



Department of Commerce

Notice of Proposed Amendment Request for Expedited Review

Pursuant to RCW 36.70A.106(3)(b), the following jurisdiction provides notice of a proposed development regulation amendment and requests expedited state agency review under the Growth Management Act.

The expedited review period is 10 business days (14 calendar days).

Proposed amendments to Comprehensive Plans are not eligible for expedited review.

If needed, you may expand this form and the fields below, but please try to keep the entire form under two pages in length.

| | |
|-------------------------|--|
| Jurisdiction: | City of Kenmore |
| Mailing Address: | 18120 68 th Ave NE Kenmore, WA 98028 |
| Date: | 09/21/2016 |

| | |
|------------------------|-------------------------------|
| Contact Name: | Richard Sawyer |
| Title/Position: | Surface Water Program Manager |
| Phone Number: | 425-398-8900 |
| E-mail Address: | rsawyer@kenmorewa.gov |

| | |
|---|--|
| Brief Description of the Proposed/Draft Development Regulations Amendment: <i>(40 words or less)</i> | This proposal is to incorporate LID principles into the City's development codes and standards, including the following sections: <ul style="list-style-type: none"> • Title 12 – Streets and Bridges • Title 13 – Utilities and Public Works • Title 15 – Building and Construction • Title 17 – Land Division • Title 18 - Zoning |
| Is this action part of the scheduled review and update? <i>GMA requires review every 8 years under RCW 36.70A.130(4)-(6).</i> | Yes: ___ No: <u> X </u> <i>This proposal is for consistency with the NPDES Phase II Municipal Stormwater Permit condition S5.C.4.f.i and ii</i> |
| Public Hearing Date: | Planning Board/Commission: November 2016 Council/County Commission: November 2016 |
| Proposed Adoption Date: | December 2016 |

REQUIRED: Attach or include a copy the proposed amendment text or document(s).
We do not accept a website hyperlink requiring us to retrieve external documents.
Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please contact reviewteam@commerce.wa.gov.

ATTACHMENT 1

PROPOSED AMENDMENTS

TITLE 12 – STREETS AND BRIDGES

Chapter 12.50 – Street Standards

12.50.010 – Adoption:

B. Consistent with the council’s direction and intent in adopting the standards, the department of public works is hereby authorized to develop public rules and make minor changes to the standards, or the referenced companion documents, in order to better implement the standards and as needed to stay current with changing design, [environmental](#), and construction technology and methods.

Chapter 12.70 – Sidewalks, Planting Strips and Street Trees

12.70.010 – Definitions:

A. “Curb” means a cement, concrete or asphaltic concrete raised structure designed to delineate the edge of the streetway and to separate the vehicular portion from that provided for pedestrians and to control surface drainage.

B. “Planting strip” means that portion of the right-of-way behind the curb line and between the curb line and the sidewalk or between the sidewalk and the right-of-way line used for the planting of trees, grass, shrubs or ground cover. [Landscape-based stormwater management facilities may also be placed within this area where feasible.](#)

C. “Sidewalk” means that property between the curb line and the adjacent property, set aside and intended for the use of pedestrians, improved by paving with [permeable or impermeable](#) cement concrete or asphaltic concrete.

12.70.040 – Planting Strip Maintenance:

Maintenance of planting strips including trees, shrubbery, grass, [landscape-based stormwater management facilities](#), or other ground cover shall be the responsibility of the abutting property owner. Should the director of public works find that such property is not being properly maintained, a notice shall be forwarded as provided in KMC 12.70.030 specifying a reasonable time within which such maintenance shall be accomplished. If the owner fails to proceed, the department of public works will have the maintenance performed, and the cost will be assessed against the property owner as provided in KMC 12.70.030.

TITLE 13 – UTILITIES AND PUBLIC WORKS

Chapter 13.35 – Surface Water Runoff Policy

13.35.025 King County Surface Water Design Manual adopted.

A. Adoption. The King County Surface Water Design Manual, dated ~~April 24, 2016~~[January 9, 2009](#), is hereby adopted for use in the City of Kenmore. The adoption of the King County Surface Water Design Manual, or “KCSWDM,” includes the adoption of the Grading Code Soil Amendment Standard (Reference No. 4A to the KCSWDM) and Wetland Hydrology Protection Guidelines (Reference No. 5 to the KCSWDM). Future revisions of the KCSWDM shall be adopted only if approved by the Kenmore city council.

B. Modifications to Surface Water Design Manual. The city council adopts the following modifications to the King County Surface Water Design Manual, dated ~~April 24, 2016~~[January 9, 2009](#), in the City of Kenmore:

1. KCSWDM 1.1.1(1) – Projects Requiring Drainage Review. Drainage review is required for any proposed project (except those proposing only maintenance) that is subject to a City of Kenmore development permit or approval, including, but not limited to, those listed at right (or their City of Kenmore equivalent) and that meets any one of the following conditions:

(1) The project adds or will result in either: 500 square feet or more of new impervious surface or 2,000 square feet or more of replaced impervious surface, or new plus replaced impervious surface, or (if subsection 1.1.1(1) is not met, see conditions set forth in subsections 1.1.1(2) through ~~(76)~~ of the Surface Water Design Manual, to determine if design review is required).

The remaining text of KCSWDM 1.1.1, Projects Requiring Drainage Review, including but not limited to subsections 1.1.1(2) through ~~(76)~~, shall apply within the City of Kenmore.

2. KCSWDM 1.1.2.1 – ~~Small Project~~[Simplified](#) Drainage Review. The following threshold and allowance shall not apply within the City of Kenmore:

a. The “Threshold” text of KCSWDM 1.1.2.1 is revised so that the minimum threshold for projects eligible for ~~small projects~~[simplified](#) drainage review shall be 500 square feet; and

b. The allowance for ~~small projects~~[simplified](#) drainage review for projects in the rural residential, agricultural and forestry zones (~~KCSWDM 1.1.2.1(4) through (6) that result in no more than four percent total impervious surface and no more than 15 percent pervious surface~~) is void and shall not apply within the City of Kenmore.

The remaining text and threshold requirements of KCSWDM 1.1.2.1, ~~Small Project~~[Simplified](#) Drainage Review, shall apply within the City of Kenmore.

3. KCSWDM 1.2.3 – Core Requirement No. 3: Flow Control. The following statement shall be added to the flow control requirement: “infiltration of stormwater runoff shall be used wherever feasible.” The

“Impervious Surface Percentage Exemption” (Section 1.2.3.1) is void and shall not apply within the City of Kenmore.

