

## City of Kenmore

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

### Planning Commission Meeting ON-SITE

**TUESDAY, JANUARY 7, 2025 - 7:00 PM**

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

**ZOOM LINK: <https://kenmorewa-gov.zoom.us/j/82738606519>**

Or Phone one-tap: +12532158782,,82738606519#  
Webinar ID: 827 3860 6519

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

If you have technical difficulties accessing the meeting virtually, please contact the Deputy City Clerk at [mkang@kenmorewa.gov](mailto:mkang@kenmorewa.gov).

[Planning Commission Virtual Public Comment Request Form](#)

[Land Acknowledgement to Honor First Peoples](#)

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

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**1. CALL TO ORDER**

**2. LAND ACKNOWLEDGEMENT**

**3. FLAG SALUTE**

**4. APPROVAL OF MINUTES**

October 15, 2024 Minutes

[Planning Commission Meeting Minutes from October 15, 2024](#)

**5. ELECTION OF OFFICERS**

Election of Planning Commission Chair

Election of Planning Commission Vice Chair

**6. PUBLIC COMMENTS**

We welcome our community members to the Planning Commission meeting. In this forum,

the Commission does not engage or dialogue with the public; the primary role is to listen. We will hear from our on-site guests first, followed by our pre-registered virtual guests. All guests must address comments to the Commission. The Clerk will acknowledge your request and call your name when it is your turn. Your time will start when we confirm that we can hear you. Please state your name and city of residence for the record and keep your comments to 3 minutes. We will not split your time with others or reset your time except by express approval of the Chair. You can submit materials to the Clerk in advance. This meeting is being recorded. Thank you for taking the time to express your comments.

VIRTUAL PARTICIPATION PROCESS: To provide public comments virtually, please fill out the [Virtual Public Comment Request Form](#) in advance of the meeting. The form closes at 12:00 Noon on the day of the meeting. You will be confirmed by the Clerk. If you are having difficulty, please reach out to the Clerk at [mkang@kenmorewa.gov](mailto:mkang@kenmorewa.gov).

**7. INTRODUCTION OF NEW COMMISSIONERS**

**8. AGENDA ITEMS**

Review of Draft 2025 Planning Commission Docket and Schedule

[Draft 2025 Preliminary Docket \(updated 1/6\)](#)

[Draft 2025 Preliminary Docket Analysis \(updated 1/6\)](#)

[Draft 2025 Preliminary Docket Workplan \(updated 1/6\)](#)

Middle Housing/Accessory Dwelling Unit (ADU) Regulations - What's to Come

[Presentation - Middle Housing/ADUs Unit Lot Subdivisions](#)

**9. ADJOURNMENT**

**UPCOMING MEETINGS:**

Tuesday, January 21, 2025 at 7:00 PM - Planning Commission Meeting - **TENTATIVELY CANCELED**

Monday, January 27, 2025 at 7:00 PM - Joint Meeting with City Council (Land Capacity Analysis and Middle Housing)

Tuesday, February 4, 2025 at 7:00 PM - Planning Commission Meeting

Tuesday, February 18, 2025 at 7:00 PM - Planning Commission Meeting

**City of Kenmore  
Planning Commission Meeting Minutes  
October 15, 2024 @ 7:00 PM**

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

Dwight Thompson, Chair  
Mike Vanderlinde, Vice Chair  
Tracy Banaszynski  
David Dorrian  
Chris Olson – attending virtually  
Derek Wyckoff  
Saad Qadri

**Staff**

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

**1. CALL TO ORDER**

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

**2. LAND ACKNOWLEDGEMENT**

The Land Acknowledgement was read.

**3. FLAG SALUTE**

The Flag Salute was done.

**4. PUBLIC COMMENTS**

There was no Public Comment.

**5. CONSENT AGENDA**

The Consent agenda was unanimously approved.

## **6. PUBLIC HEARING #1 - Housing Element**

The Public Hearing was opened at 7:03pm. There was no Public Testimony. The Public Hearing was closed at 7:03pm.

**MOTION:** Commissioner Wyckoff moved to send the Housing Element to the City Council. Chair Thompson seconded the motion. **VOTE:** 7 For, 0 Against, 0 Abstain. Motion Carried.

## **7. PUBLIC HEARING #2 - Land Use Element**

The Public Hearing was opened at 7:04pm. There was no Public Testimony. The Public Hearing was closed at 7:04pm.

Discussion:

- Commissioner Dorrian initiated, and the Commission discussed, the section highlighted on page L-21 regarding what would be permitted in Low-Density Residential land uses. Motion by Commission Dorrian to strike the following language on page L-21 under subsection b. Land Use Classification Descriptions, Low Density Residential: "These land uses also allow middle housing development, to include six of the nine approved middle housing types such as duplexes, triplexes, townhouses, and cottage housing." Include a new sentence after the end of the paragraph which reads, "Within that context, middle housing development may be permitted and may include six of the nine middle housing types within the context of the environmental constraints and the protection of critical areas." Seconded by Commissioner Vanderlinde.

**MOTION:** Vice Chair Vanderlinde moved to send the Housing Element to the City Council. Chair Thompson seconded the motion. **VOTE:** 7 For, 0 Against, 0 Abstain. Motion Carried.

## **8. PUBLIC HEARING #3 – Introduction to the Comprehensive Plan**

The Public Hearing was opened at 7:05pm. There was no Public Testimony. The Public Hearing was closed at 7:05pm.

**MOTION:** Vice Chair Vanderlinde moved to send the Introduction to the Comprehensive Plan to the City Council. Commissioner Qadri seconded the motion. **VOTE:** 7 For, 0 Against, 0 Abstain. Motion Carried.

Speakers for topics at the October 28, 2024, City Council meeting:

Commissioner Banaszynski will speak on the Housing Element regarding the alternative housing options the commission has discussed for HB 1110.

Commissioner Olson will speak on the Housing Element regarding balancing environmental choices with housing choices especially when they are affordable.

Commissioner Dorrian will give context to the policy especially with Commerce and affordable housing. Aligning policies to targets.

## **7. ADJOURNMENT**

Chair Thompson adjourned the meeting at 8:13 PM.

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Planning Commission

Approved by Planning Commission on: \_\_\_\_\_

**PRELIMINARY**  
**2025 DOCKET/WORK PROGRAM PRIORITIZATION**

The “docket” is the Planning Commission’s annual work program. Zoning Code Section 19.20.080 provides threshold review criteria for selecting projects to be placed on the docket. Criteria include how long it has been since the issue was last considered (more than two years unless there’s a compelling reason for taking something up again), correction of inconsistencies or clarifications, and serving the public interest. Another criterion is availability of city resources—whether staffing levels and budget allow review of the proposal.

The attached prioritization chart identifies possible work program items recommended by the staff, the Planning Commission, the City Council, or other entities. Amendments are grouped by department. The proposed year of consideration and lead department are shown. A more complete description of each project follows the chart.

Along with assigning the docket to the Planning Commission, the City Council may directly review projects that are already consistent with the Comprehensive Plan. Work program items from several departments targeted for direct City Council review in 2025 are identified on the following pages. Once Council has approved the docket, staff develops a schedule for Planning Commission and Council.

