



Justin Bouffard <tethian@gmail.com>

Bothell code interpretation

Boyd Benson <boyd.benson@bothellwa.gov>
To: Justin Bouffard <tethian@gmail.com>, Dre Malone <Dre.Malone@bothellwa.gov>
Cc: Eileen Keiffer <Eileen@madronalaw.com>

Fri, Oct 31, 2025 at 2:36 PM

Hi Justin, thank you for the email.

We reviewed your summary and the development as proposed would not trigger frontage improvements provided the second primary dwelling is less than or equal to 100 percent gross floor area of the existing dwelling unit:

- Proposal is exempt from frontage improvements in accordance with BMC 17.09.010.B,2.c.
- Proposal includes less than three dwelling units, exclusive of ADU's, where the second dwelling unit is less than or equal to 100 percent gross floor area of the existing dwelling unit: This would not trigger frontage improvements required with BMC 17.09.010.C.

The proposal outline below complies with BMC- no formal interpretation is required to document this conclusion.

Thanks again, Boyd

Boyd E. Benson, PE, LEG
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From: Justin Bouffard <tethian@gmail.com>
Sent: Wednesday, October 29, 2025 12:45 PM
To: Dre Malone <Dre.Malone@bothellwa.gov>
Cc: Boyd Benson <boyd.benson@bothellwa.gov>; Eileen Keiffer <Eileen@madronalaw.com>
Subject: Bothell code interpretation

Dre, since your name appeared in the frontage improvements section of the city preapp, I've added you to this, CC'ed Boyd since we've been discussing this for a while, and CC'ed the city attorney as well.

I am in the planning stage for a new project at [19828 88th Ave NE, Bothell WA 98011](#) which currently has one single-family home and one permitted ADU. This was examined as in [Pre2025-27223](#), which I've attached. That project proposed adding 3 in the back, so it was clear it triggered the requirement.

My proposal is to instead only add one new single-family residence and another attached ADU to the lot, which would result in a total of four dwelling units (the original SFR, the new SFR, the existing ADU, and the space I plan to convert into another ADU). This is effectively the same project as the pre-app, except one in the back (and an ADU, which shouldn't matter as explained below).

I am writing to request a formal interpretation of Bothell Municipal Code 17.09.010(C) to confirm if this specific project triggers the requirement for frontage improvements.

My reading of the code is that this project would **not** trigger the improvements. Here is my analysis:

1. The [code](#) states improvements are required if a permit application results in "three or more total dwelling units... **exclusive of ADUs...**", which would be consistent with HB1337's prohibition against requiring frontage improvements for permitting ADUs. It was also spelled out in [this public notice](#): "*Single lot residential development with an existing dwelling that results in no more than two dwelling units or has less than or equal to a 100 percent increase in Gross Floor Area (GFA) of the existing dwelling unit, **exclusive of ADUs**, is exempt from frontage improvement requirements.*"
2. My project's trigger count would be calculated by taking the 4 total units and excluding the 2 ADUs.
3. This results in a trigger count of **2**.
4. Since 2 is not "three or more," the requirement for frontage improvements is not met.

Can you please confirm in writing that this interpretation is correct? This is a critical point for the project's feasibility.

Thank you,

Justin Bouffard