The remaining text of KCSWDM 1.2.3 Core Requirement No. 3: Flow Control, shall apply within the City of Kenmore.

4. Flow Control Applications Map. The King County Flow Control Applications Map included with the KCSWDM shall not be applied in the City of Kenmore. All of the City of Kenmore is a conservation flow control area (level two) except for project sites with identified downstream flooding problems that may require a higher level of flow control for impact mitigation.

5. Water Quality Applications Map. The King County Water Quality Applications Map included with the KCSWDM shall not be applied in the City of Kenmore. All of the City of Kenmore is a basic water quality treatment area unless the project’s land use triggers enhanced basic water quality treatment.

6. Landslide Hazards Drainage Areas Map. The King County Landslide Hazard Drainage Areas Map included with the KCSWDM shall not be applied in the City of Kenmore. Landslide hazard drainage areas in Kenmore are defined in KMC 13.35.030(Y).

7. KCSWDM 1.2.3.2 – Flow Control Requirements; KCSWDM 1.2.8.2 – Water Quality Implementation Requirements. A section entitled “Landscaping and Aesthetics Requirements” shall be added to the flow control and water quality implementation sections, as follows:

Landscaping and Aesthetics Requirements:

1. All exposed flow control and water quality facilities are required to be designed and constructed with landscaping and other features to address aesthetics. Ponds and swales shall be designed to appear as naturally-occurring features, with free-form shapes and side slopes no steeper than 3H:1V. Wetponds and combined wetpond/detention ponds shall have a five-foot wide planted “bench” at or one foot below the permanent water surface. A landscape plan must be submitted for the facility during engineering design review that adheres to the landscaping criteria listed in KCSWDM [5.3.1.15.1.1.1](#). Minor deviations from specific design criteria in the KCSWDM may be allowed to facilitate implementing this requirement, when it can be demonstrated that such a deviation will not reduce the intended function of the facility.

2. Fencing is optional. Fencing may be constructed of wood or chain link material; however maintenance of wood fences will be the responsibility of the property owner or homeowners association. Chain link fencing must be green or black vinyl coated. If fencing is proposed, the landscape plan must include a 10-foot buffer of Type I landscaping on the outside of the fenced area, as defined by KMC 18.35.040(A), together with climbing evergreen shrubs or vines capable of growing on the fence. Alternatives to Type I landscaping within the 10-foot buffer may be approved for low fences that do not create significant view blockage.

C. Interpretation. The city manager, or his designee, is authorized to interpret the [2009-2016](#) King County Surface Water Design Manual, as amended for use in the City of Kenmore, provide guidelines for its implementation, promulgate rules, and resolve conflicts or inconsistencies that may arise in their interpretation or application.

13.35.030 – Definitions:

U. “Impervious surface” means a ~~hard surface area~~ non-vegetated surface which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or ~~a hard surface area~~ which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open uncovered flow control or water quality treatment facilities shall not be considered as impervious surfaces for the purposes of determining whether thresholds for the application of minimum requirements are exceeded, but shall be considered impervious surfaces for the purposes of runoff modeling.

FF. “New impervious surface” means the addition of a hard or compacted surface such as roofs, pavement, gravel or dirt ~~or the addition of a more compacted surface such as the paving of existing dirt or gravel; or the addition of a more compacted surface, like paving over pre-existing dirt or gravel.~~ Permeable pavement and vegetated roofs are considered new impervious surface for purposes of determining whether the thresholds for application of minimum requirements are exceeded, as are lawns, landscaping, sports fields, golf courses, and other areas that have modified runoff characteristics resulting from the addition of underdrains designed to collect stormwater runoff. Open, uncovered retention/detention facilities shall not be considered impervious surfaces for purposes of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.

Chapter 13.40 – Surface Water Management Program

Chapter 13.40.010 – Definitions:

H. “Drainage facility” means the system of collecting, conveying, and storing surface and stormwater runoff. Drainage facilities shall include but not be limited to all surface and stormwater conveyance and containment facilities including streams, pipelines, channels, ditches, swamps, lakes, wetlands, closed depressions, landscape-based best management practices, infiltration facilities, retention/detention facilities, erosion/sedimentation control facilities and other drainage structures and appurtenances, both natural and constructed.

I. “Impervious surface” means a ~~hard surface area~~ non-vegetated surface which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions prior to development, and/or ~~a hard surface area~~ which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purposes of determining whether thresholds for the application of minimum requirements are exceeded, but shall be considered impervious surfaces for the purposes of runoff modeling~~for the purpose of this chapter.~~

Chapter 13.45 – Water Quality

13.45.020 – Definitions:

H. “Drainage facility” means the system that collects, conveys, and stores surface and stormwater runoff. Drainage facilities shall include but not be limited to all surface and stormwater conveyance and containment facilities including streams, pipelines, channels, ditches, swamps, lakes, wetlands, closed depressions, [landscape-based best management practices](#), infiltration facilities, retention/detention facilities, erosion/sedimentation control facilities and other drainage structures and appurtenances, both natural and [artificial constructed](#).

TITLE 15 – BUILDINGS AND CONSTRUCTION

Chapter 15.25 – Land Alterations

15.25.010 – Purpose:

This chapter is intended to regulate land alterations within the City in order to protect public health, safety and welfare by:

- A. Minimizing adverse stormwater impacts caused by land alterations;
- B. Protecting water quality from the adverse impacts associated with erosion and sedimentation;
- C. Minimizing aquatic and terrestrial wildlife habitat loss caused by the removal of vegetation;
- [D. Encouraging the retention of native vegetation and soils during clearing and grading activities;](#)
- ~~D~~E. Protecting critical areas from adverse clearing and grading activities;
- ~~E~~F. Preventing damage to property and harm to persons caused by land alterations;
- ~~F~~G. Establishing administrative procedures for the issuance of permits, approval of plans, and inspection of land alteration operations; and
- [G](#)H. Providing penalties for the violation of this chapter.

