~~King County Landmark prior to Kenmore's incorporation in 1998~~. While the vast majority of Period

## ATTACHMENT 3

Revival style residences in King County are located in Seattle, the handful of Period Revival homes in formerly rural, unincorporated areas of the County consist of variations of the English Cottage and Colonial Revival Styles. The Thomsen Estate House is notable as it is the only known example of a rural residence constructed in the French Provincial Style and it is considered to be in good condition with many original features. The Charles Thomsen House may be eligible for the State of Washington Heritage Register or the National Register.

#### Kenmore Community Clubhouse

The Kenmore Community Clubhouse was constructed in 1929-1930 for the Kenmore Community Club and was designated as a local landmark in 2015. The Landmarks Commission's landmark designation report states that the Clubhouse is a rare surviving building that exemplifies the importance of clubs and civic organizations in early to mid-20<sup>th</sup> century King County. The Clubhouse has served as a meeting space for a wide variety of organizations and activities, especially during the 1930s, 40s and 50s, and is still being used for its original purpose.

#### St. Edward Seminary/Lodge at St. Edward State Park

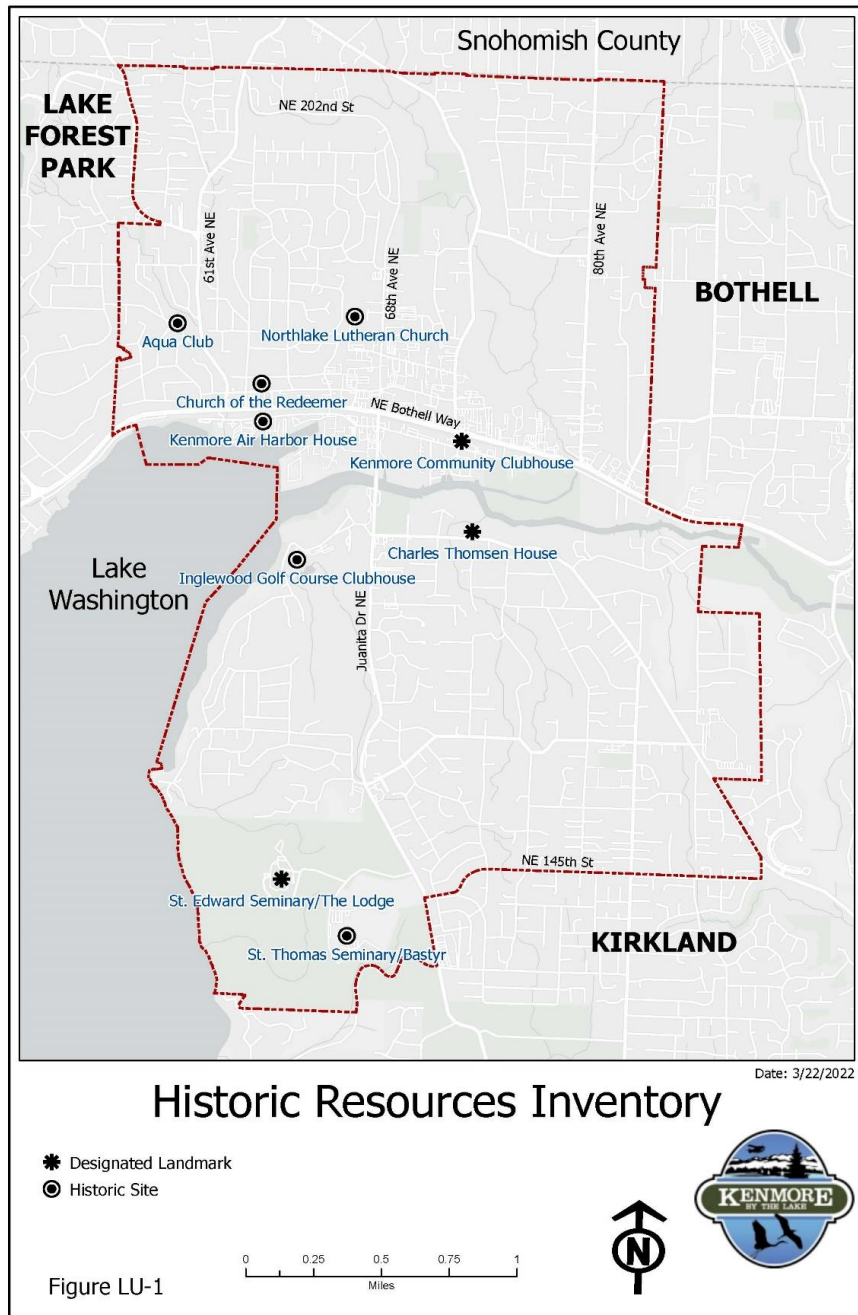
The St. Edward Seminary opened doors in 1931 as Washington State's first Catholic seminary for the education of diocesan priests. In the late 1930s, the school became the first fully accredited seminary in the United States. The building is a highly intact, large-scale example of the Late Romanesque Revival style and is the work of architect John Graham Sr. a prolific early 20th century architect in the Pacific Northwest whose most notable commissions in Seattle included the Space Needle, Frederick & Nelson Department Store, Dexter-Horton Building, and the former Bon Marche building. After declining enrollment, the seminary and its surrounding land were sold in 1977 to the State of Washington to become Saint Edward State Park. Beginning in 2017, Daniels Real Estate rehabilitated and restored the seminary building which had been vacant and fallen into disrepair. The Lodge at St. Edward State Park opened in 2021.

According to the State of Washington Office of Archaeology and Historic Preservation, "The St. Edward Seminary is listed on the State of Washington Heritage Register and in the National Register of Historic Places. It was awarded local landmark status in 2018 at the same time the property was rehabilitated and restored into the Lodge at St. Edward State Park. The Charles Thomsen House may also be eligible for the Washington Heritage Register or the National Register."

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

ATTACHMENT 3

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## ATTACHMENT 3

**Land Use Patterns**

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

**Existing Land Uses**

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

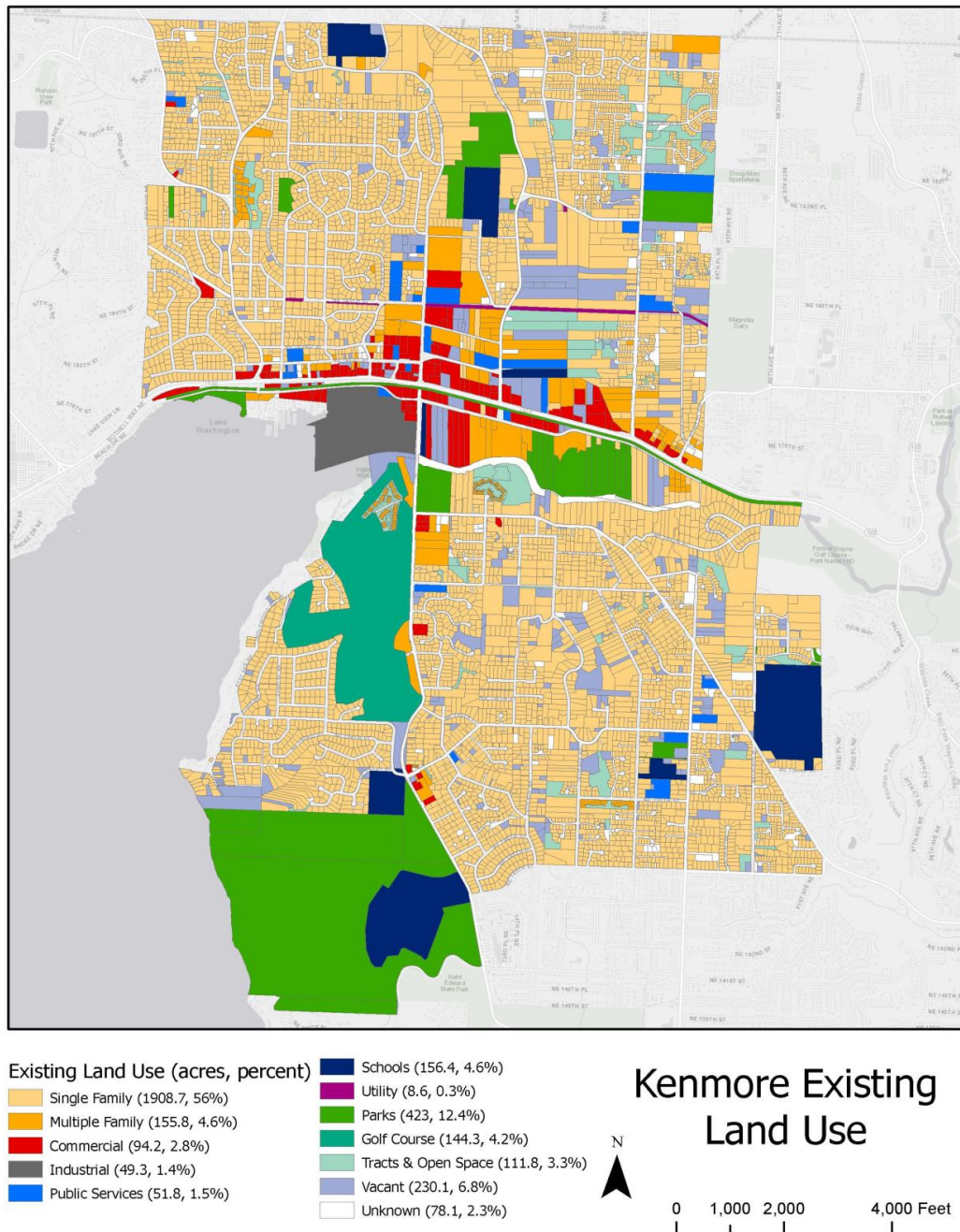
**TABLE LU-A**  
**2015-2022 LAND USE BY PARCELS - CITY OF KENMORE**

CATEGORY	ACRES	PERCENT
Single-family	1908.7	56.0%
Multi-Family	155.8	4.6%
Commercial	94.2	2.8%
Industrial	49.3	1.4%
Public	51.8	1.5%
Schools	156.4	4.6%
Utility	8.6	0.3%
Parks	423.0	12.4%
Golf Course	144.3	4.2%
Open Space/Tracts	111.8	3.3%
Vacant	230.1	6.8%
Unknown	78.1	2.3%
<b>TOTAL</b>	<b>3,412</b>	<b>100%</b>
Note: Does not include rights-of-way		

Source: King County Department of Assessments

ATTACHMENT 3

1 Figure LU-2



## ATTACHMENT 3

Most of the Kenmore's single-family residential growth will occur on remaining vacant parcels, ~~estimated at 102 acres not available in 2007~~, or as a result of infill development of partially developed properties. However, most of Kenmore's commercial growth would occur as redevelopment of developed lands.

#### **Kenmore Air Harbor**

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

The seaplane fleet has an average size of 20 single-engine planes. In ~~2015~~2019, about ~~half~~two-thirds of the fleet was made up of de Havilland Otters (the largest planes, accommodating up to 10 passengers). The other ~~half~~third was smaller de Havilland Beavers and two Cessna 180s. Given dock space constraints, the airport estimates that no more than 25 seaplanes will be based at Kenmore Air Harbor in the future, although the mix of planes may change to accommodate more of the larger aircraft. The Air Harbor also provides space for approximately 25 private airplanes.

During the summer season, approximately 110 "operations" per day (single takeoffs or landings) occur at Kenmore Air Harbor. On a typical winter day, 10 operations could be expected. In ~~2014~~2019, approximately ~~61,000~~65,000 passengers were served. July and August are the Air Harbor's busiest months.

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

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

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

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

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

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



## ATTACHMENT 3

approximately over the CalPortland property. On an annual basis, approximately 75% of all landings are northbound and 25% southbound.

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

## FUTURE LAND USE

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

- ~~Protection/maintenance of single-family residential areas~~ **Neighborhoods offering a variety of residential housing types and densities ranging from low-density single-family areas to multi-family development in Downtown.** This is a key concept of the Vision Statement ~~is to protect single-family areas and concentrate most multi-family in Downtown~~ **to support a diversity of housing types to provide accommodations affordable to all residents.**
- ~~Concentration of commercial and business uses locations where they are currently located or in areas targeted for conversion~~ **where compatibility can be ensured.** New commercial development would primarily occur in the form of redevelopment in Downtown ~~and adjoining areas~~ **to minimize intrusion into single-family areas** ~~predominantly residential neighborhoods~~ **and to effectively concentrate these uses where alternative transportation modes are or will be available. However, new opportunities for small-scale retail enterprises or services meeting the daily needs of residents may be located in neighborhoods if compatibility concerns are addressed. The Community Business district provides additional opportunities for mixed use development to support Downtown and the local community.**
- **Phasing out of heavy manufacturing and industrial uses in favor of mixed uses (commercial and residential) and clean light manufacturing.** ~~Existing heavy manufacturing and industrial uses would be phased out over time through market and regulatory forces, and mixed uses and clean light manufacturing would replace them.~~ **New heavy manufacturing and industrial uses are prohibited.**
- ~~Creation~~ **Continued development of a central place vibrant downtown in Kenmore.** ~~Creating a Kenmore is both a High Capacity Transit Community and a Candidate Countywide Growth Center. Downtown is central to this Vision Statement, provisions including providing a central place for the focal point for community growth and development, promotion of including centrally located multi-family and both mixed-use and standalone commercial development with access to alternative modes of transportation high capacity transit, civic buildings such as City Hall, the Post Office, the Library, the Hangar and Town Square, and other provisions amenities. The northwest quadrant of the 68<sup>th</sup> Avenue and SR 522 intersection is identified as an area for a concentration of smaller scale civic and mixed uses, while the southeast quadrant of the same intersection~~ **The southeast and southwest quadrants of Downtown would be developed with larger-scale private mixed-use master planned developments that restore and protect the Sammamish River and Lake Washington and provide public access to the waterfront. Lakepointe would develop as planned in the southwest quadrant of the intersection.**
- **Transit-oriented development in the area centered on the Metro/Sound Transit Park and Ride.** **This concentration of pedestrian-oriented mixed use residential development is at intensities that**



## ATTACHMENT 3

support and are supported by multi-modal transportation options, including bus rapid transit. Transit-oriented development reinforces Kenmore's designation as a High Capacity Transit Community.

- **Retention of institutional uses including government, schools, and public park properties.** The purpose of this classification is to identify and retain key public and private institutional uses in the City, to promote master planning of facilities, and to prevent conversion of significant properties to other residential or commercial uses without benefit of the rezone process.

### **Development Capacity**

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

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

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

To determine future development capacity, vacant and partially developed lands were reviewed as part of the 2021 King County ~~Buildable Lands~~Urban Growth Capacity Report project. The methodology for the jobs and housing capacity estimates is provided in the ~~report~~King County Buildable Lands Report 2014.

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

The City's ~~2012-2031~~2019-2044 housing unit growth target established by the King County Countywide Planning Policies is 2,9803,070 housing units. The adopted Land Use Plan would provide enough zoned capacity, and a more than sufficient market cushion, to exceed the ~~2034~~2044 housing unit target. Calculated residential capacity in 2021 was 4,135 dwelling units—a 1,065 unit surplus.

Jobs capacity also is greater than the City's ~~3,897~~3,200 jobs target, although not by much. The 2021 calculated jobs capacity was 3,881 jobs.

### **PLAN AMENDMENTS**

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

## ATTACHMENT 3

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

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

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

## GOALS, OBJECTIVES, AND POLICIES

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

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

**OBJECTIVE 1.1** Provide a community atmosphere that is ~~friendly and inclusive and family-friendly, with a small town feeling that~~ **supporting diversity and fostering a sense of belonging and pride in all residents.**

**Policy LU-1.1.1** Recognize and support people of color, indigenous and immigrant populations, and other individuals or groups who have historically been underrepresented in community goal-setting and implementation.

**Policy LU-1.1.2** Encourage the involvement of historically-marginalized groups when discussing policies that will impact their neighborhoods and communities. Provide outreach in multiple formats and languages.

**Policy LU-1.1.3** Consider the impact of City policies, programs and projects on groups whose voices may not regularly be heard.

**Policy LU-1.1.4** Evaluate planning approaches for potential residential and commercial displacement and use a range of strategies to mitigate displacement impacts.

## ATTACHMENT 3

- 1 Policy LU-1.1.5 Make Kenmore a community where all people love where they live.
- 2
- 3 **OBJECTIVE 1.2 Promote the mental and physical health of all community members.**
- 4 Policy LU-1.2.1 Create healthy, viable, and safe neighborhoods where all people can live, work  
 5 and play, regardless of color, age, income, or ability.
- 6 Policy LU-1.4.2.2 Through land use policies and development regulations that are consistent with  
 7 state and federal laws, limit land uses and activities that may result in harmful  
 8 secondary effects to the community, such as crime, vandalism, or neighborhood  
 9 deterioration. Consider spacing requirements, buffers, landscaping, access,  
 10 signage controls, business license and operating requirements, as well as other  
 11 mechanisms to control secondary impacts.
- 12 Policy LU-1.2.3 Ensure fairness and equity in distributing community amenities such as parks and  
 13 community facilities to provide all residents with opportunities to enjoy the  
 14 benefits of a rich social and physical environment.
- 15 Policy LU-1.2.4 Strive to make City capital projects and community events accessible to those  
 16 with physical impairments.
- 17 Policy LU 1.1.1 Encourage development within Kenmore that creates and supports a healthy and  
 18 diverse community. Kenmore should contain affordable housing and employment  
 19 opportunities and should protect the natural environment and significant cultural  
 20 resources.
- 21 Policy LU-1.4.3.5 Use incentives, regulations and programs to support land use patterns and  
 22 development standards that encourage physical activity through walking and  
 23 bicycling.
- 24 Policy LU-1.4.4.2.6 Consider small-scale, neighborhood commercial uses within walking or bicycling  
 25 distance of homes to increase residents' opportunities to meet their daily needs  
 26 without having to drive. Encourage businesses to locate in Kenmore so that  
 27 residents have more opportunities to walk or bicycle to work.
- 28 Policy LU-1.2.7 Continue to support projects that improve the quality of both the built and natural  
 29 environments to support a thriving community and reduce disparate health and  
 30 environmental impacts, especially to low-income and disadvantaged  
 31 communities. Clean air, water and soil, and a healthy ecosystem are critical for  
 32 human health.
- 33 **OBJECTIVE 1.23 Endeavor to provide a complete community, compatible in character and**  
 34 **design, containing housing, shops, work places, schools, parks, civic facilities,**  
 35 **and community services.**
- 36 Policy LU-1.23.1 Ensure that Kenmore's plans consider all the issues, resources and needs that make  
 37 a community whole, including land use, civic, cultural, recreation, transit, health,

## ATTACHMENT 3

- 1 human services, natural environment, and the provision of infrastructure and other  
2 services.
- 3 Policy LU-1.23.2 Provide adequate land capacity for residential growth, and for a full range of  
4 commercial uses in Kenmore. This land capacity should include both redevelopment  
5 opportunities as well as opportunities for development on vacant lands.
- 6 Policy LU-1.23.3 Integrate non-residential uses such as governmental, utility, religious, social, and  
7 other institutional uses, where appropriate, into residential neighborhoods to create  
8 quality communities which have a full range of public facilities and services. These  
9 uses should be sited, designed, and scaled to be compatible with existing  
10 residential character.
- 11 **OBJECTIVE 1.14** **Encourage the availability of healthy, affordable, culturally acceptable food**  
12 **for all community residents.**
- 13 Policy LU-1.14.1 Through land use regulations and economic development, encourage locally-based  
14 food production, distribution and choice.
- 15 Policy LU-1.14.2 Where appropriate, encourage the development of community gardens and  
16 farmers' markets as a means to encourage community-building, support local  
17 agriculture and promote economic development.
- 18 **OBJECTIVE 1.35** **Maintain and enhance the character of existing single-family all residential**  
19 **neighborhoods by allowing compatible housing, improving infrastructure**  
20 **and walkability, and establishing appropriate site development standards.**
- 21 Policy LU-1.35.1 Ensure that zoning regulations ~~emphasize single-family dwellings as the principal~~  
22 ~~use in the City's established single-family neighborhoods~~ provide for a range of  
23 housing types and densities, such as lower density single-family neighborhoods,  
24 medium density neighborhoods that combine single-family housing with duplexes,  
25 triplexes and cottage housing, and neighborhoods with larger-scale multifamily  
26 developments.
- 27 Policy LU-1.35.2 Provide development standards that create a consistent and compatible pattern of  
28 development within residential neighborhoods. Development standards should  
29 address housing densities, lot dimensions, building setbacks and height,  
30 impervious surface limitations, management of surface water with an emphasis on  
31 low impact development, tree retention, access, parking, and other standards.  
32 Regulations addressing building size and design also may be appropriate in some  
33 locations.
- 34 Policy LU-1.35.3 Provide regular and appropriate levels of investment in transportation, surface  
35 water and parks maintenance and improvements within residential neighborhoods,  
36 consistent with the City's capital improvement priorities. Encourage special  
37 districts to provide services and maintain infrastructure within residential  
38 neighborhoods consistent with adopted service and capital improvement plans.  
39 (see Policy H 26.1.2)

## ATTACHMENT 3

**OBJECTIVE 1.46** Create a climate that fosters business creation and retention that positively contributes to the City's quality of life.

Policy LU-1.46.1 Provide adequate land for commercial development of a character which enhances the community's goals, augments the tax base, and does not adversely affect the natural environment.

Policy LU-1.6.2 Support the large number of home-based businesses in Kenmore and recognize their importance as a way to keep jobs closer to home.

Policy LU-1.46.23 Ensure zoning regulations accommodate a range of allowable business and commercial uses in appropriate locations at the neighborhood, community, and regional levels.

**OBJECTIVE 1.57** Identify and prioritize properties for public acquisition and use.

Policy LU-1.57.1 During the 20-year planning period, identify community needs and site the following facilities or uses in accordance with the Downtown-Sub-Capital Facilities Element, the Housing Element, and the Parks, Recreation and Open Space Element:

- Town Green and Community BuildingPublic Works facility
- Affordable housing
- Parkland, particularly on the waterfront or in under-served areas
- Open space to preserve environmentally sensitive areas, including those areas that protect and enhance the City's wetlands and receiving water bodies, where regulatory measures alone are insufficient.

Policy LU-1.57.2 Encourage public and private community service providers, including the City of Kenmore, to share or reuse facilities when appropriate, to reduce costs, conserve land and provide convenience and amenity for the public. Joint siting and shared use of facilities should be encouraged for schools, community centers, health facilities, cultural facilities, libraries, swimming pools, institutional properties, and other social and recreational facilities.

Policy LU-1.57.3 Promote site development which provides utilities and infrastructure that are maintainable, aesthetically pleasing, and have several functions, such as surface water facilities designed as accessible open spaces for a development.

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

## ATTACHMENT 3

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

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

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

**GOAL 2. PROVIDE FOR ORDERLY DEVELOPMENT.**

**OBJECTIVE 2.1 Implement the Comprehensive Plan Land Use Map.**

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

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

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

LAND USE/ ZONE-DISTRICT CLASSIFICATION	BASE DENSITY/ MAXIMUM DENSITY WITH BONUS <sup>1</sup>  IMPLEMENTING ZONING DISTRICT
Residential 1 Dwelling Unit Per Acre (R-1)  Low Density Residential	1 (4) <sup>2</sup>  R-1, R-4, R-6
Residential 4 Dwelling Units Per Acre (R-4)	4 (6)
Residential 6 Dwelling Units Per Acre (R-6)	6 (9)
Residential 8 Dwelling Units Per Acre (R-8)	8 (12)

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

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

## ATTACHMENT 3

<b>LAND USE/<del>ZONE</del> DISTRICT CLASSIFICATION</b>	<b>BASE DENSITY/ MAXIMUM DENSITY WITH BONUS<sup>1</sup>  IMPLEMENTING ZONING DISTRICT</b>
<del>Residential 12 Dwelling Units Per Acre (R-12)</del> Medium Density Residential	<del>12 (18)</del> R-6, R-12
<del>Residential 18 Dwelling Units Per Acre (R-18)</del> High Density Residential	<del>18 (27)</del> R-18, R-24, R-48, UR
<del>Residential 24 Dwelling Units Per Acre (R-24)</del> Manufactured Housing Community ( <del>MHC</del> )	<del>24 (36)</del> <del>12 to 20</del> MHC
Downtown Residential	<del>48 to 72 (72)</del> DR
Neighborhood Business ( <del>NB</del> )	<del>8 (24)</del> NB
Community Business ( <del>CB</del> )	<del>24 (36)</del> CB
Waterfront Commercial ( <del>WC</del> )	<del>48 (72)</del> WC
Urban Corridor ( <del>UC</del> )	<del>48 (72)</del> UC
Regional Business ( <del>RB</del> )	<del>48 (72)</del> RB
Downtown Commercial	<del>48 to 72 (72)</del> DC
Public and Private Facilities ( <del>PPT</del> )	<del>n/a</del> PSP
Special Study Area	Special Districtn/a

- b. ~~District~~Land Use Classification Descriptions. Utilize the following purpose statements to distinguish the land use ~~districts~~classifications.

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



## ATTACHMENT 3

nonresidential uses that are compatible with residential communities may be allowed.

- **Low Density Residential:** In this classification, land uses are predominantly single detached dwelling units on lot sizes that vary according to district but with an overall base density of one to six dwelling units per acre. In the R-1 and R-4 districts, uses are clustered as appropriate in relation to environmental constraints.

- **Medium Density Residential:** In this classification, a diversity of compatible housing types is expected at base densities generally between six and 18 dwelling units per acre. Higher densities may be permitted to allow particular “Missing Middle” housing types. Housing may include single detached dwelling units, duplexes, triplexes, cottage housing, and small-scale apartment buildings, depending on district.

- **High Density Residential:** In this classification, land uses are predominantly larger apartment or condominium buildings with a variety of densities according to district. Base densities generally exceed 18 dwelling units per acre. In the area near the Metro/Sound Transit Park and Ride, development intensities support and are supported by multi-modal transportation options, including high capacity transit. The provision of affordable housing is a key feature of this transit-oriented development.

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

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

Some limited existing uses requiring vehicle storage that continue to contribute to the economic vitality of downtown are permitted to continue their business on existing properties, but are encouraged to

## ATTACHMENT 3

transition the use of their properties to those more in keeping with the first paragraph of this intent statement.

- Neighborhood Business: The purposes of the Neighborhood Business **Districtclassification** are to provide convenient daily retail and personal services for a limited service area, to minimize the impacts of commercial activities on nearby properties, and to provide for limited residential development.

- Community Business: The purpose of the Community Business **Districtclassification** is to provide pedestrian-friendly, mixed-use development that both supports larger mixed-use and commercial areas with its residential development, and provides small-scale retail, educational, and personal service uses, and offices, for the local community. Allowable uses include office uses and mixed-use (housing and retail/service) developments. Commercial uses with extensive outdoor storage and industrial uses would be discouraged in the Community Business **Districtclassification**.

- Waterfront Commercial: The purpose of the Waterfront Commercial **Districtclassification** is to focus on existing water-dependent uses, but also to allow eating and drinking places, temporary lodging and other uses to support marina and airport development. Compatible light manufacturing would be appropriate. Office and mixed use multifamily development are desirable for the future.

- Urban Corridor: The Urban Corridor **Districtclassification** is located along SR-522. The overall vision is to convert the area on the south side of the highway from a commercial strip corridor to an area of primarily office and multifamily development, taking advantage of lake views and proximity to transit.

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

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

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

- Regional Business: The purposes of the Regional Business **Districtclassification** include to provide for the broadest mix of retail,

## ATTACHMENT 3

office, wholesale, and service uses, with compatible storage and light manufacturing uses, serving regional market areas and offering significant employment opportunities. These purposes are accomplished by supporting existing businesses, while encouraging compact and mixed-use development that is supportive of transit and pedestrian travel for the future. Industrial and heavy manufacturing uses are no longer appropriate in this ~~district~~classification.

- **Downtown Commercial:** The Downtown Commercial ~~District~~classification features a mix of private and public uses designed to create a ~~small town feel,~~ and pedestrian-friendly ~~environment~~downtown consistent with Kenmore's designation in the ~~Regional Growth Strategy as a High Capacity Transit Community and as a Candidate King County Countywide Growth Center.~~ Public places, sidewalks, extensive landscaping, transit-orientation, shared or structured parking, protection of environmentally sensitive areas, ~~affordable housing,~~ and high quality design and signage are key features. Permitted uses emphasize mixed or multiple use developments, and include high-density housing, civic and governmental ~~uses,~~ offices, small-scale commercial and retail ~~businesses,~~ and locally oriented professional and personal services.

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

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

- **Public and Private Facilities:** The purpose of the Public and Private Facilities ~~District~~classification is to identify and retain public and private lands primarily utilized for parks, recreation, schools, ~~medical facilities (e.g. hospitals, clinics, medical districts etc.), non-profit service uses and organizations,~~ utilities, government buildings, and other administrative or institutional uses. ~~In some locations, housing may also be an appropriate use.~~ Master plans would be encouraged to determine the type and extent of these primary uses as well as compatible accessory uses. Development regulations include a process to reclassify smaller properties to the zone most prevalent immediately

## ATTACHMENT 3

surrounding the site subject to the provision of information by the institution about the need to convert to a different use.

- Special Study Area – Bastyr University: The City has designated the St. Thomas Seminary property, owned by Bastyr University as a Special Study Area recognizing the Bastyr University Master Plan approved in December 2009 that will guide the development of the property. The land use designation for the Campus is Public and Private Facilities and development activities on the Campus will be limited to activities and levels of use as specified in the approved Master Plan and implementing zone of Public and Semi-Public.

The Bastyr University Campus Master Plan is adopted for the approximately 50-acre property in the City and is illustrated in **Figure LU-3A**. The Bastyr University Master Plan and the applied zoning provide for a coordinated multi-use higher education center meeting the vision of the University and the City to support diverse and continuing education opportunities, strengthen the City's economic base, and protect natural features. **Figure LU-3A** is considered a conceptual graphic, and minor modifications (KMC 19.23.050.A) to site development consistent with City master plan and zoning regulations are considered consistent with the Comprehensive Plan. The City's long term interest in the property is to have continued use of the site by Bastyr University or a similar institution with public access/use maintained through the use of a purchase of development rights, out-right purchase of portions of the property, off-site density transfers or joint use agreements.

- Special Study Area – Plywood Supply: The City has designated the Plywood Supply property south of NE 175th Street as a Special Study Area while the City works with property owners to complete a master plan that will guide the development of the property. In order to allow the master planning process to proceed, the property will retain its underlying RB designation for comprehensive planning purposes while development of that master plan is proceeding.

Special Study Areas—Lakepointe and Glacier Northwest. Although these are two independent special study areas, given their close proximity and shared waterfront location they should be planned and developed in a consistent and compatible manner.

- Lakepointe—Mixed Use Master Plan: The City has designated Lakepointe as a Special Study Area recognizing its significant size and waterfront location on both the Sammamish River and Lake Washington. A site development permit and Master Plan are approved for the Lakepointe site cohesive development plan should be prepared for the site to guide development of the property specifying permitted uses and development consistent with the following goals: Property Specific (P suffix) Development Standards. Northshore Comprehensive Plan Policies K 11 and K 12, adopted in Exhibit "C"

## ATTACHMENT 3

to Ordinance 98-0027 that was reaffirmed in Ordinance 03-0177, continue to be in effect for this property.

1. Develop a mixed-use pedestrian-oriented urban village, providing some affordable housing;
2. Apply design standards consistent with expectations for Kenmore's downtown;
3. Minimize surface parking;
4. Provide substantial public access to, and use of, the Lake Washington and Sammamish River waterfronts, including a community open space for use by the general public;
5. Provide easily accessible public viewpoints, and protect view corridors to Lake Washington;
6. Provide pedestrian and bicycle linkages to the downtown core, nearby parks and the Burke-Gilman Trail;
7. Recognize and support the site's unique role in the regional transportation network, including connections to bus rapid transit along SR-522, the Kenmore Air Harbor, and a potential Lake Washington passenger ferry;
8. Provide a strong transportation demand management program that facilitates transit use;
9. Create an environmentally-sensitive and sustainable development, including reduced car infrastructure, low impact development, protection of water quality and critical areas, mitigation for impacts to the shoreline edge through shoreline restoration and riparian vegetation enhancement, and enhancement of fish and wildlife habitat.