**2025 Planning Commission Docket**

The recommended 2025 Planning Commission docket is as follows (the number assigned to each project corresponds to its number in the prioritization chart).

1. Middle housing (MH), ADUs, cottage housing regulations, including Land Use/Zoning Map amendments and small houses on small lots (due by June 30, 2025)
2. Land Use Element/Housing Element amendments related to MH regulations (due by June 2025)
3. PROS Plan/Parks & Recreation Element/Parks CFP (2025-26)
4. Bastyr Master Plan Update (Comp Plan Update/zoning update/master plan update) (docket request submitted 2025)

## **2025 Amendments Directly to City Council**

### **Community Development**

5. Park Impact Fee Rate Study (2025-26)
6. STEP Regulations/Cold Weather Shelters - emergency shelters, transitional housing, emergency housing, and permanent supportive housing (STEP) regulations (HB 1220); cold weather shelters (EOY 2025)
7. Unit Lot Subdivisions & Impact Fees (2025)
8. Co-Living Requirements (2025)
9. Residential Parking Requirements (2025)
10. Super majority approval of development agreements for certain code deviations (2025-26)
11. TOD “carve-out” regulations (2025-26)
12. Critical area regulations/BAS (per WDFW checklist sent 6/2024) (Dec 2025)

### **Development Services**

13. HB 1042 – (July 2023) Conversion of Existing Buildings to Residential Use (promote commercial & MU to residential)
14. SB 5058 – (July 2023) Exempt buildings under 12 units, no more than 2 stories from definition of multifamily residential
15. RCW 35A.21.360 (2020) – Hosting the homeless by religious organizations – When authorized – Requirements – Prohibitions on local actions; Increasing flexibility for homeless encampments
16. Initiative 2066 – Building/Energy Code Updates (2025)
17. HB 1293 (2023) – Streamlined design review; design guidelines may not reduce density, height, bulk, or scale beyond the underlying zone (2025-26)

### **Engineering**

18. Title 10 vehicles and traffic code revision
19. Title 12 vegetation and maintenance/road standards
20. CTR Ordinance (2025-26)

### **Public Works**

21. Park rules update

### **Environmental Services**

22. Surface Water Master Plan

### **City Manager**

23. Political Sign regulation review

### Prioritization Chart

Item	Source	Need PC Review?	Recommend PC Review?	Amendment scope	Could it be grouped?	Year
<b>COMMUNITY DEVELOPMENT</b>						
1. Middle housing (MH) and ADU regulations, including Land Use/Zoning Map amendments and small houses on small lots	State	Yes	Yes	Large	Yes	June 2025
2. Land Use Element/Housing Element amendments related to MH regulations	State	Yes	Yes	Medium	Yes	June 2025
3. PROS Plan/Parks & Recreation Element/Parks CFP	Staff	Yes	Yes	Large	No	2025-26
4. Bastyr Master Plan (Comp Plan Update, zoning update and master plan update)	Bastyr	Yes	Yes	Large	No	2025
5. Park Impact Fee Rate Study	Staff	No	No	No	No	2025
6. STEP Regulations/Cold Weather Shelters	Staff	No	No	Medium	No	2025
7. Unit Lot Subdivisions & Impact Fees	State	No	No	Medium	Yes	2025
8. Co-Living Requirements	State	No	No	Medium	Yes	2025
9. Residential Parking Requirements	State	No	No	Medium	No	2025
10. Super majority approval of development agreements for certain code deviations	Council	No	No	Medium	No	2025-26
11. TOD "carve-out" regulations	Council	No	No	Medium	No	2025-26



Item	Source	Need PC Review?	Recommend PC Review?	Amendment scope	Could it be grouped?	Year
12. Critical area regulations limited update to comply with WDFW requirements, mandate by December 2025.	State	Yes	Yes	Medium	No	December 2025
<b>DEVELOPMENT SERVICES</b>						
13. HB 1042 – Conversion of existing buildings to residential use (2023) (promote commercial and mixed-use to residential)	State	No	No	Medium	Yes	2025
14. SB 5058 – Exempt buildings under 12 units, no more than 2 stories from definition of multifamily residential	State	No	No	Medium	Yes	2025
15. RCW 35A.21.360 – Homeless by religious organizations	State	No	No	Medium	No	2025
16. Initiative 2066 – Building/Energy Code Update	State	No	No	Medium	Yes	2025
17. HB 1293 – Streamlined design review	State	No	No	Medium	Yes	2025
<b>PUBLIC WORKS</b>						
18. Title 10 Vehicles and Traffic Code Revision	Staff	No	No	Medium	Yes	2025-26
19. Title 12 Vegetation and Maintenance/Road Standards	Staff	No	No	Medium	Yes	2025-26
20. CTR ordinance	State	No	Yes	Medium	Yes	2025+

Item	Source	Need PC Review?	Recommend PC Review?	Amendment scope	Could it be grouped?	Year
<b>PARKS</b>						
21. Park rules update	Staff	No	No	Medium	No	2025-26
<b>ENVIRONMENTAL SERVICES</b>						
22. Surface Water Master Plan	State	No	No	Large	No	2025-26
<b>CITY MANAGER</b>						
23. Political Signs	Staff	No	No	Small	No	2025-26
<b>PRIVATELY INITIATED ITEMS SUBMITTED IN 2025</b>						
Bastyr University (see item #4 above)						
Updates to Downtown Element/Chapter 18.52 KMC, Design Standards (Howard))	Private citizen	No	No	Medium	No	Recommend review in 2026-27
Updates to Chapter 18.35 KMC, Landscaping (Mooney)	Private citizen	No	No	Medium	No	Recommend review in 2026-27
<b>FOR FUTURE CONSIDERATION</b>						
Housing Strategy Plan Update	Staff	No	No	Large	No	2026-27
Expansion of MFTE area	Staff	No	No	Large	No	2026-27
Downtown Subarea Plan/Regulations	Staff	Yes	Yes	Large	No	2026-27
Manufactured Home Park Regulations	Staff	Yes	Yes	Medium	No	2026-27
Economic Development Strategy Update	Staff	No	No	Medium	No	2027-28
Updates to Downtown Element/Chapter 18.52 KMC, Design Standards (Howard)	Private citizen	No	No	Medium	No	2026-27

Item	Source	Need PC Review?	Recommend PC Review?	Amendment scope	Could it be grouped?	Year
Updates to Chapter 18.35 KMC, Landscaping (Mooney)	Private citizen	No	No	Medium	No	2026-27
Update of Shoreline Master Program/Shoreline Element/Critical Area Regulations	Staff	Yes	Yes	Large	No	2027-29
Potential Lakepointe Subarea Plan/Regulations/Elimination of P-Suffix regulations	Staff	Yes	Yes	Large	No	2027-28
Placeholder: Updates to regulations to comply with State legislation passed in 2025-26	State	Possibly	Possibly	Large	Yes	2026-28

### **Explanation of Prioritization Chart Items**

Following are more complete descriptions of each item in the docket prioritization chart:

#### **COMMUNITY DEVELOPMENT**

1. Middle Housing and ADU regulations, including Land Use/Zoning Map Amendments & small houses on small lots. Complete middle housing and ADU regulations as required by HB 1110 and HB 1337. This also includes related amendments to other regulations (e.g. utilities, landscaping, driveways etc.) to accommodate MH and ADUs. Adoption required by Council no later than June 30.
2. Land Use Element/Housing Element amendments related to MH regulations. Additional amendments to elements, as necessary, per changes to MH regulations (e.g. description of new land use designations)
3. PROS Plan/Parks & Recreation Element/Parks CFP. Update to Parks, Recreation, and Open Space Plan, as required, in order to receive grants by Washington Recreation and Conservation Office. Also update Parks & Rec Element, and Parks CFP of the Comprehensive Plan.
4. Bastyr Comp Plan Update, Zoning Code Update, and Master Plan Update. Bastyr University submitted a docket application with the intent to sell underutilized land on the campus for development of market-rate housing. Bastyr is proposing to amend the "Special Study Area" description in Policy LU-2.1.2; Land Use Element, amend the PSP zoning regulations in KMC 18.27.010 to allow multi-family, market rate housing, and also update the original Bastyr University Master Plan, which was approved in 2009 and extended through 2025 through a Development Agreement minor amendment process.
5. Park Impact Fee Rate Study. Update the Park Impact Fee Rate Study last adopted in 2020. This will be a part of the PROS Plan update.
6. STEP Regulations/Cold Weather Shelters - Per HB 1220, adopt regulations that address moderate, low, very low, and extremely low-income housing in the housing element of the comprehensive plan. Need to address emergency housing, such that it does not restrict permanent supportive housing, transitional housing, indoor emergency housing or indoor emergency shelters. Also updating Chapter 18.100.210 KMC, Cold Weather Shelters, allowing for extreme weather (low barrier) shelters.
7. Unit Lot Subdivisions & Impact Fees (SB5258). Both passed by legislature in 2023. ULS allows for subdivisions of parcels into small fee simple lots. This is subdivision of a parent lot into separately owned condominium/townhomes. Also included in

the bill, an amendment to RCW 82.02 that requires local jurisdictions that apply impact fees to adopt impact fees that produce proportionately lower impact fees for smaller housing units.

8. Co-Living Units. Passed by legislature in 2024, allows for co-living in zones that permit multi-family housing. Co-living offers residents private, lockable sleeping units with shared kitchen and restroom facilities.
9. Residential Parking Requirements. Passed by legislature in 2024, requires cities to adopt new residential parking requirements (e.g. space dimensions, parking enclosures, tandem spaces, surfacing materials)
10. Super majority approval of development agreements for certain code amendments. Council-initiated amendment to require super majority for development agreements depending on type of code amendments
11. Review of the Transit-Oriented Development (TOD) “carve-out” regulations. A “carve-out” of the City’s updated TOD regulations was made in 2022 pending a Swamp Creek corridor assessment (#21). In the “carve-out” the pre-existing interim zoning rules were retained. The corridor assessment was completed, in 2024 and so the “carve-out” regulations will be revisited in 2025.
12. Critical area regulations (per WDFW checklist sent 6/2024). Limited update to Chapter 18.55 KMC to address items from WDFW and comply with best available science. Amendments due by December 2025. Staff anticipates a complete review of critical area regulations and shoreline regulations in 2027-2029. The State mandates that the Shoreline Master Program is updated every ten years, next due June 30, 2029.

#### **DEVELOPMENT SERVICES**

13. HB 1042 – Conversion of existing buildings to residential use (2023); Promote commercial and mixed-use to residential. Some provisions include allowing a 50% density increase above what is permitted in the underlying zone if the housing is constructed entirely within the envelope of an existing building; prohibiting the imposition of parking standards on the additional dwelling units; prohibiting imposing additional permitting requirements on use of existing buildings beyond those applicable to all residential development in the zone, with the exception of emergency and transitional housing; prohibiting the imposition of additional design standards; prohibiting requiring that unchanged portions of an existing building used for residential purposes meet the current energy code (however, if any portion of an existing building is converted to new dwelling units, the new units must meet the current code); and prohibiting denial of a building permit based on certain existing nonconformities unless a city official with decision-making authority makes findings that the nonconformity is causing a significant detriment to the surrounding area.

14. SB 5058. Exempt buildings under 12 units, no more than 2 stories from definition of multifamily residential. This ends requirements for developers of such buildings to: submit a building enclosure design document to the building authority before obtaining a building permit; obtain a building enclosure inspection by a qualified building inspector during construction or rehabilitative construction, and; obtain a building enclosure inspection by a qualified building inspector before conveyance of a condominium unit. The effect this is to encourage the development of 2-12 unit condominium buildings, including middle housing buildings, and therefore increasing homeownership opportunities.
15. RCW 35A.21.360 (2020) – Hosting the homeless by religious organizations – Amend zoning code relating to temporary homeless encampments. Any conditions imposed by cities and counties must be necessary to protect public health and safety and must not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization. Also addressing length of stay at shelters (currently 125 days).
16. Initiative 2066 – Building & Energy Code Update – Effective 12/5/24, in response to HB 1589, which was passed during 2024 legislative session. I-2066 bans the Washington state energy code from “prohibiting, penalizing, or discouraging the use of gas in any form of heating, or for uses related to any appliance or equipment, in any building.
17. HB 1293 – Minor change to define streamlined design review process – Minor change to reflect that design guidelines may not reduce density, height, bulk, or scale beyond the underlying zone.

#### **PUBLIC WORKS**

18. Title 10 Vehicles and Traffic Code Revision. The City’s traffic safety and traffic management policies are maintained by EN. This project would include review of potential amendments related to on-street parking and new regulations related to alternative modes of travel (e-bikes, scooters, bike share, etc.), along with other potential amendments to update Title 10.
19. Title 12 Vegetation and Maintenance/Road Standards. Update to vegetation and maintenance standards for streets, sidewalks and public spaces. Responsibilities for adjacent property owners.
20. CTR ordinance. State law requires that cities have a commute trip reduction (CTR) ordinance applicable to businesses which have more than 100 full-time employees. State CTR funds are not available to jurisdictions without an ordinance. Kenmore’s largest employer, Bastyr University, already has its own CTR plan, required through the Bastyr University Master Plan.

### **PARKS**

21. Park rules update. Titles 8 and 9 address a number of park-related issues, including how to handle park use and reservations.

### **ENVIRONMENTAL SERVICES**

22. Surface Water Master Plan (SWMP). Update of the SWMP which guides projects and strategies that manage the City's surface water and stormwater that protects the environments, meets the needs of the community, and follows state, federal, and local regulations. Also stream naming.

### **CITY MANAGER**

23. Political Signs. Review political sign regulations to ensure compliance with state law.

### **PRIVATELY SUBMITTED ITEMS SUBMITTED IN 2025**

#### **The following items were submitted by private applicants.**

Bastyr Comp Plan Update, Zoning Code Update, and Master Plan Update – See Item 4 above for description.

Updates to Downtown Element/Chapter 18.52 KMC, Design Standards (Howard) – See description below.

**Updates to Chapter 18.35 KMC, Landscaping** – See description below.

### **FOR FUTURE CONSIDERATION**

Housing Strategy Plan Update - Review and re-prioritizing of the projects within the Housing Strategy Plan adopted in 2017.

Expansion of MFTE Area – The MFTE can be used in some parts of the downtown and in the TOD District but is not available in other areas of the City. The City may wish to expand the MFTE to remaining parts of the City’s downtown, including Lakepointe. MFTE is an important incentive to affordable housing development.