15.25.030 – Definitions:

O. “Impervious surface” means a ~~hard surface area non-vegetated surface~~ which either prevents or retards the entry of water into the soil mantle under natural conditions prior to development, and/or a ~~hard surface area~~ which causes water to run off the surface in greater quantities or at a rate of flow greater than the flow under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, paved areas, gravel areas, areas of packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open uncovered flow control or water quality treatment facilities shall not be considered as impervious surfaces [for the purposes of determining whether thresholds for the application of minimum requirements are exceeded, but shall be considered impervious surfaces for the purposes of runoff modeling.](#)

15.25.070 – Permit Required – Exception:

B. Clearing and Tree Removal.

1. Clearing and removal of trees for the construction of a structure authorized by a valid building permit,

2. Removal of significant trees on lots that contain existing single-family detached dwellings, and that are not within critical areas, shorelines or associated buffers, native growth protection areas, wildlife protection zones, or that have not been previously designated for protection (e.g., as part of a plat) and based on the following table:

Lots up to 10,000 sq. ft.: 2 trees per year

Lots 10,001 sq. ft. to 20,000 sq. ft.: 4 trees per year

Lots 20,001 sq. ft. to 30,000 sq. ft.: 6 trees per year

Lots 30,000 sq. ft. and greater: 8 trees per year

C. Engineering.

1. Less than 2,000 square feet of replaced impervious surface or new plus replaced impervious surface that is not within critical areas or associated buffers ~~and that results in not more than 10,000 square feet of total impervious surface added within 10 years~~, and

2. Land alterations that are exempt from a grading permit and that do not alter the method by which the stormwater leaves the site.

15.25.160 – Standards:

B. Cuts and fills shall conform to the following provisions unless otherwise approved by the city manager.

1. Slope. No slope of cut and fill of surfaces shall be steeper than is safe for the intended use and shall not exceed two horizontal to one vertical, unless approved by the geotechnical engineer of record.

2. Erosion Control. All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with subsection A of this section.

3. Preparation of Ground. The ground surface shall be prepared to receive fill by removing vegetation, topsoil, and other unsuitable materials.

4. Fill Material. Fill material shall not include organic, frozen or other deleterious materials, and shall be made with nonnoxious, nonflammable, noncombustible and nonputrescible solids. No rock or similar irreducible material greater than 18 inches in diameter shall be used.

5. Drainage. Provisions shall be made to:

a. Prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a fill; and

b. Carry any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse or public storm drain system, or by other means approved by the department of public works.

6. Compaction of Permeable Surfaces. The compaction of new permeable surfaces should protect the soil moisture holding capacity. The duff layer or native topsoil shall be retained to the maximum extent practicable. Soil amendments shall be required to mitigate for lost moisture holding capacity where compaction or removal of some or all of the duff layer or underlying topsoil has occurred. The amendment must be such that the replaced topsoil is a minimum of 8 inches thick, unless the applicant demonstrates that a different thickness will provide conditions equivalent to the soil moisture holding capacity native to the site.

67. Bench/Terrace. Benches, if required, at least 10 feet in width shall be back-sloped and shall be established at not more than 25 feet vertical intervals to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of five percent.

78. Access Roads Maintenance. Access roads to grading sites shall be maintained and located to the satisfaction of the city manager to minimize problems of dust, mud and traffic circulation.

89. Access Roads – Gate. Access roads to grading sites shall be controlled by a gate when required by the city manager.

910. Warning Signs. Signs warning of hazardous conditions, if such exist, shall be established at locations as required by the city manager. All signage and traffic control shall be compliant with Manual on Uniform Traffic Control Devices.

1011. Fencing. Fencing, where required by the city manager to protect life, limb and property, must be installed with lockable gates and must be closed and locked when work is not occurring at the site. The fence must be no less than five feet in height and cannot have a horizontal opening larger than two inches.

1112. Setbacks. The tops and the toes of cut and fill slopes shall be set back from property boundaries as far as necessary to protect adjacent properties and to prevent damage from water runoff or erosion of the slopes.

The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary to protect foundation support and to prevent damage from water runoff or erosion of the slopes.

Slopes and setbacks shall be determined by the city manager.

1213. Easements. The applicant shall provide to the department copies of recorded and executed easements for land alterations that are proposed on neighboring properties.

TITLE 17 – LAND DIVISION

Chapter 17.20 – Subdivisions and Short Subdivisions

17.20.130 – Lot Segregations – Clustered Development:

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

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

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

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

D. Landscape based-stormwater management practices may be located within open spaces created through lot clustering, provided they are not located within critical areas.

TITLE 18 – ZONING

Chapter 18.20 – Technical Terms and Land Use Definitions

18.20.1400 Impervious surface.

“Impervious surface” means a ~~hard surface area~~ non-vegetated surface that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or ~~a hard surface area~~ that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface and stormwater. Impervious surface shall not include areas of turf, landscaping, or natural vegetation, ~~or open uncovered flow control or water quality treatment facilities~~. Open uncovered flow control or water quality treatment facilities shall not be considered as impervious surfaces under this title, but shall be considered impervious surfaces for the purposes of runoff modeling

18.20.1671 Low impact development (LID).

“Low impact development (LID)” means a stormwater management and land development strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design ~~emphasizes conservation and use of existing natural site features integrated with distributed small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial, and industrial settings.~~

Chapter 18.21 – Residential Zones

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 | R-1 ¹ | R-4 | R-6 |
|---|---|--------------------------|--------------------------------|--------------------------------|
| | O | | | |
| | N | | | |
| | E | | | |
| | S | | | |
| Base Density: <i>Dwelling Unit/Acre</i> ² | | 1 du/ac | 4 du/ac ³ | 6 du/ac |
| Maximum Density: <i>Dwelling Unit/Acre</i> ⁴ | | | 6 du/ac | 9 du/ac |
| Minimum Density | | | | |
| Minimum Lot Width ⁶ | | 35 ft. ⁷ | 30 ft. | 30 ft. |
| Minimum <i>Street Setback</i> | | 20 ft. ⁷ | 15 ft. ^{8,9} | 15 ft. ^{8,9} |
| Minimum Side <i>Setback</i> ^{5,10} | | 5 ft. ⁷ | 15 ft. total ¹¹ | 15 ft. total ¹¹ |
| Minimum Rear <i>Setback</i> ^{5,10} | | 5 ft. ⁷ | 20 ft. | 20 ft. |
| Base Height ¹² | | 35 ft. | 35 ft. | 35 ft. 45 ft. ¹³ |
| <u>Base Impervious Surface: Percentage</u> | | <u>30%</u> | <u>45%</u> | <u>60%</u> |
| Maximum <i>Impervious Surface: Percentage</i> ¹⁴ | | <u>30%</u> ¹⁵ | <u>55%</u> | <u>70%</u> |
| Minimum Lot Size | | 2,500 sq. ft. | 7,200 sq. ft. ^{16,17} | 5,400 sq. ft. ^{16,17} |

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¹⁴ Applies to each individual *lot*. *Impervious surface* area standards for:

- a. Regional *uses* shall be established at the time of permit review;
- b. Nonresidential *uses* in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);
- c. Individual *lots* in the R-4 through R-6 zones which are less than 9,076 square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 zone;
- d. *Lots* may be increased beyond the total amount permitted in this chapter subject to approval of a *conditional use permit*.

e. The base *impervious surface* percentage may be exceeded, up to the maximum *impervious surface* percentage, provided low impact development strategies are implemented subject to approval by the *City Manager*.