- Special Study Area—Glacier Northwest: The City has designated the Glacier Northwest property as a Special Study Area recognizing its size and waterfront location on Lake Washington. A cohesive development plan should be prepared for the site to guide redevelopment of the property consistent with the following goals:

1. Develop a mixed-use pedestrian-oriented area, providing some affordable housing;
2. Apply design standards consistent with expectations for Kenmore's downtown;
3. Minimize surface parking;
4. Provide public access to, and use of, the Lake Washington waterfront, including a community open space for use by the general public;
5. Provide easily accessible public viewpoints, and protect view corridors to Lake Washington;
6. Provide pedestrian and bicycle linkages to the downtown core, nearby parks and the Burke-Gilman Trail;
7. Recognize and support the site's unique role in the regional transportation network, including connections to bus rapid transit along SR-522, the Kenmore Air Harbor, and a potential Lake Washington passenger ferry;

ATTACHMENT 3

- 1 8. Provide a strong transportation demand management program that
- 2 facilitates transit use; and
- 3 9. Create an environmentally-sensitive and sustainable development,
- 4 including reduced car infrastructure, low impact development,
- 5 protection of water quality and critical areas, mitigation for impacts
- 6 to the shoreline edge, and enhancement of fish and wildlife habitat.
- 7
- 8
- 9 Policy LU-2.1.3 ~~Multi-family~~High density residential classifications should be applied as follows:
- 10
- 11 a. Primarily located in or near the Downtown area and in the area of transit-
- 12 oriented development near the Metro/Sound Transit Park and Ride~~in~~
- 13 mixed use developments and in neighboring areas already containing
- 14 multi-family uses;
- 15
- 16 b. In or next to Regional, Community, or Neighborhood Business Centers;
- 17 and,
- 18 c. Where ~~Ex~~existing or planned transportation capacity should be adequate
- 19 to accommodate projected travel demand.
- 20
- 21 Policy LU-2.1.4 Commercial classifications should be:
- 22
- 23 a. Located along Principal or Minor arterials or on collector streets that
- 24 intersect with arterials within 1/2 mile. Existing or planned transportation
- 25 capacity should be adequate to accommodate projected travel demand;
- 26
- 27 c. Encouraged near trails to provide opportunities for small-scale pedestrian-
- 28 oriented development serving passers-by.
- 29
- 30 d. Strategically located to maximize the potential success of the hierarchy of
- 31 commercial classifications. The priority area for commercial development
- 32 should be the Downtown;
- 33
- 34 e. Sized appropriately to accommodate sufficient land to accommodate
- 35 community business and services needs;
- 36
- 37 f. Located in areas with current or planned pedestrian access; and
- 38
- g. Commercial designations should be expanded only when it can be
- demonstrated that conditions have changed since the original commercial
- classification boundaries were determined, and there is a demonstrated
- community need.

## ATTACHMENT 3

- 1 Policy LU-2.1.5 Consider proposed Comprehensive Plan Amendments each calendar year  
 2 concurrently so that the cumulative effect of the proposals can be determined. The  
 3 City may consider some amendments outside of the normal review cycle such as  
 4 amendments to the Capital Facilities Element, Shoreline Master Program, adoption  
 5 of a subarea plan, emergency amendments, or others as authorized in the Growth  
 6 Management Act. All proposed Comprehensive Plan Amendments should include  
 7 the following elements:
- 8 a. A detailed statement of what is proposed to be changed and why;
  - 9 b. A statement of anticipated impacts of the change, including geographic  
 10 area affected and issues presented;
  - 11 c. A demonstration of why existing Comprehensive Plan guidance should  
 12 not continue in effect or why existing criteria no longer apply;
  - 13 d. A statement of how the amendment complies with the Growth  
 14 Management Act's goals and specific requirements;
  - 15 e. A statement of how the amendment complies with the Kenmore Vision  
 16 Statement;
  - 17 f. A statement of how functional plans and capital improvement programs  
 18 support the change; and
  - 19 g. Public review of the recommended change, necessary implementation  
 20 (including area zoning if appropriate) and alternatives.
- 21 Policy LU-2.1.6 Ensure proposed Comprehensive Plan policy amendments ~~are accompanied by~~  
 22 ~~any result in~~ changes to development regulations, modifications to capital  
 23 improvement programs, ~~and revised~~ subarea, neighborhood, and functional plans  
 24 ~~required for implementation so that regulations will be consistent as necessary to~~  
 25 ~~ensure consistency with between~~ the Plan ~~and the implementing regulatory and~~  
 26 ~~budgetary frameworks.~~
- 27 **OBJECTIVE 2.2 Prepare clear development regulations consistent with the Comprehensive**  
 28 **Plan.**
- 29 Policy LU-2.2.1 Prepare zoning maps, classifications, and development standards that are  
 30 consistent with the Comprehensive Plan and functional plans.
- 31 Policy LU-2.2.2 To provide flexibility as times and development conditions change, address  
 32 possible amendments to the P-suffix and special district overlay requirements  
 33 through the development agreement process. If development standards are  
 34 modified or eliminated, offsetting public benefits must be provided.
- 35 Policy LU-2.2.3 Kenmore's regulation of land use should:
- 36 a. Protect public health, safety, and general welfare;



## ATTACHMENT 3

- 1 b. Protect environmentally-sensitive areas, including wetlands,  
2 groundwater, streams, Lake Washington, the Sammamish River and  
3 Puget Sound.  
4  
5 c. Support tree preservation, whenever possible.  
6
- 7 bd. Implement and be consistent with the Comprehensive Plan and other  
8 adopted land use goals, policies, and plans;
- 9 ee. Be expeditious, predictable, clear, straightforward, and internally  
10 consistent;
- 11 df. Treat all members of the public equally and base regulatory decisions  
12 wholly on the applicable criteria and code requirements; and,
- 13 g. Provide clear direction for resolution of regulatory conflict;
- 14 eh. Be enforceable, efficiently administered, and provide appropriate  
15 incentives and penalties;
- 16 fi. Be consistently and effectively enforced;
- 17 gi. Create public and private benefits worth their cost;
- 18 hk. Be coordinated with timely provision of necessary public facilities and  
19 services;
- 20 il. Be coordinated with special purpose districts and other public agencies  
21 to promote compatible development standards in Kenmore;
- 22 jm. Be responsive, understandable, and accessible to the public;
- 23 kn. Provide effective public notice and reasonable opportunities for the public  
24 (especially those directly affected) to be heard and to influence decisions;
- 25 lo. Avoid intruding on activities involving constitutionally protected  
26 freedoms of speech, petition, expression, assembly, association and  
27 economic competition, except when essential to protect public health,  
28 safety and welfare (and then the restriction should be no broader than  
29 necessary); and
- 30 np. Provide for relief from regulations when they would deprive a property of  
31 reasonable use, and when such relief would neither endanger public health  
32 and safety nor conflict with adopted use policies.
- 33 **OBJECTIVE 2.3** **Establish a system of densities and development standards that allows for**  
34 **efficient infrastructure and service delivery while protecting environmental**

## ATTACHMENT 3

- resources, and ~~acknowledging neighborhood character~~ **ensuring compatibility between different building types.**
- Policy LU-2.3.1 Through future planning efforts over the next twenty years, seek to achieve ~~an average zoning density of at least seven homes per acre in the City through~~ a mix of ~~residential~~ densities and housing types, appropriately located. Higher density classifications should be applied primarily in and around the Downtown ~~and in the transit-oriented development area near the Metro/Sound Transit Park and Ride.~~ Medium density classifications should be applied within a walkable and/or bikeable distance to transit and services. Lower density classifications, generally no less than four dwelling units per acre, should be applied to established single-family neighborhoods ~~without easy access to transit and services.~~ A lower density zone may be used to recognize significant environmentally sensitive areas.
- Policy LU-2.3.2 When considering density increases or reduced lot sizes, use tools such as building size and form regulations and design standards to address issues of neighborhood compatibility.**
- Policy LU-2.3.23 Apply minimum density requirements to residential and mixed-use zones of twelve or more homes per acre when consistent with the vision for a given zone.
- Policy LU-2.3.4 In the Downtown Commercial classification, adopt a minimum floor area ratio (FAR) to promote multi-story development.**
- Policy LU-2.3.35 Review Uniform Building codes and make amendments to remove barriers to achieving desired densities, such as increased stories of wood frame construction.
- Policy LU-2.3.46 Use regulations, incentives, open space acquisition, or, where these measures are not adequate, use low density zoning to protect floodplains, riparian corridors, high value wetlands, and unstable slopes from degradation, and to encourage linking these environmental features into a network of open space, fish and wildlife habitat. In sensitive areas, some density may be transferred onsite to less constrained areas, or density may be transferred off-site to specified receiving areas, such as the Downtown.
- Policy LU-2.3.57 ~~In some areas, use~~ Through density incentives, ~~to encourage development of innovative low-cost affordable~~ housing, or significant open space, public parks and public trails. Where provided, encourage public parks and public trails to be part of a network consistent with the Parks, Recreation, and Open Space Element goals, objectives, and policies. Additionally, in the Downtown, density incentives or other incentives should be provided for shared and structured parking, or consolidation of lots. Consider performance-based measures to achieve this policy. Ensure benefits, for example, significant open space, are in proximity to the development site.
- Policy LU-2.3.8 In parts of Downtown near transit, in the high-density residential classification near the Metro/Sound Transit Park and Ride, and in the Urban Corridor**

## ATTACHMENT 3

- 1 classification east of 73<sup>rd</sup> Avenue NE, require inclusion of affordable housing in  
2 new residential or mixed use development.
- 3 **OBJECTIVE 2.4      Coordinate land use, road, and utility planning.**
- 4      Policy LU-2.4.1      Establish priority areas for public facility and service improvements, especially for  
5 transportation. These priority areas should be located where public facility and  
6 service improvements would most effectively advance the City of Kenmore's  
7 growth and development as a Candidate Countywide Growth Center, or the City's  
8 goals for economic development, ~~Downtown revitalization~~ neighborhood  
9 improvement, environmental protection, energy efficiency, or affordable housing  
10 objectives. Priority areas will shift over time as improvements are installed and  
11 adopted service level standards are attained.
- 12      Policy LU-2.4.2      Implement an annual monitoring program to assess land use development trends,  
13 and service and infrastructure provision. If service deficiencies, such as city,  
14 county and state roads, public water supply and wastewater treatment, or  
15 communication infrastructure are identified, the City of Kenmore and the affected  
16 service providers should adopt Capital Improvement Programs to remedy  
17 identified deficiencies in a timely fashion, or the City of Kenmore should reassess  
18 the land use plan. In particular, the City should continue to promote reliability  
19 improvements for electric services in Kenmore.
- 20 **Policy LU-2.4.3      Work with communication providers to ensure that broadband service at suitable**  
21 **speeds is available throughout the city.**
- 22      Policy LU-2.4.34      Ensure that infrastructure and facilities are sized appropriately to community needs  
23 and are located with attention to the desired neighborhood character.
- 24      Policy LU-2.4.45      Consider the effects of improved or new infrastructure such as roads and utilities  
25 as potential barriers between neighborhoods or as stimulators of development.
- 26      Policy LU-2.4.56      Through zoning and subdivision regulations, require that residential developments,  
27 including mobile home parks, whether new developments or substantial  
28 redevelopments, provide the following improvements:
- 29                      a.      Paved streets (and alleys if appropriate), curbs and sidewalks, and internal  
30                                      walkways when appropriate;
- 31                      b.      Adequate parking consistent with local transit service levels;
- 32                      c.      Street lighting and street trees;
- 33                      d.      Underground utilities;
- 34                      e.      Stormwater control;
- 35                      f.      Public water supply;

## ATTACHMENT 3

- 1 g. Public sewers.
- 2 Policy LU-2.4.67 Provide water, sewer, surface water, transportation, and recreational facilities at  
3 the time of development.
- 4 **OBJECTIVE 2.5 Encourage development on properties with existing or planned public**  
5 **services and utilities.**
- 6 Policy LU-2.5.1 Encourage innovative, quality development and redevelopment through a variety of  
7 regulatory, incentive, and program strategies. Possible approaches include:
- 8 a. Special development standards for infill or redevelopment sites;
- 9 b. Assembly and resale of sites to providers of affordable housing or mixed-  
10 use developments;
- 11 c. Impact mitigation fee structures that favor infill or redevelopment;
- 12 d. Expedited permit processes;
- 13 e. Greater regulatory flexibility; and
- 14 f. Reduced permit fees and/or delayed fees.
- 15 **OBJECTIVE 2.6 Require adequate transitions between land uses of differing intensities and**  
16 **between development and environmentally sensitive areas.**
- 17 Policy LU-2.6.1 Review and amend zoning and subdivision regulations to ensure adequate  
18 setbacks, landscaping, and buffering are required where land use conflicts may  
19 occur.
- 20 Policy LU-2.6.2 Ensure critical area regulations provide sufficient buffer widths consistent with the  
21 quality and class of the environmentally sensitive area.
- 22 Policy LU-2.6.3 Locate zoning districts and prepare development regulations that result in gradual  
23 transitions between different building intensities.
- 24 **OBJECTIVE 2.7 Participate in joint planning of services and utilities with special districts,**  
25 **private service providers, neighboring municipalities, King County and**  
26 **Snohomish County, and the State of Washington.**
- 27 Policy LU-2.7.1 Plan in partnership with special districts, private service providers, neighboring  
28 municipalities, King and Snohomish Counties, and the State of Washington. The  
29 City should strive to balance the differing needs identified by planning partners at  
30 various geographic levels, and ensure that planning partners honor Kenmore's  
31 needs.
- 32 Policy LU-2.7.2 Prepare functional plans to identify City facility and service needs and define ways  
33 to fund these needs consistent with the land use plans and service and finance

## ATTACHMENT 3

strategy. Independent special districts and other public agencies should also prepare functional plans which should be considered by Kenmore. The capital facility plans and capital improvement programs prepared by all other agencies which provide services to Kenmore should be consistent with the Kenmore Comprehensive Plan.

**GOAL 3. SUPPORT DEVELOPMENT OF KENMORE'S DOWNTOWN AS A KING COUNTY COUNTYWIDE GROWTH CENTER.**

**OBJECTIVE 3.1 Take action to support Downtown Kenmore's candidacy as a King County Countywide Growth Center--a place to equitably concentrate jobs, housing, shopping, and recreational opportunities.**

**Policy LU-3.1.1** Ensure that the combination of jobs and population in the Downtown meets County standards (eventual goal of 30 activity units per acre).

**Policy LU-3.1.2** Continue plans for a mix of uses, providing housing and employment at densities that support high-capacity transit.

**Policy LU-3.1.3** Apply a minimum floor area ratio for new commercial buildings in the Downtown Commercial classification.

**Policy LU-3.1.4** Continue to demonstrate that Downtown is a priority for growth and investment.

**Policy LU-3.1.5** Continue to use design standards to ensure a pedestrian-friendly and attractive Downtown.

**Policy LU-3.1.6** Plan for a variety of housing types including affordable housing.

**Policy LU-3.1.7** Try to retain existing residents and businesses in the community as growth is planned

**Policy LU-3.1.8** Continue to support existing recreational opportunities Downtown such as the Town Square and skate park, as well as future opportunities in the Special Study Areas at Lakepointe and Plywood Supply.

**Policy LU-3.1.9** Support multi-modal transportation, including bicycling, walking, transit, and a passenger ferry.

**GOAL 34. IDENTIFY, PRESERVE, AND ENHANCE THE CULTURAL RESOURCES OF KENMORE.**

**OBJECTIVE 34.1 Promote and support visual, literary, and cultural arts and activities in the community.**

**Policy LU-34.1.1** Encourage King County to continue to provide arts and culturally-based services to the City of Kenmore through its existing programs, and to provide technical assistance for locally-generated programs.

## ATTACHMENT 3

- 1 Policy LU-34.1.2 Encourage shared, multipurpose use of regional and community facilities for cultural  
2 activities to maximize their efficient use and to expand public access to cultural  
3 opportunities.
- 4 Policy LU-34.1.3 Develop a public art program that provides art in public facilities, projects and  
5 places to enhance community character and quality of life. Priority locations  
6 should include Downtown, government facilities, and municipal parks.  
7 Maintenance and conservation should be considerations in the development and  
8 management of public art.
- 9 **OBJECTIVE 34.2 Promote the preservation of significant historic and archaeological sites and**  
10 **structures.**
- 11 Policy LU-34.2.1 Establish a partnership between Kenmore, King County, the Kenmore Heritage  
12 Society and citizen volunteers in order to ~~comprehensively inventory historic and~~  
13 ~~archaeological resources~~ pursue historic inventories and studies to promote landmark  
14 designation. Use the inventory to guide decision-making in resource planning,  
15 environmental review, and resource management.
- 16 Policy LU-34.2.2 Encourage land uses and development that retain and enhance significant historic  
17 and archaeological resources and sustain historic community character.
- 18 Policy LU-34.2.3 Coordinate with ~~Native American~~ the Tribes, the King County Historic Preservation  
19 Officer, and the State Office of Archaeology and Historic Preservation, as  
20 appropriate, to review public and private projects to protect and enhance historic and  
21 archaeological resources.
- 22 Policy LU-34.2.4 Seek funding from King County, the State of Washington, or other agencies to  
23 acquire and preserve significant historic resources for use by City and other public  
24 agencies.
- 25 **OBJECTIVE 34.3 Encourage local activities which promote the community's history.**
- 26 Policy LU-34.3.1 Support the efforts of the Kenmore Heritage Society to document Kenmore's  
27 history, and provide educational materials and resources to all ages.
- 28 Policy LU-34.3.2 Work in partnership with the Kenmore Heritage Society, other agencies and special  
29 districts to identify places or facilities where a museum or display of historic artifacts  
30 and information can be accomplished.
- 31 Policy LU-34.3.3 When dedicating new civic facilities, consider naming them in honor of historical  
32 events or persons of significance to the community.
- 33 Policy LU-4.3.4 Acknowledge that growth and development in Kenmore occurs on the ancestral  
34 lands of the Coast Salish peoples.

## ATTACHMENT 3

1 **IMPLEMENTATION STRATEGIES**

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

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

- 6 ~~• An annual monitoring program for assessing development trends, services and infrastructure~~
- 7 • Historic resource preservation funding
  - 8 • Public arts programs
  - 9 • Partnerships with historic groups and agencies.
- 10 • Standards and locational requirements for small-scale commercial enterprises and services closer to  
 11 home for neighborhood residents in low and medium density residential classifications.
- 12 • Minimum floor area ratio (FAR) for commercial development in the Downtown Commercial  
 13 classification.
- 14 • Transit-oriented development density increases and revised standards in the area near the Metro/Sound  
 15 Transit Park and Ride.

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

- 18 • Appropriate permitted uses in single-family low and medium density residential zones districts outside  
 19 of environmentally sensitive areas
- 20 • Permitted uses in commercial zones
- 21 • Downtown densities in conformance with Countywide Growth Center criteria
- 22 • Development standards addressing neighborhood ~~character and~~ compatibility with surrounding  
 23 development
- 24 ~~• Zoning categories consistency with Comprehensive Plan~~
- 25 • Density bonuses, density transfers, and minimum density regulations
  - 26 • Uniform Building Code review
  - 27 • Infill development standards or incentives
  - 28 • Permit procedures and fees.

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

- 31 • The King County Urban Growth Capacity Study
- 32 • Coordination with special districts and County regarding services



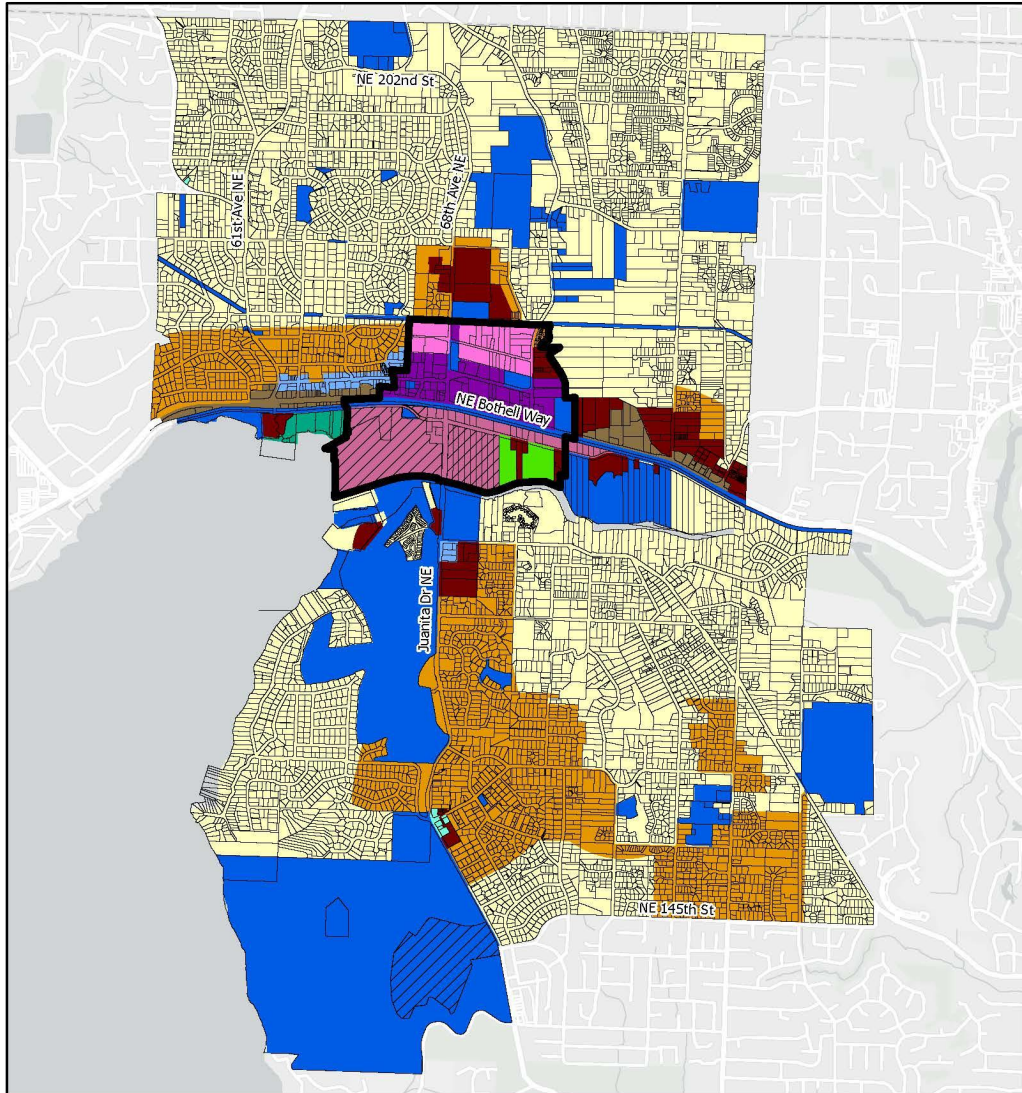
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- Support of County historic resources programs
- Coordination with County/State agencies regarding historic/cultural resources during development review.

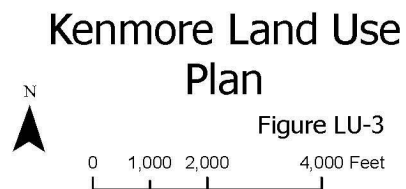
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ATTACHMENT 3



- |                                |                            |
|--------------------------------|----------------------------|
| Countywide Growth Center       | Public/Private Facilities  |
| Special Study Areas            | Regional Business          |
| Community Business             | Low Density Residential    |
| Downtown Commercial            | Medium Density Residential |
| Downtown Residential           | High Density Residential   |
| Manufactured Housing Community | Urban Corridor             |
| Neighborhood Business          | Waterfront Commercial      |



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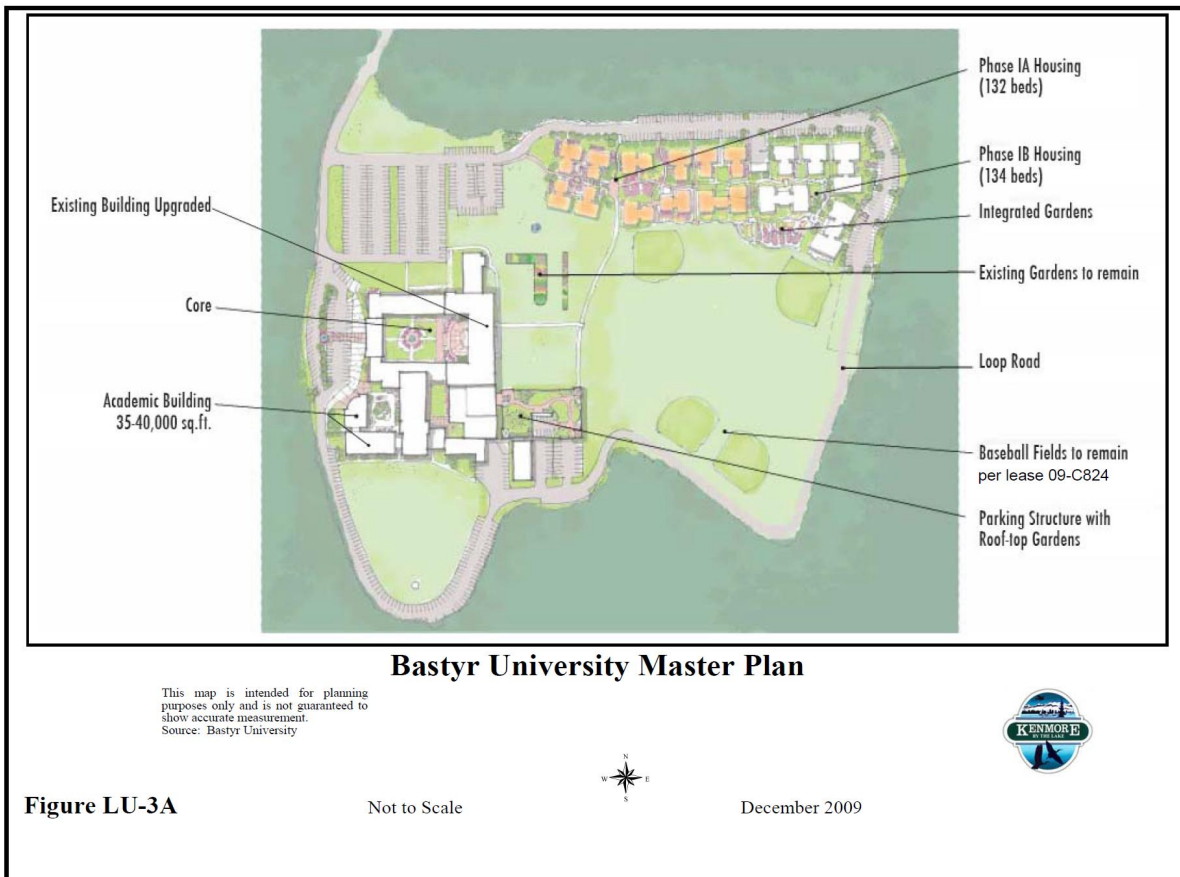
ATTACHMENT 3

1 **Bastyr University Master Plan**

2

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4



## ATTACHMENT 4

1 ~~Text~~ = deleted text

2 ~~Text~~ = new text

## 4 HOUSING ELEMENT AMENDMENTS

### 6 INTRODUCTION ~~AND BACKGROUND~~

#### 7 Purpose

8 This Housing Element is intended to ~~promote and maintain residential neighborhoods, ensure plan for~~ a  
 9 range of densities and housing types for all ~~needs and~~ incomes, ~~address special needs housing, and protect~~  
 10 ~~the quality of the residential environment through preserving, improving, and expanding housing stock.~~  
 11 ~~City housing policy should be financially sustainable—supportive of strong neighborhoods with efficient~~  
 12 ~~service provision. Consistent with the Natural Environment Sub-Element of this Plan, new housing should~~  
 13 ~~be located to protect the natural environment, including wetlands, streams, and fish and wildlife habitats of~~  
 14 ~~importance. When the community was first incorporated, community visioning efforts showed some trends~~  
 15 ~~in housing preferences, including a preference for adding single family dwellings at about the same lot size~~  
 16 ~~as surrounding lots, and acceptance of accessory dwelling units. Also indicated was a desire to control the~~  
 17 ~~location of attached housing by placing it in Central Kenmore, and not dispersing small scale attached~~  
 18 ~~dwellings in neighborhoods.~~

#### 19 Growth Management Act Requirements

20 The Growth Management Act (GMA) states that Comprehensive Plans are to ~~encourage the availability~~  
 21 ~~of plan for and accommodate housing affordable affordable housing~~ to all economic segments of the  
 22 population of this state, promote a variety of residential densities and housing types, and encourage  
 23 preservation of existing housing stock. Housing elements are to ~~make include~~ an inventory and analysis of  
 24 existing and projected housing needs, ~~including units for moderate-, low-, very low-, and extremely low-~~  
 25 ~~income households as well as emergency housing, emergency shelters, and permanent supportive housing.;~~  
 26 ~~The Housing element should~~ include a statement of goals, policies, ~~and objectives, and mandatory~~  
 27 ~~provisions~~ for the preservation, improvement, and development of housing, ~~including moderate-density~~  
 28 ~~housing options such as duplexes, triplexes, and townhomes. Housing elements must; identify sufficient~~  
 29 ~~land capacity for housing, including low income, special needs, and multiple housing types; and make~~  
 30 ~~adequate provision for existing and projected housing needs of all economic segments of the community,~~  
 31 ~~and consider housing location in relation to employment location. Housing elements also must identify~~  
 32 ~~policies, regulations, and implementation measures that do not result in racially disparate impacts,~~  
 33 ~~displacement and exclusion in housing.~~

#### 34 Countywide Planning Policies

35 The “overarching” housing goal of the new Countywide Planning Policies (CPPs) is to “provide a full  
 36 range of affordable, accessible, healthy, and safe housing choices to every resident in King County.” The  
 37 CPPs direct each jurisdiction to update its comprehensive plan for:

- 38 • ~~Preserving, improving, and expanding its housing stock.~~
- 39 • ~~Promoting fair and equitable access to housing for all people.~~
- 40 • ~~Taking actions that eliminate race-, place-, ability-, and income-based housing disparities.~~

## ATTACHMENT 4

The CPPs ~~identified~~ identify the countywide housing needs of moderate-, low-, and very low-, and extremely low-income households, which are equal to 16.19 percent, 12.15 percent and 12.15 percent, respectively, of all housing County households. The CPPs also state that each city ~~shall~~ should address the housing needs of all economic segments and strive to provide housing affordability to accommodate a proportionate amount of the countywide needs.

The county-wide population growth forecast has been established by the Washington State Office of Financial Management (OFM), as required by the GMA. ~~Each~~ In the CPPs, each jurisdiction in King County agreed to a housing target (population allocations converted into households) for the years ~~2006-2031~~ 2019-2044, in Countywide Planning Policies (CPPs). ~~The household~~ Kenmore's housing growth target for Kenmore is 3,5093,070 housing units. The city is committed to ensuring ~~there is~~ Kenmore has capacity in the Comprehensive Plan and implementing regulations to meet this target. Actual growth would occur based upon market forces.

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

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

#### **Affordable Housing Committee Recommendations**

The Affordable Housing Committee of the Growth Management Planning Council serves as a regional advisory body, responsible for recommending action and assessing progress towards implementing the Regional Affordable Housing Task Force Action Plan for King County. This Plan was developed in 2018 to address the affordable housing crisis in King County.

The Plan states that, at its core, the housing crisis is driven by a supply and demand challenge that is two-fold. First, King County's population has grown faster than new homes have been built, Second, King County's population has not grown evenly across the income spectrum. In response to demand for housing by high-earner households, housing developers have focused new projects to serve the upper end of the market and many of what were once existing affordable units have increased in price beyond what many middle- and low-income working individuals and families can afford.

The Action Plan includes seven goals, with strategies to achieve the goals, and actions to implement the strategies. Goals include: Increase construction and preservation of affordable homes for households earning less than 50% area median income; prioritize affordability accessible within a half mile walkshed of existing and planned frequent transit service, with a particular priority for high-capacity transit stations; preserve access to affordable homes for renters by supporting tenant protections to increase housing stability and reduce risk of homelessness; and promote greater housing growth and diversity to achieve a variety of housing types at a range of affordability and improve jobs/housing connections throughout King County

#### **History of Discriminatory Land Use and Housing Practices**

Like many communities, Kenmore has a documented history of discriminatory land use and housing practices, including the placement of racially discriminatory housing covenants over some local neighborhoods. These actions prevented people of color from living in parts of the City. Too, widespread zoning of areas exclusively for single-family housing has kept out those with lower incomes or those who can afford only rental housing. A new focus diversity, equity and inclusion is part of this Housing Element.



## ATTACHMENT 4

In particular, a new emphasis on “Missing Middle” housing types is one way to reverse this pattern of exclusion, particularly in areas close to high-capacity transit and other amenities.

### **Displacement Risk**

The Puget Sound Regional Council (PSRC) has developed a “displacement risk map” to identify areas in the region where current residents and businesses are at risk of displacement as growth occurs. A portion of Kenmore east of 68<sup>th</sup> Avenue NE is identified on this map as an area of moderate displacement risk. Housing Element policies address displacement and potential mitigations, particularly for lower-income residents and People of Color.

