



CITY OF KIRKLAND

CITY COUNCIL

Joan McBride, Mayor • Penny Sweet, Deputy Mayor • Dave Asher • Jessica Greenway
Doreen Marchione • Bob Sternoff • Amy Walen • Kurt Triplett, City Manager

Vision Statement

*Kirkland is an attractive, vibrant, and inviting place to live, work and visit.
Our lakefront community is a destination for residents, employees and visitors.
Kirkland is a community with a small-town feel, retaining its sense of history,
while adjusting gracefully to changes in the twenty-first century.*

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AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber

Tuesday, September 6, 2011

6:00 p.m. – Study Session – Peter Kirk Room

7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website www.kirklandwa.gov, or at the Public Resource Area at City Hall on the Friday afternoon prior to the City Council meeting. Information regarding specific agenda topics may also be obtained from the City Clerk's Office on the Friday preceding the Council meeting. You are encouraged to call the City Clerk's Office (425-587-3190) or the City Manager's Office (425-587-3001) if you have any questions concerning City Council meetings, City services, or other municipal matters. The City of Kirkland strives to accommodate people with disabilities. Please contact the City Clerk's Office at 425-587-3190. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION, Peter Kirk Room*
 - a. 2011-2016 Capital Improvement Program Update
4. *EXECUTIVE SESSION*
 - a. To Discuss Potential Litigation
5. *HONORS AND PROCLAMATIONS*
 - a. Citizen Hero Awards
 - b. Constitution Week Proclamation
 - c. Local Community Day Proclamation
 - d. Recovery Month Proclamation
6. *COMMUNICATIONS*
 - a. *Announcements*
 - b. *Items from the Audience*
 - c. *Petitions*

EXECUTIVE SESSIONS may be held by the City Council to discuss matters where confidentiality is required for the public interest, including buying and selling property, certain personnel issues, and lawsuits. An executive session is the only type of Council meeting permitted by law to be closed to the public and news media

ITEMS FROM THE AUDIENCE provides an opportunity for members of the public to address the Council on any subject which is not of a quasi-judicial nature or scheduled for a public hearing. (Items which may not be addressed under Items from the Audience are indicated by an asterisk*.) The Council will receive comments on other issues, whether the matter is otherwise on the agenda for the same meeting or not. Speaker's remarks will be limited to three minutes apiece. No more than three speakers may address the Council on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the Council.

QUASI-JUDICIAL MATTERS

Public comments are not taken on quasi-judicial matters, where the Council acts in the role of judges. The Council is legally required to decide the issue based solely upon information contained in the public record and obtained at special public hearings before the Council. The public record for quasi-judicial matters is developed from testimony at earlier public hearings held before a Hearing Examiner, the Houghton Community Council, or a city board or commission, as well as from written correspondence submitted within certain legal time frames. There are special guidelines for these public hearings and written submittals.

GENERAL CORRESPONDENCE

Letters of a general nature (complaints, requests for service, etc.) are submitted to the Council with a staff recommendation. Letters relating to quasi-judicial matters (including land use public hearings) are also listed on the agenda. Copies of the letters are placed in the hearing file and then presented to the Council at the time the matter is officially brought to the Council for a decision.

ORDINANCES are legislative acts or local laws. They are the most permanent and binding form of Council action, and may be changed or repealed only by a subsequent ordinance. Ordinances normally become effective five days after the ordinance is published in the City's official newspaper.

RESOLUTIONS are adopted to express the policy of the Council, or to direct certain types of administrative action. A resolution may be changed by adoption of a subsequent resolution.

PUBLIC HEARINGS are held to receive public comment on important matters before the Council. You are welcome to offer your comments after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment and the Council proceeds with its deliberation and decision making.

7. *SPECIAL PRESENTATIONS*

8. *CONSENT CALENDAR*

a. *Approval of Minutes:* August 2, 2011

b. *Audit of Accounts:*
 Payroll \$
 Bills \$

c. *General Correspondence*

d. *Claims*

e. *Award of Bids*

f. *Acceptance of Public Improvements and Establishing Lien Period*

g. *Approval of Agreements*

(1) Resolution R-4888, Approving the Formation of the Community Connectivity Consortium, a Public Corporation, Authorizing the City of Kirkland to Enter Into an Interlocal Agreement Establishing the Community Connectivity Consortium Between the City of Kirkland and Other Government Agencies for the Construction and Management of Fiber Optic Projects, and Approving the Charter of the Community Connectivity Consortium

h. *Other Items of Business*

- (1) King County Landmarks and Heritage Commission Reappointment
- (2) Litigation Reserve
- (3) Central Way Pedestrian Enhancements (Phase II-Southside) – Reject Bids and Authorization to Rebid
- (4) Six Year Transportation Improvement Plan (TIP) Set Hearing Date
- (5) Ordinance O-4319, Relating to Emergency Sewer Main Extensions
- (6) Surplus Vehicles/Equipment for Sale

9. *PUBLIC HEARINGS*

10. *UNFINISHED BUSINESS*

a. *Countywide Planning Policies*

b. *Resolution R-4889, Adopting a Code of Conduct*

- c. Juanita Beach Park Supplemental Funding Request
- d. Emergency Medical Service (EMS) Transport Fee Update

NEW BUSINESS consists of items which have not previously been reviewed by the Council, and which may require discussion and policy direction from the Council.

11. *NEW BUSINESS*

a. 2011 Fast Track Zoning and Kirkland Municipal Code Amendments:

- (1) Ordinance O-4320 and its Summary, Relating to Zoning, Planning, and Land Use; Adopting Minor Amendments Pursuant to Chapter 161 of the Kirkland Zoning Code (KZC); Amending Portions of the Following Chapters of the KZC, Ordinance 3719 as Amended: Chapter 5 – Definitions; Chapter 20 – RM and RMZ Zones; Chapter 48 – LIT Zones; Chapter 49 – P Zones; Chapter 50 – CBD 5 Zone; Chapter 52 – JBD Zones; Chapter 53 – RHBD 7 Zone; Chapter 55 - TL Zones; Chapter 90 – Drainage Basins; Chapter 100 – Signs; Chapter 105 – Parking Areas, Vehicle and Pedestrian Access, and Related Improvements; Chapter 115 – Miscellaneous Standards; Chapter 117 – Personal Wireless Service Facilities; Chapter 142 – Design Review; Chapter 150 – Process IIA; Chapter 152 – Process IIB; and Approving a Summary Ordinance for Publication , File No. ZON11-00020
- (2) Ordinance O-4321 and its Summary, Amending Title 19.16 of the Kirkland Municipal Code Relating to Vacations of Streets and Access Easements, File No. ZON11-00020

ITEMS FROM THE AUDIENCE
Unless it is 10:00 p.m. or later, speakers may continue to address the Council during an additional Items from the Audience period; provided, that the total amount of time allotted for the additional Items from the Audience period shall not exceed 15 minutes. A speaker who addressed the Council during the earlier Items from the Audience period may speak again, and on the same subject, however, speakers who have not yet addressed the Council will be given priority. All other limitations as to time, number of speakers, quasi-judicial matters, and public hearings discussed above shall apply.

12. *REPORTS*

a. *City Council*

- (1) Regional Issues

b. *City Manager*

- (1) Calendar Update

13. *ITEMS FROM THE AUDIENCE*

14. *ADJOURNMENT*



CITY OF KIRKLAND
Department of Finance & Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Director of Finance and Administration
Sri Krishnan, Financial Planning Manager

Date: August 11, 2011

Subject: **AMENDMENT OF THE 2011-16 CAPITAL IMPROVEMENT PROGRAM**

RECOMMENDATION:

City Council reviews the proposed updates to the 2011-16 Capital Improvement Program (CIP) and provide direction regarding the changes to be brought forward for Council adoption in December.

BACKGROUND DISCUSSION:

The purpose of the mid-biennium CIP review is to acknowledge changes made since adoption and to make any further changes needed to bring the CIP up-to-date. The proposed changes are primarily related to the following categories:

- Updates and potential changes related to work program items
- Updates to project timing and cost for prior Council approvals
- Recognizing any major changes in funding sources (new, increases, decreases)

Revised CIP summaries are attached along with a reconciliation of each section of the CIP showing the major increases and decreases between the original and revised CIP (Attachments A and B respectively). The majority of the modifications in the revised CIP reflect changes to existing projects with the addition of a few new projects.

Revenue Status

The 2011-16 CIP as adopted reflected the reduction in Real Estate Excise Tax (REET) and impact fee revenues due to the economic downturn. No further adjustments to projects funded by these revenues are being proposed as part of this revision to the CIP. The following is a brief summary of the current status of these two revenues:

- **REET** – Receipts for 2011 through June 30, are 16.9 percent ahead of the same period last year and appear to be on track to exceed budget. Any REET revenue over the budgeted amount will help fund the operations and maintenance activities in 2011 authorized by Council on July 19, 2011.
- **Impact Fees** – Transportation and Parks impact fee revenues for 2011 through June 30, are 56 percent ahead of the same period last year. There is no planned use for capital projects in 2011-2012 since these revenues are expected to remain extremely low compared to historical trends until development activity improves.

Transportation Benefit District (TBD) – The 2011-2016 CIP assumed TBD revenues to fund an increase to the Street overlay program. At the November 8, 2010 Council budget study session, Council provided policy direction to defer the decision about whether or not to implement a TBD until the second quarter of 2011. The TBD revenue assumptions and related CIP projects were left in the 2011-2016 CIP pending the final decision, with the direction that no TBD projects would be implemented prior to that decision.

An update on the TBD implementation and related public outreach plan was presented at the August 2, 2011 meeting. The final decision on the implementation of the TBD will be brought forward for Council action later this year. The revised 2011-16 CIP eliminates TBD revenues from the funding mix for transportation projects in 2011, but retains it for 2012-2016.

Street Preservation Component of Solid Waste Rate – The revised 2011-16 CIP reflects the use of \$300,000 in annual revenue remitted to the City as the street preservation component of the solid waste rates to fund the Annual Street Preservation Program (ST 0006).

Other changes to the capital projects funding sources in 2011-12 are related to changes in external funding and are highlighted below under each category of capital projects.

Summary of Project Changes

TRANSPORTATION

- **Modified and New Projects** – Due to timing and new grant opportunities, funding source changes and the increase in external revenue being received, eight Transportation projects have been modified for this update. One new unfunded Transportation project has been added to take advantage of a potential grant opportunity and the project cost of one unfunded project was revised. Highlights of each are as follows:
 - **Annual Street Preservation Program** – (ST 0006) Funding in 2011 increased by \$81,000 – the net change of removing 2011 TBD revenue and adding Solid Waste Street Preservation revenue and one-time mitigation payments from Northshore Utility District (NUD) and Puget Sound Energy (PSE). The addition of Solid Waste Street Preservation component revenue in 2012-16 reduced the previously planned use of REET II Reserves by \$1.24 million for this program.
 - **NE 120th Street Roadway Extension - East Section** (ST 0057 001) – Project moved from unfunded to funded due to grants: \$2.5 million Surface Transportation Program (STP) and \$800,000 Transportation Improvement Board (TIB). Total project cost changed from \$4,659,000 to \$6,402,600 due to updated cost estimates. Projects costs for 2011-16 are estimated to be \$5.7 million, of which \$2.4 million is the City match portion funded from the REET II Reserve.
 - **NE 100th Street at Spinney Homestead Park Sidewalk Phase II** (NM 0034 001) – Project moved from unfunded to funded in 2011 due to receipt of state grant of \$456,600. The City match portion is \$56,000 from Surface Water Management fee revenues (\$50,300) and REET II Reserves (\$5,700).
 - **6th Street Sidewalk at Kirkland Avenue** (NM 0059) – Project moved from unfunded to funded in 2011-12 due to receipt of a TIB grant of \$181,800. The City match portion of \$83,200 is funded from the REET II Reserve.