18.21.060 – Nonresidential land uses in residential zones:

A. Impervious surface coverage shall not exceed:

- 1. Seventy percent of the site in the R-1 through R-6 zones.
- 2. Eighty percent of the site in the R-12 through R-48 zones.

Chapter 18.22 – Neighborhood Business Zone

18.22.020 – Neighborhood business zone – Development standards:

Table B. Neighborhood Business Zone Development Standards

| | |
|---|-----|
| Maximum Impervious Surface: Percentage ⁹ | 85% |
|---|-----|

⁹ The impervious surface area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

Chapter 18.23 – Community Business Zone

18.23.040 – Zoning standards:

Table B

| | |
|---------------------------------------|---|
| Minimum Interior Setback ¹ | 0 feet for commercial or mixed use development except for interior lot lines adjoining property zoned R-1 to R-6. |
|---------------------------------------|---|

| | |
|--|---|
| | <p>5 feet landscaped setback for residential except for interior lot lines adjoining property zoned R-1 to R-6. <u>Native vegetation is encouraged.</u></p> <p>For all interior lot lines adjoining a property zoned R-1 to R-6 a 15-foot landscaped setback <u>of native vegetation</u> is required.</p> |
| Maximum Impervious Surface: Percentage | 90% |

Chapter 18.24 – Downtown Residential Zone

18.24.040 – Zoning standards:

Table B. Downtown Residential Development Standards

| | |
|--|--|
| Minimum Street Setback | <p>Primary structure – 6 ft. min.; 8 ft. min. average</p> <p>Garage, carport, paved parking – 10 ft.</p> |
| Maximum Street Setback | West of 68th Avenue NE, the maximum setback is 10 ft |
| Minimum Interior Setback | 5 ft.; otherwise when adjoining property zoned R-1 to R-6 zone then 20 ft. |
| Maximum Impervious Surface: Percentage | 90% |

Chapter 18.25 – Downtown Commercial Zone

18.25.040 – Zoning standards:

Table B. Downtown Commercial Development Standards

| | |
|--------------------------|--|
| Street Setback | <p>Minimum 10 ft. from SR-522, unless otherwise allowed through Chapter 18.52 KMC, Downtown Design Standards; other streets 0 ft.</p> <p>Maximum 10 ft. unless otherwise allowed through Chapter 18.52 KMC, Downtown Design Standards</p> <p>The City may authorize intrusions of structural elements into the public right-of-way, including awnings, columns, bay windows, or others, through the design review, site plan review, building permit review, or right-of-way use permit processes, if such intrusions would not impede safe travel by pedestrians, solar access is not significantly diminished, and City liability is limited</p> |
| Minimum Interior Setback | 0 ft.; except when property adjoins R-1 to R-12 |

| | |
|--|-----------------------|
| | property, then 20 ft. |
| Maximum Impervious Surface: Percentage | 90% |

Chapter 18.25A – Urban Corridor Zone

18.25A.060 – Zoning standards:

Table C. Urban Corridor Zone Development Standards

| | |
|---|--------------------|
| Minimum Interior Setback | 20 ft ³ |
| Maximum Impervious Surface: Percentage ⁵ | 90% |

³ Required on property lines adjoining residential zones.

⁵ ~~The impervious surface area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.~~

18.25A.070 – Additional Development Standards:

A. Where the urban corridor zone abuts a residential zone, the city manager may require additional landscaping pursuant to Chapter 18.35 KMC, blank wall treatments pursuant to Chapter 18.52 KMC, and/or measures to address building mass and bulk pursuant to KMC 18.52.310 and/or 18.52.330 in order to mitigate impacts of new development on neighboring residential areas.

B.4.d. Vegetation, including required vegetation screening, provided it is designed and of a size that will not obscure the view from the public right-of-way to the lake at the time of planting or upon future growth. Low growing, native vegetation is encouraged. In the event of a conflict between required landscaping and view preservation, view preservation shall take precedence over landscaping requirements;

Chapter 18.25B – Waterfront Commercial Zone

18.25B.040 – Zoning standards:

Table B. Waterfront Commercial Development Standards

| | |
|---|--------------------|
| Street Setback | 10 ft ² |
| Minimum Interior Setback | 20 ft ³ |
| Maximum Impervious Surface: Percentage ⁴ | 90% |

² Fuel pump islands shall be placed no closer than 25 feet to street front lines.

³ Required on property lines adjoining residential zones.

⁴ ~~The impervious surface area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.~~

18.25B.050 – Additional Development Standards:

A. Where the waterfront commercial zone abuts a residential zone, the city manager may require additional landscaping pursuant to Chapter 18.35 KMC, blank wall treatments pursuant to Chapter 18.52 KMC, and/or measures to address building mass and bulk pursuant to KMC 18.52.310 and/or 18.52.330 in order to mitigate impacts of new development on neighboring residential areas. Native vegetation is preferred for these screening treatments.

Chapter 18.26 – Regional Business Zone

18.26.070 – Zoning standards:

Table D. Regional Business Zone Development Standards

| | |
|---|--------------------|
| Minimum Street Setback | 10 ft ² |
| Minimum Interior Setback | 20 ft ³ |
| Maximum Impervious Surface: Percentage ⁴ | 90% |

² Gas station pump islands shall be placed no closer than 25 feet to street front lines.

³ Required on property lines adjoining residential zones.

⁴ The impervious surface area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

18.26.080 – Additional Development Standards:

A. Where the regional business zone abuts a residential zone, the city manager may require additional landscaping pursuant to Chapter 18.35 KMC, blank wall treatments pursuant to Chapter 18.52 KMC, and/or measures to address building mass and bulk pursuant to KMC 18.52.310 and/or 18.52.330 in order to mitigate impacts of new development on neighboring residential areas.

Chapter 18.27 – Public and Semi-Public Zone

18.27.040 – Public and semi-public zone – Development standards:

Table B. Public and Semi-Public Zone Development Standards

| | |
|--|---------------------------------------|
| Minimum Street Setback | 0 ft., 10 ft., or 20 ft. ³ |
| Minimum Interior Setback | 0 ft., 5 ft., or 20 ft. ³ |
| Maximum Impervious Surface: Percentage | 70%, 90% ⁵ |

³ a. Street setbacks: the minimum street setback varies depending on the adjacent zoning:

- (1) Zero feet if adjacent zoning is downtown commercial or downtown residential.
- (2) Twenty feet if adjacent zoning is R-1 to R-6.
- (3) Ten feet in all other cases.