### **Relationship to the Natural Environment**

The Natural Environment Element notes that natural systems have played an important part in defining the character of Kenmore. Historically, this area has made significant alterations to the natural environment as a result of development. Moving forward, protecting Lake Washington and the City’s wetlands, streams, trees, and fish and wildlife habitat is crucial to integrating new housing compatibly into the natural environment. Addressing geologic hazards and flooding protects future residents from harm.

## **EXISTING CONDITIONS**

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

### **Population and HouseholdsPopulation Age**

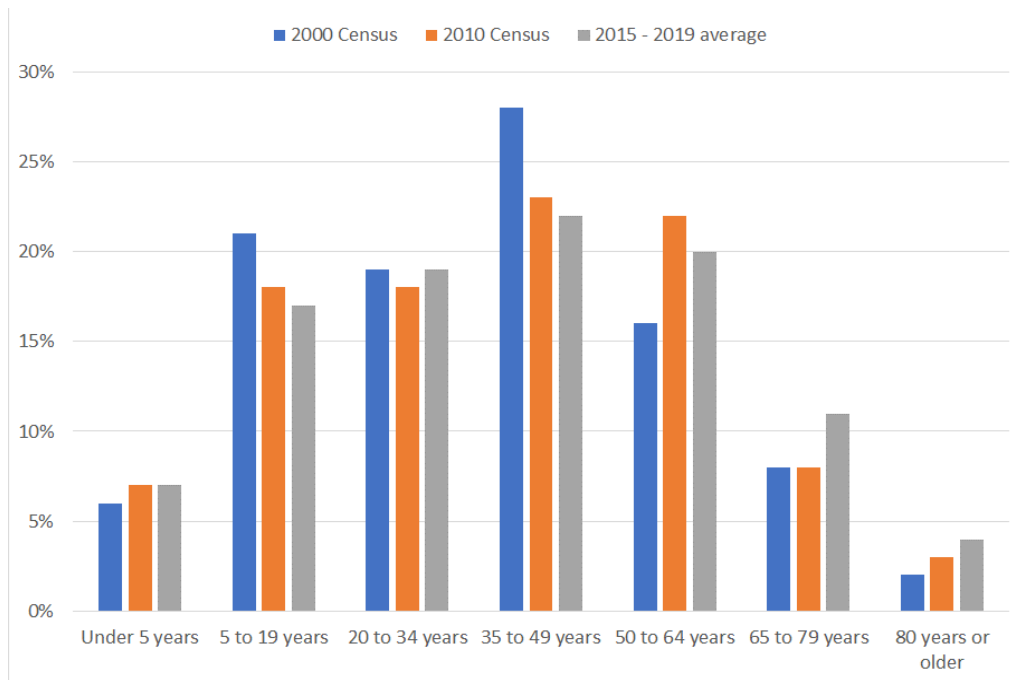
Kenmore’s population grew ten (10) percent in the 2000s, from 18,678 to 20,460an estimated 16 percent from 2010 to 2021. Excluding the small “Point Cities,” (Hunts Point, Yarrow Point, Medina, Clyde Hill, Beaux Arts Village )Kenmore grew more slowly than any other ARCH community in that period (Appendix , Exhibit ).

Kenmore’s population grew 11.9 percent between 2015 and 2021, from 18,67821,500 to 20,46024,050. People with disabilities comprise 9 percent of the population, just as county-wide (Appendix , Exhibit ).

Population declined, however, among school-age children and adults 35 to 44 years old and rose for those 65 years and older (Housing Analysis Appendix , Exhibit D-4 ; and Figure H-1, below). The city’s proportion of senior citizens (65 years and older) is similar to countywide figures. As in other citiespredicted, the seniors’ segment has not increased significantly as ofsince 2010, butdue to aging of the Baby Boomers generation (age 55 — 65) will increase that figure over the next decade.

## ATTACHMENT 4

**FIGURE H-1**  
**POPULATION AGE, KENMORE**



Source: 2010 Census and Washington State Office of Financial Management, April 1, 2021 Population Estimates.

People of Color comprise approximately 22 percent of the Kenmore population overall. The highest percentages of these groups (26 to 28 percent) appear in the youngest age categories, below 45 years old (Appendix , Exhibit ).

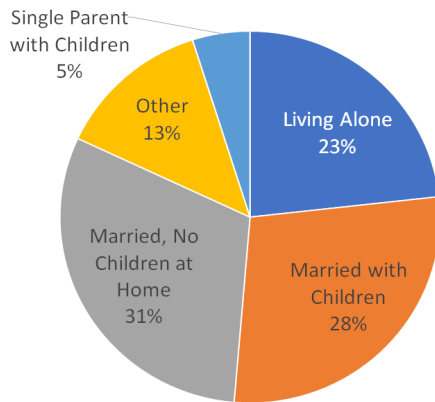
#### Households and Household Types

Kenmore had roughly 700 (14 percent) more households in 2011 than in 2000, but the types of households remained virtually unchanged, averaged 8,858 total households from 2015 to 2019, 11 percent more than in 2010, but the composition of household types changed very little (Housing Analysis Appendix , Exhibit B ). Compared to King County overall (Figures H-2 and H-3 below), the city has a greater percentage of married-couple families (56.59 percent) than King County overall (Figures H-2 and H-3, below), but is typical for east King County in that respect. ("East King County," or EKC, refers here to member cities of ARCH) and families with children (33 percent). The city also maintains a somewhat lower proportion of one- and two-person households (57 percent) than the rest of east King County (58.64 percent; Housing Analysis Appendix , Exhibit C-2 ).

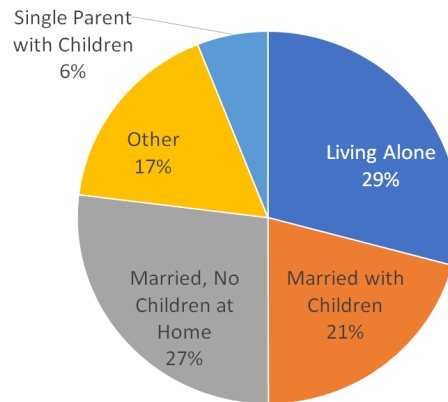


## ATTACHMENT 4

**FIGURE H-2  
KENMORE, 2015–2019**



**FIGURE H-3  
KING COUNTY, 2015–2019**



Source: 2010 Census American Community Survey (ACS) 2019 5-Year Estimates (U.S. Census Bureau)

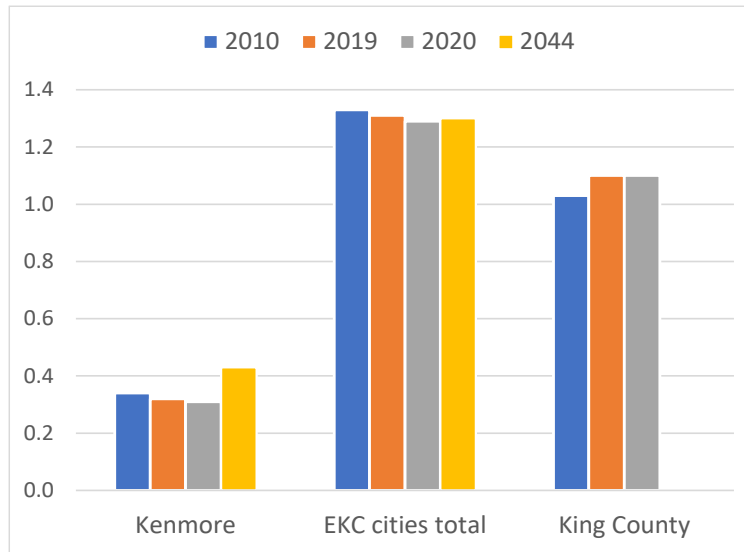
#### **Kenmore Jobs and Wages**

Employment can be an important contributor to housing demand within a community, both in terms of the amount and affordability of housing. Although Kenmore's employment growth during the 1990s was relatively high (24 percent), this was mostly offset by lost jobs (26 percent) between 2000 and 2010. Kenmore lost 20 percent of its jobs from 2006 to 2018, to a total of 4,012. The city's employment target of 3,200 jobs (2019–2044) represents an 80 percent increase over total employment in 2018, which, if true, means that local job growth will be a larger factor in housing demand in the future than in the past.

The Jobs-Housing Ratio is a way to measure demand for housing from local employment relative to the local housing supply. (a ratio less than 1.0 means less demand for housing from the local workforce than is available in the city). As of 2006, the city's jobs-housing ratio was just under 0.4, and based on growth projections would increase to just over 0.4 by 2034 (see Figure H-4). This is much lower than the countywide ratio and the ratio of most other ARCH cities in east King County, suggesting that most Kenmore residents work in other cities, compared to other areas, and the housing demand from existing jobs is relatively low.

## ATTACHMENT 4

**FIGURE H-4  
JOBS-HOUSING RATIO**

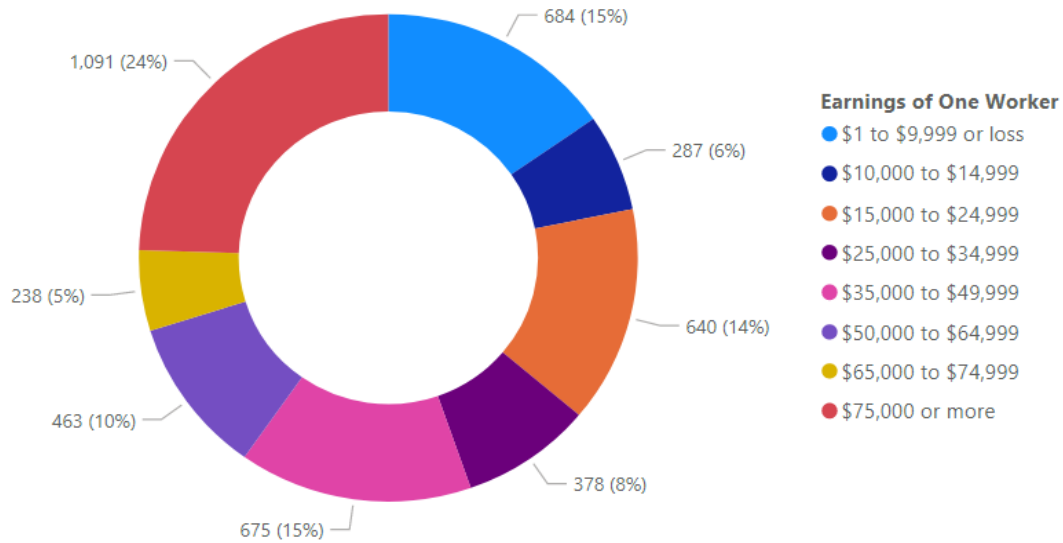


Source: A Regional Coalition for Housing (ARCH).

While the demand for housing from local employment is lower than other nearby communities. Along with relatively low employment opportunities in the city, jobs in Kenmore tend to pay less than jobs countywide in the same sector (Figure H-5, below), which implies a demand for relatively affordable housing from the local workforce toward the lower paying types; 60 percent pay less than \$50,000 a year (Figure H-5, below).

## ATTACHMENT 4

FIGURE H-5

**AVERAGE WAGES BY INDUSTRY SECTOR WAGES OF JOBS IN KENMORE**

Source: Puget Sound Regional Council/ACS, 2015–2019 5-Year Estimates.

**Household Incomes**

Approximately 2022 percent of the households in Kenmore fall within the standards defined as extremely low- or very low- or low income (Table H-A). This is slightly lower than countywide figures, but higher than east King County (Figure H-6 Appendix , Exhibit ). The rental market is the primary source of housing for these populations.

Figure H-6 provides information on median household income by race/ethnicity.

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

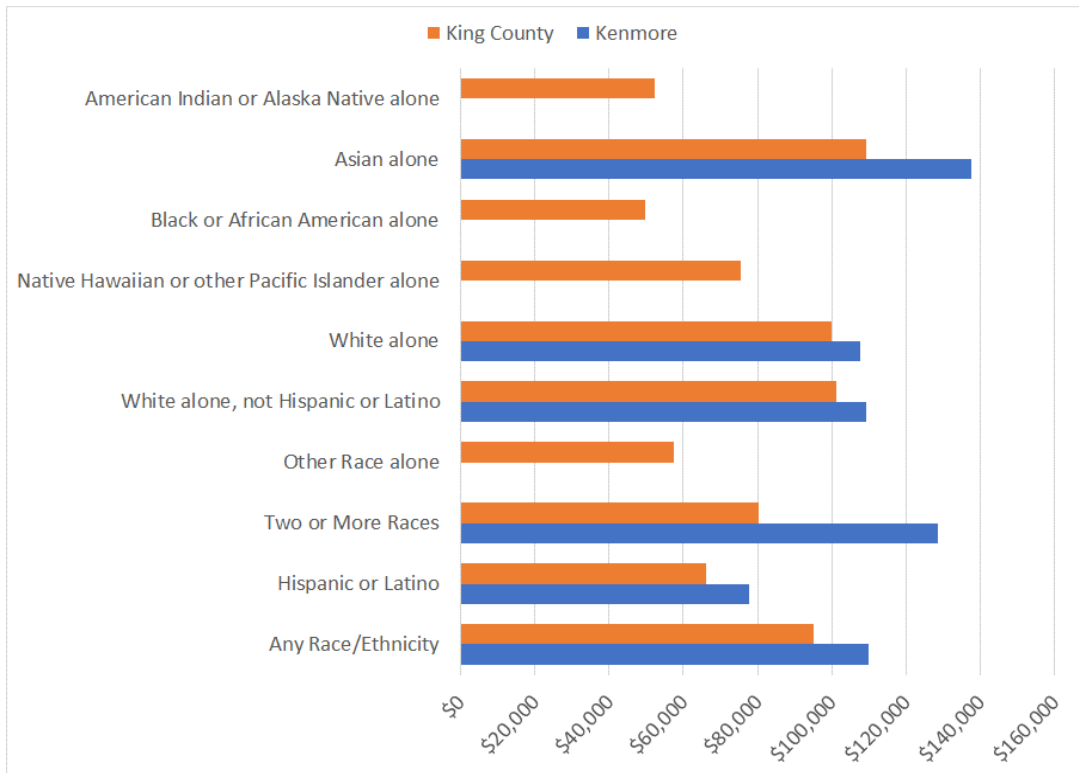
## ATTACHMENT 4

HOUSEHOLD INCOME CATEGORY	PERCENT OF TOTAL HOUSEHOLDS			
	KENMORE		KING CO.	
	2006-2010	2014-2018	2006-2010	2014-2018
< 30% of median: <del>Very</del> Extremely Low-Income	11%	12%	12%	9%
30% to 50% of median: <del>Very</del> Low-Income	6%	10%	10%	9%
50% to 80% of median: <del>Moderate</del> Low-Income	13%	11%	13%	10%
> 80% of median: Middle- and Higher-Income	71%	68%	64%	72%
<p>“Median” refers to the <del>(King County)</del> Area Median Income <del>(King and Snohomish counties)</del>.</p> <p><del>Some totals exceed 100% due to rounding.</del></p> <p><del>*“Kenmore Census Designated Place.” The city was not incorporated until 1998, and the Kenmore CDP is a slightly different geographic area but the closest with available data. Income category breakouts not available for 1990.</del></p>				

Source: ~~1990 and 2000 Census (U.S. Census Bureau) and 2006-2010 Comprehensive Housing Affordability Strategy (CHAS)~~ ~~(Comprehensive Housing Affordability Strategy-5-Year Estimates (U.S. Housing and Urban Development).~~

## ATTACHMENT 4

**FIGURE H-6**  
**MEDIAN HOUSEHOLD INCOME**



Source: ACS 2019 5-Year Estimates (U.S. Census Bureau).

Northshore School District records show that 48.13.5 percent of the students qualify, based on income, for free or reduced lunches at school (Northshore website). Almost nine (9) percent of the students live in a household with an income below the poverty level (Housing Analysis, Exhibit G-3).

#### **Number and Types of Existing Housing Units**

##### **Housing Types**

Kenmore added 42.14 percent more housing units during the 2000ssince 2006—somewhat slower than the growth of the 1990s, but in line with projections in the 2005 Comprehensive Plan. Kenmore also grew a bit more slowly than King County and the rest of the Eastside. (See Exhibits A and L-4 of the East King County Housing AnalysisAppendix .) The city's mix of housing types changed very little during that timesince 2000 (Table H-B, below).

## ATTACHMENT 4

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

	<b>2000</b>		<b>2010</b>		<b>2021</b>	
<b>TYPE OF HOUSING</b>	<b>UNITS</b>	<b>% OF TOTAL</b>	<b>UNITS</b>	<b>% OF TOTAL</b>	<b>UNITS</b>	<b>% OF TOTAL</b>
Single-family Detached	5,235	70%	6,024	70%	6,625	69%
Multi-2 or more-family	1,892	25%	2,254	26%	2,753	28%
Mobile Homes	361	5%	291	3%	287	3%
Total Units	7,488	100%	8,569	100%	9,665	100%

Source: U.S. Census Bureau, 2000 Census, and Washington State Office of Financial Management (OFM),  
2014/2021.

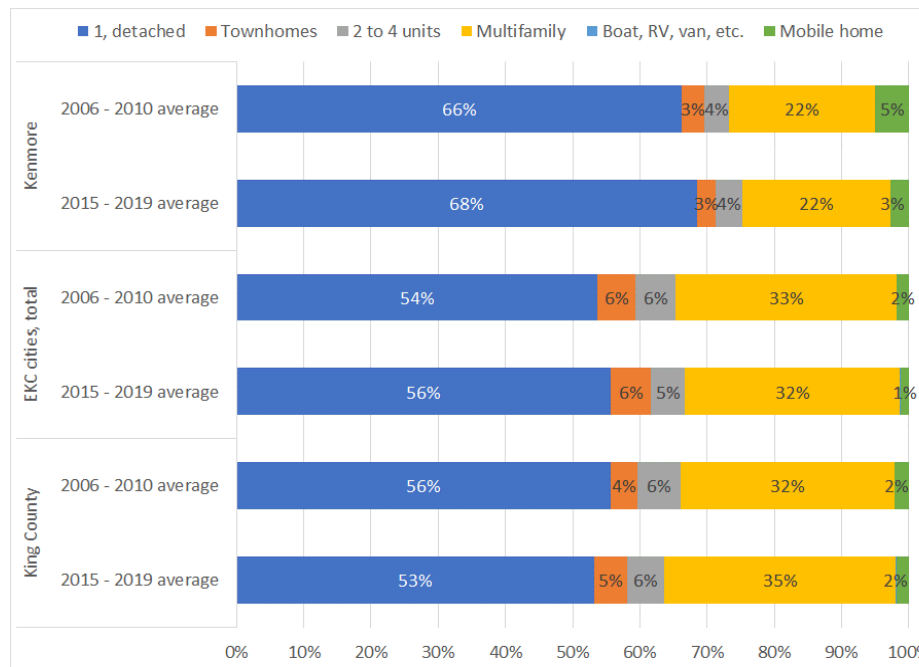
Compared to King County and most of east King County, Kenmore has a relatively low percentage (22 percent) of multi-family housing. Less than 30 percent of Kenmore's housing is multi-family (Figure H-7, below; Housing Analysis Appendix , Exhibit L-1 ). Approximately 25 percent of the multi-family units are condominiums. Seventy (70) percent of the city's residential capacity, however, is zoned for "medium high" and "high" densities, and if developed to capacity Kenmore will provide a variety of housing similar to that of other similarly-sized cities.

Of Kenmore's total city acreage, 78% is zoned exclusively for residential uses (all of the R zones and MHC). Of that acreage, the area zoned exclusively for single-family residential development comprised 95% of the total in 2021. New allowances for duplexes and triplexes in residential areas near transit will reduce this percentage and provide more opportunities for additional housing types in the City.

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

## ATTACHMENT 4

**FIGURE H-7**  
**HOUSING UNITS BY UNITS IN STRUCTURE**



Source: ~~2000 Census and 2014~~ ~~2010 Census and 2019~~ American Community Survey, 5-Year Estimates (U.S. Census Bureau).

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

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

~~Another project, which has been approved, is the first major residential redevelopment project in the Downtown district. Located on a former Metro park and ride site, the property will have up to 325 apartments within walking distance of shopping and transit. Pursuant to local zoning requirements, twenty~~



## ATTACHMENT 4

five (25) percent of the units will be affordable to moderate income households. The first phase of 138 apartments started construction in 2014.

Kenmore has permitted more than 6034 accessory dwelling units as of 2011-2021, or about one for every 167 detached single family homes—almost exactly the same as the average for all of east King County (Housing Analysis, Exhibit Q-1). (This compares to a rate of one for every 32 detached homes in Mercer Island, the city with the highest ratio of ADUs.). In 2020, the City amended its ADU regulations to encourage development of ADUs, including extinguishment of the owner occupancy requirement after the first six months of consecutive occupancy.

#### **Age of Housing**

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

Kenmore's housing stock is similar in age to that of other ARCH communities and younger than that of King County overall. Eight (8) percent of all homes in the community were built since 2010 (similar to the rest of King County and the ARCH sphere). On the other hand, 25 percent of Kenmore's homes are more than 50 years old, compared to 37 percent across King County (See Housing Analysis, Appendix ).

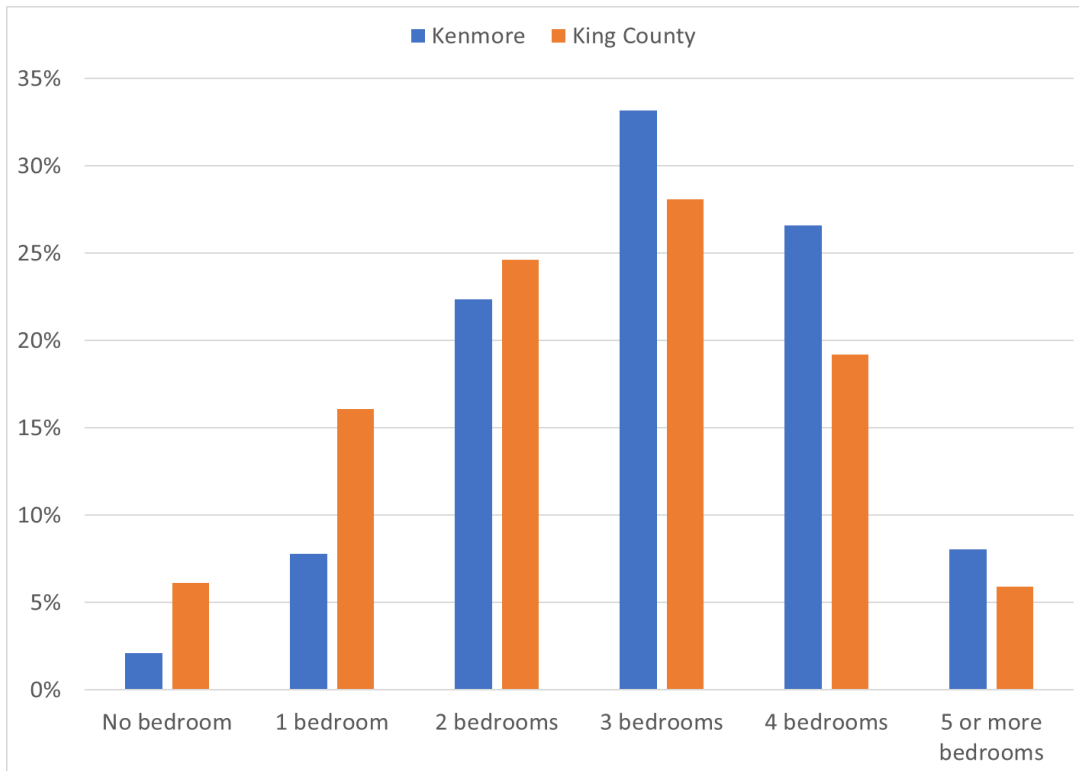
#### **Housing Condition**

One percent (1%) of Kenmore's housing units lack complete plumbing facilities, and one percent lack complete kitchen facilities (Housing Analysis, Appendix ). King County overall is similar in both respects.

#### **Bedrooms**

Kenmore's housing stock is weighted toward homes with more bedrooms than King County in general (Figure H-8, below). This is true in both owner-occupied and renter-occupied housing. Compared to 2010, Kenmore has increased slightly the percentages of studio and four-bedroom units and lost about 140 one-bedroom units (Appendix , Exhibit ).

## ATTACHMENT 4

**FIGURE H-8****HOUSING UNITS AND BEDROOMS**

Source: ACS 2015 – 2019 5-Year Estimates.

**Prices of Market Rate Housing Prices****Homeownership**

Kenmore has a homeownership rate of 74.73 percent, which is at the upper end of ownership rates among the highest for ARCH cities in east King County, and greater than the countywide average rate (57%). Kenmore has also had a relatively significant increase in the rate of homeownership since the early 1990s, while most cities have seen homeownership rates stable or decreased in that period. Black, Indigenous, and other People of Color (BIPOC) householders are 19 percent of Kenmore's households and 18 percent of the homeowners. Asian householders (not Hispanic or Latino) are 13 percent of the total households and 14 percent of the homeowners. Other BIPOC householders are 6 percent of the total and 4 percent of Kenmore's homeowners.

The average home sale price in the first quarter of 2014-2020 in Kenmore was \$413,730,000 (Central Puget Sound Real Estate Research Committee/Washington Center for Real Estate Research). This is lower than the average prices in nearby communities and in King County overall (\$474,000). On average, Kenmore's home prices fell 14 percent during the recent recession, less than east King County in general (21 percent); but as seen across most of the Eastside, prices have more than recovered.

## ATTACHMENT 4

Condominiums and townhomes, including both ground-oriented and non-ground-oriented owned dwelling units, provide a relatively affordable homeownership alternatives for Kenmore residents. The average sale price for condominiums in early 2014/2020 was \$169,371,000—similar to condo prices in Bothell and Woodinville, and low compared to the averages across east King County and King County overall (Central Puget Sound Real Estate Research Committee/Washington State Real Estate Research Committee).

### Rental Housing

Rental housing makes up about 25/27 percent of housing supply in Kenmore, a significantly smaller portion of overall housing than in east King County as a whole and King County as a whole. Average rents are slightly higher in the Kenmore/Bothell market than in the Shoreline market (Table H-C, below), but low compared to the rest of East King County and the county overall. The median gross rent (including utilities) in Kenmore in 2020 was the lowest among east King County cities except Beaux Arts Village, and 10 percent below the county-wide median (Table H-C; Appendix , Exhibit ).

**TABLE H-C**  
**AVERAGE MEDIAN GROSS RENTS, 2014 (SPRING) 2015–2019 5-YEAR AVERAGES**  
**PROPERTIES WITH 20 OR MORE APARTMENTS (2019 DOLLARS)**

LOCATION	SIZE OF UNIT (BEDROOMS/BATHROOMS)				AVERAGE
	0/1	1/1	2/1	3/2	All Units
Bothell/Kenmore	\$1,472	\$1,480	\$1,724	\$2,205	\$1,719
Kenmore	\$1,236	\$1,287	\$1,391	\$2,071	\$1,433
Shoreline/Lake Forest Park	\$1,193	\$1,362	\$1,592	\$1,925	\$1,574
Eastside/King County	\$1,307	\$1,420	\$1,671	\$2,030	\$1,606

Source: The Apartment Vacancy Report (Dupre+Scott Apartment Advisors) ACS 2015-2019 5-Year Estimates.

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

**TABLE H-D**  
**APARTMENT VACANCY RATES**  
**PROPERTIES WITH 20 OR MORE APARTMENTS**  
**RENTAL HOUSING VACANCIES**

	PERCENT OF ALL RENTAL HOUSING UNITS	
	2006 – 2010 average	2015 – 2019 average
Kenmore, total	2,239	2,606
Renter-occupied	94.5%	93.0%
Vacant, for rent	3.7%	3.7%

## ATTACHMENT 4

	<b>PERCENT OF ALL RENTAL HOUSING UNITS</b>	
	<b>2006 – 2010 average</b>	<b>2015 – 2019 average</b>
<b>Vacant, for seasonal, recreational, or occasional use*</b>	<b>1.0%</b>	<b>1.8%</b>
<b>Rented, not occupied</b>	<b>0.7%</b>	<b>1.5%</b>
<b>Total vacant</b>	<b>5.5%</b>	<b>7.0%</b>
<b>King County, total</b>	<b>340,071</b>	<b>406,209</b>
<b>Renter-occupied</b>	<b>92.2%</b>	<b>93.5%</b>
<b>Vacant, for rent</b>	<b>4.4%</b>	<b>3.2%</b>
<b>Vacant, for seasonal, recreational, or occasional use</b>	<b>2.3%</b>	<b>2.2%</b>
<b>Rented, not occupied</b>	<b>1.1%</b>	<b>1.1%</b>
<b>Total vacant</b>	<b>7.8%</b>	<b>6.5%</b>

\* “Seasonal, recreational, or occasional use” may include units not available for rent.

#### **Rental Housing for People Needing Supportive Services**

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

An estimated ~~six (6)~~four (4) percent of the people in Kenmore are over the age of 7580 years (~~Housing Analysis Appendix~~, Exhibit \_\_\_\_). Supplemental Security Income supports people with disabilities in ~~over 200 (3 about two)~~ percent of Kenmore households (~~Housing Analysis Appendix~~, Exhibit \_\_\_\_).

Kenmore has ~~two~~one licensed assisted living ~~facilities~~facility (boarding homes) with ~~106~~100 beds and ~~24~~26 licensed adult family homes with ~~117~~150 beds (~~Housing Analysis Appendix~~, Exhibit ~~Q-2~~). Adult family home residents include elderly people, individuals with limited mobility (use of wheelchair), developmental disabilities, mental illness, diabetes, terminal illnesses, brain injury, and those recovering from strokes. The number of persons living in supported living situations (i.e., group quarters) has increased ~~almost 50~~35% since ~~2000~~2010, a somewhat lower rate than the growth across east King County (44 percent) (~~Housing Analysis Appendix~~, Exhibit ~~K-2~~). The closest nursing home to Kenmore is in Bothell. ~~The North Creek Health and Rehab Center (10909 NE 185th St. SW)~~Bothell Health Care (707 228<sup>th</sup> St. SW) nursing home has ~~112~~99 beds.

#### **Income- and Price-Restricted Housing**

##### **Land Use and Tax Incentives**

The City of Kenmore has a number of voluntary incentive programs to support housing developers who commit to setting aside some of the homes in their properties to be affordable for income-eligible households. At this writing, one property (Spencer 68) does so, as a result of the city’s purchase and resale of a disused Metro park-and-ride lot.

## ATTACHMENT 4

	<u>Apartment</u> s
<u>50% AMI</u>	<u>5</u>
<u>85% AMI</u>	<u>51</u>
<u>Market Rate</u>	<u>166</u>

Spencer 68 Apartments benefits from an exemption from property taxation on their buildings (not the land) for 12 years—through 2029—and, in exchange, reserves 56 affordable units for the life of the property.

Affordable housing requirements and tax incentives are offered in the transit-oriented district around the current park-and-ride facility on SR-522, and density requirements are in place for the Downtown Commercial zoning district. Density incentives are provided in the Neighborhood Business (NB) zone and in most other zones through the Residential Density Incentives program.

#### Assisted Rental Housing *Public and other Funding Programs*

A variety of publicly assisted rental housing is available in Kenmore, including:

<u>Name</u>	<u>Owner</u>	<u>Population Served</u>	<u>Units or Beds</u>
<u>Brookside Apartments</u>	<u>Sound Mental Health</u>	<u>Transitional</u>	<u>16</u>
<u>Copper Lantern</u>	<u>Low Income Housing Institute</u>	<u>Families</u>	<u>21</u>
<u>Green Leaf Apartments</u>	<u>King County Housing Authority</u>	<u>Families</u>	<u>27</u>
<u>Harbour Villa Apartments</u>	<u>King County Housing Authority</u>	<u>Seniors &amp; Disabilities</u>	<u>5</u>
<u>Heron Landing</u>	<u>Downtown Action to Save Housing</u>	<u>Seniors</u>	<u>50</u>
<u>Heron Run</u>	<u>Kenmore Family Associates</u>	<u>Families</u>	<u>40</u>
<u>Northwood Apartments</u>	<u>King County Housing Authority</u>	<u>Seniors &amp; Disabilities</u>	<u>34</u>
<u>Shadrach Apartments</u>	<u>Hopelink</u>	<u>Shelter</u>	<u>9</u>

All of these income- and price-restricted housing units are located within a half mile of transit service, the Greenleaf family housing and Northwood senior housing operated by the King County Housing Authority (KCHA), Heron Run family and Heron Landing senior housing operated by DASH, Copper Lantern (rental and ownership housing) operated by LIHI and Shadrach family shelter operated by Hopelink.

In addition, the Housing Authority operates a voucher program (Housing Choice Vouchers) for the rental of privately held units. This federal program currently assists approximately 20122 Kenmore households with rental subsidies. Lower income tenants in the City of Kenmore may also apply for emergency funding from King County in the event they are faced with eviction due to nonpayment of rent. This assistance is available through the Multi-Service Center of Northeast King County.