Downtown Subarea Plan/Regulations – Update to the Downtown Plan (2003) and development regulations. Downtown Kenmore is identified as a Countywide Growth Center by King County.

Manufactured Home Park Regulations – Rezoning and new regulations for MHP properties north of SR-522.

Economic Development Strategy Update – Review of priority items from the Economic Development Strategy that was adopted in 2018. In 2023 a new “three prong” approach was adopted for economic development, aligned with the adopted Economic Development Strategy: 1. Be a well run city; 2. Seize strategic opportunities; 3. Focus on key partnerships.

Updates to Downtown Element/Chapter 18.52 KMC, Design Standards – Update Downtown Element figures and Chapter 18.52, Design Standards to align with City’s Climate Action Plan. \*\* Due to a large number of state-required items to be adopted in the 2025 workplan, staff is recommending postponing this item until a future date (2026-27).

Updates to Chapter 18.35 KMC, Landscaping – Update Chapter 18.35, Landscaping, to align with the City’s Climate Action Plan and City’s Exceptional Tree Ordinance. \*\* Due to a large number of state-required items to be adopted in the 2025 workplan, staff is recommending postponing this item until a future date (2026-27).

Update of Shoreline Master Program/Shoreline Element/Critical Area Regulations – Update to the Shoreline Master Program, Shoreline Element of the Comprehensive Plan, and update of Title 18.55 KMC, Critical Area Regulations to be in compliance with Best Management Practices. Last adopted in 2020.

Potential Lakepointe Subarea Plan/Regulations/Elimination of P-Suffix regulations – The planned future of the Lakepointe site could be considered if talks with a private developer are stalled and/or based on other development options. Review and elimination of P-suffix conditions could be considered as part of a future Lakepointe development plan.

Placeholder: Updates to regulations to comply with State legislation passed in 2025-26 – Updates to applicable KMC titles based on any new legislation passed by State legislature.



## Staff Analysis and Recommendations for 2025 Planning Commission Docket

	2025 Docket Item	Source	Recommendation	Analysis
1.	Middle Housing and Accessory Dwelling Unit (ADU) Regulations, including Land Use/Zoning Map Amendments, cottage housing, small houses on small lots.	State-mandated update per HB 1110 and 1337	Add to 2025 docket	<p><b><u>Docket Criteria</u></b></p> <ul style="list-style-type: none"> <li>• <b><i>The City has the resources, including staff and budget, necessary to review the proposal.</i></b> Yes. Community Development staff and the consulting team of Kimley-Horn (hired in 2024 to help with the middle housing project) are working collaboratively on this project. This project, including consultant assistance, was funded by a grant from the Department of Commerce awarded in 2023.</li> <li>• <b><i>It has been more than two years since the proposed amendment was considered.</i></b> Yes. The regulations are required by State-mandates passed by the Legislature in 2023.</li> <li>• <b><i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i></b> The proposed regulations will allow for a variety of new housing options in the City.</li> </ul> <p>The project supports multiple goals and policies of the recently adopted Comprehensive Plan. These include, but are not limited to:</p> <ul style="list-style-type: none"> <li>○ Land Use Goal 1: Enhance Kenmore’s quality of life as a place for a diverse range of residents to live, raise children, recreate, work, shop and socialize.</li> <li>○ Policy LU-1.5.1: Ensure that zoning regulations provide for a range of housing types and densities, such as lower density neighborhoods, and medium density neighborhoods that combine lower density housing such as single-family, duplexes, triplexes and cottage housing, and neighborhoods with larger-scale multifamily developments.</li> <li>○ Policy LU-1.9.5: Promote middle housing through city policies and codes to allow for broader housing types identified in</li> </ul>

				<p>residential zones, reduce climate-related displacement, and increase access to City transit systems.</p> <ul style="list-style-type: none"> <li>○ Housing Goal 1: Promote and maintain strong, diverse equitable, and inclusive residential neighborhoods.</li> <li>○ Policy H-4.3.2: Allow and accommodate accessory dwelling units in low and medium density residential districts.</li> </ul> <ul style="list-style-type: none"> <li>• <b><i>The public interest would best be served by considering the proposal in the current year.</i></b> The State requires jurisdictions to adopt new middle housing and ADU regulations no later than June 30, 2025.</li> </ul>
2.	<b>Land Use Element/Housing Element amendments related to middle housing regulations</b>	Related to Item 1 above.	Add to 2025 docket	<p><b><u>Docket Criteria</u></b></p> <ul style="list-style-type: none"> <li>• <b><i>The City has the resources, including staff and budget, necessary to review the proposal.</i></b> Yes. Community Development updated the Housing and Land Use Elements in 2024 as part of the periodic update of the Comprehensive Plan.</li> <li>• <b><i>It has been more than two years since the proposed amendment was considered.</i></b> Yes. The regulations are required by State-mandates passed by the Legislature in 2023.</li> <li>• <b><i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i></b> These two elements will need adjustments due to newly adopted State legislation regarding middle housing and accessory dwelling units (ADUs).  The proposed regulations will allow for a variety of new housing options in the City.  The project supports multiple goals and policies of the recently adopted Comprehensive Plan. These include, but are not limited to:</li> </ul>

				<ul style="list-style-type: none"> <li>Land Use Goal 1: Enhance Kenmore’s quality of life as a place for a diverse range of residents to live, raise children, recreate, work, shop and socialize.</li> <li>Policy LU-1.5.1: Ensure that zoning regulations provide for a range of housing types and densities, such as lower density neighborhoods, and medium density neighborhoods that combine lower density housing such as single-family, duplexes, triplexes and cottage housing, and neighborhoods with larger-scale multifamily developments.</li> <li>Policy LU-1.9.5: Promote middle housing through city policies and codes to allow for broader housing types identified in residential zones, reduce climate-related displacement, and increase access to City transit systems.</li> <li>Housing Goal 1: Promote and maintain strong, diverse equitable, and inclusive residential neighborhoods.</li> <li>Policy H-4.3.2: Allow and accommodate accessory dwelling units in low and medium density residential districts.</li> </ul> <ul style="list-style-type: none"> <li><b><i>The public interest would best be served by considering the proposal in the current year.</i></b> The State requires Comprehensive Plans and development regulations to be consistent with each other. These amendments are necessary to ensure their consistency.</li> </ul>
3.	<b>KMC updates needed per middle housing regulations (e.g., parking, road/fire access, utilities, landscaping, stormwater, easements)</b>	Related to Item 1 above.	Add to 2025 Docket	<p><b><u>Docket Criteria</u></b></p> <ul style="list-style-type: none"> <li><b><i>The City has the resources, including staff and budget, necessary to review the proposal.</i></b> Yes. Community Development staff and the consulting team of Kimley-Horn are working collaboratively to update Title 18 to include middle housing regulations.</li> <li><b><i>It has been more than two years since the proposed amendment was considered.</i></b> Yes. These regulations are new updates and are related to required State-mandated regulations (middle housing) passed by the Legislature in 2023.</li> </ul>