- **Lakeview School Walk Route Enhancements (NM 0068)** – Project moved from unfunded to funded in 2012 due to receipt of a state grant of \$348,000. There is no City match required.
- **100th Avenue NE Bicycle Lanes (NM 0069)** – Project moved from unfunded to funded in 2011-12 due to receipt of \$119,000 in grant funding from Federal Surface Transportation Program (STP). The City match portion of \$42,000 is funded from REET II Reserve.
- **6th Street & Central Way Intersection Improvements (TR 0100)** – Total project costs increased from \$3.02 million to \$4.32 million due to right-of-way (ROW) requirements. City has received Department of Commerce (previously called CTED) grant of \$2 million. The City's application for an additional grant of \$1.84 million through the Transportation, Community, and System Preservation (TCSP) Program was unsuccessful and therefore resulted in the completion date moving from 2012 to 2013. Additional grant funding is being applied for to complete the project in 2013.
- **Kirkland Intelligent Transportation System Implementation Phase I (TR 0111)** – Total project cost increased from \$2.043 million to \$2.081 million due to grant match requirements. Project timing changed, with completion in 2012 to better coordinate with other CIP projects. Project funding includes Congestion Mitigation and Air Quality Improvement (CMAQ) Program grant of \$1.8 million.
- **116th Avenue NE (South Section) Non-motorized Facilities-Phase II (NM 0001)** – Project cost changed from \$6,028,700 to \$3,378,000 due to updated cost estimate, including substantial savings with implementation of new Low Impact Development (LID) components. The project remains unfunded.
- **NE 132nd Street Sidewalk Improvement at Finn Hill (NM 0071)** – New unfunded project for \$363,000 added in order to be grant eligible for 2011 application process with possible 2013 grant funding.

SURFACE WATER UTILITY

- **Modified Projects** – Two projects are being modified in the Surface Water Utilities portion of the CIP to reflect arising needs and revised costs. One unfunded project number was changed as a housekeeping measure.
 - **Forbes Creek/Coors Pond Channel Grade Controls (SD 0053)** – Project start moved from 2012 to 2013 and project cost increased from \$1,116,100 to \$1,227,200.
 - **Totem Lake Boulevard Flood Control Measures (SD 0059)** – Project cost budgeted in 2011-12 increased from \$117,000 to \$503,000. Funding for this project now reflects an additional \$168,000 received from King County for flood control and \$218,000 in City match from the Surface Water Construction Reserve (memo to Council 8/2/11).
 - **NE 86th Street Stabilization (SD 0074)**—Project started as part of the 2005 Annual Streambank Stabilization Program (SD 0537). The project was not completed in the annual program and moved to unfunded. The change in project number removes the project's association with a past annual program.

WATER/SEWER UTILITY

- **Modified Projects** – Ten projects are being modified in the Water/Sewer Utilities portion of the CIP to reflect arising needs and revised costs. The change in start dates reflects better coordination of schedules on contemporaneous water and sewer projects.
 - Two projects are being moved from unfunded to funded status:
 - **NE 53rd Street Sewermain Replacement (SS 0063)**
 - **116th Ave NE/NE 70th – NE 80th Watermain Replacement (WA 0113)** – Total project cost increased from \$2,858,000 to \$3,112,000 and coincides with SS 0076.
 - **104th Ave NE Watermain Replacement (WA 0102)** – Start date of project moved from 2014 to 2016 in order to facilitate the change in the start date for SS 0076.
 - **NE 80th Street Watermain Replacement (WA 0116)** – Start date of project moved from 2012 to 2013 in order to coincide with the sewermain replacement project at this location (SS 0067).
 - **NE 109th Ave/106th Court NE Watermain Replacement (WA 0121)** – Project completion date changed from 2012 to 2013, with no change to project cost.
 - **NE 80th Street Sewermain Replacement (SS 0067)** – Start date of project moved from 2012 to 2013 and project cost increased from \$2,364,400 to \$2,436,000. A low-interest loan application through the Public Works Trust Fund has been submitted.
 - **NE 80th Street Sewermain Replacement Phase III (SS 0076)** – Start date of project moved from 2014 to 2012 and project cost decreased from \$3,841,800 to \$1,087,000. A low-interest loan application through the Public Works Trust Fund has been submitted.
 - **Annual Water Pump Station/System Upgrade (WA 9999)** – Intent of annual programs is to do projects as funding allows. Project funding in 2015 changed from \$600,000 to \$442,500. This change facilitates the funding of 116th Ave NE/NE 70th-80th Watermain project (WA 0113) which needs to run concurrent with NE 80th Street Sewermain Replacement (SS 0076) discussed above.
 - **Annual Sanitary Pipeline Replacement (SS 8888)** – Intent of annual programs is to do projects as funding allows. Start date of project moved from 2012 to 2014 and project cost decreased from \$886,000 to \$112,300 to reflect the change in available funding.
 - **Annual Sanitary Pump Station/System Upgrade (SS 9999)** – Intent of annual programs is to do projects as funding allows. Start date of project moved from 2012 to 2016 and project cost decreased from \$530,000 to \$299,700 to reflect the change in available funding.

PARKS

- No modifications, additions or deletions are recommended to the Parks category for this CIP update. However, the Parks Department has identified the following projects as potential sources of funding in anticipation of resource needs to successfully implement the City's 2011 workplan.
 - **Shoreline Restoration** (PK 0006) – Potential repurposing for Totem Lake Planning – \$82,242.
 - Potential repurposing of currently funded projects totaling \$1,539,329 for the acquisition of the Eastside Rail Corridor:
 - **Forbes Lake Park Development** (PK 0056) – \$200,000
 - **South Juanita Park Site Development** (PK 0083) – \$212,349
 - **Waverly Beach Park Renovation** (PK 0087) – \$505,000
 - **Skate Park** (PK 0111) – \$200,000
 - **Spinney Homestead Park Renovation** (PK 0113) – \$350,000
 - **Community Recreation Facility Planning** (PK 0122) – \$71,980

PUBLIC SAFETY

- No modifications, additions or deletions are recommended to the Public Safety category for this CIP update. However, marine safety-related capital projects are potential outcomes of future public safety strategic plans. Additionally, during the 2011-12 budget process, Council directed staff to develop recommendations for establishing new sinking fund reserves to address the lack of ongoing funding for the periodic replacement of public safety equipment (including radios) for Council consideration in the 2013-14 budget process.

GENERAL GOVERNMENT – TECHNOLOGY

- No modifications, additions or deletions are recommended to funded Technology projects for this CIP update. However, two unfunded projects were deleted for housekeeping purposes:
 - **Standard Reporting Tool** (GG 0006 125) – \$135,000 (obsolete technology solution)
 - **Police CAD & RMS System Replacement** (GG 0006 203) – \$1.4 million (NORCOM responsibility).

Also, as with public safety equipment, Council directed staff to develop recommendations for establishing new sinking fund reserves to address the lack of ongoing funding for the periodic replacement of technology equipment for Council consideration in the 2013-14 budget process.

GENERAL GOVERNMENT – FACILITIES

- **Modified Projects** – Five projects are being modified in the Facilities portion of the CIP to reflect Council direction regarding facilities expansion projects, updates in funding, and revised costs.
 - Two new projects are being added to the funded list:
 - **Consolidated Fire Station** (GG 0039) – Project funded by debt issued for this purpose by Fire District 41 (\$4 million) and the remaining District fund balance, estimated at \$1.5 million. The debt will be paid back through a property tax levy on the properties within the geographical area previously served by the District.

- **Public Safety Building** (GG 0013-102 and GG 0013-103) – The two phases of this project are largely funded through the debt issued in 2010. The remainder is funded from a variety of sources including savings from closing facilities projects totaling \$4 million (\$2.2 million in REET I, \$0.8 million in Reserves, \$1.0 million from deferred facility projects).
- **Maintenance Center Expansion** (GG 0037-002) – Project moved from unfunded to funded status. The estimated cost of \$1.9 million is to be funded from a portion of the debt issued in 2010.
- **City Hall Expansion** (GG 0035) – Project moved from funded to unfunded status. This project will consist of a remodel and be funded by an additional debt issue as discussed previously with the City Council. The scope and schedule of this project is still to be determined.
- **Lifecycle Projects** – Revisions to 2011-12 Facilities Life Cycle projects total \$402,000, which is completely funded from the Facilities Sinking Fund reserve using uncommitted resources in that reserve. The projects are a combination of necessary repairs/replacements to buildings that have not previously been included in the life cycle model (505 Market and Municipal Court), as well as revisions to timing of other projects based on current analysis of building conditions. Another significant addition is a facility condition assessment program, which will assist in tracking the replacement of building components. Project changes include the following:
 - **505 Building** (\$128,000 for painting, siding repair, parking lot striping, flooring and window replacement) – This building has not been included in life cycle projects because the original intent was to sell it once City Hall was expanded. These projects address critical needs to keep the building operational since its disposal has been postponed.
 - **Lighting Replacement** (\$90,000) – Accelerate City Hall, Municipal Court and Maintenance Center Fleet Shop lighting replacement (current lamps will not be available after 2012).
 - **Facilities Condition Assessment** (\$75,000) – Ability for real-time updating of life cycle model and tracking replacement of building components.
 - **Building Security** (\$50,000) – Replacement of Digital Video Recorder equipment at City Hall, NKCC, and Municipal Court, as well as updating City Hall card key system.
 - **Fire Stations HVAC/Water Heaters** (\$27,000) – Postponed replacement of HVAC from 2009 and early replacement of water heater due to failure.
 - **KPC HVAC Controls** (\$20,000) – Upgrade of HVAC controls to reduce energy use.
 - **City Hall Temporary Parking at Baptist Church** – Up to \$10,000 for repairs and upgrades in exchange for use as per agreement.

Eastside Rail Corridor Project

Staff continues to monitor developments related to the sale of the Eastside Rail Corridor by the Port of Seattle. Staff has identified the following potential sources of funding for the acquisition and development of this asset (the final financing may involve some or all of these options):

- Reprioritizing existing CIP resources:
 - Use of \$1.0 million in Surface Water Utility funding in the adopted 2011-16 CIP:
 - Totem Lake Surface Water Opportunity Program (SD 0072) – \$500,000
 - Forbes Creek Surface Water Opportunity Program (SD 0073) – \$500,000
 - Use of \$1.54 million from previously funded Parks projects as discussed above
 - Repurposing Transportation project funding for a potential total of \$2.5 million
- Seeking grants such as TIGER (Transportation Investment Generating Economic Recovery)
- Potential inclusion in a voted park bond under consideration by the Park Bond Funding Exploratory Committee
- An interfund loan to bridge any gap in funding

Current expectations are that the revised 2011-16 CIP brought forward for Council adoption in December may include a more refined project cost, schedule, and funding sources for this project.

The table below summarizes the Revised 2011-16 CIP, both the funded 6 year program and the longer term needs that are unfunded.

Proposed CIP Update	6-year Funded CIP	Unfunded CIP	Total CIP
Transportation	47,728,600	248,282,900	296,011,500
Parks	5,461,000	76,750,000	82,211,000
Public Safety	1,217,400	119,100	1,336,500
General Government	42,869,800	12,085,700	54,955,500
Subtotal	97,276,800	337,237,700	434,514,500
Surface Water	9,081,100	5,964,000	15,045,100
Water/Sewer	17,926,600	77,991,400	95,918,000
Utilities Subtotal	27,007,700	83,955,400	110,963,100
Grand Total	124,284,500	421,193,100	545,477,600
Adopted 2011-16 CIP	104,422,800	439,009,900	543,432,700
Difference	19,861,700	(17,816,800)	2,044,900

Next Steps

Based on Council direction after their review of the 2011-16 CIP update on September 6, staff will make changes and bring back a revised 2011-16 CIP update for Council's further consideration at a future meeting, if needed. The 2011-16 CIP update will be brought back to the Council for formal adoption in December with the Mid-Biennial Review adjustments.