#### Housing for the Homeless

Although Kenmore-specific information is not available, the 2020 Point in Time Count of the homeless found that there were 204 sheltered homeless individuals and 56 unsheltered homeless individuals (living on the streets) in north King County, which includes Bothell, Kenmore, Lake Forest Park, Shoreline, and Woodinville.

Three facilities in Kenmore provide or have recently provided temporary shelter. Mary's Place (18118 73<sup>rd</sup> Avenue NE) provides emergency family shelter. In 2018 and 2021, Camp Unity Eastside was located at

## ATTACHMENT 4

Northlake Lutheran Church (6620 NE 185th Street) and provided shelter for about 40 men, women and couples without children. Hopelink's Kenmore Place shelter also provides temporary housing.

An application from the Episcopal Church of the Redeemer (6210 NE 181st Street) was received in December 2021 to host Camp Unity Eastside between June and October 2022.

The establishment of the King County Regional Homelessness Authority in 2021 should help refine information on the homeless population in Kenmore and begin to address homelessness county-wide.

### HOUSING AFFORDABILITY

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

TABLE H-E  
AFFORDABLE HOUSING COSTS BASED ON KING COUNTY MEDIAN INCOME, 20142021

	<del>VERY</del> EXTREMELY LOW INCOME		VERY LOW INCOME		MODERATE LOW INCOME	
	30% of Area Median		50% of Area Median		80% of Area Median	
Household Size	Annual Income	Affordable Monthly Cost	Annual Income	Affordable Monthly Cost	Annual Income	Affordable Monthly Cost
1	\$24,297	\$607	\$40,495	\$1,012	\$64,792	\$1,620
2	\$27,768	\$694	\$46,280	\$1,157	\$74,048	\$1,851
3	\$31,239	\$781	\$52,065	\$1,302	\$83,304	\$2,083
4	\$34,710	\$868	\$57,850	\$1,446	\$92,560	\$2,314
5	\$37,487	\$937	\$62,478	\$1,562	\$99,965	\$2,499

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

Using the federal affordability definition, 4312% of Kenmore's housing is affordable to extremely low- and very low- and low-income households and 4512% to moderate low-income households (Housing Analysis Appendix, Exhibit M-2). The amount of housing affordable to low extremely low- and very low-income families is similar to Bothell and slightly below King County, but higher than other cities in east King County cities as a group (7%). The amount of housing affordable at the moderate low-income level is again similar to Bothell, but higher than the rest of east King County overall (8%), but lower than Bothell and lower than the Countywide figures (16%). Table H-GF compares the housing affordability of Kenmore, east King County, and King County overall against countywide housing needs.

Most of Kenmore's housing affordable to lower incomes is rental housing. Thirty-five two (3532) percent of the rental units in Kenmore were affordable to extremely low- or very low- and low-income families in 20142018. This is similar to greater than the countywide figures (24%), but and much higher rate of affordability in rental housing than other cities in east King County (13%).

About seven nine (79%) percent of the single family owner-occupied housing units in Kenmore are affordable to families earning up to 80 percent of median income, and an additional four eight percent (48%) are affordable to families earning 80 to 100 percent of median income (Housing Analysis Appendix).

## ATTACHMENT 4

Exhibit M-2, and Table H-F, below). These figures are similar to east King County (6% and 5%, respectively), but somewhat lower than King County (13% and 11%). Note that Kenmore has a relatively high percentage of homes affordable to low-income households, which may be partially attributable to the city's relatively high number of manufactured homes.

**TABLE H-F**  
**AFFORDABLE HOUSING AND COUNTYWIDE HOUSING NEEDS, 2014-2018**

HOUSEHOLD INCOME LEVEL	PCT OF TOTAL HOUSING UNITS AFFORDABLE AT INCOME LEVEL			COUNTYWIDE HOUSING NEED
	Kenmore	East King Co.	King County	
< 30% of median: Very Extremely Low-Income	3%	3%	4%	15%
30% to 50% of median: Very Low-Income	9%	4%	9%	15%
50% to 80% of median: Moderate Low-Income	12%	8%	16%	19%
> 80% of median: Middle- and Higher-Income	76%	85%	71%	51%

Source: 2006-2010 CHAS (Comprehensive Housing Affordability Strategy; U.S. Housing and Urban Development), 2014-2018 5-year averages.

Note: Countywide Housing Need determined by 2021 Countywide Planning Policies.

### Cost-Burdened Households

Despite the relative affordability of Kenmore, 38 percent of the city's households, and 42 percent of the renting households, are housing cost-burdened. Overall, housing cost burden improved in Kenmore since 2010, from 38 percent to 28 percent of all households (comparable to all of East King County). For some segments of the community, however, cost burdened worsened. Close to half (48 percent) of the renting households are housing cost-burdened, up from 42 percent (Housing Analysis Appendix , Exhibit H-4 ). Both figures are similar to countywide figures, but high for east King County. This is high compared to other ARCH cities (35 percent) and King County as a whole (42 percent). Moreover, of cities in east King County, Kenmore has the highest. On the positive side, Kenmore's percentage of severely cost-burdened households renters (paying more than half their incomes on housing) at has fallen from 21 percent to 17 percent.

Table H-G provides information on housing cost burden by race/ethnicity in Kenmore.



## ATTACHMENT 4

**TABLE H-G**  
**HOUSING COST BURDEN AND RACE/ETHNICITY**  
**KENMORE, 2018**

<b>Race/Ethnicity of Householder</b>	<b>All Households</b>	<b>Cost Burdened (Housing costs 30% to 49% of household income)</b>	<b>Severely Cost Burdened (Housing costs 50% or more of household income)</b>
Hispanic or Latino, any race	5%	9%	8%
Not Hispanic or Latino	95%	91%	92%
American Indian or Alaska Native alone	0%	0%	1%
Asian alone	11%	14%	14%
Black or African-American alone	1%	8%	10%
White alone	81%	64%	62%
Other (including multiple races)	2%	4%	5%

Source: CHAS 2014–2018 5-year Estimates.

See Appendix for more information about cost burdened households.

### HOUSING TARGETS AND CAPACITY

The city's 2006-2031/2019-2044 growth target established by the King County Countywide Planning Policies is 3,500/3,070 households/housing units. Subtracting actual development, the remaining growth target (2012-2031) is 2,980 households. On an annualized basis, this means the city should expect and plan for 149/123 additional units each year. The Kenmore Land Use Plan provides enough zoned capacity to exceed the 2031/2044 household/housing target, as shown in Table H-GH. Mixed-use areas provide a very large percentage more than half of the city's present capacity for new housing.

Within ½ mile of high-capacity transit, there is capacity for approximately 3,500 additional new housing units, including new duplex and triplex development in the medium density residential classification. Existing housing units in that area total nearly 7,000 units.

**TABLE H-GH**  
**EXISTING HOUSING UNITS, 2021 CAPACITY, AND TARGETS, KENMORE**

<b>Housing Type</b>	<b>2021/2018 Existing</b>		<b>Remaining Capacity</b>		<b>Total if Built to Capacity</b>	
	<b>Units</b>	<b>Pct</b>	<b>Units</b>	<b>Pct</b>	<b>Units</b>	<b>Pct</b>
Single-family Dwellings	6,808	72%	418	11%	7,226	53%
Multi-family Dwellings, total	2,621	28%	3,717	89%	6,338	47%
In residential-only zones			184	5%		
In mixed-use zones			3,533	95%		

## ATTACHMENT 4

Housing Type	20122018 Existing		Remaining Capacity		Total if Built to Capacity	
	Units	Pct	Units	Pct	Units	Pct
Total	9,429		4,135		13,564	

Source: Washington State Office of Financial Management and 2014 Buildable Lands 2021 Urban Growth Capacity Report (King County).

#### Affordable Housing Needs

Countywide Planning Policy (CPP) H-1 requires that, “All comprehensive plans ... combine to address the countywide need for affordable housing ... at a level that calibrates with the jurisdiction’s identified affordability gap” for extremely low-, very low-, and low-income households.” Table H-I shows the difference between the housing supply in 2019 and the expected need in 2044 at each income level. (See the Endnotes to this chapter for definitions of each column heading.)

The Washington Department of Commerce is developing detailed projections of housing need for each county, to be accompanied by guidance on sub-county allocations; therefore, it is possible that King County will revise the CPPs in response, which may indicate future revisions to Table H-I.

**TABLE H-I**  
**AFFORDABLE HOUSING NEEDS**

	2019 Estimated Supply		2044 Apportioned Demand		2019 – 2044 Need
<b>Kenmore</b>	9,485		12,555		
0 – 30% AMI	278	3%	1,883	15%	1,605
31 – 50% AMI	1,074	11%	1,883	15%	810
51 – 80% AMI	1,324	14%	2,385	19%	1,061
Over 80% AMI	6,809	72%	6,403	51%	-406
<b>East King County cities</b>	222,378		314,032		
0 – 30% AMI	6,036	3%	47,105	15%	41,068
31 – 50% AMI	12,260	5%	47,105	15%	34,845
51 – 80% AMI	24,465	11%	59,666	19%	35,201
Over 80% AMI	179,617	81%	160,156	51%	-19,460

Sources: CHAS, OFM, ARCH.

Note that the CPPs encourage local governments and their comprehensive plans to work in collaboration with other jurisdictions and non-governmental agencies. “When taken together, all the comprehensive plans of King County jurisdictions must “plan for and accommodate” the existing and projected housing

## ATTACHMENT 4

needs of the county (RCW 36.70A.020 and 36.70A.070)” (introduction to CPP Housing chapter). “All comprehensive plans in King County combine to address the countywide need for housing ... at a level that ... results in the combined comprehensive plans in King County meeting countywide need” (H-1). “(T)his section promotes cross-sectoral and interjurisdictional coordination ... (to) meet the housing needs of households with extremely low, very low, and low incomes. ... (C)ollective efforts to fund or provide technical assistance for affordable housing development and preservation, and for the creation of strategies and programs, can help to meet the housing needs identified in comprehensive plans. Therefore, there are opportunities for efficiencies and greater impact through interjurisdictional cooperation” (introduction to CPPs H-6 and H-7). The CPPs encourage Kenmore and other cities not to think of affordable housing goals or issues as their’s to solve alone. For example, Kenmore may be able to plan for more than 1,061 homes affordable to low-income households or support some extremely low-income housing created in other communities. The city of Kenmore belongs to ARCH to make these opportunities happen.

## SUMMARY OF LOCAL HOUSING STRATEGIES

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

- Updates to the Downtown area plan have increased opportunities for creating new housing in the Downtown. This has allowed the city to have sufficient capacity to meet its 2006–2013 housing growth targets.
- In 2003, the city rezoned the old former Park and Ride site on 68<sup>th</sup> Avenue NE to allow housingenable a multifamily development, with a requirement that 25 percent of the units address local affordable housing needs. Spencer68 apartments opened in 2015, providing 56 affordable units, five for low-income households. The first phase of development of this property began in 2014. To help enhance affordability on the property, the city approved a twelve-year property tax exemption on residential improvements.
- The city has waived a portion of impact fees for a project that incorporated housing affordable to low-income households.
- The city has been an ongoing member of ARCH. Through the ARCH Trust Fund process, the city has regularly committed local funds for affordable housing projects in Kenmore and throughout the region, assisting over 170 with nearly 200 units affordable to lower-income households.
- Through participation in the countywide CDBG Consortium, 25 local homeowners have received Housing Repair loans since 2005 (9 applications in 2021).
- In 2015 and again in 2022, the city adopted increased density allowances in the Transit Oriented Development District with requirements for including affordable housing in new development.
- The city, in 2017, the city approved a Housing Strategy Plan identifying potential strategies to address affordable housing needs and prioritizing them for future consideration.
- In 2019, the city:
  - rezoned some of the City’s manufactured housing communities in order to preserve existing affordable housing in those communities.
  - amended zoning for portions of the Community Business zoning district, including incentives for development of affordable housing.
  - expanded the area eligible for a Multifamily Tax Exemption to the Transit-Oriented Development District.
- The City has adopted several residential renter protection regulations. In 2019, the city adopted an enhanced notice of rent increase. From March 20, 2021 through January 15, 2022, the city adopted a temporary moratorium on residential tenant evictions related to the Covid-19 pandemic. In June 2021, the City adopted four renter protections that remain in place through the Washington State and City of Kenmore declared emergency related to the Covid-19 pandemic:

## ATTACHMENT 4

- Creates a defense to eviction for rental debt accrued due to pandemic-related hardship.
- Creates a defense to eviction if a tenant has a rental assistance application in process.
- Bans late fees for rent that became due during the pandemic.
- Requires landlords to certify that they have attempted to obtain rental assistance before filing for eviction due to unpaid rent accrued during the pandemic.
- In 2022 the City also is considering adopting additional residential protections including:
  - Notice of rent increase required
  - Cap on late fees
  - Cap on move in fee
  - Right to Payment Plan
  - Rental unit registration program
  - Just cause eviction program
  - Right to relocation assistance
  - Criminal background checks prohibited
  - Bans discrimination due to immigration status
  - Bans requirement of social security number
  - Bans abusive, deceptive, and unfair practices in rental housing
  - Rent due date may be altered due to tenant's fixed income
  - Landlord may not demand child or person with disability to be signatory to lease if tenant of record is already a signatory
- In 2021, the city:
  - created a reduced permit review process for projects containing affordable housing.
  - The city adopted updated regulations to allow Accessory Dwelling Units, with over 3960 ADUs permitted to date.
- In 2022, the City Council authorized spending approximately 3 million dollars in federal American Rescue Plan Act (ARPA) funding for a project containing a minimum of 10% of dedicated affordable housing for those earning less than 30% AML. The Council also authorized use of City surplus property for this development. It is anticipated that the development proposal will be submitted to the annual State and County funding pipeline in 2022.
- Also in 2022, the city adopted new standards allowing duplex and triplex development ("Missing Middle" housing) within ¼ mile of the City's two high-capacity transit corridors.

## GOALS, OBJECTIVES, AND POLICIES

RESIDENTIAL NEIGHBORHOODS **SUB-ELEMENT****GOAL H-1. PROMOTE AND MAINTAIN STRONG, DIVERSE, EQUITABLE, AND INCLUSIVE RESIDENTIAL NEIGHBORHOODS.****OBJECTIVE H-1.1 Encourage repair and maintenance of existing housing.**

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

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

## ATTACHMENT 4

1		residential neighborhoods consistent with adopted service and capital
2		improvement plans.
3	Policy H-1.1.3	In cooperation with King County, Puget Sound Energy, or other agencies, promote
4		the use of weatherization programs in existing housing.
5	<b><u>OBJECTIVE H-1.2 Support housing stability through tenant protections for renters.</u></b>	
6	<b><u>Policy H-1.2.1</u></b>	<b><u>Implement tenant protections that increase housing stability such as notice of rent</u></b>
7		<b><u>increase and just cause eviction for tenants on termed leases.</u></b>
8	<b><u>OBJECTIVE H-1.3 Prioritize and plan for the retention of existing residents when considering</u></b>	
9		<b><u>zoning changes or capital projects. In particular consider impacts on</u></b>
10		<b><u>marginalized people, with a particular focus on Black, Indigenous, and</u></b>
11		<b><u>People of Color communities.</u></b>
12	<b><u>Policy H-1.3.1</u></b>	<b><u>Support policies, practices, and programming that promote and retain diversity,</u></b>
13		<b><u>and ensure equity and inclusion in Kenmore.</u></b>
14	<b>OBJECTIVE H-1.24</b>	<b>Promote safe, physically accessible, well maintained, and well-designed</b>
15		<b>residential environments with associated open spaces.</b>
16	Policy H-1.24.1	Encourage housing design and development that promotes public safety including
17		“Crime Prevention through Environmental Design” components as described in
18		the <del>Land Use</del> <u>Community Design Sub-</u> Element.
19	Policy H-1.24.2	Ensure development regulations address accessible housing and transportation
20		services. Residential structures as well as physical improvements, such as parking,
21		streets, and sidewalks, should allow for mobility and accessibility by all residents,
22		including the elderly and persons with disabilities, consistent with the
23		Transportation Element. Promote awareness of Universal Design improvements
24		that increase housing accessibility.
25	<b><u>Policy H-1.4.3</u></b>	<b><u>Support well-maintained neighborhoods through an active code enforcement</u></b>
26		<b><u>program that does not disparately impact lower income residents.</u></b>
27	<b><u>Policy H-1.24.34</u></b>	<b><u>Prepare and implement development and design standards that acknowledge</u></b>
28		<b><u>neighborhood character and address compatibility with surrounding</u></b>
29		<b><u>development further the community vision</u></b> consistent with Land Use and
30		Community Design Element goals and policies.
31	Policy H-1.24.45	Encourage energy and water efficiency in existing and new housing developments,
32		as addressed in the Utilities Element.
33	Policy H-1.24.56	Ensure adequate setbacks, landscaping, and buffering are required between
34		housing developments of significantly differing densities and between housing and
35		commercial areas.
36	Policy H-1.24.67	Ensure critical area regulations <del>provide sufficient buffer widths consistent with the</del>
37		<del>quality and class of the</del> <u>protect</u> environmentally sensitive areas <del>and that the</del>
38		<del>regulations are fully implemented.</del> Restrict intrusion into sensitive areas by nearby
39		residents and visitors.

## ATTACHMENT 4

1	Policy H-1.24.78	Encourage cluster residential development along with open space, consistent with
2		the Land Use Element to protect and preserve environmentally-sensitive areas.
3	Policy H-1.24.9	Plan for residential neighborhoods that promote the health and well-being of
4		all residents by supporting active living and by reducing exposure to harmful
5		environmentsconditions.
6	<b>GOAL H-2.</b>	<b>PROVIDE HOUSING OPPORTUNITIES IN KENMORE FOR PEOPLE</b>
7		<b>WITH SPECIAL NEEDS.</b>
8	<b>OBJECTIVE H-2.1</b>	<b>Provide opportunities for the development of short-term and permanent</b>
9		<b>housing for people with special needs.</b>
10	Policy H-2.1.1	Allow opportunities for assisted housing, for people with special needs, by:
11		a. Permitting group living situations, including those where residents receive
12		such supportive services as counseling, foster care or medical supervision in
13		accordance with state and federal laws; and,
14		b. Encouraging developers and owners of assisted housing units to undertake
15		activities to establish and maintain positive relationships with neighbors.
16		Encourage neighbors to similarly maintain those relationships.
17	Policy H-2.1.2	Ensure that group home providers have received appropriate licenses from federal
18		or state agencies where appropriate.
19	Policy H-2.1.3	Support housing options and services that enable seniors to stay in their homes or
20		neighborhoods.
21	<b>OBJECTIVE H-2.2</b>	<b>Support and promote community facilities and programs that are important</b>
22		<b>to the safety, health, and social needs of familiesresidents, children and</b>
23		<b>persons with special needs.</b>
24	Policy H-2.2.1	Increase coordination among providers of social, health, counseling, and other
25		services to individuals, families, children, and persons with special needs including
26		senior citizens, persons with physical or mental disabilities, persons with terminal
27		illness, or other special needs.
28	Policy H-2.2.2	Work with transit and transportation providers to increase access between special
29		needs housing and community facilities and programs in Kenmore or the
30		Northshore area.
31	Policy H-2.2.3	Support the location of social, recreational, health, safety, and other services in
32		Kenmore to serve people with special needs.
33	<b>Policy H-2.2.4</b>	<b>Support efforts by providers of social, health, counseling, and other services to</b>
34		<b>assist newly-arrived immigrant populations.</b>
35	Policy H-2.2.45	Support a range of housing options and services to help homeless persons and
36		families move to long-term financial independencestay sheltered.

## ATTACHMENT 4

Policy H-2.2.56 Work with other jurisdictions, the Regional Homelessness Authority, and health and social service organizations to develop a coordinated, regional approach to homelessness.

### **RESIDENTIAL GROWTH**

**OBJECTIVE GOAL H-1.33. PLAN APPROPRIATE LAND USE DESIGNATIONS AND ZONING CATEGORIES TO ACCOMMODATE PROJECTED HOUSEHOLD GROWTH.**

**Policy H-1.3.1**

**OBJECTIVE H-3.1 Plan for an adequate supply of land to accommodate projected household growth, including but not limited to, affordable housing, multifamily housing, and special needs housing.**

Policy H-4.3.3.1.2 Ensure zoning regulations accommodate a range of housing styles and types in appropriate locations, such as single-family detached dwellings, small houses on small lots, size-limited houses on smaller lots, duplexes, triplexes, cottage housing, townhouses, apartments, accessory dwellings, manufactured homes, and other types. Consider neighborhood character compatibility as well as housing needs and surrounding environmental conditions when applying zones, land use, and development standards.

**Policy H-4.3.3.1.2 Continue to take an incremental approach to expanding medium density housing opportunities in the City.**

**OBJECTIVE H-1.43.2 Identify and support Kenmore's Downtown as a center for commercial, civic, cultural, park, and higher density housing uses and activities consistent with its designation as a Countywide Growth Center.**

Policy H-4.43.2.1 Develop mixed-use, higher density districts in Downtown Kenmore, meeting community goals to develop community identity, provide vital business and service opportunities, concentration of higher density housing close to high-capacity transit, and provide multi-modal transportation services and connections to those services.

Policy H-4.43.2.2 When higher densities are applied to residential and mixed use development in the Downtown, include requirements for the provision of affordable housing.

Policy H-4.43.2.3 Offer density bonuses and density transfers, where appropriate, to achieve a compact, vital Downtown, as well as meet environmental and affordable housing goals.

Policy H-4.2.83.2.4 Encourage property consolidation in the Downtown, through density bonuses or other incentives, to create mixed-use and multi-family developments that offer a range of site and community benefits such as private and public open spaces and plazas, structured parking, and other amenities.

**Policy H-3.2.5 Address issues of diversity, equity and inclusion for historically-marginalized groups when developing Kenmore's Countywide Growth Center approaches.**



## ATTACHMENT 4

Policy H-3.2.6 East of Downtown, in the area of transit-supportive development near the Park and Ride, require long-term low-cost housing as a condition of development.

#### HOUSING AFFORDABILITY ~~SUB-ELEMENT~~

**GOAL H-34. MAKE ADEQUATE PROVISIONS FOR A PROPORTIONATE AMOUNT OF THE EXISTING AND PROJECTED COUNTYWIDE NEED FOR HOUSING AT ALL INCOME LEVELS.**

**OBJECTIVE H-34.1 Encourage retention of the existing housing stock in Kenmore as a source of affordable housing.**

Policy H-34.1.1 Promote the use of housing rehabilitation assistance (from King County, for example) to lower-income homeowners and to landlords who rent to lower-income people.

Policy H-34.1.2 Support the acquisition, rehabilitation, and preservation of existing affordable housing by agencies and organizations as an alternative to new construction.

Policy H-4.1.3 Allow existing legally created duplexes, triplexes, and other medium-density housing types in the low and medium density residential classifications to continue without “nonconformance” limitations related to density, setbacks, height, or lot size.

Policy H-34.1.24 ~~Consider measures~~ Aspire to preserve and maintain existing manufactured housing communities.

Policy H-34.1.35 When displacement is unavoidable, ~~encourage~~ determine who is most likely to be harmed and ensure that the brunt of the impact is not carried by the same communities in Kenmore. Support relocation assistance and development of replacement housing to be developed, where feasible, to help very low- and low-income households. For mobile home parks in particular, consider a funding pool to assist low- and moderate-income residents in deteriorating and obsolete mobile homes to find alternative housing in the community, or help to establish preferences in nearby housing for persons giving up their homes.

**OBJECTIVE H-34.2 Adopt programs and regulations that support housing affordable to extremely low-, very low-, low-, and moderate-income households, comparable to the countywide need.<sup>1</sup>**

Policy H-34.2.1 Support efforts of private developers, both for-profit and not-for-profit, to preserve or develop affordable housing, including housing with on-site services, for extremely low-, very low-, low- and moderate-income families. Consider the following roles for the City’s active participation:

- a. Whenever possible, integrate affordable housing plans into proposals for development of publicly owned properties.

<sup>1</sup> See Countywide Planning Policies

## ATTACHMENT 4

- 1 b. Play a partnership role with nonprofit housing project sponsors by  
2 supporting applications for CDBG, HOME, and other Federal, State, or  
3 local funding sources for the projects.
- 4 c. Enter into a long-term partnership with one or more nonprofit housing  
5 developers to identify sites and ~~decide on the timing of~~  
6 ~~applications~~ identify opportunities for public funding.
- 7 d. Actively support affordable housing projects by expediting the permitting  
8 process, reducing development fees, or similar measures.
- 9 e. Consider regulatory changes such as reducing parking requirements,  
10 updating building codes to promote innovative, low-cost development,  
11 and expanding the Multifamily Tax Exemption (MFTE) program to  
12 support more affordable housing development.
- 13 Policy H-34.2.2 Participate in A Regional Coalition for Housing (ARCH) to help develop and  
14 preserve affordable housing in the community and region. Maintain data  
15 demonstrating the impact in the City of Kenmore and communicate the results to  
16 the community for continued understanding and support.
- 17 Policy H-34.2.3 Identify and catalogue real property owned by the City that is no longer required  
18 for its purposes and is suitable for the development of affordable housing for  
19 ~~extremely~~ very-low- to moderate-income households. Engage with community  
20 partners on how best to use these resources.
- 21 Policy H-34.2.54 Use local resources, as available, to leverage other public and private funding for  
22 the creation or preservation of affordable housing.
- 23 Policy H-34.2.45 Use density bonuses, inclusionary programs, and other methods with mixed-use  
24 and multi-family developments to provide housing affordable to extremely low-  
25 ~~and to~~ moderate-income households.
- 26 Policy H-4.2.6 As part of any rezone that increases residential capacity, consider requiring that a  
27 portion of the new units be affordable to extremely low-, very low- or low-income  
28 households.
- 29 Policy H-4.2.7 Before implementing a new policy or regulation, consider how it will impact the  
30 cost to build a home.
- 31 Policy H-4.2.8 Focus on projects that promote access to opportunity, anti-displacement, and  
32 wealth building for Black, Indigenous, and People of Color communities.
- 33 Policy H-4.2.9 Support alternative homeownership models that lower barriers to ownership and  
34 provide long-term affordability, such as community land trusts, and limited or  
35 shared equity co-ops
- 36 Policy H-34.2.910 Collaborate with other organizations or entities to evaluate tiny home villages as a  
37 way to address transitional homeless housing or provide an additional housing  
38 type.
- 39 Policy H-34.2.611 Ensure that affordable housing achieved through public incentives or assistance  
40 remains affordable for the longest possible term.

## ATTACHMENT 4

- 1 Policy H-~~34.2.7~~<sup>12</sup> Collaborate with other local governments directly and through membership  
2 associations (e.g., Puget Sound Regional Council) on regional housing strategies,  
3 especially related to providing extremely low- and very low-income housing.
- 4 Policy H-~~34.2.8~~<sup>13</sup> Support legislation and funding at the local county, state, and federal levels that  
5 would promote the city's housing goals and policies.
- 6 **OBJECTIVE H-~~34.3~~<sup>3</sup> Provide zoning and development standards that integrate affordable housing**  
7 **compatibly into the community.**
- 8 ~~Policy H-3.3.1 Allow designated manufactured homes built to state standards on single family~~  
9 ~~lots.~~
- 10 Policy H-~~34.3.2~~<sup>1</sup> Allow and accommodate accessory dwelling units in ~~single family~~ low and  
11 medium density residential districts.
- 12 Policy H-~~34.3.3~~<sup>2</sup> Pursue land use policies and regulations that:
- 13 a. Result in lower development costs without loss of adequate public review,  
14 environmental quality, or public safety; and,
- 15 b. Do not reduce design quality, inhibit infrastructure financing strategies, or  
16 increase maintenance costs for public facilities.
- 17 ~~Policy H-3.3.4 Promote fair housing for all persons and ensure that no city policies, programs,~~  
18 ~~regulations or decisions result in housing discrimination.~~ (MOVED)

19

20

**HOUSING EQUITY**

21 **GOAL H-5. ACKNOWLEDGE THE HISTORICAL INEQUITIES THAT LIMITED THE ABILITY**  
22 **OF ALL RESIDENTS TO LIVE IN THE NEIGHBORHOOD OF THEIR CHOICE**  
23 **AND WORK TO REDUCE DISPARITIES IN ACCESS TO NEIGHBORHOODS**  
24 **WITH GOOD SCHOOLS, PARKS, AND OTHER AMENITIES.**

25 **OBJECTIVE H-5.1 Promote fair housing for all persons regardless of race, gender identity, sexual**  
26 **identity, ability, use of a service animal, age, immigration status, national**  
27 **origin, familial status, religion, source of income, military status, or**  
28 **membership in any other relevant category of protected people.**

29 Policy H-5.1.1 Ensure that no city policies, programs, regulations, or decisions result in housing  
30 discrimination.

31 Policy H-5.1.2 Work with the legislature, King County, or other agencies to authorize  
32 homeowners to easily remove discriminatory restrictive covenants from deeds and  
33 other property documents.

34 Policy H-5.1.3 Support use of housing choice vouchers in Kenmore.

35 Policy H-5.1.4 Consider environmental health in neighborhoods where affordable housing exists  
36 or is anticipated, and plan for environmentally healthy neighborhoods for all  
37 residents.

## ATTACHMENT 4

**IMPLEMENTATION STRATEGIES**

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

- Work with neighborhoods and historically underrepresented groups when new policies, plans or programs are proposed to ensure that their unique issues are considered.
- Continue to consider opportunities to expand locations for medium density residential housing types, such as duplexes, triplexes, cottage housing, and size-restricted houses on smaller lots.
- Adopt development standards for reduced minimum lot sizes with maximum house size restrictions on small lots and consider cottage housing in some low (R-6) and medium density classifications. When considering maximum house sizes for smaller houses on smaller lots, remain mindful of the needs of multigenerational and large families. Also take into account open space needs and environmental protection, as well as accessory dwelling unit standards.
- Revise the Strategy Plan as needed to achieve more of the Housing Element's goals, objectives, and policies.
- ~~Continue to review the action steps and priorities from the Housing Strategy Plan.~~
- Implement the Housing Strategy Plan in coordination with ARCH.
- Maintain communications with, or participation in, regional agencies and projects.
- Monitor housing needs and supply over time, especially data that indicate progress toward meeting a proportionate share of the countywide needs for affordable housing and improved access to opportunity for Black, Indigenous, and People of Color communities. Reassess and adjust policies and regulations as necessary to achieve City goals.
- Evaluate and report results of the Strategy Plan and how the goals, objectives, and policies of this Housing Element have been achieved.

**REFERENCES**

A Regional Coalition for Housing (2014/2022). East King County Housing Analysis, Redmond, WA.

**ENDNOTES**

"2019 Estimated Supply" is the number of housing units in 2019, according to the Washington Office of Financial Management (OFM), distributed to each affordability category by the percentages in each

## ATTACHMENT 4

- 1 jurisdiction's housing supply, according to the Comprehensive Housing Affordability Strategy (CHAS)
- 2 estimates of 2014 – 2018 5-Year Estimates. (CHAS 2015 – 2019 estimates are not yet available.) For
- 3 example, from 2014 – 2018, Kenmore averaged 3 percent of its housing units affordable to households
- 4 with incomes at or below 30% of the Area Median Income (AMI). That percentage was applied to the
- 5 city's 2019 total for an estimated 278 housing units affordable at that level.
  
- 6 "2044 Apportioned Demand" is the number of housing units the jurisdiction must plan for in 2044
- 7 distributed to each affordability category by the percentage goals set in Countywide Planning Policies.
- 8 Kenmore's 2019 – 2044 housing target of 3,070, added to the supply existing in 2019 (9,485) equals
- 9 12,555 housing units. Countywide Planning Policy (CPP) percentages are based on household incomes
- 10 and cost-burdened households across King County, according to the CHAS 2013 – 2017 5-Year
- 11 Estimates available when the CPPs were drafted.
  
- 12 "2019 – 2044 Need" is the difference between the 2044 Apportioned Demand and the 2019 Estimated
- 13 Supply at each affordability level. A positive number represents housing units that the jurisdiction must
- 14 plan for, and a negative number represents a surplus of housing units at that affordability level.

## ATTACHMENT 5

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**Text** = new text

## **CAPITAL FACILITIES ELEMENT AMENDMENTS**

### **INTRODUCTION**

#### **Purpose**

The Capital Facilities Element is intended to assist the City of Kenmore and its officials make the financial decisions to ensure that the public facilities and services City residents rely on will continue to adequately support City residents today and into the future. The Capital Facilities Element places particular focus on those facilities that the City is responsible for funding. This Element contains a six-year plan for capital improvements that support the City of Kenmore's current and future population and economy. The six-year capital improvements described here must be fully funded.