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

⁵ a. Ninety percent if abutting properties are zoned downtown commercial or downtown residential or regional business. Seventy percent in all other cases.

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

18.27.050 – Additional Development Standards:

A. Where the public and semi-public zone abuts a residential zone, the city manager may require a landscaping screen pursuant to Chapter 18.35 KMC in order to screen views of parking lots, accessory buildings, or other features within the public and semi-public zone. Aesthetic safety, security, and maintenance factors shall be considered when considering the type of screen to be employed. Native vegetation is preferred for these screening treatments.

Chapter 18.28 – Parks Zone

18.28.040 – Parks zone – Development standards:

Table B. Parks Zone Development Standards

| | |
|--|---------------------------------------|
| Minimum Street Setback | 0 ft., 10 ft., or 20 ft. ³ |
| Minimum Interior Setback | 5 ft. or 20 ft. ³ |
| Maximum Impervious Surface: Percentage | 2-30% ⁵ |

³ a. Street setbacks: the minimum street setback varies depending on the adjacent zoning:

- (1) Zero feet if adjacent zoning is downtown commercial or residential.
- (2) Twenty feet if adjacent zoning is R-1 to R-6.
- (3) Ten feet in all other zones.

b. Interior setbacks: 20 feet if adjacent zoning is R-1 to R-6; five feet in all other zones.

⁵ ~~a. For the purposes of this zone, paved trails are not considered impervious surface; provided, that City stormwater and other applicable requirements are met.~~

~~a~~b. The following maximum impervious surface standards apply based on the size of the park property;

- (1) One hundred acres or greater: five percent.
- (2) Thirty to 100 acres: 10 percent.
- (3) Less than 30 acres: 30 percent.

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

18.28.050 – Additional Development Standards:

A. Where the parks zone abuts a residential zone, the city manager may require a landscaping screen pursuant to Chapter 18.35 KMC in order to screen views of parking lots, accessory buildings, or other features within the parks zone. Aesthetic, safety, security, and maintenance factors shall be considered when considering the type of screen to be employed. Native vegetation is preferred for these screening treatments.

Chapter 18.28A – Golf Course Zone

18.28A.040 – Golf course zone – Development standards:

Table B. Golf Course Zone Development Standards

| | |
|--|-------------------------------|
| Minimum Street Setback | 20 ft. or 30 ft. ³ |
| Minimum Interior Setback | 10 ft. or 20 ft. ³ |
| Maximum Impervious Surface: Percentage | 10% ⁵ |

³ a. Street setbacks: the minimum street setback varies depending on the adjacent zoning:

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

(2) Twenty feet in all other cases.

b. Interior setbacks: 20 feet if adjacent zoning is R-1 to R-6; 10 feet in all other cases.

c. Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from the interior setback requirements; provided, that the maximum height shall not exceed 75 feet.

~~⁵ a. For the purposes of this zone, paved trails are not considered impervious surface; provided, that City stormwater and other applicable requirements are met.~~

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

18.28A.050 – Golf Course Zone - Additional Development Standards:

A. Where the golf course zone abuts a residential zone, the city manager may require a landscaping screen pursuant to Chapter 18.35 KMC in order to screen views of parking lots, accessory buildings, or other features within the golf course zone. Aesthetic, safety, security, and maintenance factors shall be considered when considering the type of screen to be employed. Native vegetation is preferred for these screening treatments.

18.29.070 – Parking.

E. Maximum parking within the TOD district overlay shall not exceed ~~100 percent of~~ 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.

Chapter 18.30 – Development Standards – General

18.30.230 – Setbacks – Projections and structures allowed:

N. Stormwater conveyance and control facilities, both above and below ground, provided such projections are:

1. Consistent with setback, easement and access requirements specified in the Surface Water Design Manual; or

2. In the absence of said specifications, not within five feet of ~~the property~~ a rear or interior lot line;

Chapter 18.35 – Development Standards – Landscaping

18.35.040 – Landscaping – Screen types and description:

The three types of landscaping screens are described and applied as follows:

A. Type I Landscaping Screen.

1. Type I landscaping is a “full screen” that functions as a visual barrier.

2. Type I landscaping shall minimally consist of:

a. A mix of primarily evergreen trees and shrubs generally interspersed throughout the landscape strip and spaced to form a continuous screen;

b. Between 70 and 90 percent evergreen trees;

c. Trees provided at the rate of one per 10 linear feet of landscape strip and spaced no more than 30 feet apart on center;

d. Evergreen shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and

e. Ground cover pursuant to KMC 18.35.090;

3. Landscape-based stormwater management facilities are permitted within Type I Landscaping Screen areas provided that the screening objectives in KMC 18.35.040.A.1 and KMC 18.35.040.A.2 are achieved.

B. Type II Landscaping Screen.

1. Type II landscaping is a “filtered screen” that functions as a visual separator.

2. Type II landscaping shall minimally consist of:

a. A mix of evergreen and deciduous trees and shrubs generally interspersed throughout the landscape strip spaced to create a filtered screen;

b. At least 50 percent deciduous trees and at least 30 percent evergreen trees;

c. Trees provided at the rate of one per 20 linear feet of landscape strip and spaced no more than 30 feet apart on center;

d. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and

e. Ground cover pursuant to KMC 18.35.090;

3. Landscape-based stormwater management facilities are permitted within Type I Landscaping Screen areas provided that the screening objectives in KMC 18.35.040.B.1 and KMC 18.35.040.B.2 are achieved.

C. Type III Landscaping Screen.

1. Type III landscaping is a “see-through screen” that functions as a partial visual separator to soften the appearance of parking areas and building elevations.

2. Type III landscaping shall minimally consist of:

a. A mix of evergreen and deciduous trees generally interspersed throughout the landscape strip and spaced to create a continuous canopy;

b. At least 70 percent deciduous trees;

c. Trees provided at the rate of one per 25 linear feet of landscape strip and spaced no more than 30 feet apart on center;

d. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and

e. Ground cover pursuant to KMC 18.35.090.

3. Landscape-based stormwater management facilities are permitted within Type I Landscaping Screen areas provided that the screening objectives in KMC 18.35.040.B.1 and KMC 18.35.040.B.2 are achieved.