The next full CIP review process will be for 2013-2018 and will start in the spring of 2012. A thorough review of all funding sources will be completed for current and long-term future projects and will incorporate capital projects needs in the new neighborhoods.

cc: Department Directors

**City of Kirkland
Revised 2011-2016 Capital Improvement Program**

TRANSPORTATION PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2011	2012	2013	2014	2015	2016	2011-2016 Total	Funding Sources				
										Current Revenue	Reserve	Debt	External Source	
ST0006*	Annual Street Preservation Program		2,581,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	15,081,000	13,589,000	1,336,000		156,000	
ST 1106 001	Annual Street Presrvtn Prog.-One-Time Capital Purchase		500,000						500,000		500,000			
ST 0006 002	Annual Street Preservation Program-One-Time Project			1,122,000					1,122,000				1,122,000	
ST 0057 001+	NE 120th Street Roadway Extension (East Section)	702,600	176,700	2,328,800	3,194,500				5,700,000		2,400,000		3,300,000	
ST 0080	Annual Striping Program		250,000	250,000	250,000	250,000	250,000	250,000	1,500,000	1,500,000				
ST 8888	Annual Concurrency Street Improvements		850,000	800,000	800,000	800,000	800,000	800,000	4,050,000	3,450,000	600,000			
ST 9999	Regional Inter-Agency Coordination		40,000	40,000	40,000	40,000	40,000	40,000	240,000	240,000	-			
NM 0012	Crosswalk Upgrade Program		70,000	70,000	70,000	70,000	70,000	70,000	210,000	210,000	-			
NM 0034 001+	NE 100th St. at Spinney Homestead Pk Sidewalk Ph. II		512,600						512,600	50,300	5,700		456,600	
NM 0057	Annual Sidewalk Maintenance Program		200,000	200,000	200,000	200,000	200,000	200,000	1,200,000	1,200,000				
NM 0059+	6th Street Sidewalk		57,900	207,100					265,000		83,200		181,800	
NM 0066	12th Avenue Sidewalk	370,000	102,000						102,000		102,000			
NM 0067	Elementary School Walk Route Enhancements	400,000	798,000						798,000	267,000	233,000		298,000	
NM 0068+	104th Av NE/NE 68th St Lkw Schl. Wlk. Rt. Enhncmnts			348,000					348,000				348,000	
NM 0069+	100th Ave NE Bicycle Lanes		11,000	150,000					161,000		42,000		119,000	
NM 0070	Eastside Rail Corridor Trail Acquisition		5,000,000						5,000,000				5,000,000	
NM 8888	Annual Non-Motorized Program				950,000	1,000,000	1,000,000	1,000,000	3,950,000	3,950,000				
TR 0078	NE 85th St/ 132nd Ave NE Intersection Imprv (Phase I)	2,089,400		475,000					475,000				475,000	
TR 0080	NE 85th St/124th Ave NE Intersection Improvements	1,543,300		144,000					144,000				144,000	
TR 0100*	6th Street/Central Way Intersection Improvements		970,000	2,300,000					3,270,000	430,000			2,840,000	
TR 0102	Growth & Transportation Efficiency Cntr (GTEC) Enh.	300,000	443,000						443,000				443,000	
TR 0111*	Kirkland ITS Implementation Phase I		300,000	1,781,000					2,081,000		281,000		1,800,000	
TR 0112	Downtown Pedestrian Safety Improvements - Central Way		16,000						16,000				16,000	
TR 8888	Annual Concurrency Traffic Improvements				140,000	140,000	140,000	140,000	560,000	560,000				
Total Funded Transportation Projects			6,455,300	12,028,200	12,695,900	8,144,500	4,930,000	5,000,000	4,930,000	47,728,600	25,446,300	5,582,900	0	16,699,400

Prior Year(s) Funding (Budget to Actuals):

Project Number	Project Title	Budget	Actual	Balance
NM 0066	12th Avenue Sidewalk	370,000	7,910	362,090
NM 0067	Elementary School Walk Route Enhancements	400,000	594	399,406
TR 0078	NE 85th St/132nd Ave NE Intersection Imprv (Phase I)	2,089,400	373,418	1,715,982
TR 0080	NE 85th St/124th Ave NE Intersection Improvements	1,543,300	260,049	1,283,251
TR 0100*	6th Street/Central Way Intersection Improvements	1,050,000	14,830	1,035,170
TR 0102	Growth & Transportation Efficiency Cntr (GTEC) Enh.	300,000	0	300,000
Total Prior Year(s) Funding (Budget to Actuals):		5,752,700	656,801	5,095,899

Notes

- * = Modification in timing and/or cost (see Project Modification Schedule for greater detail)
- + = Moved from unfunded status to funded status
- " = Moved from funded status to unfunded status
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City of Kirkland
Revised 2011-2016 Capital Improvement Program

TRANSPORTATION PROJECTS**Unfunded Projects:**

Project Number	Project Title	Total
ST 0055	98th Avenue NE Bridge Replacement	10,196,000
ST 0056	132nd Avenue NE Roadway Improvements	25,170,000
ST 0059^	124th Ave NE Roadway Improvements (North Section)	10,000,000
ST 0060	118th Avenue NE Roadway Extension	6,440,000
ST 0061	119th Avenue NE Roadway Extension	5,640,000
ST 0062	NE 130th Street Roadway Extension	10,000,000
ST 0063^	120th Avenue NE Roadway Improvements	8,988,500
ST 0064	124th Ave NE Roadway Widening Imprv (So. Sect'n)	30,349,000
ST 0070	120th Ave NE/Totem Lake Plaza Roadway Imprvmts	3,000,000
ST 0072	NE 120th St Roadway Improvements (West Section)	5,870,000
ST 0073	120th Avenue NE Roadway Extension	16,392,000
ST 0077	NE 132nd St Rdwy Imprv-Phase I (West Section)	1,348,000
ST 0078	NE 132nd St Rdwy Imprv-Phase II (Mid Section)	316,000
ST 0079	NE 132nd St Rdwy Imprv-Phase III (East Section)	1,119,000
ST 0081	Totem Lake Area Development Opportunity Program	500,000
NM 0001*	116th Ave NE (So. Sect.) Non-Motorz'd Facil-Phase II	3,378,000
NM 0007	NE 52nd Street Sidewalk	1,068,600
NM 0024	Cross Kirkland Trail	6,107,400
NM 0026	NE 90th Street Sidewalk (Phase II)	2,584,200
NM 0030	NE 90th Street/I-405 Pedestrian/Bicycle Overpass	3,740,700
NM 0031	Crestwoods Park/BNSFR Ped/Bike Facility	2,505,000
NM 0032^	93rd Avenue Sidewalk	1,047,900
NM 0036^	NE 100th Street Bikelane	1,644,300
NM 0037	130th Avenue NE Sidewalk	833,600
NM 0041	Forbes Valley Pedestrian Facility	1,996,600
NM 0043^	NE 126th St Nonmotorized Facilities	4,277,200
NM 0045	NE 95th Street Sidewalk (Highlands)	571,500
NM 0046^	18th Avenue SW Sidewalk	2,255,000
NM 0047	116th Avenue NE Sidewalk (South Rose Hill)	422,100
NM 0048	NE 60th Street Sidewalk	4,979,800
NM 0049^	112th Ave NE Sidewalk	527,600
NM 0050^	NE 80th Street Sidewalk	859,700
NM 0053^	NE 112th Street Sidewalk	573,100
NM 0054^	13th Avenue Sidewalk	446,700
NM 0055^	122nd Ave NE Sidewalk	866,700
NM 0056	NE 90th Street Sidewalk (Phase I)	1,165,700
NM 0058	111th Avenue Non-Motorized/Emergency Access Connection	2,000,000
NM 0061	NE 104th Street Sidewalk	1,763,500
NM 0062	19th Avenue Sidewalk	814,200
NM 0063	Kirkland Way Sidewalk	414,500
NM 0064 001	Park Lane Pedestrian Corridor Enhancements Phase II	1,300,000
NM 0071	NE 132nd Street Sidewalk Improvement	363,000
Subtotal Unfunded ST and NM Projects		183,835,100

Project Number	Project Title	Total
TR 0056*	NE 85th Street HOV Queue Bypass	841,000
TR 0057	NE 124th Street HOV Queue Bypass	1,722,000
TR 0065*	6th Street/Kirkland Way Traffic Signal	564,000
TR 0067	Kirkland Way/BNSFR Abutment/Intersection Imprv	6,917,000
TR 0068	Lake Washington Boulevard HOV Queue Bypass	6,580,000
TR 0072	NE 116th Street Eastbound HOV Queue Bypass	7,337,000
TR 0073	NE 70th Street Eastbound HOV Queue Bypass	1,702,000
TR 0074	NE 85th Street Westbound HOV Queue Bypass	1,775,000
TR 0075	NE 124th Street Westbound HOV Queue Bypass	1,275,000
TR 0082**	Central Way/Park Place Center Traffic Signal	200,000
TR 0083^	100th Ave NE/NE 132nd Street Intersection Improvement	2,991,000
TR 0084	100th Ave NE/NE 124th St Intersection Improvements	2,230,000
TR 0086^	NE 70th St/132nd Ave NE Intersection Improvements	4,590,600
TR 0088^	NE 85th St/120th Ave NE Intersection Improvements	5,272,300
TR 0089	NE 85th St/132nd Ave NE Intersection Imp (Phase II)	1,825,700
TR 0090**	Lake Washington Blvd/NE 38th Place Intersection Imp	500,000
TR 0091^	NE 124th St/124th Ave NE Intersection Improvements	3,503,300
TR 0092	NE 116th St/124th Ave NE N-bound Dual Lft Turn Lanes	1,717,000
TR 0093	NE 132nd St/Juanita H.S. Access Rd Intersect'n Imp	916,000
TR 0094	NE 132nd St/108th Avenue NE Intersect'n Imp	618,000
TR 0095	NE 132nd St/Fire Stn Access Dr Intersect'n Imp	366,000
TR 0096*	NE 132nd St/124th Ave NE Intersect'n Imp	5,713,000
TR 0097	NE 132nd St/132nd Ave NE Intersect'n Imp	889,000
TR 0098*	NE 132nd St/ 116th Way NE (I-405) Intersect'n Imp	300,000
TR 0099	120th Ave/Totem Lake Way Intersection Improvements	2,845,500
TR 0103*	Central Way/4th Street Intersection Improvements	31,000
TR 0104*	6th Street/4th Ave Intersection Improvements	580,000
TR 0105*	Central Way/5th Street Intersection Improvements	564,000
TR 0106*	6th Street/7th Avenue Intersection Improvements	89,400
TR 0107*	Market Street/15th Avenue Intersection Improvements	564,000
TR 0108*	NE 85th Street/124th Ave NE Intersection Improvements	889,000
TR 0109*	Totem Lake Plaza/Totem Lake Blvd Intersection Imprv.	1,500,000
TR 0110*	Totem Lake Plaza/120th Ave NE Intersection Imprv.	1,500,000
TR 0111 001	Kirkland ITS Implementation Phase II	4,100,000
Subtotal Unfunded TR Projects		73,007,800
Total Unfunded Transportation (ST, NM, and TR) Projects		256,842,900
Funding Available from Annual Programs for Candidate Projects		8,560,000
Net Unfunded Transportation Projects		248,282,900

Notes

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**City of Kirkland
Revised 2011-2016 Capital Improvement Program**

SURFACE WATER MANAGEMENT UTILITY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2011	2012	2013	2014	2015	2016	2011-2016 Total	Funding Source				
										Current Revenue	Reserve	Debt	External Source	
SD 0047	Annual Replacement of Aging/Failing Infrastructure		200,000	200,000	200,000	200,000	200,000	200,000	1,200,000	1,200,000				
SD 0051	Forbes Creek/KC Metro Access Road Culvert Enh.	232,200			733,700				733,700	689,700			44,000	
SD 0053*	Forbes Creek/Coors Pond Channel Grade Controls	260,200			114,100	644,900	208,000		967,000	505,800	461,200			
SD 0058	Surface Water Sediment Pond Reclamation Phase II			115,400	603,200	114,200			832,800	590,000	242,800			
SD 0059*	Totem Lake Boulevard Flood Control Measures	82,400	335,000	168,000					503,000	500,000	218,000		285,000	
SD 0067	NE 129th Place/Juanita Creek Rockery Repair			115,500	223,300				338,800	338,800				
SD 0072	Totem Lake Surface Water Opportunity Program		500,000						500,000	500,000				
SD 0073	Forbes Creek Surface Water Opportunity Program		500,000						500,000	500,000				
SD 8888	Annual Streambank Stabilization Program			57,700		165,800	300,000	311,900	835,400	835,400				
SD 9999	Annual Storm Drain Replacement Program			922,600		923,800	474,000	350,000	2,670,400	2,670,400				
Total Funded Surface Water Management Utility Projects			574,800	1,535,000	1,579,200	1,874,300	2,048,700	1,182,000	861,900	9,081,100	7,830,100	922,000	0	329,000