Another purpose of the Capital Facilities Element is to respond to Growth Management Act requirements to provide a process to review the potential siting of uses typically difficult to locate in most communities due to environmental, economic, or social costs. This Element provides policies that would guide local permit and public review of essential public facilities.

#### **Growth Management Act Requirements**

The Growth Management Act (GMA) establishes many of the requirements of the capital facilities element. It establishes an overall goal to "ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards." The GMA requires that the capital facilities element include an inventory of existing publicly owned capital facilities, a forecast of the future needs for new or expanded facilities, and a six-year plan to indicate from what sources the identified future facilities will be financed. The GMA defines public facilities to include roadways, street lighting, traffic signals, sidewalks, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools. Public services are defined to include fire protection, law enforcement, public health, education, recreation, environmental protection, and other government~~al~~ services. The Capital Facilities Element is intended to provide a general assessment of major public services which impact land use issues, rather than a detailed analysis of every service provided by government.

Another key GMA requirement is to include a process for identifying and siting essential public facilities. Essential public facilities include "those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, **community facilities as defined in RCW 72.05.020**, and secure community transition facilities as defined in RCW 71.09.020." No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

#### **VISION 2050**

**VISION 2050 acknowledges that expanding public services to accommodate growth can create challenges in how and where to site new facilities. While capital facilities are essential to communities,**

## ATTACHMENT 5

commerce, and quality of life, they often affect the environment and adjacent communities. Policies support locating development in a manner that minimizes impacts to natural features. They also promote the use of innovative environmentally-sensitive development practices, including design, materials, construction, and on-going maintenance. VISION 2050 adds a new emphasis on equity considerations to ensure that both the benefits and the impacts of capital facilities are shared by communities throughout the region.

### **Countywide Planning Policies**

The King County Countywide Planning Policies (CPPs) include general policies regarding adequate infrastructure for planned development for those areas within the Urban Growth Area. Growth is to be directed to centers and urbanized areas with existing infrastructure capacity. Policies also include several policy statements regarding water and wastewater. In summary, the policies address regional coordination of water supplies, water conservation, alternate sewer treatment technologies and systems, and preference for urban water and sewer systems to serve new construction in the areas identified for growth.

The King County Countywide Planning Policies CPPs indicate state that public capital facilities of a regional or statewide nature should be sited in a way that equitably disperses impacts and benefits and supports the Countywide Planning Policies using a process that incorporates broad public involvement, especially from historically marginalized and disproportionately burdened communities. As in VISION 2050, the CPPs emphasize that the impacts and benefits of public capital facilities should be equitably dispersed while still reflecting the CPPs' overall policy directions.

When siting and building essential public services and facilities, CPP policies support consideration of climate change, economic, equity, and health impacts.

### **Concurrency, Level of Service and Impact Fees**

Concurrency refers to the timely provision of public facilities and services relative to the need for them, especially for transportation improvements. WAC 365-196-210 states, "Concurrency means that adequate public facilities are available when the impacts of development occur, or within a specified time thereafter." The City maintains a 6-year capital improvement program that identifies needed improvements and the funds to pay for them. Longer-term facilities plans are described in individual Comprehensive Plan elements or summarized in this element, along with estimates of future costs, if available.

Level of service standards provide the baseline by which the impacts of new development are measured. WAC 365-196-210 states, "Level of service means an established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need. Level of service standards are synonymous with locally established minimum standards." For transportation facilities, if growth will reduce the level of service below the City's adopted standards, development permits cannot be issued until facilities are provided. The Transportation Element discusses level of service standards for multimodal transportation facilities.

The City's impact fee requirements are in place to maintain desired levels of service by providing funding from new development for needed improvements. Impact fees are available as a funding mechanism for transportation facilities, parks, fire protection facilities, and schools. The City requires impact fees for transportation facilities and parks. If When the Northshore School District determines that impact fees for schools are needed, they may request that the City collect school impact fees on their behalf. The need for additional fire protection facilities was not identified in the Public Services Element.



## ATTACHMENT 5

**Sound Fiscal Management**

Planning for major capital facilities and their costs enables the City of Kenmore to demonstrate the need for facilities and the need for revenues to pay for them. It also allows the City to estimate the future operation/maintenance costs of new facilities that will impact the annual budget. Additionally, it helps the City take advantage of sources of revenue (i.e., grants, fees, real estate excise taxes) that require a Capital Facilities Plan to qualify for the revenue. Lastly, it may help the City get better ratings on bond issues when the City borrows money for capital facilities.

**Eligibility for Grants and Loans**

The State Department of Community Development's Public Works Trust Fund requires that local governments have a Capital Facilities Plan in order to be eligible for grants and loans. Some other grants and loans have similar requirements (i.e., Washington State Recreation and Conservation Office grants, or the Department of Ecology's Centennial Clean Water Fund), or give preference to jurisdictions that have a Plan.

**INVENTORY/FORECAST OF FUTURE NEEDS****General**

The inventory and forecast of needs required in the Capital Facilities Element have been met in other Elements as follows:

- Existing and future needs for transportation facilities, **Chapter 6, Transportation Element**
- Domestic water systems, storm and sanitary sewer systems, **Chapter 8, Surface Water Element and Chapter 10, Utilities Element**
- Parks and recreational facilities, **Chapter 7, Parks, Recreation and Open Space Element**
- Government services including City, fire, police, human, library, and school services, **Chapter 9, Public Services Element**
- **Affordable housing provision, Chapter 5, Housing Element**

Levels of service analyses, where appropriate, also are discussed in these other Elements.

In 2018, the City of Lake Forest Park ended their contract with the City of Kenmore to provide public works services. The existing public works shop in Lake Forest Park will no longer be used by the City of Kenmore. This shop provides services needed to support the Transportation; Parks, Recreation and Open Space; Surface Water; and Public Services Elements of this Plan. Based on a level-of-service analysis of Kenmore's participation in the Lake Forest Park shop, the City estimates that a shop capable of housing twelve employees (five maintenance workers, an Administrative Assistant and six seasonal employees) will be required. This shop would maintain existing shop capacity and would continue to serve the City for the foreseeable future.

Housing Element policies support the use of surplus public property and local resources to leverage other public and private funding for the creation or preservation of affordable housing. In 2021/2022, the City Council determined that developing a project to provide affordable housing would fulfill not only a Council priority, but also would implement the goals, objectives, and policies of the Housing Element. Preliminarily, funding from the City's American Rescue Plan Act (ARPA) allocation and the ARCH

## ATTACHMENT 5

Housing Trust Fund, along with a donation of surplus City property will advance this effort. Other affordable housing projects may be identified in the future for City participation.

The focus of the Capital Facilities Element is to identify the capital facility costs and timeframes for at least 6 years to support the Comprehensive Plan.

### **Essential Public Facilities**

#### **Existing Essential Public Facilities**

Within Kenmore today, there are several existing facilities that would qualify as “essential public facilities” including, but not limited to:

- SR-522 – Bothell Way, a state transportation facility (classified as a Highway of Statewide Significance)
- Kenmore Air Harbor, a private seaplane base, which is considered a “public use airport” by the Washington State Aviation System Plan
- Several adult family homes and group homes as described in **Chapter 5, Housing Element**.

Although not specifically listed in the definition of essential public facilities, regional wastewater facilities could be considered essential public facilities, since the definition lists examples and is not a definitive list. Examples of regional wastewater facilities include:

- King County Department of Natural Resources, Wastewater Treatment Division, regional facilities within Kenmore. These include the Kenmore Pump Station/Logboom Regulator System, Swamp Creek Trunk, and Kenmore Interceptor. The Kenmore Pump Station/Logboom Regulator System controls flows in the Kenmore Lakeline, a 48-inch diameter, five-mile long pipeline constructed in Lake Washington between Kenmore and Matthew’s Beach. This system conveys sewage from King County’s North Service Area to Matthews Beach Pump Station and from there to the West Point Treatment Plant. The Kenmore Interceptor is a 72-inch diameter sewer within Kenmore that enters the City from the east.

#### **Planned Essential Public Facilities**

The State of Washington Office of Financial Management (OFM) is required to maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The OFM ~~2015-2021~~2021-2027 Six-Year Facilities Plan includes no planned facilities in Kenmore.

### **CAPITAL FACILITIES PLANNING**

This section addresses short and long-term improvement plans for City facilities including parks and recreation, surface water and transportation. **Tables CF-A** through **CF-D** are the Capital Facilities Plans through 2035 for transportation and surface water and through 2040 for parks, recreation and open spaces. **Table CF-E** is the City’s current Capital Improvement Program, showing the 6-year plans for capital facilities with forecasts of expenditures and revenues. Cost estimates and revenue projections are most accurate for the current biennium and least accurate for the long-term assessments. Projects and schedules in the Capital Facilities Element of the Comprehensive Plan will be updated annually as needed as part of in conjunction with the City’s budget process.

ATTACHMENT 5

1 The Element also incorporates by reference the 6-year capital facility plans for the special districts that  
2 provide water, wastewater services, fire protection and school services: the Northshore Utility District, the  
3 Northshore Fire Department and the Northshore School District. Agencies or special districts, in accordance  
4 with the provisions of the Growth Management Act, may need to update their Comprehensive Plans and/or  
5 6-year capital improvement plans in order to be consistent with the City's Comprehensive Plan.

## ATTACHMENT 5

**TABLE CF-A  
PARKS CAPITAL IMPROVEMENTS  
CITY OF KENMORE**

**2020-2040 FISCALLY UNCONSTRAINED LIST**

<b>PROJECT DETAIL</b>	<b>TOTAL DOLLAR AMOUNT</b>
<b>ACQUISITION</b>	
<b>Short-Term</b>	
Swamp Creek Wetland Acquisition – Phase 1	1,700,000
<b>Mid-Term</b>	
Bastyr Field Replacement (Feasibility Study)	150,000
Tolt Pipeline – Phase 2 (73 <sup>rd</sup> Ave. NE to 80 <sup>th</sup> Ave. NE)	1,230,000
New Parkland Acquisition	5,560,785
WaterWalk Trail Acquisition – Phase 1 (Log Boom to Squires Landing Access)	741,438
<b>Long-Term</b>	
Moorlands Park Expansion Acquisition	741,438
Swamp Creek Wetland Acquisition – Phase 2	4,655,000
Aquatic/Community Center Partnership (¼ cost)	6,250,000
Lake Washington Waterfront Park Acquisitions	7,414,380
New Parkland Acquisition	16,682,355
Sammamish River Waterfront Park Acquisitions	8,897,256
<b>DEVELOPMENT</b>	
<b>Short-Term</b>	
Twin Springs Interim Use Plan	100,000
Moorlands Park Improvements	50,000
Rhododendron Park Boardwalk & Float Mitigation	96,000 + 8,000
Squires Landing Access Replacement Float Mitigation	16,000
Squires Landing Access Waterfront Access Project	5,750,000
Log Boom Park Waterfront Access Project	2,740,000
Rhododendron Park – Phase 2 Boatshed	487,000
Swamp Creek Wetland Trail Access Point	75,000
Linwood Park (Master Plan)	1,057,770

## ATTACHMENT 5

Mid-Term	
City Hall Park – Phase 2	620,000
Linwood Park (Implementation)	1,051,770
Rhododendron Park – Phase 3	1,040,000
Athletic Fields	3,500,000
Swamp Creek Wetland Nature Trail	1,785,000
<del>Tolt Pipeline Trail Phase 2 (73<sup>rd</sup> Ave. NE to 80<sup>th</sup> Ave. NE)</del>	<del>350,000</del>
Twin Springs Park Phase 2 Trails	1,716,000
Twin Springs Park Phase 3 (Nature Play, Shelter)	1,800,000
Wallace Swamp Creek Park (Master Plan, Implement)	1,281,500
ADA and Universal Access	*
Dog Off-Leash Area	739,000
Existing Park Capacity Improvements (Expansion or New Features)	9,750,000
Restoration of Natural Areas	*
Safe Routes to Parks	*
WaterWalk Trail Development (Feasibility and Implementation)	5,000,000
Long-Term	
Moorlands Park Expansion Development	1,650,000
<del>Squires Landing</del> <del>Waterfront Access – Phase 2</del>	4,144,800
<del>Tolt Pipeline Trail Phase 2</del>	<del>3,402,000</del>
Aquatic/Community Center Partnership Development (1/4 cost)	10,625,000
ADA and Universal Access	*
Existing Park Capacity Improvements	9,750,000
Lake Washington Waterfront Park Development	10,000,000
Natural Area Restoration	*
New Park Land Development	45,000,000
Safe Routes to Parks	*

## ATTACHMENT 5

Sammamish River Waterfront Park Development	5,000,000
WaterWalk Trail Development	5,000,000
<b>REPAIR/REPLACEMENT (RENOVATION)</b>	
<b>Short-Term</b>	
Park Facility Repair/Replacement	*
<b>Mid- Term</b>	
Park Facility Repair/Replacement	*
<b>Long-Term</b>	
Park Facility Major Repairs/Replacement	*
Total	<b><u>\$186,655,722</u></b> <b><u>181,673,722</u></b>

\*Dollar amount is not included at this time as the scale and scope of the project has not been determined

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## ATTACHMENT 5

**TABLE CF-B**  
**SURFACE WATER FACILITIES CAPITAL IMPROVEMENTS**  
**CITY OF KENMORE**  
**~~2015~~2022-2035 FISCALLY UNCONSTRAINED LIST**

PROJECT DETAIL	TOTAL DOLLAR AMOUNT
<del>Little Swamp Creek Culvert Replacement at 192<sup>ND</sup> Street</del>	<del>395,000</del>
0056 Culvert Replacement and Repairs at 190 <sup>TH</sup> Street	<del>1,111,000</del> 2,700,000
Surface Water Component of SR 522 Corridor Improvement Project – West A	634,000
<del>Tributary 0056 Evaluation</del>	<del>100,000</del>
<del>Ditch Rehabilitation</del>	<del>68,000</del>
Tributary 0057 Evaluation	<del>25,000</del> 50,000
<del>Sammamish Tributary 02 Evaluation</del>	<del>25,000</del>
Small Works Projects	1,030,000
<del>Strawberry Hills Surface Water Facility Retrofit</del>	<del>460,000</del>
<del>Wallace Swamp Creek Park Pond Beaver Management</del>	<del>96,000</del>
Little Swamp Creek Relocation	<del>1,274,000</del> 4,500,000
Northlake Heights LID Retrofit	<del>1,588,000</del> 1,274,000
<del>Juanita Drive Surface Water Facility Retrofit</del>	<del>698,000</del>
<del>Kenmore Lane (Plat) Facility Retrofit</del>	<del>1,000,000</del>
<del>Blueberry Creek Culvert Replacement</del>	<del>2,500,000</del>
<del>NE 202<sup>nd</sup> St. Culvert Replacement</del>	<del>2,500,000</del>
<del>NE 192<sup>nd</sup> St. West Culvert Replacement</del>	<del>2,500,000</del>
<b>TOTAL</b>	<b><del>\$7,474,000</del>18,958,000</b>



## ATTACHMENT 5

**TABLE CF-C**  
**TRANSPORTATION CAPITAL IMPROVEMENTS**  
**CITY OF KENMORE**

**2015-2022-2035 AND BEYOND FISCALLY UNCONSTRAINED LIST**

PROJECT DETAIL	TOTAL DOLLAR AMOUNT
West Sammamish River Bridge	<del>20,000,000</del> 41,495,000
<del>SR-522 Improvements (61st-65<sup>th</sup>)</del>	<del>9,800,000</del>
SR-522 Improvements (Lake Forest Park-61 <sup>st</sup> )	9,000,000
Sidewalk and Crossing Program	900,000
Downtown Parking Feasibility Study	75,000
61 <sup>st</sup> Ave. Sidewalk Replacement (East Side)	<del>2,100,000</del> 3,500,000
<del>61<sup>st</sup> Ave. Sidewalk Replacement (West Side)</del>	<del>1,500,000</del>
<del>Neighborhood Transportation Plans</del>	<del>1,500,000</del>
Arterial Restriping to add Bike Lanes on 73 <sup>rd</sup> Ave. (south of 192 <sup>nd</sup> ), 80 <sup>th</sup> Ave. and Simonds Road	360,000
Juanita Drive (NE 143 <sup>rd</sup> St. to NE 170 <sup>th</sup> St.)	<del>13,000,000</del> 16,845,000
Feasibility Study for Grade-Separated Crossing of SR 522	<del>250,000</del> 500,000
68 <sup>th</sup> Ave. Northbound Right Turn Pocket Extension	<del>2,600,000</del> 1,600,000
175 <sup>th</sup> <del>Lower</del> Swamp Creek Bridge	<del>810,000</del> 3,000,000
Yellow Standard Pedestrian Facilities	18,900,000
Yellow Standard Bicycle Facilities	18,800,000
Improved Pedestrian Crossings	650,000
Grade Separated SR522 Crossing	17,100,000
Intersection Treatments at 67 <sup>th</sup> Ave./181 <sup>st</sup> St. and 67 <sup>th</sup> Ave./175 <sup>th</sup> St.	6,000,000
Intersection Treatments at 73 <sup>rd</sup> Ave./192 <sup>nd</sup> St., 80 <sup>th</sup> Ave./192 <sup>nd</sup> St., and 84 <sup>th</sup> Ave./Simonds Rd.	3,800,000
Lakepointe Drive West (SR522 to 68 <sup>th</sup> Ave.), including new intersection at 68 <sup>th</sup> Ave.	7,500,000
175 <sup>th</sup> Signal Removal	20,000
Lake Pointe Dr. East (68 <sup>th</sup> Ave. to SR 522)	7,500,000

ATTACHMENT 5

<b>TOTAL</b>	<u>\$140,665,000</u> <u>159,045,000</u>
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**TABLE CF-D**  
**OTHER CAPITAL IMPROVEMENTS**  
**CITY OF KENMORE**  
**~~2015-2035~~2022-2044 AND BEYOND FISCALLY UNCONSTRAINED LIST**

PROJECT DETAIL	TOTAL DOLLAR AMOUNT
Public Works Shop Land Acquisition and Development	<del>\$6,500,000</del> 10- 20,000,000
Affordable Housing Development	\$8,090,000
<b>TOTAL</b>	<del>\$6,500,000</del> 18,090,000-28,090,000

ATTACHMENT 5

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**TABLE CF-E**  
**CAPITAL IMPROVEMENT PROGRAM**  
**AS ADOPTED FOR THE YEARS 2021-2026**

## ATTACHMENT 5

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EXPENDITURES	2021 Adopted	2022 Adopted	2023 Adopted	2024 Adopted	2025 Adopted	2026 Adopted	2021-2026 Totals
<b><u>PARKS</u></b>							
P 1 Twin Springs Interim Use	\$227,900	\$0	\$0	\$0	\$0	\$0	\$227,900
P 18 Rhododendron Park Waterfront & Open Space	18,000	8,000		0	0	0	26,000
P 18a Rhododendron Park Float Mitigation	2,000	2,000	0	0	0	0	4,000
P 26 Tlahwadees Landing Float Mitigation	4,000	4,000	0	0	0	0	8,000
P 27 Tlahwadees Landing Park Waterfront & Mitigation	179,762	8,078,190	30,000	43,000	43,000	43,000	8,416,952
P 28 Log Boom Park Waterfront Access & Mitigation	2,490,461	725,382	60,000	42,500	42,500	42,500	3,403,343
P 30 Rhododendron Park Boathouse Pavilion	3,200	3,200	3,200	3,200	3,200	0	16,000
P 31 Tlahwadees Landing Park Land Acquisition-Op	150,151	0	0	0	0	0	150,151
P 32 Moorlands Field Lighting	0	0	0	10,000	60,000	580,000	650,000
<b>Total Parks</b>	<b>\$3,075,474</b>	<b>\$8,820,772</b>	<b>\$93,200</b>	<b>\$98,700</b>	<b>\$148,700</b>	<b>\$665,500</b>	<b>\$12,902,346</b>
<b><u>TRANSPORTATION</u></b>							
T 8 SR 522 West B 57th to 61st	\$5,000	\$250,000	\$250,000	\$900,000	\$585,000	\$10,000	\$2,000,000
T 27 Sidewalk Program:							
Sidewalk Gaps/ADA Replacement Program	20,000	150,000	100,000	100,000	100,000	100,000	570,000
T27x NE 192nd Ave Sidewalks (73rd Ave -75th /	500	86,306	344,194	0	0	0	431,000
T 47 Arrowhead Dr	1,000	60,000	85,900	980,348	0	0	1,127,248
T 35 Pavement Preservation	150,000	990,000	150,000	990,000	150,000	990,000	3,420,000
T 37 West Samm Bridge	18,024,711	8,643,947	893,176	9,757	9,759	78,632	27,659,982
T 38 175th St/ Swamp Creek Crossing	0	25,000	25,000	175,000	200,000	2,200,000	2,625,000
T 41 Juanita Dr Pedestrian & Bicycle Safety All Segm	9,897,233	358,699	0	0	0	0	10,255,932
T 42 68th Ave Pedestrian & Bicycle Safety All Segm	9,167,718	2,733,503	0	0	0	0	11,901,221
T 44 61 Ave Sidewalk Replacement Project	85,000	165,000	4,674,265	0	0	0	4,924,265
T 48 2018 Local Road Safety - Signing	292,000	0	0	0	0	0	292,000
T 49 2018 Local Road Safety - Lighting	35,000	0	0	0	0	0	35,000
T 50 SR522 Gateway Sign East	20,000	0	0	0	0	0	20,000
T51 Burk-Gilman Trail/NE 175th St. wayfinding&	10,000	296,047	0	0	0	0	306,047
<b>Total Transportation</b>	<b>\$37,708,162</b>	<b>\$13,758,502</b>	<b>\$6,522,535</b>	<b>\$3,155,105</b>	<b>\$1,044,759</b>	<b>\$3,378,632</b>	<b>\$65,567,695</b>
<b><u>SURFACE WATER</u></b>							
SW 8 190th St. Fish Passable Culvert	\$316,000	\$2,074,580	\$0	\$0	\$0	\$0	\$2,390,580
SW 8 Trust Fund Loan Repayment	81,650	81,650	81,650	81,650	81,650	81,650	489,900
SW 17 Little Swamp Creek Relocation	0	0	0	0	800,000	814,300	1,614,300
SW 20 Small Works Projects	75,000	75,000	75,000	75,000	75,000	75,000	450,000
SW 29 Infiltration Tank Retrofit at 61st Ave NE/NE	0	0	0	0	500,000	0	500,000
SW 31 Drainage Impr & Street Repair at 66th Ave N	200,000	0	0	0	0	0	200,000
SW 32 61st Ave Stabilization	150,000	0	0	0	0	0	150,000
SW 34 Blueberry Creek Culverts	0	200,000	300,000	1,000,000	0	0	1,500,000
SW 34 Blueberry Creek Culverts Bank Note Repaym	0	0	0	0	120,000	120,000	240,000
T 44 61 Ave Sidewalk Replacement Project	0	0	30,000	0	0	0	30,000
T 37 West Samm Bridge (SWM Component)	649,587	0	0	0	0	0	649,587
<b>Total Surface Water</b>	<b>\$1,472,237</b>	<b>\$2,431,230</b>	<b>\$486,650</b>	<b>\$1,156,650</b>	<b>\$1,576,650</b>	<b>\$1,090,950</b>	<b>\$8,214,367</b>
<b><u>CITY FACILITIES</u></b>							
F 1 Public Works Shop Land Acquisition & Develop	\$6,000,000	\$0	\$4,000,000	\$0	\$0	\$0	\$10,000,000
Consultant and Acquisition Costs.	100,000	0	0	0	0	0	100,000
F 2 Debt Repayment	0	641,000	639,000	636,000	638,000	639,000	3,193,000
<b>Total City Facilities</b>	<b>\$6,100,000</b>	<b>\$641,000</b>	<b>\$4,639,000</b>	<b>\$636,000</b>	<b>\$638,000</b>	<b>\$639,000</b>	<b>\$13,293,000</b>
<b>TOTAL EXPENDITURES</b>	<b>\$48,355,873</b>	<b>\$25,651,504</b>	<b>\$11,741,385</b>	<b>\$5,046,455</b>	<b>\$3,408,109</b>	<b>\$5,774,082</b>	<b>\$99,977,408</b>

## ATTACHMENT 5

**TABLE CF-E**  
**CAPITAL IMPROVEMENT PROGRAM**  
**AS ADOPTED FOR THE YEARS 2021-2026**

REVENUES	2021 Adopted	2022 Adopted	2023 Adopted	2024 Adopted	2025 Adopted	2026 Adopted	2021-2026 Totals
Park Impact Fee Revenue	76,000	581,410	0	10,000	60,000	290,000	1,017,410
State Department of Commerce Award: Twin Spring	151,900	0	0	0	0	0	151,900
State Appropriation Unsecured	0	927,000	0	0	0	0	927,000
RCO Park Grants	209,093	961,482	0	0	0	290,000	1,460,575
King County Park Levy	9,200	309,200	63,200	45,700	45,700	42,500	515,500
King County Conservation District, secured	0	213,000	0	0	0	0	213,000
King County Waterworks Grants	0	100,000	0	0	0	0	100,000
Walkways & Waterways Bonds: Log Boom, Squires	1,791,571	4,147,950	0	0	0	0	5,939,521
City Swamp Creek Basin Funds	150,151	550,486	30,000	43,000	43,000	43,000	859,637
Public Art Fund	55,559	24,083	0	0	0	0	79,642
Real Estate Excise Tax (Parks)	632,000	1,006,161	0	0	0	0	1,638,161
Transportation Impact Fee Revenue	3,258,848	358,699	0	0	0	0	3,617,547
Real Estate Excise Tax (Transportation)	\$3,165,050	\$2,140,000	\$250,000	\$1,090,000	\$250,000	\$1,090,000	7,985,050
Dept of Commerce: Juanita Drive	194,000	0	0	0	0	0	194,000
WSDOT Safe Routes to School - Sidewalks	1,500	146,306	430,094	980,348	0	0	1,558,248
WSDOT pedestrian/bike grant	65,000	461,047	1,144,265	0	0	0	1,670,312
Future Grants	0	0	3,500,000	0	0	0	3,500,000
Federal Highway Safety Impr Program - Sidewalks	326,000	0	0	0	0	0	326,000
Walkways & Waterways Bonds: Juanita and 68th Av	5,908,160	400,000	0	0	0	0	6,308,160
WSDOT Grants: Juanita Drive	1,704,000	0	0	0	0	0	1,704,000
Sound Transit Grant Juanita Drive	1,278,000	0	0	0	0	0	1,278,000
Reimbursements from Other Agencies	2,765,330	0	0	0	0	0	2,765,330
Connecting WA Funds T8	5,000	250,000	250,000	900,000	585,000	10,000	2,000,000
DOE Grant: Juanita and 68th Ave	1,012,563	0	0	0	0	0	1,012,563
Strategic Opportunity Fund	0	1,333,503	0	0	0	0	1,333,503
Other grant or funding	0	25,000	25,000	175,000	200,000	2,200,000	2,625,000
Surface Water Utility Funds	0	0	30,000	0	0	0	30,000
Transportation Impact Fee Revenue-Samm Bridge	0	45,000	352,770	9,757	9,759	78,632	495,918
Real Estate Excise Tax (Transportation) - Samm Brid	0	996,913	500,000	0	0	0	1,496,913
BRAC Grant West Samm Bridge Replacement	3,692,856	0	0	0	0	0	3,692,856
TIB Grant: West Samm Bridge Replacement	3,650,023	1,295,403	0	0	0	0	4,945,426
Connecting WA Funds West Samm Bridge Replacen	9,619,546	6,306,631	40,406	0	0	0	15,966,583
Surface Water Management Fund	649,587	0	0	0	0	0	649,587
Utility Reimbursement: West Samm Bridge Replacen	412,699	0	0	0	0	0	412,699
Surface Water Utility Funds	1,056,237	1,419,230	386,650	56,650	396,650	440,950	3,756,367
Surface Water General Utility Charges	100,000	100,000	100,000	100,000	100,000	100,000	600,000
Public Works Trust Fund Loan: 190th Culvert	316,000	912,000	0	0	0	0	1,228,000
Bank Note for Blueberry Creek Culverts (10 Yr 2.5%)	0	0	0	1,000,000	0	0	1,000,000
King County Flood Control District Resources	0	0	0	0	380,000	50,000	430,000
Other grants	0	0	0	0	700,000	500,000	1,200,000
20 year Note Public Works Shop	6,000,000	4,000,000	0	0	0	0	10,000,000
Surface Water Utility Funds	50,000	288,450	287,550	286,200	287,100	287,550	1,486,850
Street Fund	0	128,200	127,800	127,200	127,600	127,800	638,600
General Fund	50,000	160,250	159,750	159,000	159,500	159,750	848,250
Transportation Benefit District	0	64,100	63,900	63,600	63,800	63,900	319,300
<b>TOTAL REVENUES</b>	<b>\$48,355,873</b>	<b>\$29,651,504</b>	<b>\$7,741,385</b>	<b>\$5,046,455</b>	<b>\$3,408,109</b>	<b>\$5,774,082</b>	<b>\$99,977,408</b>

## ATTACHMENT 5

## GOALS, OBJECTIVES, AND POLICIES

Following are the goals, objectives and policies addressing capital facility planning and financing. These are applicable to Kenmore as well as to other agencies planning public capital facilities and services in Kenmore.

### ***GOAL CF-1. ESTABLISH APPROPRIATE LEVELS OF SERVICE FOR PUBLIC FACILITIES TO ADEQUATELY SERVE EXISTING AND FUTURE DEVELOPMENT.***

#### **Objective CF-1.1 Identify and define types of public facilities.**

Policy CF-1.1.1 Maintain an inventory of existing public facilities owned or operated by the City, and reference those of the County, State, special districts, or other public entities within Kenmore. Include in the inventory the locations and capacities of such facilities and systems.

#### **Objective CF-1.2 Review standards for levels of service, where appropriate, for each public facility, and determine what additional public facilities are needed in order to achieve and maintain the desired quality of life and vision for the City of Kenmore.**

Policy CF-1.2.1 Level of service standards should 1) measure the quality of life based on the City's vision of its future and values, 2) be achievable for existing development and growth anticipated in the land use plan, and 3) be achievable with existing and proposed financing plans.

Policy CF-1.2.2 If appropriate, use the level of service standards to 1) determine the need for public facilities and 2) test the adequacy of such facilities to serve proposed development. In addition, use the level of service standards for city-owned public facilities to develop the City's annual budget and 6-year Capital Improvement Program.

Policy CF-1.2.3 Reassess the Capital Facility Element annually to ensure that public facilities needs, financing, and level of service are consistent with the land use plan. The annual update should be coordinated with the annual budget process, and the annual amendment of the Comprehensive Plan.

### ***GOAL CF-2. PROVIDE ADEQUATE PUBLIC FACILITIES CONCURRENT WITH THE IMPACT OF NEW DEVELOPMENT.***

#### **Objective CF-2.1 Provide a variety of responses to the demands of growth on capital facilities.**

Policy CF-2.1.1 Ensure City public facilities and services are provided concurrent with the impact of new development or redevelopment, including stormwater, roads, and local parks. Require that non-City public facilities are provided concurrent with the impact of new development or redevelopment including, water and sewer. Consistent with the Growth Management Act, road improvements may be provided at the time of, or within 6-years of, development. Local parkland to serve new development may be in place at the time of, or within 6-years of, development.



## ATTACHMENT 5

1	Policy CF-2.1.2	Make the most efficient use of existing public facilities, including techniques such
2		as:
3		• Conservation
4		• Demand management
5		• Improved scheduling
6		• Encourage development that uses existing facilities
7		• Contracting for services
8		• Other methods of improved efficiency.
9	Policy CF-2.1.3	Provide additional public facility capacity when existing facilities are used to their
10		maximum level of efficiency consistent with adopted standards for levels of
11		service.
12	Policy CF-2.1.4	Encourage development where adequate public facilities and services exist or can
13		be provided in an efficient manner.
14	<b><i>GOAL CF-3. COORDINATE CAPITAL FACILITY PLANS WITH STATE, COUNTY, AND</i></b>	
15	<b><i>LOCAL AGENCIES AND DISTRICTS.</i></b>	
16	<b>Objective CF-3.1</b>	<b>Coordinate the land use planning and decisions with plans for public facility</b>
17		<b>capital improvements.</b>
18	Policy CF-3.1.1	Coordinate with non-City providers of public facilities about maintaining adopted
19		levels of service standards, funding, and construction of capital improvements.
20		Work in partnership with non-City public facility providers to prepare functional
21		plans consistent with the City of Kenmore Comprehensive Plan as provided in
22		Objective 2.7 and associated policies in the Land Use Element.
23	Policy CF-3.1.2	Establish interagency planning mechanisms to assure coordinated and mutually
24		supportive capital facility plans from non-City providers of public facilities.
25		a. Establish priority areas for infrastructure improvements consistent with the
26		City's vision as provided in Policy LU-2.4.1.
27		b. Annually assess development trends and infrastructure provision to identify
28		and remedy deficiencies or need to reassess the land use plan <del>as provided in</del>
29		<del>Policy LU 2.4.2.</del>
30		

## ATTACHMENT 5

***GOAL CF-4. MAINTAIN A SIX-YEAR CAPITAL IMPROVEMENT PROGRAM TO IMPLEMENT THE COMPREHENSIVE PLAN.***

**Objective CF-4.1      Annually develop a six-year Capital Improvement Program to implement the Comprehensive Plan.**

Policy CF-4.1.1      Prepare and utilize the six-year Capital Improvement Program to identify City capital projects necessary to respond to the planned growth of the community and maintain desired levels of service.