18.35.050 – Landscaping – Street trees for single-family subdivisions:

For single-family subdivisions:

A. Trees shall be planted at the rate of one tree for every 40 feet of frontage along a neighborhood collector street or arterial street. Native vegetation cultivars are preferred;

B. The trees shall be:

1. Located within the street right-of-way if permitted by the City;
2. No more than 20 feet from the street right-of-way line if located within a lot;
3. Maintained by the adjacent landowner unless part of a City maintenance program; and
4. A species approved by the City if located within the street right-of-way and compatible with overhead utility lines;

C. The trees may be spaced at irregular intervals to accommodate sight distance requirements for driveways and intersections.

18.35.070 – Landscaping – Surface parking areas:

D. Landscaping around the perimeter of a site that is in addition to the perimeter landscaping required by KMC 18.35.045 may count toward 10 percent of the required surface parking area landscaping in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street (see subsection F of this section), if it is adjacent to the parking area;

E. Parking area landscaping shall consist of:

1. Canopy-type deciduous trees, evergreen trees, evergreen shrubs and ground covers planted in islands or strips. Native vegetation cultivars are preferred;

2. Internal parking lot landscaping shall be configured as landscape-based stormwater management feature unless infeasible.

23. Shrubs that do not exceed a maintained height of 42 inches;

34. Plantings contained in planting islands or strips having an area of at least 100 square feet and with a ~~narrow~~ minimum dimension of not less than five feet;

45. Ground cover in accordance with KMC 18.35.090; and

56. At least 70 percent of trees are deciduous;

18.35.080 – Landscaping – General standards for all landscape areas:

All new landscape areas proposed for a development shall be subject to the following provisions:

A. Berms shall not exceed a slope of two horizontal feet to one vertical foot (2:1).

B. All new turf areas, except all-weather, sand-based athletic fields, shall:

1. Be augmented with a two-inch layer of organic material cultivated a minimum of six inches deep; or

2. Have an organic content of five percent or more to a depth of six inches.

C. Except as specifically outlined for turf areas in subsection B of this section, the organic content of soils in any landscape area shall be as necessary to provide adequate nutrient and moisture-retention levels for the establishment of plantings.

D. Landscape areas, except turf or areas of established ground cover, shall be covered with at least two inches of mulch to minimize evaporation.

E. Plants having similar water use characteristics shall be grouped together in distinct hydrozones.

F. Plant selection shall consider adaptability to climatic, geologic, and topographical conditions of the site. Preservation of existing vegetation is encouraged.

G. Landscape areas proposed as stormwater management facilities shall be designed in accordance with the Kenmore Stormwater Management standards.

Chapter 18.40 – Development Standards – Parking and Circulation

18.40.010 – Purpose:

The purpose of this chapter is to provide adequate parking for all uses allowed in this title; to reduce demand for parking by encouraging alternative means of transportation including public transit, rideshare and bicycles; and to increase pedestrian mobility in urban areas by:

A. Setting minimum off-street parking standards for different land uses that assure safe, convenient and adequately sized parking facilities within activity centers;

B. Providing incentives to rideshare through preferred parking arrangements;

C. Providing for parking and storage of bicycles;

D. Requiring the use of permeable surfacing unless infeasible;

DE. Providing safe, direct pedestrian access from public rights-of-way to structures and between developments; and

EE. Requiring uses which attract large numbers of employees or customers to provide transit stops.

18.40.030 – Computation of required off-street parking spaces:

F. Exceedance of Minimum Parking – Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE. Provision of parking in excess of the minimum parking requirements shall require the excess parking be included in a structured parking garage, or under building and screened from the street frontage, unless the additional parking is associated with a phased, mixed use development and is interim in nature.

G. Exceedance of Minimum Parking – Zones Other than Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE. Provision of parking shall not exceed 30 percent more than the minimum parking requirements unless the excess parking spaces are included in a structured parking garage, or under building and screened from the street frontage, unless the additional parking is associated with a phased, mixed use development and is interim in nature.

GH. Tree Retention – DC and DR Zones. Where an applicant proposes retention of trees in accordance with KMC 18.35.100(G) in the DC and DR zones, the city manager may reduce parking requirements by one parking space for every two significant trees that are saved in excess of the significant tree ordinance requirements.

18.40.130 – Compact car allowance requirements:

In any development containing more than 20 parking spaces, up to 50 percent of the total number of spaces may be sized to accommodate compact cars, subject to the following:

A. Each space shall be clearly identified as a compact car space by painting the word “COMPACT” in capital letters, a minimum of eight inches high, on the pavement at the base of the parking space and centered between the striping;

B. Aisle widths shall conform to the standards set for standard size cars; and

C. Apartment developments with less than 20 parking spaces may designate up to 40 percent of the required parking spaces as compact spaces.

Chapter 18.50 – Development Standards – Design Requirements for Specific Uses

18.50.150 – Mobile home parks – Standards for new parks:

D. A mobile home park shall ~~be exempt from impervious surface limits set forth in the zoning standards~~ not exceed 90% impervious surface coverage;

Chapter 18.52 – Downtown Design Standards

18.52.010 – Purpose and Intent:

The Kenmore downtown design standards are intended to implement the City’s comprehensive plan and vision for the creation of “...a community with an attractive, vital, pedestrian-oriented City center offering commercial, civic, cultural and park spaces, integrated with higher density housing...” and “...a community with clear design standards creating attractive, functional, and enduring buildings and places...”

The purpose of the downtown design standards is to create a pedestrian-oriented downtown by identifying appropriate site and development standards, including green infrastructure, for new development.

The Kenmore design standards are structured in the following manner.

18.52.100 – Pedestrian walkways:

B.4.a Special Paving. Scored concrete, stained/colored concrete, concrete pavers, paving inlays, mosaics, or other special paving material. Not all portions of the pedestrian walkway are required to be paved; however, a minimum of 60 percent of the pedestrian walkway shall provide an all-weather walking surface;

18.52.120 – Public spaces and plazas:

B.2.a Special Paving. Scored concrete, stained/colored concrete, concrete pavers, paving inlays, mosaics, or other special paving material.

18.52.160 – Building setbacks (for residential/primarily residential uses):

B.3 Palette of Front Yard Transition Elements. Use two or more of the following elements to provide front yard transitions and create usable front yard space:

- a. Steps;
- b. Low fences;
- c. Trellises;
- d. Site furnishings;
- e. Low hedges, trees, and landscaped borders;

f. Raingardens or bioretention facilities;

fg. Patios if a low fence or trellis is included for added privacy.