Unfunded Projects:

Project Number	Project Title	Total
SD 0045^	Carillon Woods Erosion Control Measures	549,600
SD 0046#	Regional Detention in Forbes and Juanita Creek Basins	2,810,200
SD 0048*	Cochran Springs / Lake Washington Blvd Crossing Enh.	1,637,100
SD 0049#	Forbes Creek/108th Avenue NE Fish Passage Improvements	332,900
SD 0050#	NE 95th Street/126th Avenue NE Flood Control Measures	55,900
SD 0052^	Forbes Creek/Slater Avenue Embankment Stabilization	139,700
SD 0054#	Forbes Creek/BNSFRF Fish Passage Improvements	424,200
SD 0055	Forbes Creek / 98th Avenue NE Riparian Plantings	75,500
SD 0056^	Forbes Creek Ponds Fish Passage/Riparian Plantings	213,000
SD 0061^	Everest Park Stream Channel/Riparian Enhancements	1,095,500
SD 0062^	Stream Flood Control Measures at Kirkland Post Office	345,400
SD 0063^	Everest Creek-Slater Avenue at Alexander Street	830,300
SD 0068	128th Ave NE/NE 60th Street To NE 64th St Drainage Imp.	270,300
SD 0070	Juanita Creek Watershed Enhancement Study	50,000
SD 0537	Streambank Stabilization Program – NE 86th Street	640,200
Subtotal Unfunded Surface Water Management Utility Projects		9,469,800
Funding Available from Annual Programs for Candidate Projects		3,505,800
Net Unfunded Surface Water Management Utility Projects		5,964,000

Prior Year(s) Funding (Budget to Actuals):

Project Number	Project Title	Budget	Actual	Balance
SD 0051	Forbes Creek/KC Metro Access Road Culvert Enh.	232,200	88,092	144,108
SD 0053*	Forbes Creek/Coors Pond Channel Grade Controls	260,200	84,147	176,053
SD 0059*	Totem Lake Boulevard Flood Control Measures	82,400	75,040	7,360
Total Prior Year(s) Funding (Budget to Actuals):		492,400	172,239	320,161

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- # = Annual Storm Drain Replacement Program Project Candidates
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**City of Kirkland
Revised 2011-2016 Capital Improvement Program**

WATER/SEWER UTILITY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2011	2012	2013	2014	2015	2016	2011-16 Total	Funding Source				
										Current Revenue	Reserve	Debt	External Source	
WA 0063	Supply Station #3 Replacement/Transmission Main Addition			141,000					141,000	93,100			47,900	
WA 0090	Emergency Sewer Pgm Watermain Replacement Pgm		50,000		50,000		50,000		150,000	150,000				
WA 0102*	104th Ave NE Watermain Replacement							937,000	937,000	937,000				
WA 0113+	116th Ave NE/NE 70th-NE 80th St Watermain Replacement			684,000			1,785,000	643,000	3,112,000	3,112,000				
WA 0116*	132nd Av NE/NE 80th St Watermain Replacement				602,300	1,712,500			2,314,800	2,314,800				
WA 0121*	NE 109th Ave/106th Court NE Watermain Replacement			215,000	156,300				371,300	371,300				
WA 8888	Annual Watermain Replacement Program						500,000	500,000	1,000,000	1,000,000				
WA 9999*	Annual Water Pump Station/System Upgrade Pgm						442,500	600,000	1,042,500	1,042,500				
SS 0056	Emergency Sewer Construction Program	1,400,000		1,400,000			1,400,000		4,200,000	4,200,000	4,200,000			
SS 0063+	NE 53rd Street Sewermain Replacement			723,000					723,000	723,000				
SS 0067*	NE 80th Street Sewermain Replacement (Phase II)				1,198,900	1,237,100			2,436,000	365,400		2,070,600		
SS 0076*	NE 80th Street Sewermain Replacement (Phase III)			1,087,000					1,087,000	163,050		923,950		
SS 8888*	Annual Sanitary Pipeline Replacement Program					112,300			112,300	112,300				
SS 9999*	Annual Sanitary Pump Station/System Upgrade Pgm							299,700	299,700	299,700				
Total Funded Water/Sewer Utility Projects			0	1,450,000	2,850,000	3,407,500	3,061,900	4,177,500	2,979,700	17,926,600	10,684,150	4,200,000	2,994,550	47,900

WATER/SEWER UTILITY PROJECTS

Unfunded Projects:

Project Number	Project Title	Total
WA 0052	108th Avenue NE Watermain Replacement	1,584,000
WA 0057	116th Avenue NE Watermain Replacement	2,731,000
WA 0067#	North Reservoir Pump Replacement	611,000
WA 0096	NE 83rd Street Watermain Replacement	450,000
WA 0097	NE 80th Street Watermain Replacement (Phase III)	1,201,000
WA 0098	126th Ave NE/NE 83rd & 84th St/128th Ave NE Watermain Replcmnt	1,197,000
WA 0103^	NE 113th Place/106th Ave NE Watermain Replacement	841,000
WA 0104	111th Ave NE/NE 62nd St-NE 64th St Watermain Replcmnt	1,493,000
WA 0108	109th Ave NE/NE 58th St Watermain Replacement	504,000
WA 0109	112th Ave NE Watermain Replacement	1,179,000
WA 0111	NE 45th St And 110th/111th Ave NE Watermain Replcmnt	1,303,000
WA 0118^	112th -114th Avenue NE/NE 67th-68th Street Watermain Replacement	3,360,100
WA 0119	109th Ave NE/111th Way NE Watermain Replacement	2,304,000
WA 0120^	111th Avenue Watermain Replacement	182,000
WA 0122	116th Avenue NE/NE 100th Street Watermain Replacement	1,506,000
WA 0123	NE 91st Street Watermain Replacement	453,000
WA 0124^	NE 97th Street Watermain Replacement	685,000
WA 0126#	North Reservoir Outlet Meter Addition	72,300
WA 0127#	650 Booster Pump Station	1,603,000
WA 0128	106th Ave NE-110th Ave NE/NE 116th St-NE 120th St Watermain Replcmnt	2,305,000
WA 0129	South Reservoir Recoating	981,000
WA 0130^	11th Place Watermain Replacement	339,000
WA 0131#	Supply Station #1 Improvements	61,500
WA 0132	7th Avenue/Central Avenue Watermain Replacement	907,000
WA 0133	Kirkland Avenue Watermain Replacement	446,000
WA 0134	5th Avenue S/8th Street S Watermain Replacement	1,420,000
WA 0135	NE 75th Street Watermain Replacement	711,000
WA 0136^	NE 74th Street Watermain Replacement	193,000
WA 0137^	NE 73rd Street Watermain Replacement	660,000
WA 0138	NE 72nd St/130th Ave NE Watermain Replacement	1,476,000
WA 0139	6th Street S Watermain Replacement	584,000
WA 0140	NE 80th Street Watermain Replacement (Phase II)	2,863,000
SS 0051	6th Street South Sewermain Replacement	804,000
SS 0052	108th Avenue NE Sewermain Replacement	5,110,000
SS 0062^	NE 108th Street Sewermain Replacement/Rehabilitation	4,405,000
SS 0063^	NE 53rd Street Sewermain Replacement	723,000
SS 0064^	7th Avenue South Sewermain Replacement	804,000
SS 0068	124th Avenue NE Sewermain Replacement	1,315,000
SS 0069	1st Street Sewermain Replacement	3,945,000
SS 0070	5th Street Sewermain Replacement	1,354,000
SS 0071	6th Street Sewermain Replacement	308,000
SS 0072	Kirkland Avenue Sewermain Replacement	1,980,000
SS 0073#	Rose Point Sewer Lift Station Replacement	1,811,000
SS 0077	West Of Market Sewermain Replacement	21,681,000
Subtotal Unfunded Water/Sewer Utility Projects		80,445,900
Funding Available from Annual Programs for Candidate Projects		2,454,500
Net Unfunded Water/Sewer Utility Projects		77,991,400

Notes

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- # = Annual Pump Station/System Upgrade Program Project Candidates
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**City of Kirkland
Revised 2011-2016 Capital Improvement Program**

PARK PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2011	2012	2013	2014	2015	2016	2011-2016 Total	Funding Source			
										Current Revenue	Reserve	Debt	External Source
PK 0049	Open Space, Pk Land & Trail Acq Grant Match Program		100,000						100,000		100,000		
PK 0066	Park Play Area Enhancements		50,000	50,000	50,000		50,000	50,000	250,000	250,000			
PK 0087	Waverly Beach Park Renovation	75,000	508,000	162,000					670,000	670,000			
PK 0113	Spinney Homestead Park Renovation		62,000	338,000					400,000	400,000			
PK 0115	Terrace Park Renovation				62,000	338,000			400,000	400,000			
PK 0119	Juanita Beach Park Development	2,700,000		18,000	1,043,000				1,061,000	561,000			500,000
PK 0121	Green Kirkland Forest Restoration Program		50,000	50,000	50,000	50,000	50,000	50,000	300,000	300,000			
PK 0124	Snyder's Corner Park Site Development			75,000	13,000	355,000			443,000	443,000			
PK 0131	Park and Open Space Acquisition Program	1,076,000	118,000	118,000	118,000	118,000			472,000	472,000			472,000
<i>PK 0132</i>	<i>General Park Renovation Program</i>						<i>669,000</i>	<i>696,000</i>	<i>1,365,000</i>	<i>1,365,000</i>			
Total Funded Park Projects		3,851,000	888,000	811,000	1,336,000	861,000	769,000	796,000	5,461,000	4,389,000	100,000	0	972,000

Unfunded Projects:

Project Number	Project Title	Total
PK 0078 600	A.G. Bell Elementary Playfields Improvements	200,000
PK 0078 800	International Comm. School Playfield Improvements	300,000
PK 0086	Totem Lake Neighborhood Park Acquisition & Development	2,500,000
PK 0095 100	Heritage Park Development - Phase III & IV	2,500,000
PK 0096	Ohde Avenue Park Development	250,000
PK 0097	Reservoir Park Renovation	500,000
PK 0099	N. Juanita (East) Neighborhood Park Acquisition/Development	2,500,000
PK 0100	N. Juanita (West) Neighborhood Park Acquisition/Development	2,500,000
PK 0101	N. Rose Hill Neighborhood Park Acquisition/Development (North)	2,500,000
PK 0102	N. Rose Hill Neighborhood Park Acquisition/Development (Central)	2,500,000
PK 0103	Market Neighborhood Park Acquisition/Development	3,500,000
PK 0108	McAuliffe Park Development	7,000,000
PK 0114	Mark Twain Park Renovation	750,000
PK 0116	Lee Johnson Field Artificial Turf Installation	1,500,000
PK 0117	Lake Avenue West Street End Park Enhancement	100,000
PK 0122 100	Community Recreation Facility Construction	42,000,000
PK 0125	Dock Renovations	250,000
PK 0126	Watershed Park Master Planning & Park Development	1,100,000
PK 0127	Kiwanis Park Master Planning & Park Development	1,100,000
PK 0128	Yarrow Bay Wetlands Master Planning & Park Development	1,600,000
PK 0129	Heronfield Wetlands Master Planning & Development	1,600,000
Total Unfunded Park Projects		76,750,000

Prior Year(s) Funding (Budget to Actuals):