Policy CF-4.1.2      Prepare and utilize the six-year Capital Improvement Program to integrate all of the community's capital project resources such as grants, bonds, city funds, donations, impact fees and other available funding.

Policy CF-4.1.3      Maintain the Capital Improvement Program as follows:

- a.      Provide for annual review of the Capital Improvement Program contained in this Capital Facilities Element by the City Council and incorporate a **citizenpublic** participation process.
- b.      Ensure that the Capital Improvement Program:
  - Is consistent with the overall Comprehensive Plan
  - Defines the projects' need and links to levels of service and facility plans
  - Includes construction costs, timing, and funding sources, and considers operations and maintenance impacts where appropriate
  - Establishes priorities for capital project development
  - Adopts by reference annual updates of the Northshore School District Capital Facilities Plan, Lake Washington School District Capital Facilities Plan if appropriate, Northshore Utility District water and sewer plans, and Northshore Fire District 16 (Northshore Fire Department) facility plans if any.

***GOAL CF-5. PREPARE AND MAINTAIN A CAPITAL IMPROVEMENT PROGRAM THAT IS FULLY FUNDED AND FINANCIALLY FEASIBLE.***

**Objective CF-5.1      Establish mechanisms to ensure that the required public facilities are financially feasible.**

Policy CF-5.1.1      Base the financing plan for public facilities on realistic estimates of current local revenues and external revenues that are reasonably anticipated to be received by the City.

## ATTACHMENT 5

1	Policy CF-5.1.2	Finance the six-year Capital Improvement Program within the City's financial capacity to achieve a balance between available revenue and needed public facilities. If the projected funding is inadequate to finance needed public facilities based on adopted level of service standards and forecasted growth, the City could do one or more of the following:
2		
3		
4		
5		
6		• Lower the level of service standard
7		• Change the Land Use Plan
8		• Increase the amount of revenue from existing sources
9		• Adopt new sources of revenue
10	<b>Objective CF-5.2</b>	<b>Establish mechanisms to ensure that the required public facilities are fully funded.</b>
11		
12	Policy CF-5.2.1	Match revenue sources to capital improvements on the basis of sound fiscal policies.
13		
14	Policy CF-5.2.2	Revise the financing plan in the event that revenue sources for capital improvements, which require voter approval in a local referendum, are not approved.
15		
16		
17	Policy CF-5.2.3	Ensure that the ongoing operating and maintenance costs of a public facility are financially feasible prior to constructing the facility.
18		
19	<b><i>GOAL CF-6. ENSURE GROWTH PAYS PROPORTIONATE COSTS OF CAPITAL FACILITIES REQUIRED TO SERVE THE GROWTH</i></b>	
20		
21	<b>Objective CF-6.1</b>	<b>Ensure existing and future development pay for the costs of needed capital improvements.</b>
22		
23	Policy CF-6.1.1	Ensure that existing development pays for capital improvements that reduce or eliminate existing deficiencies, and pays for some or all of the cost to replace obsolete or worn out facilities. Existing development may also pay a portion of the cost of capital improvements needed by future development. Existing development's payments may take the form of user fees, charges for services, special assessments, and taxes.
24		
25		
26		
27		
28		
29	Policy CF-6.1.2	Ensure that future development pays a proportionate share of the cost of new facilities that it requires. Future development may also pay a portion of the cost to replace obsolete or worn-out facilities. Future development's payments may take the form of voluntary contributions for the benefit of any public facility, impact fees, mitigation payments, capacity fees, dedications of land, provision of public facilities, and future payments of users' fees, charges for services, special assessments, and taxes.
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## ATTACHMENT 5

**GOAL CF-7. LOCATE AND DESIGN CAPITAL FACILITIES TO REALIZE THE VISION STATEMENT, AND TO BE COMPATIBLE WITH SURROUNDING LAND USES AND THE ENVIRONMENT.**

**Objective CF-7.1 Promote capital facilities that protect the public health, safety and welfare, and that serve as models for function, design, and environmental protection.**

**Policy CF-7.1.1 Consider the quality of public facilities in planning for capital improvements.**

- Ensure that public facilities' design meets appropriate policies in the Community Design Sub-Element, complies with City design standards, and is compatible with the surrounding areas.
- Maintain public spaces and enhance their appearance.

**Policy CF-7.1.2 Encourage public amenities and facilities which serve as catalysts for beneficial development.**

**Policy CF-7.1.3 Protect public health and environmental quality through the appropriate design and installation of public facilities.**

- Promote conservation of energy, water, and other natural resources in the location and design of public facilities.
- Practice efficient and environmentally responsible maintenance and operating procedures for public facilities.
- Preserve existing significant natural vegetation and features in the development of public facilities.

**Policy CF-7.1.24 Equitably disperse the impacts and benefits of public capital facilities throughout the community.**

**GOAL CF-8. ALLOW FOR THE APPROPRIATE SITING OF ESSENTIAL PUBLIC CAPITAL FACILITIES OF A STATE-WIDE OR COUNTY-WIDE NATURE.**

**OBJECTIVE CF-8.1 Participate in a cooperative inter-jurisdictional approach to the siting of essential public facilities in accordance with the King County Countywide Planning Policies. The approach should address definitions, inventories, incentives, compensation, public involvement, environmental protection, climate change, economic and health impacts, and alternative sites analysis.**

**Policy CF-8.1.1 Identify essential public facilities based upon the Growth Management Act, State Office of Financial Management list of essential public facilities required or likely to be built, King County Countywide Planning Policies, and any City lists which may be developed.**

**Policy CF-8.1.2 Classify a facility as an essential public facility if it has one or more of the following characteristics:**

## ATTACHMENT 5

- 1 a. The facility meets the Growth Management Act definition of an essential  
2 public facility;
- 3 b. The facility is on a State, County or City list of essential public facilities;
- 4 c. The facility serves a significant portion of the County or metropolitan  
5 region or is part of a Countywide service system; or
- 6 d. The facility is the sole existing facility in the County for providing that  
7 essential public service.
- 8 **OBJECTIVE CF-8.2 Establish a local public review and permit process for essential public**  
9 **facilities.**
- 10 Policy CF-8.2.1 Require a siting analysis for proposed new or expansions to existing essential public  
11 facilities consisting of the following:
- 12 a. An inventory of similar existing essential public facilities in King County  
13 and neighboring counties, including their locations and capacities;
- 14 b. A forecast of the future needs for the essential public facility, and  
15 definition of a logical service area;
- 16 c. An analysis of the potential social and economic **costs and** benefits to  
17 jurisdictions receiving or surrounding the facilities;
- 18 d. An analysis of environmental, **health**, social, and economic impacts,  
19 including mitigation, of any existing essential public facility, as well as of  
20 any new site(s) under consideration as an alternative to expansion of an  
21 existing facility;
- 22 e. An analysis of alternatives to the facility, including decentralization,  
23 conservation, demand management and other strategies;
- 24 f. Consideration of any applicable prior review conducted by a public  
25 agency, local government, or **citizen's community** group;
- 26 g. An analysis of the consistency with Comprehensive Plan policies and  
27 designations; and,
- 28 h. Consideration of other standards and criteria as outlined in the King  
29 County Countywide Planning Policies and other locally defined plans and  
30 ordinances.
- 31 Policy CF-8.2.2 Require a public process by which **citizens the public have has** a reasonable  
32 opportunity to participate in the site selection process, **especially those from**  
33 **historically marginalized and disproportionately burdened communities.**
- 34 Policy CF-8.2.3 Siting criteria for essential public facilities which are not difficult to site should  
35 provide for site design and buffering techniques to ensure compatibility with  
36 surrounding uses, and enable the facility to be permitted outright in appropriate  
37 zoning classifications whenever feasible.

## ATTACHMENT 5

- 1 Policy CF-8.2.4 Work with King County and other municipalities to standardize review procedures  
2 and criteria for the siting of Statewide and Countywide essential public facilities  
3 and incorporate these procedures within interlocal agreements.
- 4 **OBJECTIVE CF-8.3 Cooperate regionally to ensure appropriate and equitable siting of essential**  
5 **public facilities.**
- 6 Policy CF-8.3.1 Encourage the State and County to site essential public facilities equitably among  
7 communities. No single community should absorb an inequitable share of these  
8 facilities and their impacts. Siting should consider environmental equity and  
9 environmental, economic, technical, and service area factors. The net impact of  
10 siting new essential public facilities should be weighted against the net impact of  
11 expansion of existing essential public facilities, with appropriate buffering and  
12 mitigation.
- 13 Policy CF-8.3.2 Participate in a cooperative interjurisdictional approach to the siting of essential  
14 public facilities in accordance with the King County Countywide Planning  
15 Policies. Joint planning agreements should be sought where appropriate.
- 16 **OBJECTIVE CF-8.4 Seek to mitigate disproportionate financial burdens to the City due to the**  
17 **siting of essential public facilities.**
- 18 Policy CF-8.4.1 Through joint planning or interlocal agreements, the City should seek to mitigate  
19 disproportionate financial burdens due to the siting of essential public facilities
- 20 Policy CF-8.4.2 Seek amenities or incentives for neighborhoods in which the facilities are located,  
21 and require compensation for adverse impacts.

22

23 **IMPLEMENTATION STRATEGIES**

24 The Capital Facilities Element policies would require new or increased commitments of City resources to  
25 prepare new regulations, review/amend existing regulations, or coordinate with agencies and other service  
26 providers.

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

28 ~~• A concurrency review and implementation system addressing multimodal transportation facilities~~

- 29 • Evaluation reports monitoring implementation of the goals and policies of the Capital Facilities  
30 Element.

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

- 33 • Impact fee approaches, given revised facilities lists
- 34 • Levels of service for non-City-owned facilities.

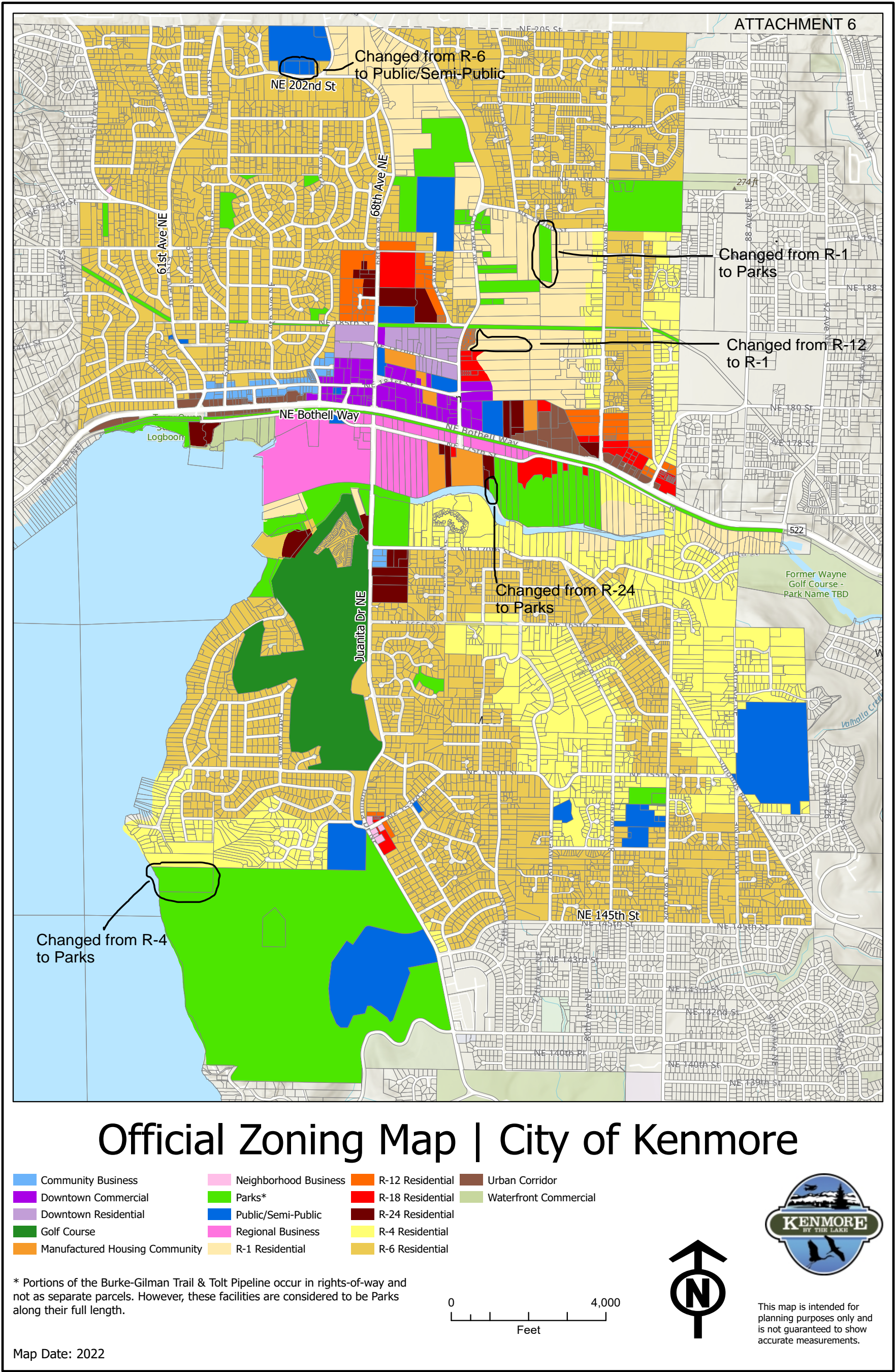
35

ATTACHMENT 5

1   **REFERENCES**

- 2   King County Growth Management Planning Council (December ~~2012~~2021). Countywide Planning  
3       Policies. Seattle, WA.
- 4   Puget Sound Regional Council (2020). VISION 2050. Seattle, WA.
- 5   State of Washington Office of Financial Management (January 2015). ~~2015-21~~2021-2027 Six-Year  
6       Facilities Plan. Olympia, WA.





## ATTACHMENT 7a

**DRAFT “MISSING MIDDLE” HOUSING CODE AMENDMENTS**

**Text** = deleted text

**Text** = new text

**Related Definitions****18.20.340 Building.**

“Building” means any *structure* having a roof.

**18.20.835 Dwelling, multiple-family.**

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

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

A. Duplex. A multiple-family dwelling on a single *lot* designed to look like a *single detached dwelling unit* and containing two *dwelling units*. The two units share a common roof, wall, or floor, although floorplans may vary. Individual units may be side-by-side or stacked one on top of the other. The two *dwelling units* and the *lot* are under a single ownership or may be owned through a condominium. A duplex is not a *townhouse*.

B. Triplex. A multiple-family dwelling on a single lot designed to look like a *single detached dwelling unit* and containing three *dwelling units*. The three units share a common roof, wall, or floor, although floorplans may vary. Individual units may be side-by-side, stacked on top of one another or a combination of side-by-side and stacked. The three *dwelling units* and the *lot* are under a single ownership or may be owned through a condominium. A triplex is not a *townhouse*.

~~BC.~~ Townhouse. A ~~row of two or more similar or identical one-family, attached~~ ground-related *dwelling units* attached to one or more such units or to a nonresidential *use* in which each unit has its own ~~exterior~~ ground-level access to the outside, no unit is located over another unit,

## ATTACHMENT 7a

1 and each unit is separated from any other unit by one or more vertical common walls.  
 2 Most Typically the townhouse units are multi-story. Each dwelling unit is independently owned.

### 3 **18.20.1860 Nonconformance.**

4 "Nonconformance" means any *use*, improvement or *structure* established in conformance with  
 5 the *City* rules and regulations in effect at the time of establishment that no longer conforms to  
 6 the range of *uses* permitted in the *site's* current zone or to the current development standards  
 7 of the code due to changes in the code or its application to the subject property.

### 8 **18.20.2080 Porte cochere.**

9 "Porte cochere" means a covered porch-like *structure* through which a motor vehicle on a driveway  
 10 can pass, allowing occupants to enter or leave the vehicle under shelter. A porte cochere does not  
 11 contain habitable space either under or over the roof and does not serve as a permanent  
 12 parking space.

### 13 **18.20.2530 Setback.**

14 "Setback" means the required distance between a *structure* and a specified line such as a lot,  
 15 easement or *buffer* line that is required to remain free of *structures*.

### 16 **18.20.2910 Street.**

17 "Street" means a public or recorded *private* thoroughfare providing pedestrian and vehicular  
 18 access through neighborhoods and communities and to abutting property.

### 19 **18.20.2920 Street frontage.**

20 "Street frontage" means any portion of a *lot* or combination of *lots* which directly abut a *street*.

### 21 **18.20.2930 Structure.**

22 "Structure" means anything permanently constructed in or on the ground, or over the water;  
 23 excluding *fences* eight feet or less in height, decks less than 18 inches above grade, paved areas,  
 24 and structural or nonstructural fill.

25

26



## ATTACHMENT 7a

**Zones, Maps and Designations****18.15.040 Residential zones.**

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

1. Providing, in the R-1 through R-6 zones, for a mix of predominantly *single detached dwelling units*, with a variety of *at lower densities*, and sizes in locations appropriate for residential use to protect and preserve environmentally sensitive areas;

2. Providing, in the R-6 zone, for a mix of *single detached dwelling units* and, in areas near higher-capacity transit, smaller-scale multiple-family uses such as *duplexes* and *triplexes*;

3. Providing, in the R-12 through R-48 zones, for a mix of predominantly *apartment and townhouse multiple-family dwelling units*, with a variety of densities and sizes in locations appropriate for residential use;

4. Providing, in the MHC zone, for continuation of existing *manufactured housing communities*;

5. Allowing only those accessory and complementary nonresidential uses that are compatible with residential communities; and

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

**R-6 Residential Zoning Standards****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:

## ATTACHMENT 7a

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

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Air transportation service <sup>1</sup>	Ambulatory surgery center <sup>25</sup>	Adult entertainment business
Arts, entertainment, indoor <sup>2,3</sup>	Arts, entertainment, outdoor <sup>26</sup>	Animal kennel/shelter
Day care <sup>4</sup>	Cemetery, columbarium or mausoleum <sup>27</sup>	Auction house
Educational service <sup>5</sup>	College/university <sup>25</sup>	Automotive sales and service, marine
Family child-care home <sup>6</sup>	Community residential facility <sup>28</sup>	Automotive sales and service, non-marine
Fire or police facility <sup>7,8</sup>	Eating and drinking place <sup>3,29</sup>	Business service, intensive
Health care and social assistance <sup>9,10</sup>	Hospital <sup>25</sup>	Business service, standard
Multiple-family dwelling <sup>11</sup>	Manufactured housing community <sup>30</sup>	Construction and trade
Office <sup>12</sup>	Personal service <sup>31</sup>	Funeral home/crematory
Park <sup>13</sup>	Recreational facility, indoor <sup>3,16,32</sup>	Laboratory
Recreational facility, outdoor <sup>14,15,16</sup>	Regional land use <sup>33,34,35</sup>	Manufacturing, heavy
Religious institution <sup>17</sup>	Retail sales <sup>31,36</sup>	Manufacturing, light
Resource land use <sup>18</sup>	Temporary lodging <sup>37</sup>	Marijuana business
Single detached dwelling unit <sup>19,20</sup>		Marijuana cooperative
Standalone parking <sup>21</sup>		Mobile food service
Supportive living facility <sup>22</sup>		Retail sales, bulk
Utility facility <sup>23,24</sup>		Secure facility
		Transportation
		Vehicle or equipment rental
		Vehicle refueling station
		Warehousing
		Wholesale trade

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11. Townhouse units only permitted and only on lots in a subdivision or short subdivision designed for townhouse units or through a. Other townhouse units require a conditional use permit with a binding site plan.

5

6

Duplexes and triplexes permitted only in the R-6 zone, generally within ¼ mile of higher-capacity transit service. See KMC 18.21.025 for a map of possible locations. Duplexes and triplexes are

## ATTACHMENT 7a

allowed on a *lot* only if the entire parcel is within the ¼-mile area and if the *lot* dimensions are adequate as described in KMC 18.21.030. See also KMC 18.21.035 for design standards for *duplexes* and *triplexes*.

~~Apartments~~ Other types of *multiple-family dwellings* are prohibited.

. . .

### 18.21.025 Map of Potential Duplex/Triplex Locations

The area where a *duplex* or *triplex* may be permitted is shown on Figure 18.21.025.1. A *duplex* or *triplex* shall not be authorized in this area, however, unless 100% of the *lot* is inside the boundaries of this area, and if the *lot* dimensions are adequate as described in KMC 18.21.030.

### 18.21.030 Residential zones R-1, R-4 and R-6 – Development standards.

The following zone-specific development standards in Table B apply in the R-1, R-4 and R-6 residential zones:

Table B. R-1, R-4 and R-6 Residential Zones Development Standards

STANDARDS	Z O N E S	R-1 <sup>1</sup>	R-4	R-6
Base Density <del>(other than Duplex or Triplex)</del> : Dwelling Unit/Acre <sup>2</sup>		1 du/ac	4 du/ac <sup>3</sup>	6 du/ac
Maximum Density <del>(other than Duplex or Triplex)</del> : Dwelling Unit/Acre <sup>4</sup>			6 du/ac	9 du/ac
<u>Duplex Base Density: Dwelling Unit/Acre<sup>2</sup></u>	--	--	--	<u>22 du/ac</u>
<u>Duplex Maximum Density: Dwelling Unit/Acre<sup>4</sup></u>	--	--	--	<u>24 du/ac</u>
<u>Triplex Base Density: Dwelling Unit/Acre<sup>2</sup></u>	--	--	--	<u>26 du/ac</u>
<u>Triplex Maximum Density: Dwelling Unit/Acre<sup>4</sup></u>	--	--	--	<u>29 du/ac</u>

## ATTACHMENT 7a

Table B. R-1, R-4 and R-6 Residential Zones Development Standards

STANDARDS	Z O N E S	R-1 <sup>1</sup>	R-4	R-6
Minimum Density		None	None	None
Minimum Lot Width (other than Duplex or Triplex) <sup>6</sup>		35 ft. <sup>7</sup>	30 ft.	30 ft.
Side-by-side Duplex Minimum Lot Dimensions <sup>18</sup>		--	--	50' wide 100' deep
Stacked Duplex Minimum Lot Dimensions <sup>18</sup>		--	--	40' wide 100' deep
Triplex Minimum Lot Dimensions <sup>18</sup>		--	--	50' wide 100' deep
Minimum Street Setback		20 ft. <sup>7</sup>	15 ft. <sup>8,9</sup>	15 ft. <sup>8,9</sup>
Minimum Side Setback <sup>5,10</sup>		5 ft. <sup>7</sup>	15 ft. total <sup>11</sup>	15 ft. total <sup>11</sup>
Minimum Rear Setback <sup>5,10</sup>		5 ft. <sup>7</sup>	20 ft.	20 ft.
Maximum Height (Other than Duplex or Triplex) <sup>12</sup>		35 ft.	35 ft.	35 ft. 45 ft. <sup>13</sup>
Duplex/Triplex Maximum Height				30 ft. (2 ½ stories), but no more than 24' to the eaves (not including the eaves on dormers)
Base Impervious Surface: Percentage		30%	45%	60%
Maximum Impervious Surface: Percentage <sup>14</sup>		30% <sup>15</sup>	55%	70%
Minimum Lot Size (does not apply to Duplex or Triplex)		2,500 sq. ft.	7,200 sq. ft. <sup>16,17</sup>	5,400 sq. ft. <sup>16,17</sup>

1

...

2 <sup>2</sup> Density applies only to *dwelling units* and not to sleeping units.

3

...

4 <sup>4</sup> This maximum density may be achieved only through the application of residential density  
5 incentives pursuant to Chapter 18.80 KMC or transfers of density credits, or any combination of  
6 density incentive or density transfer. Maximum density may only be exceeded pursuant to  
7 KMC 18.80.040(E)(1)(f). Bonus density for duplexes or triplexes shall only be permitted in the  
8 form of a single detached dwelling unit, a duplex or a triplex.



ATTACHMENT 7a

1 <sup>5</sup> These standards may be modified under the provisions for *zero-lot-line developments*.

2 . . .

3 <sup>8</sup> If *development* provides *alleys* or consists of *townhouses*, then the *street setback* may equal be  
4 reduced to 10 feet.

5 <sup>9</sup> At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced  
6 parking area and the street property line. The linear distance shall be measured along the  
7 centerline of the driveway from the access point to such garage, carport or fenced area to  
8 the street property line. Driveways providing ingress and egress between off-street parking areas  
9 and abutting streets shall be designed, located and constructed in accordance with the  
10 provisions of Chapter 12.50 KMC, Road Standards.

11 <sup>10</sup> Vehicle access points from garages, carports or fenced parking areas shall be set back from  
12 the property line on which a joint use driveway is located to provide a straight line length of at  
13 least 26 feet as measured from the centerline of the garage, carport or fenced parking area,  
14 from the access point to the opposite side of the joint use driveway.

15 <sup>11</sup> Any side yard shall equal a minimum of five feet but the two side yards combined must equal a  
16 minimum of 15 feet.

17 . . .

18 <sup>14</sup> Applies to each individual *lot*. *Impervious surface* area standards for:

- 19 a. Regional uses shall be established at the time of permit review;
- 20 b. Nonresidential uses in residential zones shall comply with KMC 18.21.060 and 18.30.170;
- 21 c. Individual lots in the R-4 through R-6 zones which are less than 9,076 square feet in area shall be
- 22 subject to the applicable provisions of the nearest comparable R-6 zone;
- 23 d. Lots may be increased beyond the total amount permitted in this chapter subject to approval of
- 24 a conditional use permit;
- 25 e. The base impervious surface percentage may be exceeded, up to the maximum impervious
- 26 surface percentage, provided low impact development strategies are implemented subject to
- 27 approval by the city manager.

28 . . .

29 <sup>18</sup> Lot width is measured at the street setback line. Lot depth is measured on a line perpendicular  
30 to the street frontage. Lot dimensions for panhandle lots or lots of unusual shape shall be  
31 evaluated on a case-by-case basis by the city manager to determine whether lot width and depth  
32 are adequate for construction of a duplex or triplex.

33

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## ATTACHMENT 7a

## 18.21.035 Additional duplex and triplex development standards

### A. Building dimensions

#### 1. Maximum building dimensions for a duplex apply as follows:

<b>LOT WIDTH:</b>	<b>40-49'</b>	<b>50'-59'</b>	<b>60'-69'</b>	<b>70'-79'</b>	<b>&gt;80'</b>
<b>Side-by-side duplex:</b> Maximum building width along street frontage	Not permitted	32'	42'	50'	42' if building is sited to allow future development with at least a 40' street frontage
<b>Stacked duplex:</b> Maximum building width along street frontage	22'	32'	42'	50'	32' if building is sited to allow future development with at least a 40' street frontage

<b>LOT DEPTH:</b>	<b>&lt;100'</b>	<b>100-124'</b>	<b>125-149'</b>	<b>150-199'</b>	<b>&gt;200'</b>
<b>Side-by-side duplex:</b> Maximum building depth perpendicular to the building's street facade	Not permitted	40'	50'	50'	60' for 1 story structure 50' for 2 story structure
<b>Stacked duplex:</b> Maximum building depth perpendicular	Not permitted	40'	50'	50'	50'

## ATTACHMENT 7a

to the <i>building's</i> street facade					
---	--	--	--	--	--

1 2. Maximum *building* dimensions for a *triplex building* apply as follows:

<b>LOT WIDTH:</b>	40-49'	50-59'	60-69'	70-79'	>80'
Maximum <i>building</i> width along <i>street</i> <i>frontage</i>	Not permitted	32'	42'	50'	50'

2

<b>LOT DEPTH:</b>	<100'	100-124'	125-149'	150-199'	>200'
Maximum <i>building</i> depth perpendicular to the <i>building's</i> street facade	Not permitted	40'	40'	50'	60' for 1 story structure  50' for 2 story structure

3 3. In rare cases, the *city manager* may adjust maximum *building* widths and depths by up to 20%  
4 to make more efficient use of land or to address unique circumstances.

5 B. Design standards. To ensure that new *buildings* are of similar size and scale to neighboring  
6 single detached dwelling units, the following design standards apply to *duplex* and *triplex buildings*:

7 1. Building orientation.

8 a. A *duplex* or *triplex building* shall be oriented with the front of the *building* parallel to the  
9 street.

10 2. Dwelling Unit Entrances.

11 a. Each *duplex* or *triplex building* shall have its primary *building* entrance oriented toward  
12 the street, located on the front facade and/or along the sides(s) of the *building* via an entry  
13 porch visible from and connected to the street by a walkway.

14 b. Access to second floor dwelling units may be by an external stair, which may be open or  
15 enclosed, but shall not be located between the *building* and the street. If enclosed, the stair  
16 shall be within the *building's* overall massing and roof.

ATTACHMENT 7a

**3. Garage and carport size and location.**

a. On lots narrower in width than 60', a garage or carport shall be located at the rear of the lot.

b. Garages and carports shall be located a minimum of 20' behind the street façade of the duplex or triplex and have a maximum width of 20' as measured parallel to the street. The equivalent of no more than 2 single-car garage doors may be visible on the street facade.

c. Garages may be entered from the side of the building (parallel to the street). If entered from the side, any garage wall facing the street shall incorporate windows so that the garage appears to contain habitable space.

d. A porte cochere up to 12 feet wide overall is allowed at the same front setback as the street façade of the duplex or triplex and must allow access to the rear of the lot. A porte cochere is not included in the maximum building width. The porte cochere shall be designed in the same style and level of detail as the duplex or triplex.

**3. Surface Parking**

a. Surface parking for a duplex or triplex shall be limited to groups of no more than 3 spaces.

b. Parking areas with more than two spaces shall be located to the rear of the building, shall be visually separated by at least a distance of 5' from perimeter property lines, and shall be screened from neighboring properties through site plan design and/or landscaping.

**Landscaping**

**18.35.030 Land use grouping.**

To facilitate the application of this chapter, land uses have been grouped in the following manner:

A. "Residential development" refers to residential land uses.

B. "Attached/group residences" refers to:

1. Multiple-family dwellings, except duplexes and triplexes, and as provided in subsection (C)(1) of this section;

- 7 C. "Single-family *development*" refers to:

- 13 . . .

16 For single-family residential subdivisions:

- 20 B. The trees shall be:

- 11

ATTACHMENT 7a

- 1 a. Right of way trees shall be maintained by the adjacent landowner in accordance  
2 with the provisions of Chapter 12.70 KMC, Sidewalks, Planting Strips and Street Trees.
- 3 b. Trees on private streets shall be maintained by the adjacent landowner unless part of a  
4 homeowners' association program unless part of a City maintenance program; and
- 5 4. A species in accordance with the provisions of Chapter 12.50 KMC, Road Standards  
6 approved by the City if located within the street right-of-way and compatible with  
7 overhead utility lines;
- 8 C. The trees may be spaced at irregular intervals to accommodate sight distance requirements  
9 for driveways and intersections.

10

## 11 **General Development Standards**

### 12 **18.30.110 Lot width – Measurement method.**

13 Lot width shall be measured by scaling a circle of the applicable diameter within the boundaries  
14 of the lot; provided, that an access easement, access tract, access panhandle and  
15 building setbacks shall not be included within the circle area. See KMC 17.20.120(C) for  
16 additional standards related to lot configuration. See KMC 18.21.030 for lot width measurement  
17 methods for duplexes and triplexes in the R-6 Residential zoning district.

### 18 **18.30.230 Setbacks – Projections and structures allowed.**

19 Provided that the required setbacks from regional utility corridors of KMC 18.30.200, the  
20 adjoining half-street or designated arterial setbacks of KMC 18.30.220 and the sight distance  
21 requirements of KMC 18.30.240 are maintained, structures may extend into or be located in  
22 required setbacks, including setbacks as required by KMC 18.21.060(B), as follows:

23

. . .