			<ul style="list-style-type: none"> <li>• <b><i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i></b> This project is necessary in order to ensure consistency with the new housing regulations. The proposed regulations will allow for a variety of new housing options in the City.  The project supports multiple goals and policies of the recently adopted Comprehensive Plan. These include, but are not limited to: <ul style="list-style-type: none"> <li>○ Land Use Goal 1: Enhance Kenmore’s quality of life as a place for a diverse range of residents to live, raise children, recreate, work, shop and socialize.</li> <li>○ Policy LU-1.5.1: Ensure that zoning regulations provide for a range of housing types and densities, such as lower density neighborhoods, and medium density neighborhoods that combine lower density housing such as single-family, duplexes, triplexes and cottage housing, and neighborhoods with larger-scale multifamily developments.</li> <li>○ Policy LU-1.9.5: Promote middle housing through city policies and codes to allow for broader housing types identified in residential zones, reduce climate-related displacement, and increase access to City transit systems.</li> <li>○ Housing Goal 1: Promote and maintain strong, diverse equitable, and inclusive residential neighborhoods.</li> <li>○ Policy H-4.3.2: Allow and accommodate accessory dwelling units in low and medium density residential districts.</li> </ul> </li> <li>• <b><i>The public interest would best be served by considering the proposal in the current year.</i></b> The State requires jurisdictions to adopt new middle housing and ADU regulations no later than June 30, 2025. These regulations are related to the new middle housing regulations.</li> </ul>
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4.	<b>PROS Plan/Parks &amp; Recreation Element/Parks CFP</b>	City- and State-mandated	Add to 2025 Docket	<p><b><u>Docket Criteria</u></b></p> <ul style="list-style-type: none"> <li>• <b><i>The City has the resources, including staff and budget, necessary to review the proposal.</i></b> Yes. Community Development staff and a consulting team (TBD) will work collaboratively to update the Parks, Recreation and Open Space (PROS) Plan, Parks &amp; Recreation Element of the Comprehensive Plan, Parks Capital Facilities Plan, and update to the park impact fee rate study.</li> <li>• <b><i>It has been more than two years since the proposed amendment was considered.</i></b> Yes. The last update to each of these items was in 2020.</li> <li>• <b><i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i></b> This project is necessary in order to ensure consistency within the Comprehensive Plan, as also ensure that the City remains eligible for recreation and conservation grants managed by the Recreation and Conservation Office (RCO).  The project supports multiple goals and policies of the current Parks &amp; Recreation Element of the Comprehensive Plan. These include, but are not limited to: <ul style="list-style-type: none"> <li>○ Objective P-6.1 and Policies P-6.1.1 – 6.1.13: Maintain and update the city Parks, Recreation and Open Space (PROS) plan and conduct other appropriate master planning for Kenmore parks and recreation service delivery.</li> <li>○ Parks &amp; Recreation Goal P-7: Create a financially sustainable park and recreation system through partnerships and stewardships.</li> <li>○ Policy P-7.1.2: Develop and prepare six-year capital improvement program projects identifying priorities, specific projects, and capital costs.</li> </ul> </li> </ul>
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				<ul style="list-style-type: none"> <li>○ Policy P-7.1.5: Identify and actively seek potential grant funding assistance from public and private sources for habitat restoration, acquisition, development, and renovation.</li> <li>• <b><i>The public interest would best be served by considering the proposal in the current year.</i></b> The State requires jurisdictions to adopt an updated PROS Plan to remain eligible for RCO grants. The updated Plan, Parks &amp; Rec element and Parks CFP would ensure the City remains eligible.</li> </ul>
5.	<b>Bastyr Master Plan (Comp Plan, Zoning Code Update, Master Plan Update)</b>	Bastyr University	Add to 2025 docket	<p><b><u>Docket Criteria</u></b></p> <ul style="list-style-type: none"> <li>• <b><i>The City has the resources, including staff and budget, necessary to review the proposal.</i></b> Yes.</li> <li>• <b><i>It has been more than two years since the proposed amendment was considered.</i></b> Yes. This is a new request.</li> <li>• <b><i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i></b> Bastyr has responded in their application: “The proposal would serve the public interest by providing a revenue source necessary to ensure Bastyr’s long-term financial viability. In addition, it would provide additional market rate housing opportunities for the Bastyr community and the citizens of Kenmore. Any specific housing proposal would have to be approved through a Master Plan process, which would incorporate mitigation measures necessary to protect health, safety, and welfare of the environment.”</li> </ul> <p>The Comprehensive Plan designates the Bastyr University 50-acre Property as the following: “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</p>

				<p>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".</p> <p>The Comprehensive Plan also references Figure LU-4 which references the Master Plan concept approved in the original master plan. The Comprehensive Plan states "The Bastyr University Campus Master Plan is adopted for the approximately 50-acre property in the City and is illustrated in Figure LU-4. 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-4 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".</p> <p>The only housing type referenced in the approved master plan is student dormitory housing. The docket request for market rate housing requires amendments to the comprehensive plan, zoning regulations and master plan.</p> <p>The proposal is consistent with, and advances, the following GMA goals (RCW 36.70A.020):</p> <p><u>Housing</u>. The GMA requires cities and counties to "plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types." This proposal will bring new market-rate housing opportunities to Kenmore, invigorating the Bastyr campus</p>
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				<p>and locating employees, patients and students closer to the institution that serves them.</p> <p><u>Economic Development.</u> The GMA requires cities and counties to "encourage economic development . . . , promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities." This proposal will promote the retention of Bastyr, an existing business/institution, by providing a necessary revenue stream and invigorating its campus by adding high-quality housing for the Bastyr community and Kenmore residents.</p> <ul style="list-style-type: none"><li>• <b><i>The public interest would best be served by considering the proposal in the current year.</i></b> Yes. Bastyr is requesting this application be reviewed in 2025 due to the need for a financially sustainable path forward now and so that its future in Kenmore is secure. Per the University, this effort cannot be delayed to a future subarea or plan amendment process.</li></ul>
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	<b>Updates to Downtown Element/Chapter 18.52 KMC, Design Standards</b> – Update Downtown Element figures and Chapter 18.52, Design Standards to align with City’s Climate Action Plan.	Jim Howard		<p><b><u>Docket Criteria</u></b></p> <ul style="list-style-type: none"> <li>• <b><i>The City has the resources, including staff and budget, necessary to review the proposal.</i></b> No. Due to a large number of state-required items to be adopted in the 2025 workplan and lack of staff resources to accommodate this in the workplan, staff is recommending postponing this item until a future date (2026-27).</li> <li>• <b><i>It has been more than two years since the proposed amendment was considered.</i></b> No. Downtown Element was just adopted as part of the Comprehensive Plan update, adopted December 9, 2024.</li> <li>• <b><i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i></b> Yes. The proposed amendments would assist in updating the KMC relating to the Downtown Plan, as well as design standards for the downtown area. The regulations would also assist in alignment with the recently adopted Climate Action Plan, adopted in 2024.</li> <li>• <b><i>The public interest would best be served by considering the proposal in the current year.</i></b> Yes. While the current Downtown Plan and development regulations are over 20 years old and need to be updated to be in alignment with new Comprehensive Plan policies, staff does not have the resources to complete this update in the calendar year.</li> </ul>
	<b>Updates to Chapter 18.35 KMC, Landscaping</b> – Update Chapter 18.35, Landscaping, to align with the City’s Climate Action Plan and City’s Exceptional Tree Ordinance.	Elizabeth Mooney		<p><b><u>Docket Criteria</u></b></p> <ul style="list-style-type: none"> <li>• <b><i>The City has the resources, including staff and budget, necessary to review the proposal.</i></b> No. Due to a large number of state-required items to be adopted in the 2025 workplan and lack of staff resources to accommodate this in the workplan, staff is recommending postponing this item until a future date (2026-27).</li> </ul>