Project Number	Project Title	Budget	Actual	Balance
PK 0087	Waverly Beach Park Renovation	75,000	0	75,000
PK 0119	Juanita Beach Park Development	2,700,000	1,468,899	1,231,101
PK 0131	Park and Open Space Acquisition Program	1,076,000	508,607	567,393
Total Prior Year(s) Funding (Budget to Actuals):		3,851,000	1,977,506	1,873,494

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**City of Kirkland
Revised 2011-2016 Capital Improvement Program**

PUBLIC SAFETY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2011	2012	2013	2014	2015	2016	2011-2016 Total	Funding Source				
										Current Revenue	Reserve/Prior Year	Debt	External Source	
PS 0062	Defibrillator Unit Replacement		253,900						253,900	213,280			40,600	
PS 0065	Disaster Response Portable Generators		150,000						150,000				150,000	
PS 0066	Thermal Imaging Cameras Replacement			133,000					133,000	98,420			34,600	
PS 0067	Dive Rescue Equipment Replacement				58,900				58,900	43,600			15,300	
PS 0071	Self Contained Breathing Apparatus (SCBA)					305,500	316,100		621,600	460,000			161,600	
Total Funded Public Safety Projects			0	403,900	133,000	58,900	305,500	316,100	0	1,217,400	815,300	0	0	402,100

Unfunded Projects:

Project Number	Project Title	Total
PS 0068	Local Emergency/Public Communication AM Radio	119,100
Total Unfunded Public Safety Projects		119,100

Notes

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**City of Kirkland
Revised 2011-16 Capital Improvement Program**

GENERAL GOVERNMENT PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2011	2012	2013	2014	2015	2016	2011-2016 Total	Funding Source				
										Current Revenue	Reserve/Prior Year	Debt	External Source	
TECHNOLOGY														
GG 0006 100	Geographic Information Systems		150,000	212,200	294,600	327,100	304,100	291,000	1,579,000	1,579,000				
GG 0006 160	Finance and HR System Modules		121,100	119,000	135,600	153,000	171,600	191,200	891,500	891,500				
GG 0006 205	Municipal Court Technology Projects		25,000	25,000					50,000	50,000				
GG 0006 300	Local and Wide Area Networks		253,100	723,300	854,900	277,500	440,400	667,800	3,217,000	3,217,000				
GG 0006 301	Disaster Recovery System Improvement	150,000			64,300	166,300			230,600	230,600				
GG 0006 702	Maintenance Management System Upgrade			250,000					250,000	89,400	160,600			
FACILITIES														
GG 0008*	Electrical, Energy Management & Lighting Systems		85,000	230,900	24,500	38,000	64,700	16,700	459,800		459,800			
GG 0009*	Mechanical/HVAC Systems Replacements		47,500	54,500	23,100	151,400	15,000	18,500	310,000		310,000			
GG 0010*	Painting, Ceilings, Partition & Window Replacements		93,000	91,500	19,600	60,600	283,400	238,200	786,300		786,300			
GG 0011*	Roofing, Gutter, Siding and Deck Replacements		15,000		9,200	649,300	4,400	2,000	679,900		679,900			
GG 0012*	Flooring Replacements		39,600	41,200	16,000	64,500	50,500	22,600	234,400		234,400			
GG 0013 102	Public Safety Building Phase II		3,526,300						3,526,300			3,526,300		
GG 0013 103	Public Safety Building Phase III			23,255,000					23,255,000		3,874,550	19,380,450		
GG 0037 002+	Maintenance Center Expansion - Phase 2		250,000	1,650,000					1,900,000			1,900,000		
GG 0039	Consolidated Fire Station No 25		300,000	1,100,000	4,100,000				5,500,000			4,000,000	1,500,000	
Total Funded General Government Projects			150,000	4,905,600	27,752,600	5,541,800	1,887,700	1,334,100	1,448,000	42,869,800	6,057,500	6,505,550	28,806,750	1,500,000

Unfunded Projects:

Project Number	Project Title	Total
GG 0006 130	Customer Relationship Management System	414,000
GG 0006 207	Police ProAct Unit NCIC Handheld Computers	52,000
GG 0006 302	Help Desk Clientele System Replacement	75,000
GG 0006 401	Utility Billing/Cashiering System Replacement	491,700
GG 0006 402	Financial System Replacement	1,500,000
GG 0006 701	Fleet Management Systems Replacement	80,000
GG 0006 801	Parks Work Order System	55,000
GG 0006 803	Recreation Registration System Replacement	83,000
GG 0006 804	Wireless in the Parks Expansion	335,000
GG 0035"	City Hall Expansion	9,000,000
Total Unfunded General Government Projects		12,085,700

Prior Year(s) Funding (Budget to Actuals):

Project Number	Project Title	Budget	Actual	Balance
GG 0006 301	Disaster Recovery System Improvements	150,000	148,608	1,392
Total Prior Year(s) Funding (Budget to Actuals):		150,000	148,608	1,392

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**Revised 2011 - 2016 CIP
PROJECT ADDITIONS, MODIFICATIONS & DELETIONS**

Project Type/Title	Project #	Addition/Modification/Deletion
TRANSPORTATION		
Street: Annual Street Preservation Program NE 120th St Roadway Extension (East Section)	ST 0006 ST 0057	Total project cost increased \$81,000 due to one-time funding from NUD and PSE Project moved from unfunded to funded due to receipt of grants; Total project cost increased from \$4,659,000 to \$6,402,600
Non-Motorized: 116th Ave NE (South) Non-motorized Facilities Ph. II NE 100th St. Spinney Homestead Pk Sidewalk Ph. II 6th Street Sidewalk 104th Ave NE/NE 68th St Lakeview School Walk Rt 100th Ave NE Bicycle Lanes NE 132nd Street Sidewalk Improvement at Finn Hill	NM 0001 NM 0034 NM 0059 NM 0068 NM 0069 NM 0071	Project cost changed from \$6,028,700 to \$3,378,000; project remains unfunded Project moved from unfunded to funded in 2011 due to receipt of State grant Project moved from unfunded to funded in 2011-12 due to receipt of TIB grant Project moved from unfunded to funded in 2011 due to receipt of a State grant Project moved from unfunded to funded in 2011-12 due to receipt of STP grant New unfunded project added in order to be eligible for grant application
Traffic Improvement: 6th St/Central Way Intersections Improvements Kirkland ITS Implementation Phase I	TR 0100 TR 0111	Total project increased from \$3,020,000 to \$4,320,000 due to ROW requirements Total project increased from \$2,043,000 to \$2,081,000 due to grant match requirements
SURFACE WATER MANAGEMENT		
Forbes Creek/Coors Pond Channel Grade Controls Totem Lake Boulevard Flood Control Measures NE 86th Street Stabilization	SD 0053 SD 0059 SD 0074	Total project increased from \$1,116,100 to \$1,227,200 Project cost in 2011-2012 increased from \$117,000 to \$503,000 Previously identified as part of the 2005 Annual Streambank Program; Project unfunded.
UTILITIES		
Water: 104th Ave NE Watermain Replacement 116th Ave NE/NE 70th-NE 80th St Watermain Repl. 132nd Ave NE/NE 80th St Watermain Replacement NE 109th Ave/106th Court NE Watermain Repl. Annual Water Pump Station/System Upgrade Pgm	WA 0102 WA 0113 WA 0116 WA 0121 WA 9999	Project start date moved from 2014 to 2016, no change in project cost Project moved from unfunded to funded to run concurrently with SS 0067 Project start date changed from 2012 to 2013 and project title changed, no change in costs Project timing changed from 2012 to 2012-13, no change in project costs Project timing and costs changed, 2015 costs changed from \$600,000 to \$442,500
Sewer: NE 53rd Street Sewermain Replacement NE 80th Street Sewermain Replacement (Phase II) NE 80th Street Sewermain Replacement (Phase III) Annual Sanitary Pipeline Replacement Program Annual Sanitary Pump Station/System Upgrade Pgm	SS 0063 SS 0067 SS 0076 SS 8888 SS 9999	Project moved from unfunded to funded as it was a top candidate project Project start date changed from 2012 to 2013, costs increased from \$2,364,400 to \$2,436,000 Total project decreased from \$3,841,800 to \$1,087,000 due to change in start date/estimate Project decreased from \$886,000 to \$112,300 due to funding availability Project decreased from \$530,000 to \$299,700 due to funding availability

Project Type/Title	Project #	Addition/Modification/Deletion
PARKS		
No additions, changes, or deletions to the Parks CIP		
PUBLIC SAFETY		
No additions, changes, or deletions to the Public Safety CIP		
GENERAL GOVERNMENT		
Technology:		
Standard Reporting Tool	GG 0006 125	Unfunded project deleted due to obsolete technology solution
Police CAD & RMS System Replacement	GG 0006 203	Unfunded project deleted since system is now NORCOM responsibility
Facilities:		
Electrical, Energy Management & Lighting Systems	GG 0008	Project costs increased due to updated life cycle model
Mechanical/HVAC Systems Replacements	GG 0009	Project costs increased due to updated life cycle model
Painting, Ceilings, Partition & Window Replacements	GG 0010	Project costs increased due to updated life cycle model
Roofing, Gutter, Siding and Deck Replacements	GG 0011	Project costs increased due to updated life cycle model
Flooring Replacements	GG 0012	Project costs increased due to updated life cycle model
Public Safety Building Phase II	GG 0013 102	New project added due to separation from City Hall project
Public Safety Building Phase III	GG 0013 103	New project added due to separation from City Hall project
City Hall & Public Safety Expansion	GG 0035	Project moved from funded to unfunded due to separation from Public Safety Building Project
Maintenance Center Expansion - Phase 2	GG 0037 002	Project moved from unfunded to funded due to receipt of bond proceeds
Consolidated Fire Station No 25	GG 0039	New project added due to receipt of bond proceeds from Fire District 41 Dissolution



CITY OF KIRKLAND
Fire & Building Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Chief J. Kevin Nalder, Fire & Building Department
Chief Eric Olsen, Kirkland Police Department

Date: August 18, 2011

Subject: Citizen Recognition: First Responder Assistance to Fire and Police Departments in Water Rescue

RECOMMENDATION

That the City Council recognize the efforts of the following Kirkland residents who assisted the Kirkland Fire Department and Kirkland Police Department on August 1, 2011 as first responders in a water rescue on Lake Washington:

- Uryah D. Messmer
- Kirsten Cordell
- Pete Robertson
- Cassandra Joyner

BACKGROUND DISCUSSION

On August 1, 2011 at approximately 11:25, two males were on Lake Washington on standup paddle boards. Just south of David E. Brink Park, Mr. Messmer and Mr. Robertson observed from their condominium that one of the paddle boarders was off of his board, was in distress, and went under water.

Mr. Messmer and Mr. Robertson entered the water, found the boarder's body, placed the male on the paddle board, and began to administer CPR. Ms. Cordell and Ms. Joyner assisted with the rescue by helping to place the boarder on the paddle board so that CPR could be performed and helped Kirkland Fire Department and Kirkland Police Department bring the body to shore.

The patient was transferred to Evergreen Hospital where he later died. The Hospital identified him as Tyrone Fabroa, a Kirkland resident.

Acting on instincts, each of these citizens took quick action to enter the water, find Mr. Fabroa, and start to save his life. Their actions as first responders were heroic.

This water rescue involved many personnel from the Kirkland's Fire and Police Departments. Many will be present at the meeting to express their appreciation to these "Citizen Heroes."



CITY OF KIRKLAND

Citizen Hero Award

Presented To

Uryah D. Messmer

by the Kirkland City Council for your heroic act of assisting the
Kirkland Fire Department and Kirkland Police Department
on August 1, 2011 in a rescue on Lake Washington

Presented on September 6, 2011 by
Mayor Joan McBride on behalf of the Kirkland City Council

A handwritten signature in blue ink, appearing to read "Joan McBride", written over a horizontal line.



CITY OF KIRKLAND

Citizen Hero Award

Presented To

Kirsten Cordell

by the Kirkland City Council for your heroic act of assisting the
Kirkland Fire Department and Kirkland Police Department
on August 1, 2011 in a rescue on Lake Washington

Presented on September 6, 2011 by
Mayor Joan McBride on behalf of the Kirkland City Council

A handwritten signature in blue ink, appearing to read "Joan McBride", written over a horizontal line.