24 Q. In a rear setback in the R-4 and R-6 residential zones, the following structures are permitted if  
25 it is determined by the city manager that they will not have any substantial detrimental effect on  
26 abutting properties or the City as a whole; and provided, that they shall be no closer than five  
27 feet to the rear lot line:

- 28 1. Children's play structures not otherwise regulated by this title;
- 29 2. No more than one storage shed or similar use, limited in height to eight feet for a flat  
30 roof or 10 feet for a pitched roof, with a maximum dimension of 15 feet on any side and a  
31 total area not exceeding 200 square feet;

## ATTACHMENT 7a

1 3. An *arbor*, not attached to a building and limited in height to eight feet, with a maximum  
 2 footprint of 100 square feet, including eaves. If latticework is used, there shall be a  
 3 minimum opening of two inches between crosspieces.

4 R. In a rear *setback* in the R-4 and R-6 residential zones, an *accessory dwelling unit* shall be  
 5 permitted; provided, that the *accessory dwelling unit* shall be no closer than 10 feet to the  
 6 rear *lot* line. All of the other standards for *accessory dwelling units* specified in  
 7 Chapter [18.73](#) KMC shall be met.

8 S. In a rear setback for a duplex or triplex in the R-6 residential zone, a garage for a maximum of  
 9 3 vehicles shall be permitted; provided, that the garage shall be no closer than 10 feet to the  
 10 rear lot line unless an alley access is provided. If an alley access is provided, this setback may  
 11 be further reduced to a minimum of 5'.

12

### 13 **Parking**

#### 14 **18.40.030 Computation of required off-street parking spaces.**

15 A. Except as modified in KMC [18.40.040](#), [18.40.050](#) or [18.40.090](#), off-street parking areas shall  
 16 contain at a minimum the number of *parking spaces* as stipulated in the following table. Off-  
 17 street parking ratios expressed as number of spaces per square feet means the usable or net  
 18 square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not  
 19 limited to building maintenance areas, storage areas, closets, restrooms and exterior walls. If  
 20 the formula for determining the number of off-street *parking spaces* results in a fraction, the  
 21 number of off-street *parking spaces* shall be rounded to the nearest whole number with  
 22 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
<b>RESIDENTIAL:</b>		
<i>Single detached dwelling unit</i>	2.0 per <i>dwelling unit</i>	2.0 per <i>dwelling unit</i> ; tandem stalls permitted
<i>Townhouse</i>	2.0 per <i>dwelling unit</i>	1.5 per <i>dwelling unit</i> ; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
<u>Duplex</u>	<u>.75 per dwelling unit</u>	<u>.75 per dwelling unit</u>



## ATTACHMENT 7a

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>Triplex</i>	.75 per <i>dwelling unit</i>	.75 per <i>dwelling unit</i>
<i>Apartment</i> Other <i>multiple-family dwellings</i> :		
<i>Microhousing dwelling unit</i>	Within 1/4 mile of SR-522: 0.75 per dwelling unit. Otherwise, 1.2 per dwelling unit	Within 1/4 mile of SR-522: 0.75:du. Otherwise, 1.0:du. Tandem stalls permitted
Studio unit	1.2 per <i>dwelling unit</i>	1.0:du; tandem stalls permitted
One-bedroom unit	1.5 per <i>dwelling unit</i>	1.0:du; tandem stalls permitted
Two-bedroom unit	1.7 per <i>dwelling unit</i>	1.5:du; tandem stalls permitted
Three-bedroom unit or larger	2.0 per <i>dwelling unit</i>	1.7:du; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units

### 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, duplexes, and triplexes, the parking spaces shall be located on the same *lot* they are required to serve;

...

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, Street/Road Standards. Driveways for single detached dwelling units, no more than 20 feet in width, may cross required setbacks or landscaped areas to provide access between the off-street parking areas and the street, provided no more than 15 percent of the required landscaping or setback area is eliminated by the driveway. Joint use driveways may be located within required landscaping or setback areas. Driveways for all other developments may cross or be located within required setbacks or landscaped areas to provide access between the off-street parking areas and the street, if no more than 10 percent of the required landscaping is displaced by the driveway and the driveway is located no closer than five feet from any property line except where intersecting the street.

## ATTACHMENT 7a

1 F. *Parking spaces* required under this title shall be located as follows:

2 1. For *single detached dwelling units* the required *parking spaces* shall be located outside of  
 3 any required ~~setbacks or landscaping~~, but driveways crossing ~~setbacks and~~  
 4 ~~required landscaping~~ may be used for parking. ~~However, if the driveway is a joint use~~  
 5 ~~driveway, no vehicle parked on the driveway shall obstruct any joint user's access to the~~  
 6 ~~driveway or parking spaces;~~

7 2. For duplexes and triplexes, all parking spaces shall be outside of the required street  
 8 setback and shall be no closer than 5' to perimeter lot lines. KMC 18.21.035.B contains  
 9 additional standards for parking area/garage/carport locations. Driveways crossing  
 10 required setbacks may be used for parking if a 5' separation from perimeter lot lines is  
 11 maintained.

12 3. For nonresidential uses in residential zones, parking is permitted in *setback* areas in  
 13 accordance with KMC [18.21.060](#).

14 24. For all other *developments*, *parking spaces* may be permitted by the city  
 15 manager in *setback* areas in accordance with an approved landscape plan; and

16 5. If the driveway is a joint use driveway, no vehicle parked on the driveway shall obstruct  
 17 any joint user's access to the driveway or parking spaces.

18 . . .

19 H. Tandem or end-to-end parking is allowed in residential *developments*. ~~Apartment~~Multiple-  
 20 family dwellings, including duplex, triplex, or *townhouse developments*, may have tandem parking  
 21 ~~areas~~ for each *dwelling unit* but shall not combine parking for separate *dwelling units* in a  
 22 tandem parking areas configuration.

23 . . .

24 J. The total number of vehicles parked or stored outside of a *building* on a single-  
 25 family residential lot in the R-4R-1 through R-6 zones, excluding *recreational vehicles* and trailers,  
 26 shall not exceed six vehicles on *lots* 12,500 square feet or less and eight vehicles on *lots* greater  
 27 than 12,500 square feet.

28

## 29 **Nonconformances**

### 30 **18.100.010 Purpose.**

31 The purposes of this chapter are to:

ATTACHMENT 7a

- 1 A. Establish the legal status of a *nonconformance* by creating provisions through which
- 2 a *nonconformance* may be maintained, altered, reconstructed, expanded or terminated;
- 3 B. Establish the rules for an *existing legal use* by creating provisions through which an *existing*
- 4 *legal use* may be maintained, altered, reconstructed, expanded or terminated; and
- 5 C. Provide for the temporary establishment of *uses* that are not otherwise permitted in a zone
- 6 or that do not meet all development standards of a zone and to regulate such *uses* by their
- 7 scope and period of use.

8 **18.100.020 Nonconformance – Applicability.**

- 9 A. All *nonconformances* shall be subject to the provisions of this chapter, except for:
- 10 1. nonconforming billboards, which shall be subject to KMC [18.42.150](#), and
- 11 [2. existing legal \*multiple-family dwellings\* that do not conform to the following standards:](#)
- 12 [base density, maximum density, minimum \*setbacks\*, maximum height, or minimum lot](#)
- 13 [size. This exception is not applicable to other standards for a \*multiple-family dwelling\*,](#)
- 14 [such as base or maximum impervious surface or critical area buffers, which continue to](#)
- 15 [be \*nonconformances\* subject to the provisions of this chapter.](#)
- 16 B. The provisions of this chapter do not supersede or relieve a property owner from compliance
- 17 with:
- 18 1. The requirements of the International Building and Fire Codes; or
- 19 2. The provisions of this code beyond the specific *nonconformance* addressed by this
- 20 chapter. [Ord. 17-0445B § 3; Ord. 11-0329 § 3 (Exh. 1).]

21 **18.100.090 Nonconformance – Residences.**

- 22 Any residence nonconforming relative to *use* may be expanded, after review and approval,
- 23 subject to all other applicable codes besides those set forth in this chapter
- 24 for *nonconformances*.

25

26 **Road Standard Amendments**

- 27 5.04 Driveways and Driveway Approaches This section provides driveway and driveway
- 28 approach standards to public and private roads. It is not the intent of these Standards to
- 29 govern design or location of driveways on private property except where they connect to the

ATTACHMENT 7a

1 road where minimum setbacks are required along property lines and where safety is a concern.  
 2 However, fire access requirements governed by the Fire Code (KMC 15.10) and KMC Title 18,  
 3 establish criteria for driveway widths.

4 . . .

5 B. Single Family Residential Driveway and Driveway Approaches:

6 1. Driveways and driveway approaches must be a minimum length of 20 feet, measured  
 7 along any point between the nearest tract/easement/right-of-way line of a shared access or  
 8 roadway and the nearest edge of the parking area/carport/garage required per KMC  
 9 18.40.030. Driveways may not exceed 45 feet in length if feasible.

10 2. Driveway and driveway approaches shall have a minimum width of 12 feet and a  
 11 maximum width as follows:

12 i. Driveways and driveway approaches accessed from private roads shall have a maximum  
 13 width of 35 feet.

14 ii. Driveways and driveway approaches accessed from public roads shall have a maximum  
 15 width of 20 feet at the right-of-way line. Driveways may be widened to a maximum of 35  
 16 feet beginning at a minimum of 5 feet from the right-of-way line.

17 3. Driveways shall be continuously paved or surfaced with gravel between the public right-  
 18 of-way and the parking area required by KMC 18.40.030, unless otherwise approved by the  
 19 City of Kenmore.

20 i. This requirement shall not restrict the use of alternative pavement types (such are  
 21 porous pavements or pavers) and methods (such as wheel strips) to meet flow control  
 22 BMP or Low Impact Development requirements.

23 ii. Driveways with a slope exceeding 5% in grade shall be paved; gravel surfacing will not  
 24 be permitted on steep driveways.

25 4. If frontage improvements do not exist and are not required, driveway approaches from  
 26 the right of way line to the edge of pavement shall be HMA unless otherwise approved by  
 27 the City Engineer.

28 C. Duplex or Triplex Driveways and Driveway Approaches:

29 1. Driveways and driveway approaches must be a minimum length of 35 feet, measured  
 30 along any point between the nearest tract/easement/right-of-way line of a shared access or  
 31 roadway and the nearest edge of a carport or garage. Driveways or driveway approaches to  
 32 a parking area must be a minimum length of 20'.

## ATTACHMENT 7a

2. Driveway and driveway approaches shall be 12 feet wide between the tract/easement/right-of-way line and the duplex or triplex building. A minimum driveway width of 10' is required along the side of the building or in the rear of the lot.

3. Driveways shall be continuously paved or surfaced with gravel between the public right-of-way and the parking area required by KMC 18.40.030, unless otherwise approved by the City of Kenmore.

i. This requirement shall not restrict the use of alternative pavement types (such as porous pavements or pavers) and methods (such as wheel strips) to meet flow control BMP or Low Impact Development requirements.

ii. Driveways with a slope exceeding 5% in grade shall be paved; gravel surfacing will not be permitted on steep driveways.

4. If frontage improvements do not exist and are not required, driveway approaches from the right of way line to the edge of pavement shall be HMA unless otherwise approved by the City Engineer.

D. Townhome Driveways and Driveway Approaches: Driveways lengths shall be 20 feet when accessed from a public road with a width between 8 feet and 20 feet. Driveways are not required when accessing from a private road. If driveways are proposed off of a private road, they shall follow the requirements for access from a public road. Driveway approaches to garages from private roads shall not exceed 6 feet in length. Any conflicts with the KMC, the KMC shall prevail.

~~CE~~. Commercial, Industrial, & ~~Other~~ Multi-Family Driveways and Driveway Approaches:

1. Driveways, when designed, must be a minimum length of 40 feet, measured along any point between the nearest tract/easement/right-of-way line of a shared access or roadway and the nearest edge of the parking area/carport/garage required per KMC 18.40.030.

2. Driveways and Driveway approaches shall have a minimum width of 24 feet and a maximum width of 36 feet.

3. Driveways shall be continuously paved between the public right-of-way and the parking area required by KMC 18.40.030.

i. This requirement shall not restrict the use of alternative pavement types (such as porous pavements or pavers) and methods (such as wheel strips) to meet a flow control BMP or Low Impact Development requirement.

~~EF~~. Location of New Driveways.

1. Driveway location is subject to City approval.

2. No portion of driveway width for uses other than duplexes or triplexes shall be allowed within 5 feet of any existing side property lines.

ATTACHMENT 7a

- 1 i. Exceptions may be granted without a formal variance request for access panhandles to
- 2 single lots and for lots taking access from a cul-de-sac bulb; in such cases the driveway
- 3 shall be located, and possibly reduced in width, to provide the largest setback feasible.
- 4 ii. A setback variance may be approved if approval from the adjacent property owner(s) is
- 5 received.

6 3. For duplexes and triplexes, a driveway may be allowed within 3 feet of any existing side  
 7 property line if *native vegetation* is provided to screen the driveway from the neighboring  
 8 property. Landscaping shall minimally consist of a mix of native evergreen and deciduous  
 9 shrubs spaced no more than 6' on center and with an ultimate height of at least 5', along  
 10 with additional native garden plantings spaced to result in total coverage of the majority of  
 11 the required landscape area within three years. The landscape plan shall be incorporated  
 12 into the site plan submitted with the permit and the landscaping shall be maintained as  
 13 specified in KMC 18.35.120. Noxious weeds, as defined in KMC 18.20.1890, shall not be  
 14 used for landscaping.

15 As an alternative, a minimum 6'-tall fence, consistent with the standards in KMC 18.30.040,  
 16 may be provided.

17 . . .

18  
 19 **AMENDMENTS RESULTING FROM ELIMINATION OF**  
 20 **"APARTMENT" DEFINITION**

21  
 22 **18.15.040 Residential zones.**

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

26 1. Providing, in the R-1 through R-6 zones, for a mix of predominantly *single detached*  
 27 *dwelling units*, with a variety of densities and sizes in locations appropriate for residential  
 28 use;

29 2. Providing, in the R-6 zone within ¼-mile of major transit corridors, for a mix of *single*  
 30 *detached dwelling units, duplexes, and triplexes;*

## ATTACHMENT 7a

23. Providing, in the R-12 through R-48 zones, for a mix of predominantly ~~apartment and townhouse~~ multiple-family dwelling units, with a variety of densities and sizes in locations appropriate for residential use;

#### 18.20.830 Dwelling unit, microhousing.

"Microhousing dwelling unit" means an ~~apartment~~ multiple-family dwelling unit with a total square footage of less than 320 square feet and a habitable space, as defined in the International Building Code as adopted in the Kenmore Municipal Code, of at least 220 square feet. The room(s) are intended for use solely by the dwelling's occupant(s), although common kitchen or bath facilities may be provided.

#### 18.20.1375 Hotel.

"Hotel" means a *building* or portion thereof designed or used for transient rental for sleeping purposes. Hotel *structures* are at least two stories in height, with lodging space above the first floor. Lodging space may also be located on the first floor. Individual rooms are typically accessed from a common hallway. A central *kitchen* and dining room and accessory shops and services catering to the general public may be provided. Not included in this definition are ~~townhouses, apartments~~ multiple-family dwelling units, bed and breakfasts, or *motels*.

#### 18.20.1785 Motel.

"Motel" means a *building* or group of detached or connected *buildings* designed or used primarily for providing sleeping accommodations for automobile travelers and typically having a *parking space* adjacent to a sleeping accommodation. This definition excludes ~~townhouses, apartments~~ multiple-family dwelling units, *bed and breakfast guesthouses*, and *hotels*.

#### 18.21.040 Residential zones R-12, R-18 and R-24 – Use allowances.

35. *Self-service storage* only permitted and only if accessory to an ~~apartment~~ multiple-family development of at least 12 units, provided:

a. The gross floor area in *self-service storage* shall not exceed the total gross floor area of the ~~apartment~~ multiple-family dwellings on the site;

#### 18.21.050 Residential zones R-12, R-18, R-24, R-48, and MHC – Development standards.



## ATTACHMENT 7a

a. For *developments* consisting of three or more single detached dwellings located on a single parcel, the *setback* shall be 10 feet along any property line abutting R-1 through R-6, except for *structures* in on-site recreation areas required in KMC 18.30.130, which shall have a *setback* of five feet.

b. For ~~townhouse and apartment~~ *multiple-family* development, the *setback* shall be 20 feet along any property line abutting R-1 through R-6, except for *structures* in on-site recreation areas required in KMC 18.30.130, which shall have a *setback* of five feet, unless the ~~townhouse or apartment~~ *multiple-family* development is adjacent to property upon which an existing ~~townhouse or apartment~~ *multiple-family* development is located.

## 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</i> /Gross Acre	48; applies east of 68th Avenue NE
Maximum Density: <i>Dwelling Units</i> /Gross Acre with Density Bonus Incentives	72; density incentives or bonuses not required west of 68th Avenue NE
Minimum Density: <i>Dwelling Units</i> /Net Acre	18 – <i>Townhouse only development</i> 18 – 36 – <i>Townhouse/ <del>apartment</del> other multiple-family combination development</i> 36 – <i>Apartment Multiple-family development other than townhouses</i>
Minimum Lot Width	<i>Townhouse</i> – 20 ft. <i>Apartment Other Multiple-Family development</i> – 30 ft.

## 18.30.130 Recreation space – On-site areas.

A. Single-family detached subdivisions, ~~apartment, townhouse~~ *multiple-family development* and *mixed use development* of more than nine units in the R-4 through R-48 and DR zones and standalone ~~apartment or townhouse~~ *multiple-family* developments in the NB, UC or DC zone of more than nine units, excluding age restricted *senior citizen* housing, shall provide a common recreational open space area on site, except when facilities are available to the public that meet all of the following requirements:

## ATTACHMENT 7a

**18.40.030 Computation of required off-street parking spaces.**

. . .

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.

. . .

5. One indoor bicycle storage space shall be provided for every two *dwelling units* in ~~townhouse and apartment~~ *multiple-family* residential uses ~~other than duplexes and triplexes~~, 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.

**18.40.110 Off-street parking plan design standards.**

. . .

H. Tandem or end-to-end parking is allowed in residential *developments*. ~~Apartment or townhouse~~ *Multiple-family* *developments* may have tandem parking areas for each *dwelling unit* but shall not combine parking for separate *dwelling units* in tandem parking areas.

**18.40.130 Compact car allowance requirements.**

In any *development* containing more than 20 *parking spaces*, up to 50 percent of the total number of spaces may be sized to accommodate compact cars, subject to the following:

A. Each space shall be clearly identified as a compact car space by painting the word "COMPACT" in capital letters, a minimum of eight inches high, on the pavement at the base of the *parking space* and centered between the striping;

B. Aisle widths shall conform to the standards set for standard size cars; and

C. ~~Apartment~~ *Multiple-family* *developments* with less than 20 parking spaces may designate up to 40 percent of the required parking spaces as compact spaces.

**18.42.090 Residential zone signs.**

*Signs* in the downtown residential, R and MHC zones are limited as follows:

## ATTACHMENT 7a

1 . . .

2 B. Residential Use.

3 1. One *sign* not exceeding two square feet is permitted; and

4 2. One *permanent residential development identification sign* not exceeding 32 square feet is  
 5 permitted per neighborhood, subdivision, manufactured housing  
 6 community, ~~apartment/condominium~~ *multiple-family complex development* (but not  
 7 *including a duplex or triplex*), or other residential area. The maximum height for  
 8 the *sign* shall be six feet. The *sign* may be freestanding or mounted on a wall, *fence*, or  
 9 other *structure*.

10 **18.50.060 Attached dwellings and group residences –**  
 11 **Applicability.**

12 The standards of KMC [18.50.070](#) and [18.50.080](#) shall apply to all new ~~apartment~~ *multiple-family*  
 13 *developments* exceeding four *dwelling units*, ~~new townhouse development~~ and new group  
 14 residences except Class I *community residential facilities* (CRF-I). Expansions of  
 15 existing *development* that involve four or more *dwelling units* shall be subject to compliance with  
 16 KMC [18.50.070](#) and [18.50.080](#).

17 **18.50.070 Attached dwellings and group residences – Vehicular**  
 18 **access and parking location.**

19 Except for *development* located in the downtown commercial or downtown residential zones, or  
 20 RB-zoned properties that are not subject to P-suffix condition NS-P4 and which lie north of NE  
 21 175th Street, which must comply with Chapter [18.52](#) KMC, Downtown Design Standards, the  
 22 following requirements apply:

23 A. On *sites* abutting an *alley* constructed to a width of at least 20  
 24 feet, ~~apartment and townhouse~~ *multiple-family development* and all group residences except Class  
 25 I *community residential facilities* (CRF-I) shall have parking areas placed to the rear  
 26 of *buildings* with primary vehicular access via the *alley*, except when waived by the *city*  
 27 *manager* due to physical *site* limitations.

28

## ATTACHMENT 7a

**18.50.080 Attached dwellings and group residences – Building facade modulation.**

Except for *development* located in the downtown commercial or downtown residential zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4 and which lie north of NE 175th Street, which must comply with Chapter [18.52](#) KMC, Downtown Design Standards, ~~apartment and townhouse~~ **multiple-family developments**, ~~excluding duplexes and triplexes~~, and all group residences shall provide *building facade modulation* on facades exceeding 60 feet and facing abutting *streets* or properties zoned R-1 through R-6. The following standards shall apply:

. . .

**18.50.220 Re-use of facilities – Standards for conversion of historic buildings.**

In order to ensure that significant features of the property are protected pursuant to Chapter [2.20](#) KMC, the following standards shall apply to conversion of historic *buildings*:

A. Gross floor area of *building* additions or new *buildings* required for the conversion shall not exceed 20 percent of the gross floor area of the historic *building*, unless allowed by the zone;

B. Conversions to ~~apartments~~ **multiple-family dwelling units** shall not exceed one *dwelling unit* for each 3,600 square feet of lot area, unless allowed by the zone; and

C. Any construction required for the conversion shall require certification of appropriateness from the *City* landmark commission.

**18.80.080 Applicability of development standards.**

A. RDI *developments* shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the RDI *development*; provided, that an RDI proposal in the R-4 through R-6 zones shall conform to the height requirements of the underlying zone in which it is located.

B. RDI *developments* in the R-4 through R-6 zones shall be landscaped as follows:

1. When 75 percent or more of the units in the RDI *development* consist of ~~townhouses or apartments~~ **multiple-family dwelling units other than duplexes or triplexes**,

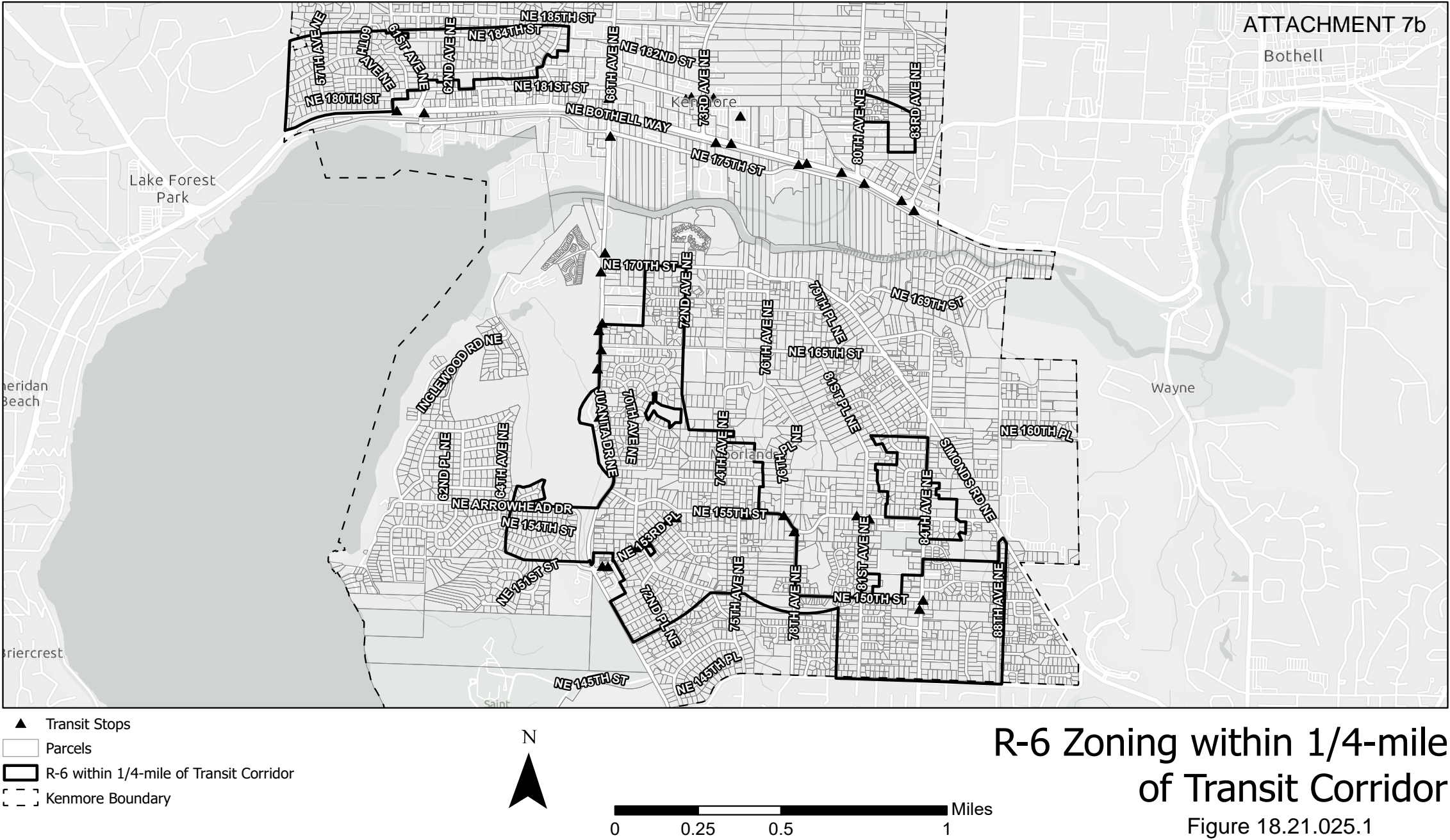
ATTACHMENT 7a

1 the *development* shall provide perimeter *landscaping* and *tree* retention in accordance with  
2 Chapters [18.35](#) and [18.57](#) KMC ~~for townhouse or apartment projects.~~

3 2. When less than 75 percent of the units in the RDI consist  
4 of ~~townhouses or apartments~~ multiple-family dwelling units other than duplexes or triplexes,  
5 the *development* shall provide *landscaping* and *tree* retention in accordance with  
6 Chapters [18.35](#) and [18.57](#) KMC ~~for townhouses or apartments~~ on the portion(s) of  
7 the *development* containing such units; provided, that if *buildings* containing such units are  
8 more than 100 feet from the *development's* perimeter, the required *landscaping* may be  
9 reduced by 50 percent.

10 **18.100.180 Temporary real estate offices.**

11 One temporary real estate office may be located on any new residential *development*; provided,  
12 that activities are limited to the initial sale or rental of property or units within the *development*.  
13 The office *use* shall be discontinued within one year of recording of a short subdivision of four  
14 lots or less or issuance of a final certificate of occupancy for ~~an apartment a multiple-~~  
15 ~~family~~ *development*, and within two years of the recording of a formal subdivision or short  
16 subdivision of more than four lots.







# Middle Housing

## Grant Application Form

### Summary Page

Jurisdiction	City of Kenmore
Total funding request	\$105,000 (includes \$5,000 for translation/interpretation services)
Population of jurisdiction as of 2022	24,050 (2021)
Are you also requesting tech team assistance?	No
Approximate time frame for assistance	N/A

Provide the proposed change in lots that only allow single family residential development and the change of lots zoned for middle housing. Please note, this question requires the submittal of a current zoning map with additional details, see grant guidelines for more information:

Current percentage of lots that only allow single family development: (R-1, R-4 and R-6 zoning districts)	100%*	Current percentage of lots that allow middle housing development:	0%*
Proposed percentage of lots that will only allow single family development at the conclusion of this grant:	≤70%	Proposed percentage of lots that will allow middle housing development at the conclusion of this grant:	≥30%
Percent change:	-30%	Percent change:	+30%

\*Note that townhouses presently are allowed in our single-family zones with a conditional use permit.



Community-based organizations you will subcontract with:		Vulnerable population served:
1.	We will continue public outreach, but are not planning to subcontract with a formal CBO (limited opportunities in Kenmore)	
2.		
3.		

## 1. Jurisdiction Information

Applying Jurisdiction	City of Kenmore		
Project Manager	<i>This is the designated lead person who is responsible for grant communications between Commerce and the city. For joint applicants this is project manager from the designated lead city.</i>		
Name (Lead Contact)	Lauri Anderson		
Title	Principal Planner		
Department	Community Development		
Mailing Address	18120 68 <sup>th</sup> Ave NE		
City	Kenmore		
State	WA	Zip Code	98028
Telephone Number	425-984-6184		
Email	landerson@kenmorewa.gov		
Financial Contact	<i>Please provide name and contact information for the person who will be responsible for receiving and accounting for the grant funds.</i>		
Name	Leticia Salcido		
Title	Finance and Administration Director		
Department	Finance and Administration		
Telephone Number	425-398-8900		
E-mail	lsalcido@kenmorewa.gov		
Unified Business Identifier (UBI) Number	601-883-200		
Statewide Vendor (SWV) Number	0007160-00		

Authorized Official	<i>The name and title of the office authorized to sign the grant agreement on behalf of the city.</i>
Name	Rob Karlinsey
Title	City Manager
Email	rkarlinsey@kenmorewa.gov

## 2. Scope of Work and Project Schedule

Provide a proposed scope of work, detailing the grant objective (project), actions, steps and deliverables. Instructions are in the Grant Application Instructions.

All grant deliverables must be submitted by June 15, 2023.

If you propose multiple grant objectives, actions, steps or deliverables, please copy and paste the appropriate rows below. The example scopes of work from the grant instructions are included at the end of this document if a community wishes to copy portions or all of that material into this table.

**Grant Objective:** Expand consideration of middle housing types in the City's single-family residential zoning districts (R-1, R-4, and R-6). The Planning Commission presently is recommending that our updated Housing Element (currently underway) specify areas for medium density housing in one single-family zone (R-6) within ¼ mile of the City's two main transit corridors (see preliminary Comprehensive Plan Land Use Map, Attachment 1, and existing Zoning Map, Attachment 2). Accompanying regulations would allow duplexes and triplexes on approximately 20% of the City's single-family lots (see Attachment 3). An implementation measure of the draft Housing Element is to, "Continue to consider opportunities to expand locations for medium density residential housing types..." The City Council will be considering these Comprehensive Plan amendments and implementing regulations in late June.

Grant funding would allow us to expand consideration of middle housing types geographically and also would allow research and potential code development for other types of middle housing: fourplexes, fiveplexes, sixplexes, courtyard apartments, cottage housing, and stacked flats. (The City already allows townhouses in all of our single-family zoning districts.)

This year's draft Comprehensive Plan updates include information on the history of racial inequities in Kenmore. A separate project, conducted by University of Washington graduate students, addressed the local history of inequitable access to housing in more detail. New policies supporting diversity, equity and inclusion have been added to the draft Comprehensive Plan, as have policies addressing displacement. The grant would allow us to more closely examine the Kenmore community to determine if areas targeted for new middle housing would raise displacement issues and if new policies require adjustment.

Steps/ Deliverables	Description	Start Date	End Date
------------------------	-------------	------------	----------

<b>Action 1</b>	<b>Analyze Comprehensive Plan policies and the Municipal Code to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential. This will include considerations related to parking and design, as well as permitting processes and infrastructure considerations</b>	<b>July 2022</b>	<b>December 31, 2022</b>
Step 1.1	Issue RFP and select consultant(s). NO GRANT FUNDING IS REQUESTED FOR THIS STEP.	July 2022	August 31, 2022
Step 1.2	Review and evaluate the current Housing Element and other policies to support expanded middle housing	September 2022	September 30, 2022
Step 1.3	Review current land uses and environmental conditions in the R-1, R-4 and R-6 zoning districts to determine the potential for expanding middle housing	September 2022	October 31, 2022
Step 1.4	Review current development regulations and identify changes that would support the development of middle housing	October 2022	November 30, 2022
Step 1.5	Identify design considerations for the various middle housing types	October 2022	November 30, 2022
Step 1.6	Consider bonus densities and incentives for affordable housing to accompany any changes in zoning that increase density	December 2022	December 31, 2022
<b>Deliverable 1</b>	<b>Middle housing report on changes needed to expand opportunities for middle housing including recommended changes to policies, regulations, incentives, and permitting procedures</b>		<b>December 31, 2022</b>
<b>Action 2</b>	<b>Prepare informational materials for the public</b>	<b>November 2022</b>	<b>December 31, 2022</b>
Step 2.1	Prepare handouts, postcards, or other informational media as needed to advise the public of changes under consideration	November 2022	November 30, 2022
Step 2.2	Translate materials into Spanish	December 2022	December 31, 2022
Step 2.3	Assist with a public forum on proposed changes, including interpretation services	December 31, 2022	January 31, 2023

<b>Deliverable 2</b>	<b>Public information materials about middle housing in both English and Spanish, as well as a public forum about the project</b>		<b>January 31, 2023</b>
<b>Action 3</b>	<b>Prepare a racial equity analysis to accompany the draft ordinance and identify amendments to the existing Comprehensive Plan anti-displacement policies, if necessary</b>	<b>January 2023</b>	<b>January 31, 2023</b>
Step 3.1	Conduct a racial equity analysis to identify policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including: the discriminatory effects of zoning, disinvestment, and/or lack of infrastructure.	January 2023	January 31, 2023
Step 3.2	Identify areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations.	January 2023	January 31, 2023
Step 3.3	Identify policy changes, if needed	January 2023	January 31, 2023
<b>Deliverable 3.</b>	<b>Racial equity analysis report and recommendations</b>		<b>January 31, 2023</b>
<b>Action 4</b>	<b>Draft proposed amendments to the Comprehensive Plan and Municipal Code for consideration by the Planning Commission and/or City Council</b>	<b>January 2023</b>	<b>February 28, 2023</b>
Step 4.1	Draft proposed Comprehensive Plan amendments	January 2023	February 28, 2023
Step 4.2	Draft proposed Municipal Code amendments	January 2023	February 28, 2023
<b>Deliverable 4.</b>	<b>Draft ordinance that authorizes middle housing types on at least 30% of lots currently zoned as single family</b>		<b>February 28, 2023</b>

### 3. Proposed Budget / Financial Information

Propose a project budget to reflect your expected level of effort for each of the deliverables provided above. This is a performance-based contract, therefore cities will be paid upon satisfactory completion of deliverables rather than hours spent working on the project. The final deliverable of each grant objective must be at least 20% of the total grant amount for that grant objective.