18.52.180 – Parking lot screening:

B. Standards – Required.

1. Perimeter Screening. Where surface parking lots are adjacent to a public right-of-way, the parking lot shall provide a minimum 10-foot-wide planting strip between the parking lot and right(s)-of-way. Landscape requirements in Chapter 18.35 KMC also apply.

2. Screening Techniques. Year-round perimeter screening shall provide a visually impervious screen utilizing one or more of the following screening techniques:

a. Screen Walls. Low walls, opaque hedge walls, etc., shall be a minimum of three feet in height and maximum of four feet in height. Where screen walls are used, the 10-foot-wide planting strip requirement may be reduced by two feet.

b. Screen Wall Transparency. For screen walls taller than four feet in height, all elements above four feet shall be made of semitransparent materials, i.e., lattice walls, trellises, etc. Those portions of the screen wall taller than four feet in height shall be a minimum of 85 percent transparency (i.e., see-through railing, trellis, or similar treatment).

c. Evergreen Shrubs. Shrubs shall be maintained at a maximum four feet in height from the sidewalk to maintain visibility into the site for security/safety purposes. At planting, shrubs shall be a minimum two-gallon pot size or balled and burlapped equivalent.

d. Trees. A mixture of evergreen and deciduous trees and shrubs. At planting, deciduous trees shall be a minimum three-inch caliper. Evergreen trees shall be a minimum of six-foot height to the uppermost branching point at planting.

e. Wood Fences. If a wood fence is used, the fence shall have decorative detailing at the top (i.e., trellis materials) and an eight-foot-wide planting strip. The requirements of subsection (B)(2)(b) of this section are also applicable.

f. Bioretention landscaping. Bioretention landscaping may be used within the perimeter screen in conjunction with one or more of the options in subsections (B)(2)(a) thorough (e).

18.52.200 – Outdoor service and storage areas:

B. Standards – Required.

1. Siting of On-Site Storage Areas. All outdoor service and storage areas such as mechanical equipment, outdoor storage, trash/recycling containers, satellite dishes, accessory telecommunications devices, etc., shall be fully screened and shall not be visible from adjacent

public streets or from views above from adjacent buildings. The Kenmore development standards and design requirements of KMC 18.30.250 also apply.

2. At-Grade Service Areas. At-grade storage areas such as outdoor storage and/or trash/recycling containers shall be screened from adjacent streets and public rights-of-way and from views above from adjacent buildings. Pedestrian-oriented trash receptacles along walkways and in public spaces are excepted from this requirement.

3. Screening Techniques. Service area screening shall be 100 percent sight-obscuring, year-round, utilizing one or more of the following screening techniques:

a. Fences and Walls. Fencing and wall materials shall be integrated and compatible with the design of the building (i.e., use the building's materials on fence columns);

b. Adjacent to Pedestrian Walkways. Where an outdoor storage area is adjacent to a pedestrian walkway, fences installed for screening may be used only in combination with either landscaping, vines, trellis, or similar landscaping screening technique;

c. Evergreen Hedges and Shrubs. Landscaping shall meet the City's landscaping requirements for Type I landscaping;

d. Trees. A mixture of evergreen and deciduous trees. Landscaping shall meet the City's landscaping requirements for Type I landscaping.

f. Bioretention landscaping. Bioretention landscaping may be used within the perimeter screen in conjunction with one or more of the options in subsections (B)(3)(a) through (d).

ATTACHMENT 2
SEPA CHECKLIST

101

CITY OF KENMORE, WA PERMIT APPLICATION

18120 68th Ave NE, Kenmore, WA 98028

425-398-8900

www.kenmorewa.gov

| | |
|--|---|
| Permit Type: <u>SEPA</u> | Permit #: |
| Project Name: <u>LID Land Use Code and City Code Amendments</u> | STAFF USE AREA |
| Project Description: <u>Revision of local development-related code, rules, standards, or other enforceable documents to incorporate and require Low Impact Development (LID) principles and LID Best Management Practices (BMPs) by December 31, 2016.</u> | Date stamp |
| Property Address: <u>Applies City-wide</u> | Lot #: _____ |
| Floor and Suite #: _____ | |
| Parcel Number: _____ | |
| Legal Description: _____ | |
| Applicant: <u>City of Kenmore</u> | Phone: <u>425-398-8900</u> |
| Address: <u>18120 68TH AVE NE</u> | City, St, Zip: <u>Kenmore, WA 98028</u> |
| e-mail address: <u>rsawyer@kenmorewa.gov</u> | Fax: _____ |
| Property Owner: <u>N/A</u> | Phone: _____ |
| Address: _____ | City, St, Zip: _____ |
| e-mail address: _____ | Fax: _____ |
| Contractor's Company Name: <u>N/A</u> | Phone: _____ |
| Address: _____ | City, St, Zip: _____ |
| e-mail address: _____ | Fax: _____ |
| Contractor's Lic. #: _____ | Expiration Date: _____ |
| | State UBI#: _____ |
| Contact Person: <u>Richard Sawyer</u> | Phone: <u>425-398-8900</u> |
| Address: <u>18120 68TH AVE NE</u> | City, St, Zip: <u>Kenmore, WA 98028</u> |
| e-mail address: <u>rsawyer@kenmorewa.gov</u> | Fax: _____ |
| Interim Construction Loan Lender OR Payment Bond Issuer: <u>N/A</u> | |
| Address: _____ | City, St, Zip: _____ |
| Phone: _____ | Fax: _____ |
| For projects costing more than \$5,000; If not available at time of application the applicant shall so state and provide as soon as the information is obtained.(KMC 15.30.225.B.4.b) | |
| <i>All provisions of laws and ordinances governing this type of work will be complied with. I certify under penalty of perjury that the information provided on this application is true and correct and, further that I am authorized by the owner of the above premises to perform the work for which the permit application is made. I further agree to hold harmless the City of Kenmore as to any claim (including costs, expenses, and attorney's fees incurred in investigation and defense of such claim), which may be made by any person, including the undersigned, and filed against the City of Kenmore, but only where such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information supplied to the City as part of this application.</i> | |
| OWNER/APPLICANT: <u></u> | Date: <u>9/6/2016</u> |
| signature | |
| I hereby authorize the City representatives to inspect my property Monday-Friday between the hours of 8:00 a.m. and 5:00 p.m. during this permit application process for verifying site conditions. | |

CITY OF KENMORE
ENVIRONMENTAL CHECKLIST
(Integrated SEPA/GMA Process)