CITY OF KIRKLAND

Citizen Hero Award

Presented To

Cassandra Joyner

by the Kirkland City Council for your heroic act of assisting the
Kirkland Fire Department and Kirkland Police Department
on August 1, 2011 in a rescue on Lake Washington

Presented on September 6, 2011 by
Mayor Joan McBride on behalf of the Kirkland City Council

A handwritten signature in blue ink, appearing to read "Joan McBride", written over a horizontal line.



CITY OF KIRKLAND

Citizen Hero Award

Presented To

Pete Robertson

by the Kirkland City Council for your heroic act of assisting the
Kirkland Fire Department and Kirkland Police Department
on August 1, 2011 in a rescue on Lake Washington

Presented on September 6, 2011 by
Mayor Joan McBride on behalf of the Kirkland City Council

A handwritten signature in blue ink, appearing to read "Joan McBride", written over a horizontal line.



CITY OF KIRKLAND

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Marie Stake, Communications Program Manager

Date: August 12, 2011

Subject: Proclamation: Constitution Week, September 17-23, 2011

RECOMMENDATION:

It is recommended that Mayor Joan McBride proclaim September 17-23, 2010 as Constitution Week as requested by the Daughters of the American Revolution.

BACKGROUND DISCUSSION:

Alice Stenstrom, Regent with the David Douglas Chapter of the Daughters of the American Revolution (D.A.R.), requested a proclamation to celebrate Constitution Week.

The weeklong commemoration of America's most important document could be considered one of our country's least known official observances. The tradition of celebrating the Constitution was started by the D.A.R. In 1955, when D.A.R. petitioned the U.S. Congress to set aside September 17-23 annually to be dedicated for the observance of Constitution Week. The resolution was later adopted by the U.S. Congress and signed into Public Law #915 on August 2, 1956 by President Dwight D. Eisenhower.

The goals of the celebration are to (1) emphasize citizens' responsibilities for protecting and defending the Constitution, preserving it for posterity; (2) inform the people that the Constitution is the basis for America's great heritage and the foundation for our way of life; and (3) encourage the study of the historical events which led to the framing of the Constitution in September 1787. This year marks the 224th anniversary of the actual signing of the Constitution.

Ms. Stenstrom, will be present at the Council meeting to accept the Constitution Week proclamation on the behalf of the D.A.R.



A PROCLAMATION OF THE CITY OF KIRKLAND

Designating September 17-23, 2011 as "Constitution Week" in Kirkland, Washington

WHEREAS, The Constitution of the United States of America is the guardian of our liberties and embodies the principles of limited government in a Republic dedicated to rule by law, not by people; and

WHEREAS, September 17, 2011 marks the two hundred twenty-fourth anniversary of the signing of the Constitution of the United States of America by the 1787 Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate this grand occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States designating September 17 through 23 as "Constitution Week;"

NOW, THEREFORE, I, Joan McBride, Mayor of the City of Kirkland, do proclaim the week of September 17 through 23, 2011 as "Constitution Week" in the City of Kirkland and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Signed this 6th day of September, 2011

Joan McBride, Mayor



CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Lorrie McKay, Intergovernmental Relations Manager

Date: August 27, 2011

Subject: LOCAL COMMUNITY DAY PROCLAMATION

RECOMMENDATION:

It is recommended that the Mayor proclaim Sunday, September 18, 2011 as "Local Community Day" in Kirkland.

BACKGROUND:

Kirkland's Totem Lake and Kingsgate neighborhoods were among four local areas chosen to receive grant funding from Tully's Coffee ("Taste of Community" Program) to design and build community spaces this year. Pomegranate Center and Tully's Coffee began a search in March 2011 for local area communities in greatest need of a public gathering space.

The project chosen for funding in Kirkland is a Community Gathering Center at 132nd Square Park. This park is the only developed public park in the Totem Lake/Kingsgate area. The Kingsgate neighborhood and 132nd Park were annexed into the City on June 1, 2011. Maintenance of the park remains with King County through December 31, 2011.

The Totem Lake Neighborhood Association, through the leadership of Lynda Haneman, Association Chair, applied for the "Taste of Community" grant. This is a fast paced project that was developed by community members and the Pomegranate Center and will be built and completed using volunteers by September 18.

Outreach to and participation by the neighborhood are key to the success of the project ensuring that the resulting feature is reflective of the community's needs and creativity. Community design events were held in the Totem Lake/Kingsgate neighborhoods in late June and July, 2011. These events included tours of the park site, active input and ideas from members of the community followed by volunteer professionals working with the community input to create design concepts.

The construction and renovation work is planned for Thursday, September 15 through Sunday, September 18. Volunteers are needed in various fields of construction and landscaping. Businesses who would like to donate time, materials, food and refreshments during the build process are also needed.

The planned structure will include a rock path, rock wall and gather circle as well as two park tables/picnic benches and their respective shelters/coverings (Attachment A – Artist's rendering).

Tully's Coffee and Pomegranate Center are planning an on-site community celebration on Sunday, September 18, 2011 to unveil the new Community Gathering Center in 132nd Square Park and have requested the City of Kirkland proclaim Sunday, September 18, 2011 "Local Community Day" in Kirkland to honor this event.

It is anticipated that a representative will be present to accept the proclamation.

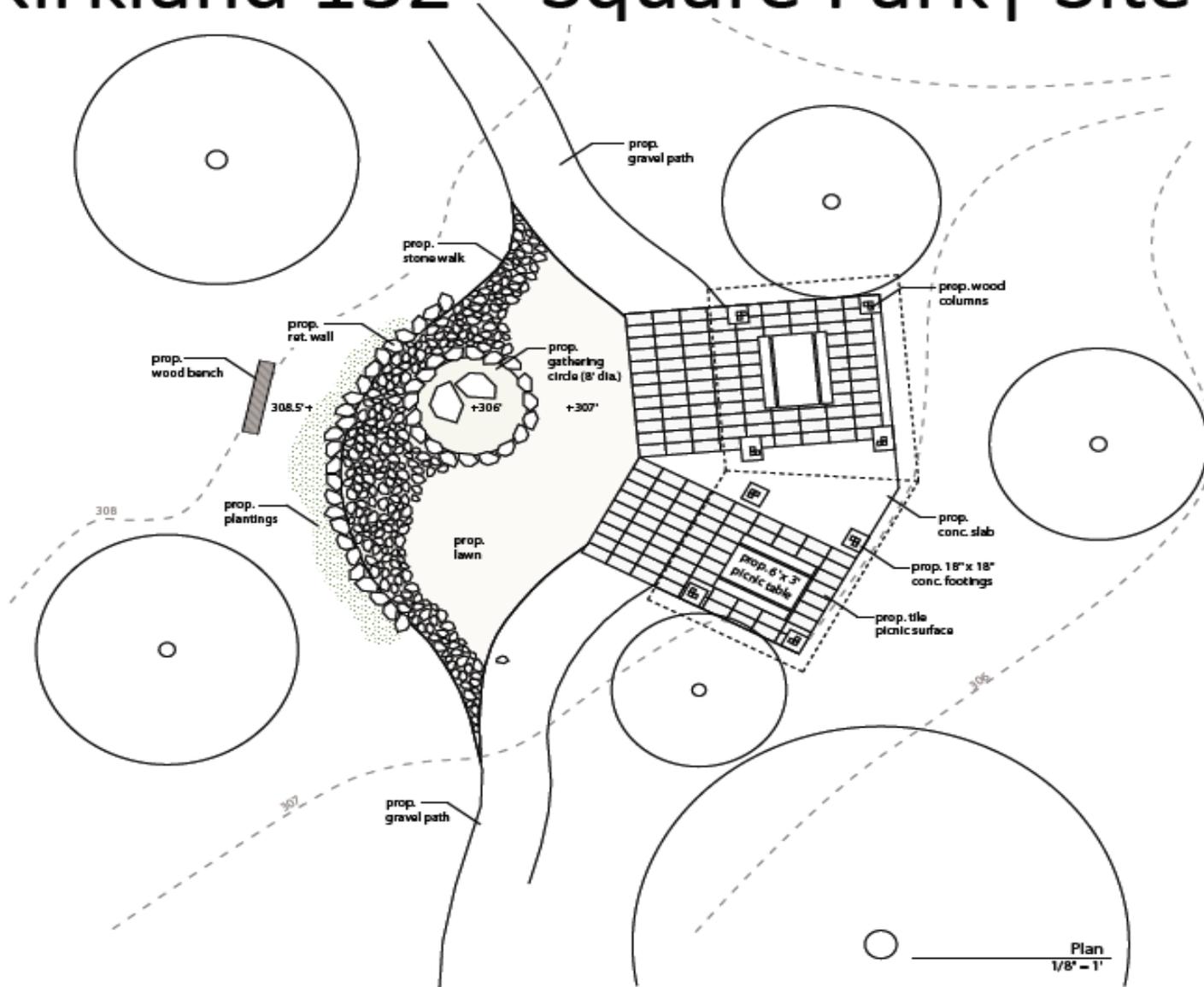
Attachment A - Artist's rendering of the project

Attachment B - "Local Community Day" Proclamation

Artist's Rendering - 132nd Square Park gathering space



Kirkland 132nd Square Park | Site Plan





A PROCLAMATION OF THE CITY OF KIRKLAND

Designating September 18, 2011 as "Local Community Day" in Kirkland, Washington

WHEREAS, Kirkland, Washington is a progressive and livable city that has invested in an extensive park and open space system; and

WHEREAS, Tully's Coffee and the Pomegranate Center share a commitment to community building and engagement as a path toward improving the health and quality of life of the places we call home and created the nationwide "Taste of Community" program to support this commitment; and

WHEREAS, the Issaquah Pomegranate Center believes every neighborhood deserves a community space where people of all ages can get to know each other and, over time, build trust; and

WHEREAS, on June 1, 2011, the Kingsgate neighborhood, including 132nd Square Park, which remains under ownership by King County until December 31, 2011, were annexed into the City of Kirkland; and

WHEREAS, the Totem Lake and Kingsgate neighborhoods were among four local areas chosen to receive grant funding from the "Taste of Community" program to design and build community spaces this year; and

WHEREAS, Kirkland's Totem Lake and Kingsgate community will have participated in the design and construction of a community gathering space in 132nd Square Park,

NOW, THEREFORE, I, Joan McBride, Mayor of Kirkland, do hereby proclaim Sunday, September 18, 2011 as "Local Community Day" in the City of Kirkland and encourage residents and businesses citywide to volunteer and help build and maintain this important neighborhood community gathering center in 132nd Square Park and celebrate this new community asset and investment in Kirkland's quality of life.

Signed this 6th day of September, 2011

Joan McBride, Mayor

**CITY OF KIRKLAND****City Manager's Office****123 Fifth Avenue, Kirkland, WA 98033 425.587.3001****www.kirklandwa.gov**

MEMORANDUM

To: Kurt Triplett, City Manager

From: Marie Stake, Communications Program Manager

Date: August 12, 2011

Subject: Proclamation: Recovery Month, September 2011

RECOMMENDATION

It is recommended that Mayor Joan McBride proclaim September, 2011 as "Recovery Month" as requested by Fairfax Hospital, Residence XII Treatment Center for Women, Lakeside-Milam Recovery Centers and King County Community Organizing Program.

BACKGROUND

The goal of Recovery Month is to improve the lives of those suffering from addiction, to celebrate individuals and families in long-term recovery and to acknowledge those working in the field that provides recovery services.

Recovery Month is sponsored by the Substance Abuse and Mental Health Services Administration's (SAMHSA's) Center for Substance Abuse Treatment, within the U.S. Department of Health and Human Services. Recovery Month is an essential element of SAMHSA's strategic initiatives that focuses on public awareness and support.

Many individuals are living happy, healthy and productive lives in recovery from substance abuse disorders. Educating our community about substance abuse disorders is essential to combat the misconceptions associated with addiction.