			<ul style="list-style-type: none"><li>• <b><i>It has been more than two years since the proposed amendment was considered.</i></b> Yes.</li><li>• <b><i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i></b> Yes. The proposed amendments would assist in updating the KMC relating to landscaping and making them consistent with the recently adopted Climate Action Plan and exception tree ordinance.</li><li>• <b><i>The public interest would best be served by considering the proposal in the current year.</i></b> Yes. While the proposal would eliminate some inconsistencies between the Comprehensive Plan and development regulations and the recently adopted Climate Action Plan, staff does not have the resources to complete this update in the calendar year.</li></ul>
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**CITY OF KENMORE**

# **Middle Housing/ADUs Unit Lot Subdivisions**

**Planning Commission  
January 7, 2024**



# Middle Housing House Bill 1110 Background



# House Bill 1110

- Passed by legislature in 2023
- Requires the City of Kenmore to adopt housing policies and implementing regulations to allow more middle housing in residential zones
- Must be completed by June 30, 2025, or model code will apply
- Requirements modified by city population

CERTIFICATION OF ENROLLMENT  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1110

Chapter 332, Laws of 2023

68th Legislature  
2023 Regular Session

GROWTH MANAGEMENT ACT—MINIMUM DEVELOPMENT DENSITIES IN RESIDENTIAL ZONES

EFFECTIVE DATE: July 23, 2023

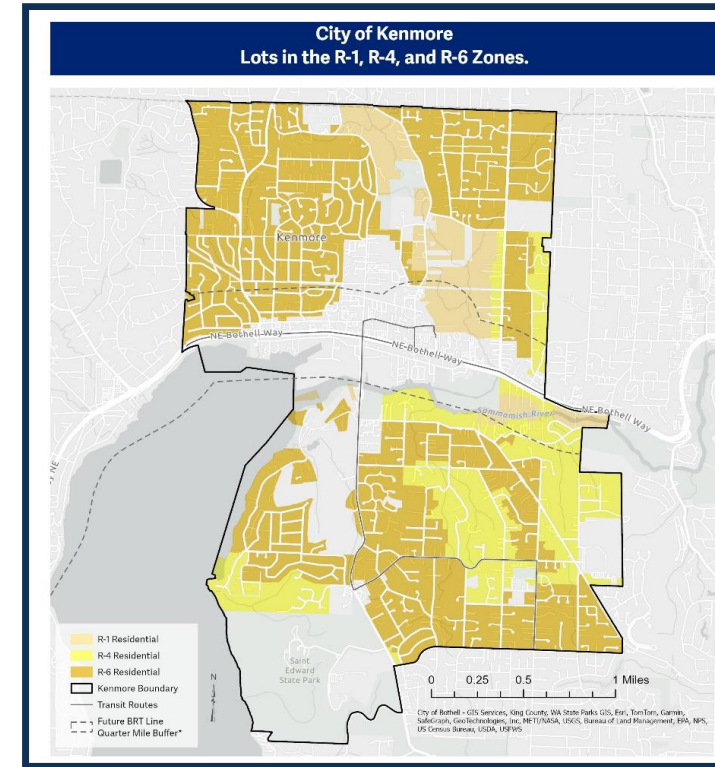
  

Passed by the House April 18, 2023 Yeas 79 Nays 18  _____ LAURIE JINKINS Speaker of the House of Representatives  Passed by the Senate April 11, 2023 Yeas 35 Nays 14  _____ DENNY HECK President of the Senate Approved May 8, 2023 1:11 PM  _____ JAY INSLEE Governor of the State of Washington	CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1110 as passed by the House of Representatives and the Senate on the dates hereon set forth.  _____ BERNARD DEAN Chief Clerk  FILED May 10, 2023  _____ Secretary of State State of Washington
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# High level details

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



# Bill requirements overview

- 2024 City of Kenmore population estimate – just under 25,000
- Code updates will focus on Tier 2 requirements based upon initial feedback from City Council
- “Units per lot” standard changes how density is calculated

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





# Review of KMC/considerations

- Development code revisions related to middle housing (e.g. public works, stormwater, building/planning codes)
- How middle housing in traditionally single-family areas may impact utilities, services, and public works development review and code sections
- Walk through potential development scenarios



# HB 1110 Analysis/Code Development

## Phase 1: Minimum Requirements

- Add middle housing type definitions and permitted uses
- Update “unit per lots” density approach and base lot density
- Update parking requirements within ½ mile of a major transit stop and to meet lot size requirements
- Unit Lot Subdivision requirements

## Phase 2: Tailor Code to Kenmore

- Determine what types of development the community wants to promote
- Amend development regulations (setbacks, building height, and others) and design standards
- Explore potential development incentives
- Explore development of a cottage housing code (if desired)



# HB 1110 Analysis/Code Development

## Phase 3: Public Works Coordination & Neighborhood Planning

- Address related Public Works standards
- Parks and Open Space
- Public street improvements
- Tree retention and replacement
- Water/sewer provider coordination
- Stormwater and impervious surfaces
- Electrical service
- Garbage/Recycling/Yard Waste Service
- Fire and emergency access considerations



# ADUs



# New State Law HB 1337

## Accessory Dwelling Units (ADUs) - Includes the following:

- Must allow two ADUs on all single-family lots but may restrict ADUs on lots that contain critical areas
- Prohibits owner occupancy requirements
- Must allow an ADU on any lot that meets minimum lot size
- Legalizes the sale of ADU's as condominiums and must allow separate sale of units
- Lots < 6,000 sq.ft. 1 parking space. >6,000 sq. ft. 2 spaces. Within mile of a major transit stop, 0 spaces

ADUS (ACCESSORY DWELLING UNITS)

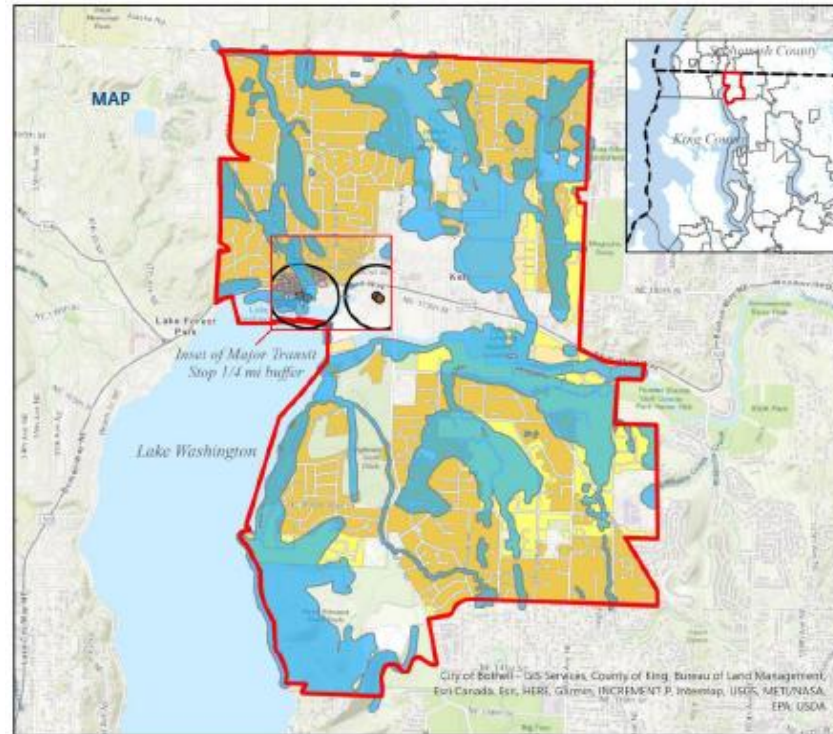


DADUS (DETACHED ACCESSORY DWELLING UNITS)