A. BACKGROUND INFORMATION

PROPOSAL TITLE: City of Kenmore LID Land Use Code and City Code Amendments

PROPERTY OWNERS' NAME: N/A; applies City-wide

PROPOSAL LOCATION: City-wide

PROPONENT'S NAME: City of Kenmore

CONTACT PERSON'S NAME: Richard Sawyer, Surface Water Program Manager

CONTACT PERSON'S ADDRESS: Public Works Department
City of Kenmore
18120 68th Ave NE
PO Box 82607
Kenmore, WA 98028

CONTACT PERSON'S PHONE: 425-398-8900

BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:

1. **General description:** This proposal is to incorporate low impact development principles into the City's development codes and standards. The proposed code amendments result from a requirement under the 2013-2018 National Pollution Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit (NPDES Permit) to review and revise development codes and standards to incorporate low impact development principles. The proposed amendments will incorporate low impact development principles into the City's development standards and regulations; specifically the following sections:
 - Title 12 – Streets and Bridges
 - Title 13 – Utilities and Public Works
 - Title 15 – Buildings and Construction
 - Title 17 – Land Division
 - Title 18 – Zoning
 - City of Kenmore 2016 Road Standards

2. **Site acreage:** Applies city-wide.
3. **Number of dwelling units/buildings to be demolished:** N/A
4. **Number of dwelling units/buildings to be constructed:** N/A
5. **Square footage of buildings to be demolished:** N/A
6. **Square footage of buildings to be constructed:** N/A
7. **Quantity of earth movement (in cubic yards):** N/A
8. **Proposed land use:** This proposal will regulate stormwater discharges from new development and redevelopment.
9. **Design features, including building height, number of stories and proposed exterior materials:** N/A
10. **Other:** N/A

Proposed timing or schedule (including phasing, if applicable): Final action on the proposal by the City Council is expected to occur in late fall of 2016. Per the 2013-2018 National Pollution Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit requirement, the revised codes are to be effective no later than December 31, 2016.

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. Yes. It is expected that the city will receive applications for development and redevelopment after adoption of the proposal that will affect how runoff is addressed city-wide.

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None.

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known. No known applications are pending.

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known. The City Council will consider staff's recommendation and adopt an ordinance implementing the new code amendments after a public hearing.

B. ENVIRONMENTAL ELEMENTS

No discussion of the individual Environmental Elements is required for GMA actions per WAC 197-11-235.3.b.

C. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (do not use this sheet for project actions)

SUMMARY

Project Summary: This proposal is to amend the City of Kenmore's Municipal Code to incorporate low impact development principles into the City's development codes and standards. The proposed code amendments result from a requirement under the 2013-2018 National Pollution Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit (NPDES Permit) to review and revise development codes and standards to incorporate LID principles.

Environmental Summary per WAC 197-11-235(3)(b):

State the proposal's objectives: The objective of the proposal is to review and revise the City's development codes and standards to incorporate low impact development principles. Low impact development principles are "land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, a native vegetation loss, and stormwater runoff." LID principles are different from LID best management practices (BMPs), which are on-site stormwater control and treatment facilities such as rain gardens and permeable pavement.

Specify the purpose and need to which the proposal is responding: The proposed code amendments and amendments to engineering and development standards result from a requirement under the 2013-2018 National Pollutant Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit (NPDES Permit) to review and revise development codes and standards to incorporate LID principles. The NPDES Permit is issued by the Washington State Department of Ecology and is required for stormwater discharges under the federal Clean Water Act. The intent of the review and revision process is to make LID the preferred and commonly-used approach to site development. The process and proposal is required under the City's NPDES permit and should achieve compliance with the requirement.

State the major conclusions, significant areas of controversy and uncertainty: The Project team reviewed the City's development codes and standards and found the codes supportive of LID principles, but also found opportunities to incorporate LID principles. The major area of concern will be ensuring that the proposed amendments designed to reduce impervious surfaces by encouraging/incentivizing the use of permeable pavement, reducing native vegetation loss, and reducing stormwater runoff by requiring stormwater design and infiltration information early in the site design process are applied in a manner that is fair to the broad range of application types across the City and not unduly burdensome on one class of land uses. Proposal details may evolve as a result of public input and Council deliberation, to ensure that the proposal achieves its objectives.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: Issues to be resolved include development of an appropriate approach to the incorporation of LID principles into the City of Kenmore's development codes and standards. Alternative courses of action include: not amending the City's development codes and standards to incorporate LID principles and relying solely on LID BMPs and the provisions currently available in the Land Use Code to address stormwater runoff from new development and redevelopment. In terms of environmental impacts, not amending the City's development codes and standards may result in environmental impacts related to equivalent, and not reduced, levels runoff, erosion, and pollutants reaching water bodies.

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated: The proposal is a nonproject action to incorporate low impact development principles into the City's development codes and standards, city-wide. There are no significant adverse impacts resulting from that action. The proposal should result in decreased environmental impact by reducing stormwater runoff related to new development and redevelopment. Consequently, no significant adverse environmental impacts are anticipated. At the project level, SEPA review will be required for those projects not exempt from environmental review.

Describe any proposed mitigation measures and their effectiveness: No specific development is being approved with this proposal. No significant environmental impacts have been identified, therefore no mitigation measures are proposed.

- 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?** The proposal should decrease discharges to water. N/A for the remaining topics.
Production of noise: N/A

Proposed measures to avoid or reduce such increases are: N/A

- 2. How would the proposal be likely to affect plants, animals, fish or marine life?** Adoption of the proposed code amendments and amended standards will not increase potential impacts to plants and animals.

Proposed measures to protect or conserve plants, animals, fish or marine life are:
N/A

3. **How would the proposal be likely to deplete energy or natural resources?** N/A

Proposed measures to project or conserve energy and natural resources are: N/A

4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**
Adoption of the proposal will not negatively affect environmentally sensitive areas or areas designated or eligible for governmental protection.

Proposed measures to protect such resources or to avoid or reduce impacts are:
N/A

5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?** Adoption of the proposal will not affect any land or shoreline areas.

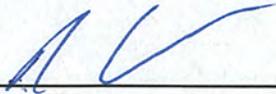
Proposed measures to avoid or reduce shoreline and land use impacts are: N/A

6. **How would the proposal be likely to increase demands on transportation or public services and utilities?** N/A

Proposed measures to reduce or respond to such demand(s) are: N/A

7. **Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.** The proposal is a requirement under the City's NPDES permit, which is required under both state and federal clean water acts.

- D. **The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.**

Signature 

Date Submitted: 9/6/2016