For more than 20 years, Recovery Month has worked to improve the lives of those individuals suffering from addiction—by raising awareness of the disease and educating communities about the treatment and recovery resources available.

On October 1, 2011, a community event will be held from 9 a.m. to 3 p.m. at the Eastside Foursquare Church, 14520 100th Avenue NE, Bothell. For more information, visit www.recoverymonth.gov.

Coming to the September 6 City Council meeting to accept the Recovery Month proclamation will be Michael Uradnik, Chief Operating Officer and Suzanne Wietting, Community Resource Liaison, Fairfax Hospital, Kirkland, WA and Sharon Chambers, Executive Director and Nicci Noteboom, Residence XII, Kirkland, WA.

A PROCLAMATION OF THE CITY OF KIRKLAND

Designating September 2011 as "Recovery Month" in Kirkland, Washington

WHEREAS, recovery from substance use disorders is possible through a variety of treatment resources and support programs and there are millions of Americans living happy, healthy, and productive lives in recovery; and

WHEREAS, stress can contribute to substance use disorders, and finding a positive outlet for dealing with stress is crucial as people continue to face stressful situations in their lives; and

WHEREAS, substance use disorders are a treatable, yet serious health care problem, and our community must take steps to address it; and

WHEREAS, educating our community about how substance use disorders affect all people in the community, including public safety officials, the workforce, older adults, and families, and therefore is essential to combat misconceptions associated with addiction; and

WHEREAS, Fairfax Hospital, Lakeside-Milam Recovery Center, and Residence XII Treatment Center for Women, all located in Kirkland, provide services to improve the lives of those suffering from addiction and will host a community awareness event on October 1, 9 a.m. to 3 p.m. at the Eastside Foursquare Church in Bothell, WA; and

WHEREAS, to help more people enter a path of recovery, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, King County Mental Health, Chemical Abuse and Dependency Services, and the City of Kirkland invite all residents to recognize *Recovery Month*;

NOW, THEREFORE, I, Joan McBride, Mayor of the City of Kirkland, do proclaim September 2011 as "*Recovery Month*" in the City of Kirkland and call upon the people of Kirkland to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "*Recovery Benefits Everyone*" and to attend the October 1 community event.

Signed this 6th day of September, 2011

Joan McBride, Mayor



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
August 02, 2011

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

Members Present: Councilmember Dave Asher, Councilmember Jessica Greenway,
Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember
Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

Members Absent: None.

3. STUDY SESSION

a. Cascade Water Alliance Cost Allocation Study

Joining Councilmembers for this discussion were City Manager Kurt Triplett,
Public Works Director Ray Steiger, and Chuck Clarke, CEO, Cascade Water
Alliance.

4. EXECUTIVE SESSION

a. To Discuss Labor Negotiations

b. To Discuss Potential Litigation

Council adjourned to executive session at 6:53 p.m. announcing their intent to return to
regular meeting at 7:30 p.m.. At 7:30 p.m. the City Clerk announced Council's need for
additional time and their intent to return at 7:40 p.m., which they did. City Attorney
Robin Jenkinson was in attendance.

5. HONORS AND PROCLAMATIONS

a. Mayors Cup

Councilmember Sternoff participated in the Foster Press auto race for elected
officials at Evergreen fairgrounds on behalf of Mayor McBride, and won. Video
clips of the race and photos of the trophy were shown.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

- c. Petitions

7. SPECIAL PRESENTATIONS

- a. Feet First Plaque

Lisa Quinn, Executive Director of Feet First, presented the Council with a plaque for adopting a Feet First agenda.

- b. Fire Chief's Presentation

Fire Chief Kevin Nalder reviewed the department's mission and value statements, organizational structure, services provided to the community and future plans.

8. CONSENT CALENDAR

- a. Approval of Minutes: July 19, 2011

- b. Audit of Accounts:

Payroll \$ 2,020,655.32

Bills \$ 2,860,126.82

run #1024 checks #527366 - 527376

run #1025 checks #527406 - 527555

run #1026 checks #527556 - 527705

- c. General Correspondence

- d. Claims

- e. Award of Bids

(1) 2011 Crosswalk Upgrade Program, Schedules A, B, and D, Valley Electric, Everett, Washington

This item was pulled for consideration under Unfinished Business, item 10.e.

(2) NE 85th Street Video Detection Project, Valley Electric, Everett, Washington

The construction contract for the NE 85TH Street Video Detection Project was awarded to Valley Electric of Everett, Washington, in the amount of \$36,389.00.

- f. Acceptance of Public Improvements and Establishing Lien Period

- g. Approval of Agreements

- h. Other Items of Business

(1) Ordinance No. 4317 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE ISSUANCE AND SALE OF LIMITED TAX GENERAL OBLIGATION AND REFUNDING BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,700,000 TO REFUND CERTAIN OUTSTANDING LIMITED TAX GENERAL OBLIGATION BONDS OF THE CITY, AND PAY FOR COSTS OF ISSUANCE OF THE BONDS; PROVIDING THE FORM AND TERMS OF THE BONDS; AUTHORIZING A PRELIMINARY OFFICIAL STATEMENT; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF SALE; AND DELEGATING AUTHORITY TO APPROVE THE FINAL TERMS OF SUCH BONDS."

(2) Cultural Council Budget Adjustment

Council authorized the use of \$25,000 in Council special projects reserve funds to cover costs of Cultural Council staffing and the implementation of current programs, together with an analysis of future Cultural Council options.

(3) National Pollutant Discharge Elimination System (NPDES) Permit Signature Authority Delegation

Council authorized the Mayor to sign a letter to the State Department of Ecology delegating signature authority to the City Manager for all necessary reports and documents relating to Kirklands National Pollutant Discharge Elimination System Phase II Municipal Stormwater Permit.

(4) Totem Lake Flood Control Measures Funding Request

Council authorized the use of \$218,000 from the Surface Water Construction Reserve fund to complete maintenance work on the conveyance system for Totem Lake Flood Control Measures.

(5) Self Insured Medical Program Financial Status Report

(6) State Lobbying Budget Adjustment for 2011

Council approved the City Manager's decision to extend the contract for state lobbying services with Waypoint Consulting Group and to increase the monthly compensation to \$4,000 for the remainder of 2011, using part of one-time funds in the service package for this purpose in 2012.

Motion to approve the Consent Calendar with the exception of item 8.e.(1)., which was pulled for discussion under Unfinished Business, item 10.e..

Moved by Deputy Mayor Penny Sweet, seconded by Councilmember Jessica Greenway
Vote: Motion carried 7-0

Yes: Councilmember Bob Sternoff, Councilmember Doreen Marchione, Deputy Mayor Penny Sweet, Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Amy Walen, and Mayor Joan McBride.

9. PUBLIC HEARINGS

a. Medical Marijuana Collective Garden Moratorium

Mayor McBride described the parameters and opened the public hearing. Testimony was provided by Eric (no last name given) and Bailey Roth. No further testimony was offered and the Mayor closed the hearing. Council took no action and allowed the moratorium to continue.

10. UNFINISHED BUSINESS

a. Urban Land Institute Presentation Summarized

Economic Development Manager Ellen Miller-Wolfe reviewed the Urban Land Institute's preliminary findings on the Totem Lake Business District and proposed next steps.

b. Final Community Development Block Grant Determination

Motion to authorize the Mayor to sign a letter to the Department of Housing and Urban Development acknowledging the City of Kirkland's intent to remain part of the King County Community Development Block Grant Consortium as a member of the urban county.

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

c. Neighborhood Meetings with the City Council

Council approved the proposed schedule of meetings.

d. Transportation Benefit District Review

Public Works Director Ray Steiger provided an overview of the decisions on this matter to date and the recommended public education and outreach plan.

e. 2011 Crosswalk Upgrade Program, Schedules A, B, and D, Valley Electric, Everett, Washington

Motion to award the construction contract for the 2011 Crosswalk Upgrade Program for Schedules A, B, and D to Valley Electric of Everett, Washington, in the amount of \$123,942.00 plus the addition of Schedule C, to be funded with the authorization of an additional amount of \$37,000 from the street improvement

reserve fund.

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

11. NEW BUSINESS

- a. Ordinance No. 4318, Relating to Land Use Approval of a Preliminary and Final PUD as Applied for by the Lake Washington School District in Department of Planning and Community Development File No. ZON11-00003 and Setting Forth Conditions of Said Approval

Senior Planner Jon Regala provided an overview of the project and responded to Council questions and comment.

Motion to suspend the Council rules to vote on the matter this evening.

Moved by Councilmember Bob Sternoff, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

Motion to Approve Ordinance No. 4318, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE APPROVAL OF A PRELIMINARY AND FINAL PUD AS APPLIED FOR BY THE LAKE WASHINGTON SCHOOL DISTRICT IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON11-00003 AND SETTING FORTH CONDITIONS OF SAID APPROVAL."

Moved by Councilmember Bob Sternoff, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

12. REPORTS

- a. City Council

- (1) Regional Issues

Councilmembers shared information regarding votes taken at a recent Puget Sound Regional Council meeting; King County Council adoption of METRO

strategic plan; ParkPlace Health Fair; Councilmember Walen's appointment as alternate on the Puget Sound Regional Council Transportation Policy Board; Economic Development Committee meeting; Regional Law, Safety and Justice Committee meeting; Go Dog Go Event; Kirkland Classic Car Show; Fundraiser for Lacey Kids College Fund; Frontier Communications visit to Kirkland; and WRIA representative meetings on salmon recovery funding.

b. City Manager

(1) Calendar Update

The City Manager noted that a KTUB update and new director introduction are tentatively scheduled for September 20 and that there will be a Juanita Beach partial opening on August 5, 2011 at 3 p.m. with a small celebration.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of August 2, 2011 was adjourned at 10:23 p.m.

City Clerk

Mayor



CITY OF KIRKLAND
Department of Finance and Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kathi Anderson, City Clerk
Date: August 25, 2011
Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

It is recommended that the City Council acknowledge receipt of the following Claim(s) for Damages and refer each claim to the proper department (risk management section) for disposition.

POLICY IMPLICATIONS

This is consistent with City policy and procedure and is in accordance with the requirements of state law (RCW 35.31.040).

BACKGROUND DISCUSSION

The City has received the following Claim(s) for Damages from:

- (1) Integrated Real Estate Services
11312 180th Street SE
Snohomish, WA 98296

Amount: \$525.27

Nature of Claim: Claimant states damage to irrigation system occurred during 6th Street and Central Avenue intersection work.

Note: Names of claimants are no longer listed on the Agenda since names are listed in the memo.



CITY OF KIRKLAND
Information Technology Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3050
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Brenda Cooper, CIO
Date: August 25, 2011
Subject: UPDATED INTERLOCAL AGREEMENT FOR REGIONAL FIBER CONSORTIUM

RECOMMENDATION

City Council approves the attached resolution authorizing the City Manager to sign an updated interlocal agreement for the regional fiber consortium, of which the City of Kirkland is a founding member.

BACKGROUND DISCUSSION

In 2003, the City entered into an interlocal agreement with the University of Washington, the Lake Washington School District, and the City of Bellevue to jointly construct and manage fiber optic projects.

The current membership (including entities that have already signed the previous ILA and entities that would like to sign the proposed ILA) has grown to include, in alphabetical order, Bellevue School District, City of Algona, City of Auburn, City of Bellevue, City of Kirkland, City of Pacific, City of Puyallup, City of Renton, City of Seattle, City of Tukwila, Evergreen Medical Center, Lake Washington School District, Renton School District, University of Washington, and Valley Communications Center.

The fiber network has been built using the combined resources of all partners. The City of Kirkland's contributions have included waived permit fees, access to conduit, and funds from the Information Technology CIP. Other partners have contributed expertise, fiber, project management, funds, engineering, and other assets.

Today, the City uses the fiber obtained via the consortium to connect a number of city locations together, to provide backbone for our downtown wireless mesh, and to provide the primary backbone that we use to connect with our servers that reside in the City of Bellevue data center. Future planned uses include connectivity to the new Public Safety Building, use for the Intelligent Transportation System, connections of regional EOC's and dispatch centers including reaching south into Pierce County and north into Snohomish County, and possibly regional acquisition of internet services provided by the University of Washington.