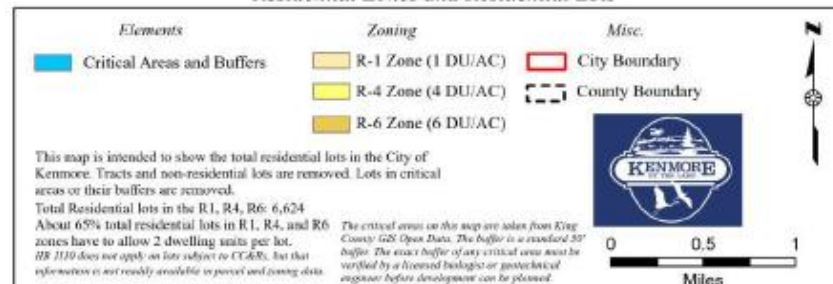
## Location of ADUs

- R1, R-4, R-6 Zones
- Lots outside of critical areas and assumed 50' buffer
- Lots which meet or exceed minimum lot size of the zone



### City of Kenmore

#### Residential Zones and Residential Lots



## Implementation Considerations

- Whether to change setbacks for ADUs to encourage detached ADUs
- Whether to consider additional reforms like a permit-ready ADU program to make permitting and design easier for homeowners
- Whether the City should encourage different combinations of two ADUs in different areas e.g. lots with critical areas
- How to assign housing capacity to ADUs based on implementation of this law

**ADUS (ACCESSORY DWELLING UNITS)**



**DADUS (DETACHED ACCESSORY DWELLING UNITS)**



# Unit Lot Subdivisions





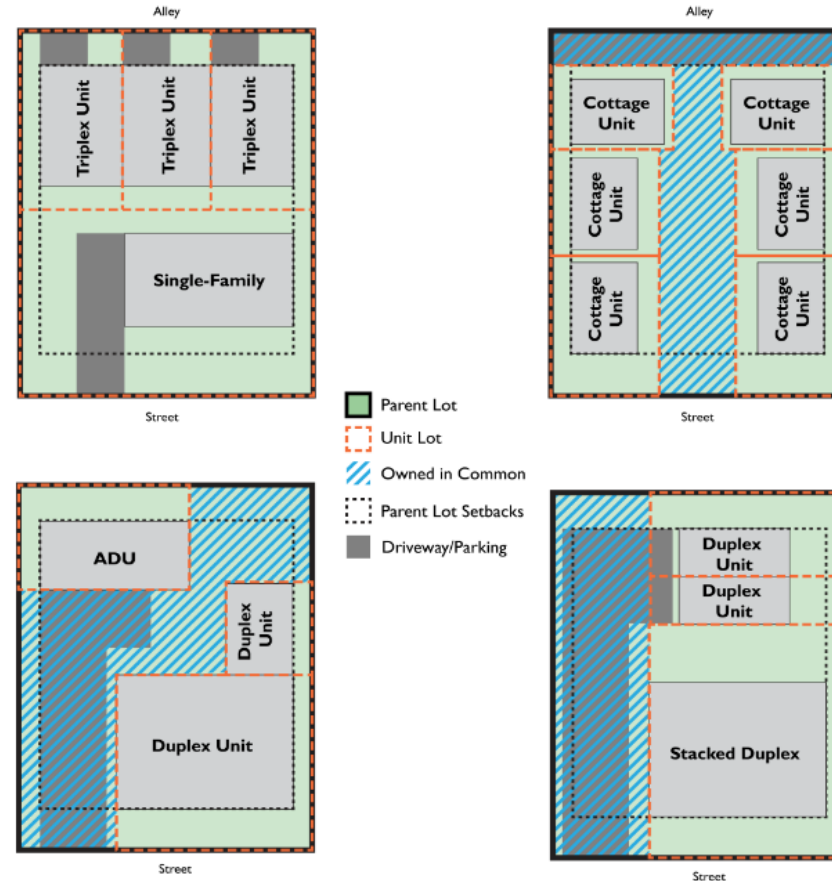
# Unit Lot Subdivisions

- Required by State in 2023 (SB 5258)
- Cities are required to include in their short plat regulations procedures for unit lot subdivisions. This process allows the division of a parent lot into separately-owned unit lots.
  - Lots created through a subdivision or unit lot subdivision process results in fee simple owned lots.
  - For lots created through a unit lot subdivision process, individual power, water, and sewer lines/meters will typically be required.
  - In addition, many codes currently require separate utility easements for each individual lot. Therefore, where new homes will be subdivided, more than one utility easement may be required.



# Unit Lot Subdivisions

- Used to create new lots through a subdivision
- Provides flexibility of zoning standards, such as lot size, setbacks, and lot coverage
- Allows fee simple ownership of land for middle housing types



