

CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 19-319

**A RESOLUTION OF THE CITY COUNCIL OF KENMORE,
WASHINGTON, RELATING TO FUTURE ZONING OF
FOUR OF THE CITY'S EXISTING MANUFACTURED
HOUSING COMMUNITIES.**

WHEREAS, on April 15, 2019, the City Council adopted new Manufactured Housing Community (MHC) zoning through Ordinance 19-0481 and applied the MHC zoning designation to the City's existing manufactured housing communities; and

WHEREAS, the MHC zoning established in Ordinance 19-0481 was based on thorough examination and frequent public engagement by the City Council and the Planning Commission on the need to preserve affordable housing in the City while also respecting the property rights of property owners. A comparable zoning scheme implemented by the City of Tumwater was expressly authorized by the Ninth Circuit Court of Appeals in *Laurel Park Community, LLC v. City of Tumwater*, 698 F.3d 1180 (9th Cir. 2012); and

WHEREAS, the Kenmore Comprehensive Plan contemplates future growth in the Downtown area north of SR-522, which includes four existing manufactured housing communities zoned MHC, and provides for possible future rezones based on increased density needs: "The existing manufactured housing communities in the Downtown provide higher density single-family housing that is more affordable for seniors and lower-income residents. Some of the communities may be appropriate for long-term preservation; others may not be compatible with the future Downtown vision, particularly as high capacity transit comes to the City," and

WHEREAS, the City Council desires that the Planning Commission develop recommendations on Comprehensive Plan amendments and Municipal Code amendments that would codify a future rezone of the four existing manufactured housing communities in the Downtown area north of SR-522, due to the projected growth and need for additional affordable housing in those areas; and

WHEREAS, the Planning Commission previously considered similar future rezones with affordability requirements as an option for the manufactured housing communities during their deliberations on the project in 2018;

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

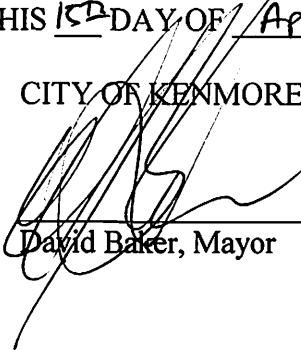
Section 1. Findings Adopted. The City Council adopts the foregoing recitals as findings, which are incorporated herein as if set forth in full.

Section 2. Planning Commission Consideration and Recommendations. The City Council desires that the Planning Commission consider and make recommendations on Comprehensive Plan and Municipal Code amendments related to future rezones, with increased density and affordability requirements, for the four existing manufactured housing communities north of SR-522. Affordability levels down to 35% of median income should be considered.

Section 3. Effective Date. This resolution shall be directed to the Planning Commission and shall take effect and be in force immediately.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON,
AT A REGULAR MEETING THEREOF THIS 15th DAY OF April, 2019.

CITY OF KENMORE




David Baker, Mayor

ATTEST/AUTHENTICATED:



Kelly Chen, City Clerk

Approved as to form:



Rod P. Kaseguma, City Attorney