<b>Grant Objective:</b>	<b>Commerce Funds</b>
Deliverable 1. Middle housing report	\$ 50,000.00

Grant Objective:	Commerce Funds
Deliverable 2. Public information materials and community outreach	\$ 25,000.00 (includes \$5,000 for translation/interpretation services)
Deliverable 3. Racial equity analysis and recommendations	\$ 10,000.00
Deliverable 4. Draft ordinances (Comprehensive Plan and Municipal Code)	\$ 20,000.00
Total:	\$105,000
<b>Budget Narrative:</b> For each grant objective, please support the funding request with estimates of staff hours (may be per action, step, or deliverable), staff hourly rates, and other expenses.	
Deliverables would be prepared by a consultant(s) and may include interjurisdictional work by A Regional Coalition for Housing (ARCH). Estimates were based on previous work done to-date on the Comprehensive Plan update project, including analysis, design work, and code development for middle housing by Opticos Design, and preparation of public information materials (and translation) by PRR, Inc.	

#### 4. Grant Application Questions and Scoring Method

Please answer each of the below questions. Final grant funds will be proportionate to the level of effort proposed by a city, the percent change of lots authorized for middle housing through zoning changes, and factor in the number of community-based organizations the city plans to subcontract with. Please refer to the Grant Application Instructions for more detail regarding scoring and ranking.

**4a. Readiness to Proceed: (0-20 points)** Please describe your plan to initiate and complete this project by June 15, 2023. See grant instructions for additional detail on what to include in this section.

Kenmore already has taken many steps to authorize some types of middle housing (duplexes and triplexes) in single-family residential areas of the City and we are poised to do more. We expect City Council adoption of related Comprehensive Plan amendments and the first phase of middle housing amendments over the next few months. A second phase could begin immediately. The City will need to issue an RFP for consultant assistance with this project. The RFP would be released upon receipt of the funding notice. Assuming two months for RFP submittals and consultant selection, work on the project could begin in September 2022.

In spring 2023, we expect adoption of the next set of Comprehensive Plan update amendments. Ideally, additional or revised policies and regulations related to middle housing could be adopted with that amendment package.

**4b. Local Commitment to the project: (0-20 points)** See grant instructions for additional detail on what to include in this section.

As part of the 2021/2022 docket, the Kenmore City Council requested that the Kenmore Planning Commission consider opportunities for middle housing in the City.

On June 7, 2022, the Kenmore Planning Commission recommended new policies and code amendments to support duplexes and triplexes within ¼-mile of the City’s two main transit corridors and they also are recommending an “implementation measure” in the Housing Element of the Comprehensive Plan that encourages consideration of future middle housing opportunities. These recommendations will go to the City Council on June 27 to begin their consideration.

At the May 23, 2022 City Council meeting, the Council gave direction to the Mayor to sign the support letter for this grant so that the City could consider future middle housing opportunities.

**4c. Racial Equity Analysis: (0-30 points)** See grant instructions for additional detail on what to include in this section.

Recommended Comprehensive Plan amendments for 2022 include background information and new goals and policies related to diversity, equity and inclusion. Policies also state that the City should consider displacement risk with any land use changes.

Although the City has conducted extensive outreach to encourage historically disadvantaged residents to participate in the Comprehensive Plan update process, to date we have had little success. For example, Attachment 4 is the recent summary report describing the City’s efforts to connect with those in the community who use Spanish prior to the May 17 public hearing on the project.

Presently, we are not aware of any displacement issues raised by the draft middle housing regulations. The City’s most vulnerable communities are located near downtown in manufactured housing communities that already have received protection.

Additional analysis funded by this grant would help us identify any missed opportunities to support racial equity and would also inform any additional amendments needed related to displacement risk.

**4d. Middle Housing Opportunities: (0-30 points)**

See grant instructions for additional detail on what to include in this section.

As described above, the Planning Commission is recommending new middle housing in the City’s R-6 zoning district that would allow duplexes and triplexes on 20% of the lots presently zoned for single-family development. These areas are within ¼ mile of the City’s two main transit corridors—including future bus rapid transit on SR-522. Grant funding would allow us to consider both geographic expansion and a greater diversity of middle housing types in the community. Consideration of middle housing in the R-6 zoning district within ½ mile of the City’s transit corridors (or even further) would allow us to easily meet the 30% threshold. With appropriate design standards, the City certainly is ready to consider additional middle housing opportunities.

The City’s R-1 and R-4 single-family residential zoning districts were designed to protect environmentally sensitive areas (the Swamp Creek wetland complex and areas of steep slopes). However, a more refined analysis funded by the grant may uncover opportunities to support middle housing even in these areas.

## CHECKLIST

Applications and supporting documentation must be emailed [gmsgrants@commerce.wa.gov](mailto:gmsgrants@commerce.wa.gov) by 5:00 p.m. on Thursday, June 9, 2022.

- ☒ Letter of commitment from the mayor or authorized official.
- ☐ Letters of commitment from community-based organizations.
- ☒ Zoning, transit and other maps as needed to allow reviewers to understand the potential to meet the objectives of the grant program.
- ☒ Buildable lands report
- ☒ Submit application (12 pages or less), and zoning, transit and other maps to [gmsgrants@commerce.wa.gov](mailto:gmsgrants@commerce.wa.gov) by Thursday, June 9, 5:00 p.m.

## **Attachments**

Attachment 1: Preliminary Comprehensive Plan Land Use Map

Attachment 2: Existing Zoning Map

Attachment 3: Map of proposed duplex/triplex area

Attachment 4: Report on efforts to involve those who use Spanish

Attachment 5: Commitment letter from Kenmore Mayor Nigel Herbig

Attachment 6: King County Buildable Lands Report

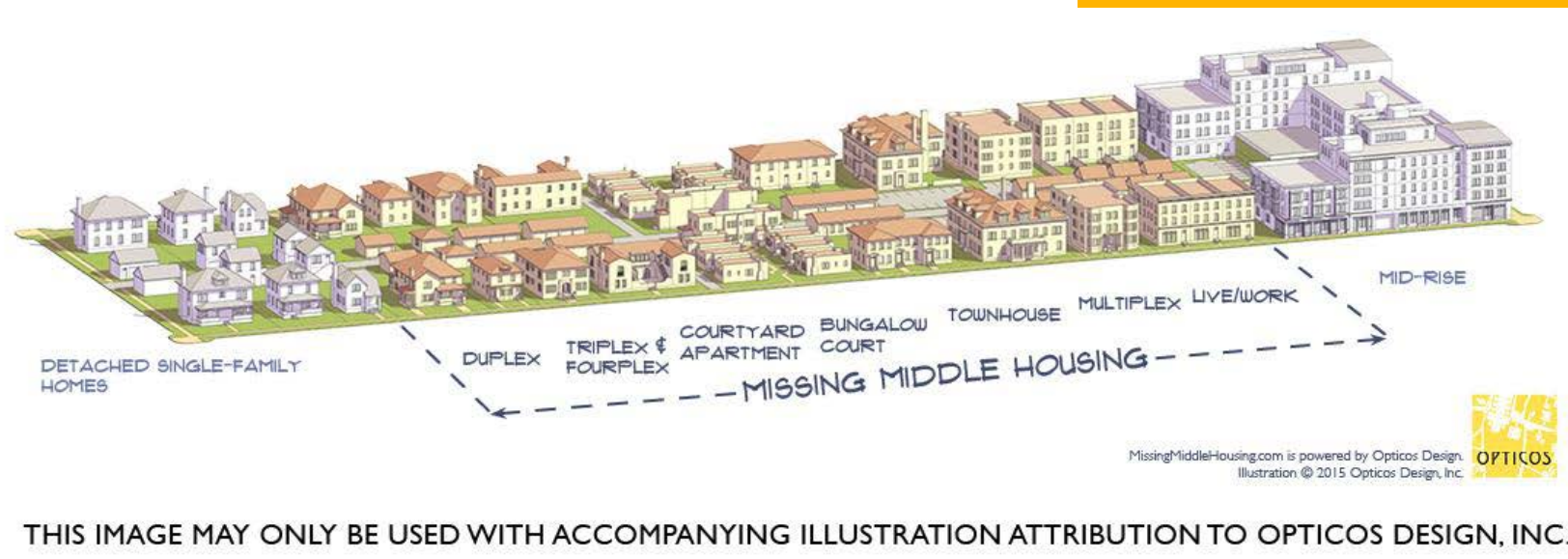




KENMORE 2044

# “Missing Middle” housing

## What is “Missing Middle” housing?





## What do these housing types look like?



**Duplex**



**Triplex**



**Cottage housing**

## Existing “Missing Middle” housing in our area



**Kirkland duplex**



**Bothell triplex**



**Shoreline cottage housing**

## What problems are we trying to solve with “Missing Middle” housing?

- regional housing supply shortage
- skyrocketing housing costs
- lack of housing types in between single-family residences and larger apartment buildings
- historic exclusion of those with lower incomes (disproportionately people of color) from some neighborhoods

Median Kenmore household income:	\$115,093
Median-priced house in Kenmore:	\$1,323,000
Income needed to purchase:	265% AMI
AMI needed for “Missing Middle”:	80-120% AMI



## What are the benefits of “Missing Middle” housing?

- increases housing supply
- provides more housing choice
- units more affordable than a single-family house
- prevents sprawl and helps fight climate change
- supports transit
- is consistent with regional policies



## What is the Planning Commission recommending?

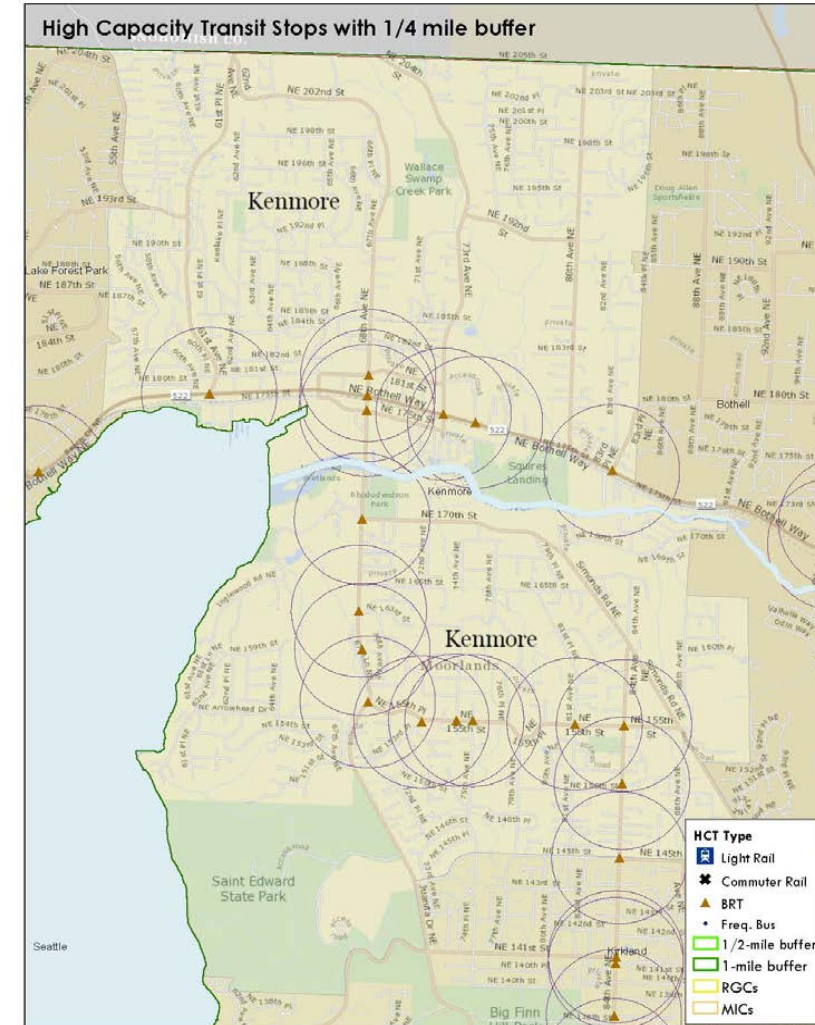
- An incremental approach
- Allowing duplexes and triplexes within ¼ mile of the City's main transit corridors in the single-family residential R-6 zone
- Not allowing in the R-1 and R-4 zones
- Future discussion of smaller houses on smaller lots and cottage housing





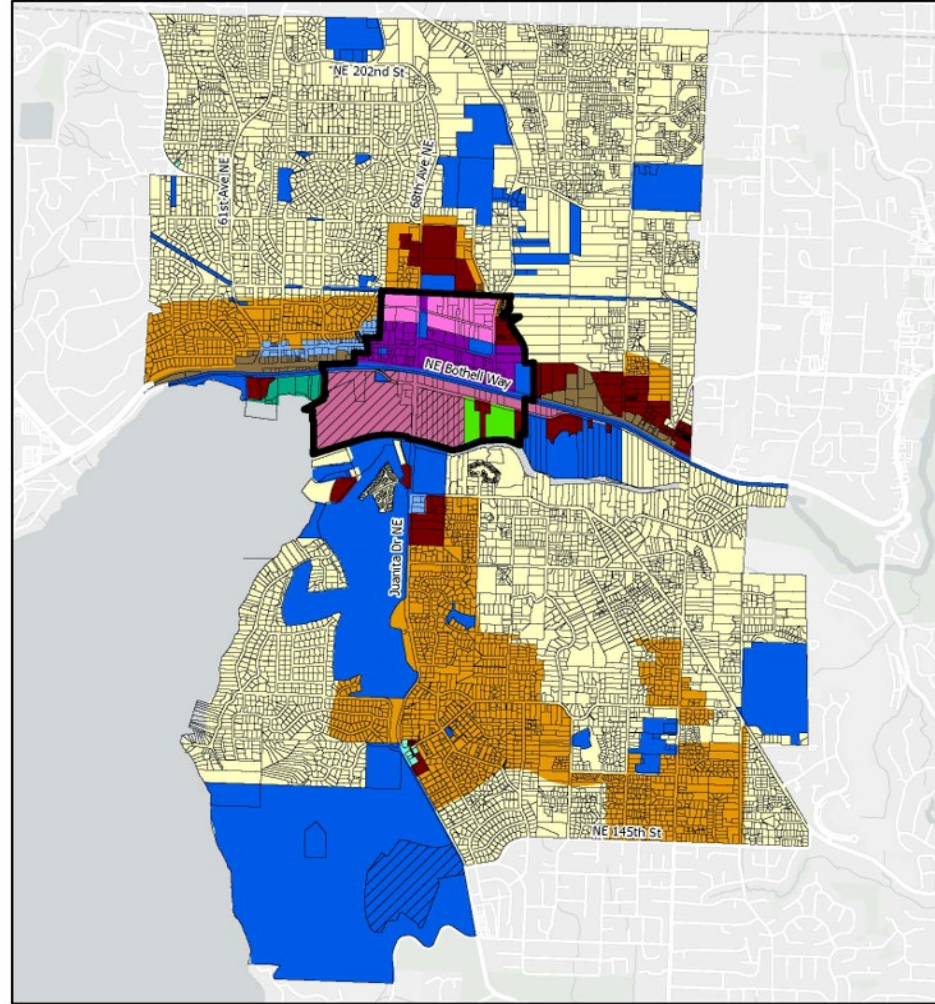
## Where are Kenmore's major transit corridors?

- **SR-522**
- **Juanita Drive/NE 155<sup>th</sup> St/  
84<sup>th</sup> Ave NE**



## Where would new “Missing Middle” housing be permitted?

 Medium Density Residential



## What does the Comprehensive Plan Land Use Element say about “Missing Middle” housing?

- Policy LU-1.5.1 “Ensure that zoning regulations provide for a range of housing types and densities, such as lower density single-family neighborhoods, medium density neighborhoods that combine single-family housing with duplexes, triplexes and cottage housing, and neighborhoods with larger-scale multifamily developments.”
- Policy LU-2.1.2 “Medium Density Residential: In this classification, a diversity of compatible housing types is expected at base densities generally between six and 18 dwelling units per acre. Higher densities may be permitted to allow particular “Missing Middle” housing types. Housing may include single detached dwelling units, duplexes, triplexes, cottage housing, and small-scale apartment buildings, depending on district.”
- Policy LU-2.3.1 “Through future planning efforts over the next twenty years, seek to achieve a mix of residential densities and housing types, appropriately located...Medium density classifications should be applied within a walkable and/or bikeable distance to transit and services. Lower density classifications, generally no less than four dwelling units per acre, should be applied to established single-family neighborhoods without easy access to transit and services. A lower density zone may be used to recognize significant environmentally sensitive areas.



## What does the Comprehensive Plan Housing Element say about “Missing Middle” housing?

- Policy H-3.1.1 “Ensure zoning regulations accommodate a range of housing styles and types in appropriate locations, such as single-family detached dwellings, size-limited houses on smaller lots, duplexes, triplexes, cottage housing...Consider neighborhood compatibility as well as housing needs and surrounding environmental conditions when applying zones, land use, and development standards.”
- Policy H-3.1.2 “Continue to take an incremental approach to expanding medium density housing opportunities in the City.”
- Implementation Strategy “Continue to consider opportunities to expand locations for medium density residential housing types, such as duplexes, triplexes, cottage housing, and size-restricted houses on smaller lots...”
- Implementation Strategy “Adopt development standards for reduced minimum lot sizes with maximum house size restrictions and consider cottage housing in some low (R-6) and medium density classifications...”



# What requirements would be put on new “Missing Middle” housing?

<u>Size</u>	<u>Design</u>	<u>Parking</u>
<ul style="list-style-type: none"><li>• Minimum lot dimensions specified</li><li>• Maximum building size specified</li><li>• Maximum 2½ story height</li></ul>	<ul style="list-style-type: none"><li>• Building must face the street</li><li>• Entry identified</li><li>• Garage size and location controlled</li><li>• Tree preservation rules apply</li></ul>	<ul style="list-style-type: none"><li>• Reduced parking requirements</li><li>• No surface parking in front of building</li><li>• Driveway design standards</li></ul>







**City Council Business Agenda Item  
City of Kenmore, WA**

<p><b>Subject/Topic:</b> Amendment to City Code to Allow for Disposition of Surplus Real Property at No Cost for Affordable Housing Purposes</p> <p><b>Proposed Council Action/Motion:</b> Ordinance to amend Chapter 3.55 of the City Code to allow for disposition of surplus real property at no cost for affordable housing purposes, per RCW 39.33.015(3).</p>	<p>For Council Meeting Agenda of: July 25, 2022</p> <p><b>Department:</b> City Manager's Office</p> <p><b>Prepared by:</b> Stephanie Lucash, Assistant City Manager</p> <table border="0" style="width: 100%;"> <tr> <td></td><td style="text-align: right;"><u>Initial &amp; Date</u></td></tr> <tr> <td>Approved by Department Head:</td><td style="text-align: right;">SLL, 7/8/22</td></tr> <tr> <td>Approved by City Attorney:</td><td style="text-align: right;">RL, 7/11/22</td></tr> <tr> <td>Approved by Finance Director:</td><td style="text-align: right;">LS, 7/8/22</td></tr> <tr> <td>Approved by City Manager:</td><td style="text-align: right;">RGK, 7/13/22</td></tr> </table> <p><b>Exhibits/Attachments:</b> Ordinance</p>		<u>Initial &amp; Date</u>	Approved by Department Head:	SLL, 7/8/22	Approved by City Attorney:	RL, 7/11/22	Approved by Finance Director:	LS, 7/8/22	Approved by City Manager:	RGK, 7/13/22
	<u>Initial &amp; Date</u>										
Approved by Department Head:	SLL, 7/8/22										
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Approved by Finance Director:	LS, 7/8/22										
Approved by City Manager:	RGK, 7/13/22										
<p><b><u>BACKGROUND</u></b></p> <p>The Kenmore City Council's number one priority for 2021-22 is to <i>increase and preserve the options for affordable housing stock</i>. At its June 21, 2022 meeting, the Kenmore City Council approved a city partnership with Plymouth Housing Group and A Regional Coalition for Housing for a new affordable housing development at City-owned property at 6532 Bothell Way NE. The property was appraised at \$1.89 million earlier this year. Plymouth was the successful respondent to City RFP 22-2789 and is proposing to build 100 rental units of affordable housing, all designated for residents at or below 30% of our Area Median Income. The proposed residents will be a combination of seniors, veterans, individuals with disabilities and individuals who were formerly homeless.</p> <p>This partnership will require that Plymouth Housing Group obtain site control of the property in order to proceed with the affordable housing development as planned. The City Council has discussed surplussing the real property and transferring ownership to the Plymouth Housing Group for this development later this year. Before this property transfer, or any other property transfer for affordable housing purposes at less than market value, can take place, the City's rules must be amended via ordinance to allow for this disposition of surplus real property at no cost for affordable housing purposes.</p> <p>Tonight's ordinance is to amend Chapter 3.55 of the City Code to allow for disposition of surplus real property at no cost for affordable housing purposes, per RCW 39.33.015(3).</p> <p><b><u>FISCAL CONSIDERATION:</u></b></p> <p>The Kenmore City Council previously approved use of \$3.2 million of the City's American Rescue Plan Act funds for this affordable housing work and ARCH has allocated \$3 million from its ARCH Trust Fund for this effort. The City-owned property at 6532 Bothell Way NE was appraised at \$1.89 million in early 2022.</p> <p><b><u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u></b></p> <p><b>Goal #1: Affordable Housing.</b> This item supports the City Council's top priority: <i>Increase and preserve the options for affordable housing stock</i>.</p>											





**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 22-0557**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,  
AMENDING CHAPTER 3.55 OF THE KENMORE MUNICIPAL CODE TO  
ADOPT RULES FOR THE DISPOSITION OF SURPLUS REAL  
PROPERTY FOR AFFORDABLE HOUSING PURPOSES; AND  
ESTABLISHING AN EFFECTIVE DATE**

---

WHEREAS, the City of Kenmore is a code city operating under Title 35A RCW, among other laws, and the City has authority to sell, lease and otherwise dispose of City property that is surplus to the City's needs; and

WHEREAS, previously, the City Council established rules for the sale or other disposition of the City's surplus property in Chapter 3.55 of the Kenmore Municipal Code; and

WHEREAS, RCW 39.33.015 authorizes cities, including code cities such as Kenmore, to surplus and dispose of real property owned by the City for public benefit purposes, defined in that statute as affordable housing for low-income and very low-income households; and

WHEREAS, RCW 39.33.015 provides that disposal of surplus real property for public benefit purposes may be at less than fair market value, including no cost transfers, provided that the requirements of RCW 39.33.015 are met; and

WHEREAS, to take advantage of RCW 39.33.015, the City must enact rules to regulate the disposition of property for public benefit purposes; and

WHEREAS, the City Council wishes to have the option available to surplus and dispose of City-owned real property for public benefit purpose in the event the Council determines that it is in the best interests of the City and its residents to do so; and

WHEREAS, the City Council finds and determines that the adoption of this Ordinance amending Chapter 3.55 of the Kenmore Municipal Code to add rules to regulate the disposition of real property for public benefit purposes is in the public interest and in the best interests of the City and its residents;

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

Section 1. Amendment – Chapter 3.55 of the Kenmore Municipal Code. Chapter 3.55 of the Kenmore Municipal Code is amended to read as set forth in "Attachment A, Chapter 3.55 Disposal of Surplus Property," attached hereto and incorporated herein by reference.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional, unlawful or invalid by a court of competent jurisdiction, such unconstitutionality, unlawfulness or invalidity shall not affect the constitutionality, lawfulness or validity of any other section, sentence, clause or phrase of this Ordinance.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of the publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE  
\_\_\_ DAY OF JULY, 2022.

CITY OF KENMORE

\_\_\_\_\_  
Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Anastasiya Warhol, City Clerk

Approved as to form:

\_\_\_\_\_  
Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
ORDINANCE NO.: 22-0557  
DATE OF PUBLICATION:  
EFFECTIVE DATE:

## EXHIBIT A

### Chapter 3.55 DISPOSAL OF SURPLUS PROPERTY

Sections:

- |          |   |
|----------|---|
| 3.55.010 | Authority to sell.  |
| 3.55.015 | Declaration of surplus – Determination of value, disposition of property.                         |
| 3.55.020 | Public hearing.   |
| 3.55.030 | Minimum price.  |
| 3.55.040 | Method of sale.   |
| 3.55.050 | Call for bids – Notice.   |
| 3.55.060 | Opening bids – Rejection.   |
| 3.55.070 | Execution of instruments of conveyance.   |
| 3.55.075 | <u>Disposition of surplus real property for public benefit purpose pursuant to RCW 39.33.015.</u> |
| 3.55.080 | City councilmembers and staff establishing value barred from purchasing property.                 |

**3.55.010 Authority to sell.**

A. Whenever it shall appear to the city council that it is in the best interests of the City that any property, whether real, personal or mixed, belonging to the City should be sold, the city council may declare such property surplus and authorize its sale.

B. The city manager, or designee, is hereby authorized to declare surplus, and to sell by any method authorized under this chapter, City personal property, the value of which the city manager, or designee, determines to be \$10,000 or less.

C. “Surplus,” as used in this chapter, is defined as any tangible, City-owned ~~personal~~ property that is no longer needed at present or in the foreseeable future, or that is no longer of value or use to the City.

**3.55.015 Declaration of surplus – Determination of value, disposition of property.**

A. The city manager, or designee, may declare an item of personal property or similarly described group of items with a value of \$10,000 or less surplus within the meaning of this chapter. The declaring official must document such declaration, together with a determination of value. The determined value must be the reasonable fair market value in “as is, where is” condition. The documentation shall be submitted to the city manager to evaluate the disposal request. If the request and the value are determined to be reasonable, the city manager, or designee, may sell or dispose of the surplus personal property in any commercially reasonable manner determined to be in the City’s best interest.

B. If any surplus personal property is purchased with grant funds, the city manager, or designee, shall ensure that sale or disposal of said property is consistent with any grant requirements or restrictions prior to such sale or disposal.

C. When the cost of disposing of the personal property is equal to, or exceeds, the current fair market value of the property, the city manager may authorize the donation of surplus personal property to a nonprofit charitable organization that serves the poor and/or infirm and is tax exempt under Internal Revenue Code Section 501(c)(3).

**3.55.020 Public hearing.**

Prior to any sale or transfer authorized under KMC 3.55.010, the city council shall hold a public hearing on the sale or transfer if:

A. The property to be declared surplus was originally acquired for public utility purposes (RCW 35.94.040); or

B. The property is to be surplussed by means of an intergovernmental transfer of property, and the value of the property exceeds \$50,000 (RCW 39.33.020).

**3.55.030 Minimum price.**

Except for property surplussed under KMC 3.55.010(B) and 3.55.015, the city council shall set a minimum price at which all surplus property may be sold. In setting the minimum price, the city council may first require that an appraisal be made.

**3.55.040 Method of sale.**

Property declared surplus under this chapter may be sold upon competitive bids, on a negotiated basis, or auctioned or exchanged for goods and services, as the council may direct. If the council does not direct a method of sale, or the city manager, or designee, declares the property surplus under KMC 3.55.010(B) and 3.55.015, the city manager, or designee, shall determine the method of sale.

**3.55.050 Call for bids – Notice.**

If the property is to be sold upon competitive bids, the city clerk shall give notice that the City will invite bids for purchase of the property by one publication thereof in the City's official newspaper, posting at City Hall, and/or such other means as the council may direct, if any. The notice shall be posted and published at least 10 days before the date the bids are to be opened.

**3.55.060 Opening bids – Rejection.**

The bids shall be opened in public at the time and place stated in the notice. The city council or the city manager, or designee, for property sold under KMC 3.55.010(B), may reject any or all bids, or the bid for any one or more of the parcels or items of property, real or personal, included in the aforesaid call for bids.

**3.55.070 Execution of instruments of conveyance.**

Upon the council's acceptance of an offer to purchase property surplussed under KMC 3.55.010(A) or upon the city manager's, or designee's, acceptance of an offer to purchase property surplussed under KMC 3.55.010(B), the city manager, or designee, is hereby authorized to cause the necessary instruments for conveyance of the property to be prepared and to execute such instruments.

**3.55.075 Disposition of surplus real property for public benefit purpose pursuant to RCW 39.33.015.**

A. Policy. It is the policy of the City that surplus real property may be disposed of for affordable housing purposes as authorized by RCW 39.33.015 when the City Council finds that affordable housing is needed in the City and the disposition of the surplus real property for affordable housing is in the best interests of the City and its residents.

B. Applicability. This section provides requirements and procedures for the sale, lease or other disposition of surplus real property by the City for public benefit purposes. The requirements and procedures stated in this section provide a discretionary alternative method for doing the things authorized in this section, and are an alternative to the requirements and procedures for the disposition of surplus property stated in other sections of this Chapter 3.55. This section is not applicable to surplus, sale, transfer, lease, or other disposition of City real property for purposes other than affordable housing pursuant to RCW 39.33.015.

C. Definitions. The definitions in RCW 39.33.015 as now existing and as may be amended in the future are adopted for purposes of this section.

D. Surplus real property resolution.

1. The City Council shall pass a resolution which clearly states that the real property is surplus to the City's needs and that the property shall be disposed of for a public benefit purpose pursuant to RCW 39.33.015. The resolution shall state the following information:

- a. A description of the real property parcel size, general location, legal description and King County Assessor's tax parcel number;
- b. A description of the circumstances under which the property was obtained by the City;
- c. A statement identifying the fund account to which proceeds from its sale, if any, should be credited;
- d. A summary of the history of municipal use, if any, or other uses for which the real property might be held;
- e. The Assessor's value of the real property;
- f. A description of how the real property should be disposed;
- g. A summary of the easements, covenants and/or deed restrictions that will be imposed on the real property as part of the disposition; and
- h. A determination of the minimum sale, lease or other disposition price, or if the sale, lease or other disposition is for no cost, as statement that indicates that fact.

2. No appraisal or valuation information is required.

E. Disposition procedure.

1. Disposition of surplus real property for public benefit purposes of providing affordable housing under this section may be at no cost, a long term lease, or an amount determined to be appropriate by the City Council, even if that amount is less than the appraised, assessed, or fair market value of the property.

2. Disposition of surplus real property under this section may be by direct negotiation with a non-profit, Section 501(c)(3) entity, or similar entity that provides affordable housing for City residents. In the alternative, if the City Council deems it appropriate, disposition of surplus real property maybe accomplished through an RFP process, sealed bid, advertisement, or auction.

3. In all cases, the deed, lease or other instrument transferring or conveying the real property shall include a covenant or other requirement that the property shall be used for a designated public benefit purpose and remedies that apply in the event that the recipient of the

property, or the recipient's successor in interest, fails or ceases to use the property for the designated public benefit purpose.

4. The recipient of the surplus real property shall pay all costs of the transfer, including but not limited to appraisal costs, title fees, excise tax, recording fees and other closing costs, and any debt service or other liabilities associated with the surplus real property.

**3.55.080 City councilmembers and staff establishing value barred from purchasing property.**

Members of the city council may not purchase property from the City, regardless of the value. Any City employee that had a role in establishing the value of surplus personal property may not purchase said property. Otherwise, City employees may purchase City property; provided, employees shall not be given preferential treatment in the terms or conditions of the sale.