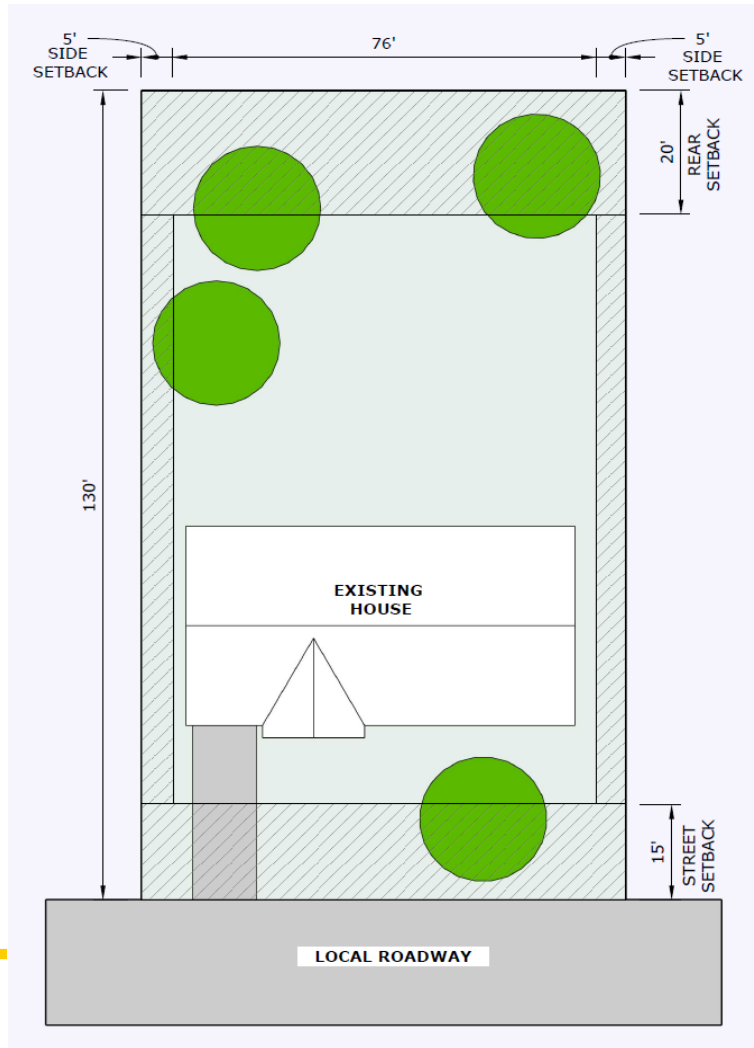
# Development Scenario Review



# Code Review

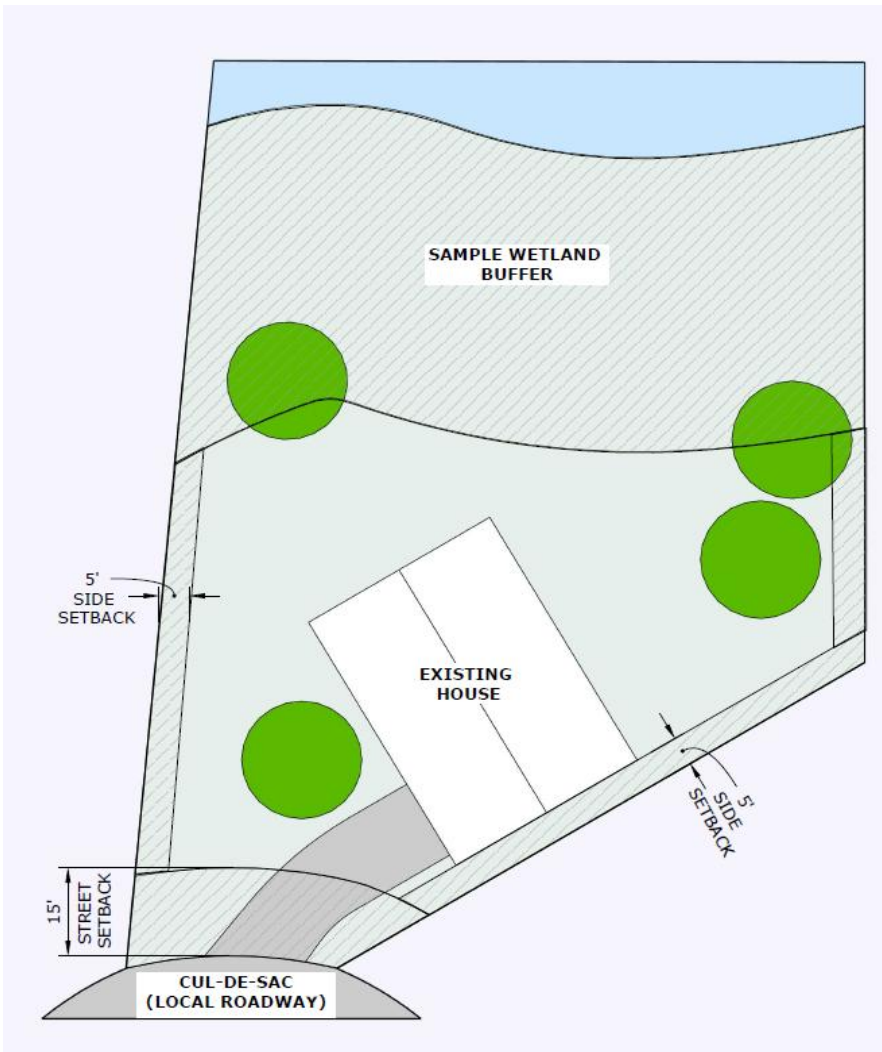
- Stormwater and impervious surfaces
- Driveway access to multiple units/curb cuts
- Public street improvements
- Utilities
- Planning for garbage/recycling/yard waste services
- Trees





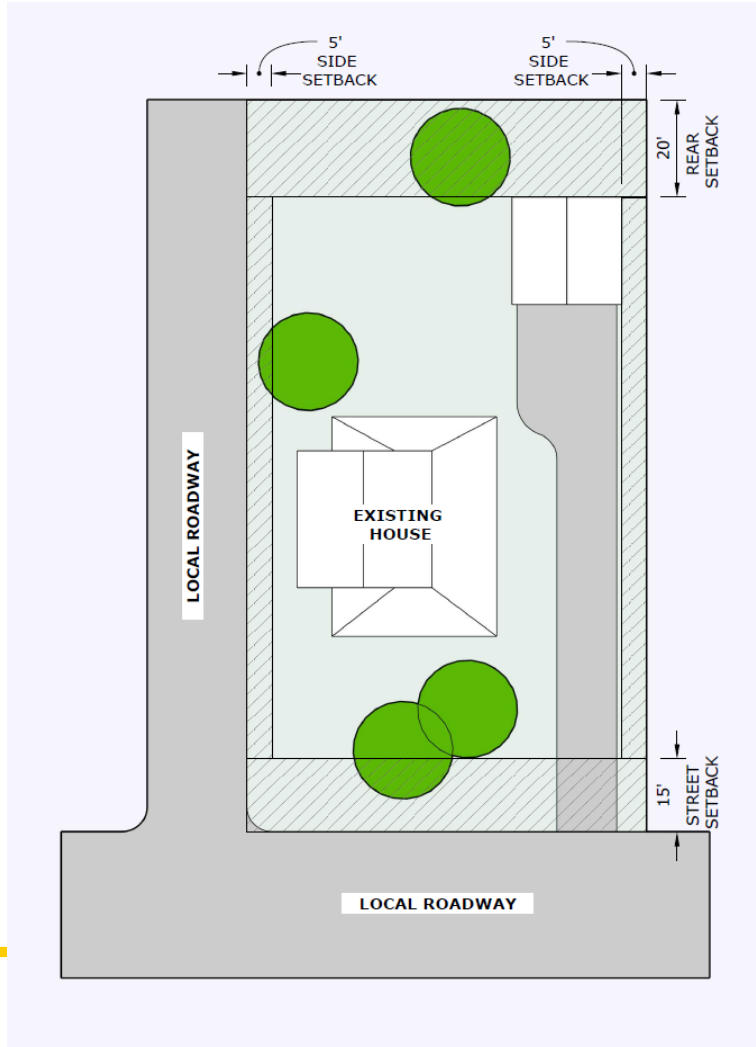
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- Trees



# Project next steps





## Next steps

- |  |                        |
|--|------------------------|
| • Joint CC/PC Discussion                 | January 27             |
| • Prepare draft regulations/new policies | January - March        |
| • Planning Commission public hearing     | Late March/Early April |
| • City Council review/public comment     | April - May            |
| • City Council public hearing/adoption   | June**                 |

\*\* New codes are required to be adopted no later than June 30. Policy amendments to LU and Housing Element will be adopted at end of 2025 (once per year).



# Questions?