In the early and mid 2000's, all of the fiber which we built out used agency resources from among the consortium members. Recently, the consortium received two Urban Areas Security Initiative (UASI) grants (for \$603,000 and \$628,000) to help connect up dispatch centers and emergency operations centers. Bellevue has been the UASI sponsor of the grants and is serving as the fiscal agent. Obtaining the grants means that the consortium holds assets (fiber) in trust for future use, and also requires we formalize the way that the group is governed.

So far the City of Kirkland has invested about \$160,000 across almost ten years. In return, we have about 18 miles of fiber inside the city limits, some fiber into the planned annexation area, and access to all of a partially completed ring around Lake Washington (which will provide us with valuable fiber redundancy).

City Council did provide approval to sign this agreement on March 13, 2011, using the terminology "with substantially similar" language to what was put before you at the March meeting. Since then, based on discussions between legal counsels of various members, the form of the organization has been changed to a public corporation as opposed to an entity created by an interlocal agreement. This change is desirable because it provides Kirkland and other member jurisdictions with better protection from legal liability for the actions of the consortium.

The new ILA attached achieves the following:

- Establishes a nine-member governance board. Four of those seats are guaranteed to go to the original four members and thus the City of Kirkland, the University of Washington, the Lake Washington School District, and the City of Bellevue are guaranteed spots on the board at this time, although shifts in investment could change the guaranteed spots over time.
- Allows for joint ownership of future fiber resources when appropriate, such as for the Homeland Security grants we are now handling.
- Provides a framework for managing decision making and funds.
- Names the consortium the "Community Connectivity Consortium."
- Simplifies future changes by defining the board responsibilities to include creation and management of administrative policies.

The revised consortium is expected to pass a budget for the 2013 calendar year that will require all members pay some money into the consortium to fund administrative costs and some minor assets (such as software to allow us to map the fiber network). Since all of the entities expected to be part of the newly formed board are experiencing budget challenges, we anticipate that this amount will be small (less than \$10,000 a biennium), and that there will be no effective increase to our overall costs. It would continue to be paid for through the existing IT budget. Funding for 2012 will continue to be as-needed for specific projects as it has been in the past.

If the modified ILA is not passed by a majority of the current members, then the current and more cumbersome agreement may remain in place. The consortium would probably be in a weaker position related to competing for future grants since many of our choices about this revision were driven by questions related to the UASI grants. We do not anticipate that we would lose the existing grant money, as expenditures are already in place through Bellevue, who will continue to be the UASI grant administrator under both the old and revised ILAs.

If any of the existing "permanent" members of the consortium choose not to pass the new ILA, it is likely that the revised consortium will not form and we will continue to work toward an agreement. Those four members are the City of Kirkland, the City of Bellevue, Lake Washington School District, and the University of Washington.

There will be a second action that the Kirkland City Council needs to take some time in the fall to approve the charter for the public corporation. A copy of the draft ordinance and charter are included as Exhibits B and C to the resolution.

Overall, we believe that this approach to improving broadband connectivity for the anchor institutions in our region is the least expensive way to leverage joint assets and expertise, and we appreciate your support over the last eight years.

RESOLUTION R-4888

AN RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE FORMATION OF THE COMMUNITY CONNECTIVITY CONSORTIUM, A PUBLIC CORPORATION, AUTHORIZING THE CITY OF KIRKLAND TO ENTER INTO AN INTERLOCAL AGREEMENT ESTABLISHING THE COMMUNITY CONNECTIVITY CONSORTIUM BETWEEN THE CITY OF KIRKLAND AND OTHER GOVERNMENT AGENCIES FOR THE CONSTRUCTION AND MANAGEMENT OF FIBER OPTIC PROJECTS, AND APPROVING THE CHARTER OF THE COMMUNITY CONNECTIVITY CONSORTIUM.

WHEREAS, the City of Kirkland is a participant and member of the Regional Fiber Consortium, the purpose of which is to construct and operate regional fiber optic facilities; and

WHEREAS, the current members of the Regional Fiber Consortium, along with new local government agencies, wish to establish a public corporation called the Community Connectivity Consortium ("Consortium") and enter into a new interlocal agreement that updates and streamlines the Consortium's policies and procedures; and

WHEREAS, Chapter 39.34 RCW authorizes the City of Kirkland to enter into an interlocal cooperation agreement to perform any governmental service, activity or undertaking which each contracting party is authorized by law to perform and RCW 35.21.730 through 35.21.759 authorizes the formation of a public corporation;

NOW, THEREFORE, be it resolved by the City of Kirkland as follows:

Section 1. The City Manager is hereby authorized and directed to execute on behalf of the City of Kirkland an interlocal agreement substantially similar to that attached as **Exhibit A**, which is entitled "Interlocal Agreement Establishing the Community Connectivity Consortium."

Section 2. The City Council of the City of Kirkland hereby approves the creation of a public authority by the City of Kirkland to be designated as the Community Connectivity Consortium ("Consortium"). The purpose of the Consortium is to acquire, construct, operate, manage and maintain a regional communications network that meets the needs of community institutions, including but not limited to government agencies, hospitals, schools and universities. The proposed form of ordinance to be considered by the City Council of the City of Kirkland, along with a draft of the Charter for the Consortium, attached hereto as **Exhibits B and C** respectively, are hereby approved. The City Council of the City of Kirkland hereby approves the formation by the City of Kirkland of the Consortium by the approval of

such Ordinance and Charter substantially in the form presented to this Council.

Section 3. The Consortium shall be an independent legal entity exclusively responsible for its own debts, obligations and liabilities. All liabilities incurred by the Consortium shall be satisfied exclusively from the assets and credit of the Consortium. No creditor or other person shall have any recourse to the assets, credit or services of the City of Kirkland on account of any debts, obligations, liabilities, acts or omissions of the Consortium.

Section 4. If any provision of this Resolution or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2011.

Signed in authentication thereof this ____ day of _____, 2011.

MAYOR

Attest:

City Clerk

INTERLOCAL AGREEMENT ESTABLISHING THE COMMUNITY CONNECTIVITY CONSORTIUM

THIS AGREEMENT (“Agreement”) is entered into among the following public agencies organized under the laws of the State of Washington, hereinafter referred to as the “Members” which are parties signatory to this Agreement: (1) City of Bellevue; (2) City of Kirkland; (3) Lake Washington School District; (4) University of Washington; (5) Bellevue College; (6) Bellevue School District; (7) King County Public Hospital District No. 2 d/b/a Evergreen Healthcare; (8) City of Federal Way; (9) City of Renton; (10) Renton School District; (11) City of Seattle; (12) City of Algona; (13) City of Auburn; (14) City of Kent; (15) City of Pacific; (16) City of Puyallup; (17) City of Tukwila; (18) Valley Communications Center (collectively, the “Parties”). This Agreement shall take effect upon the signature of nine (9) or more of the Parties to this Agreement.

This AGREEMENT replaces the previous Interlocal Agreement: General Terms and Conditions for Sharing Fiber Optic Installation Projects, which took effect on December 6, 2003 (“Fiber Interlocal”), except for the limited purposes set forth in Section 5 of this Agreement.

This Agreement is being made pursuant to the Interlocal Cooperation Act, Chapter 39.34 RCW, and pursuant to the authority granted for formation of public corporations in RCW 35.21.730 through 35.21.759, and has been authorized by the legislative body of each jurisdiction signing this Agreement.

RECITALS

Whereas the University of Washington, Lake Washington School District, City of Kirkland and City of Bellevue signed Interlocal Agreement: General Terms and Conditions for Sharing Fiber Optic Installation Projects, effective December 6, 2003 (“Fiber Interlocal”) for the purpose of outlining how the parties will work together on fiber optic projects for the benefits of all the participating parties and established the original backbone of the Fiber Consortium network through contributions of budget, fiber assets, conduit, right of way and staff expertise; and

Whereas Evergreen Healthcare, Bellevue School District, City of Renton, Renton School District, Bellevue College, City of Seattle and City of Federal Way have signed the Fiber Interlocal and the joining amendments were fully executed by the participating parties; and

Whereas all projects to be completed under the Fiber Interlocal were required to have a Fiber Optic Project Agreement signed by all participating parties specifying lead agency and participant roles, project schedule, budget, route, fiber allocation and ownership, points of demarcation, maintenance responsibilities, and other details of each project; and

Whereas projects completed under a Fiber Optic Project Agreement defines the Fiber Consortium network, which is separate from each participating parties' networks unless transfers of a party's fiber assets were executed through a Fiber Optic Project Agreement; and

Whereas the growing Fiber Consortium network with additional agencies in the process of joining and executing more projects has become cumbersome to manage under the current structure. The City of Algona, City of Auburn, City of Kent, City of Pacific, City of Puyallup, City of Tukwila, and Valley Communication Center have approved joining the Consortium and executed a joining Fiber Optic Agreement; and

Whereas the members of the Fiber Consortium network are seeking grant opportunities to fund expansion to serve members' needs and has been successful in recent grant programs and thus the fiscal, administrative and project oversight responsibilities require more structure; and

Whereas the forming of this Consortium pursuant to RCW 39.34.030 and RCW 35.21.730 through 35.21.759 will provide the additional structure that is required; and

Whereas the rights established for each participant in each Fiber Optic Project Agreement shall not terminate with the replacement of the Fiber Interlocal.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

I. ESTABLISHMENT OF THE CONSORTIUM

The purpose of this Agreement is to create the Community Connectivity Consortium ("Consortium"). The Consortium shall be created as a separate legal entity as authorized by RCW 39.34.030 and shall be a public corporation pursuant to RCW 35.21.730 through 35.21.759. Upon approval and execution of this Agreement and approval of the form of the Consortium Charter by nine (9) members, the Consortium Charter shall be adopted by Ordinance by the City of Kirkland and then executed and issued by the City of Kirkland.

II. PURPOSE

The mission of the Consortium is to create a vibrant and competitive region by providing connectivity services to meet the needs of our community institutions – hospitals, universities, schools and government agencies. The Consortium shall have the following purposes:

- A. Create a regionally coordinated, open-access network that leverages the assets and resources of the members using strategic opportunities to provide low-cost, stable, robust, efficient connectivity services to members and their communities.

- B. Ensure the network infrastructure remains free of encumbrance and can be used for innovative opportunities by members.
- C. Develop and enhance working relationships among members and explore ways to the use the network collaboratively to make our community a better place to live, work and play by sharing risks and rewards equitably.
- D. Explore public/private partnerships to the benefit of the members and member communities.
- E. Achieve economies of scale through collaboration and coordination of projects and investments.
- F. Balance current needs with future needs in decision making to achieve lower long-term costs.

III. PARTIES TO AGREEMENT

Each Party to this Agreement certifies that it intends to and does contract with all other Parties who are signatories of this Agreement and, in addition, with such other Parties as may later be added to and become signatories of this Agreement. Each current and all future signatories to this Agreement shall be considered Parties hereto so long as the signatory is a Voting Member of the Consortium.

IV. MEMBERSHIP/MEETINGS

Membership in the Consortium shall be limited to government agencies authorized to become signatories to an Interlocal Agreement as authorized by RCW 39.34.030, and who contribute assets, resources, and/or shared services for the benefit of Members. The addition of new Members shall be subject to the approval of a simple majority of the Consortium Board, as established by the Consortium, to manage its operations.

V. GENERAL PROVISIONS

- A. Duration: This Agreement shall commence upon full execution and continue to remain in existence as long as it has Consortium Members.
- B. Work Product/Confidentiality: All work product including records, data, information, documents, files, designs, sketches, finished or unfinished documents or other documents, material or data produced in performance of this Agreement shall become the property of the Consortium. All such work product shall be kept confidential by all of the Consortium Members and the Member's employees and agents and shall not be made available to any individual or organization by any Consortium Member without the prior written consent of the Consortium Board or unless required pursuant to court order, the Public Disclosure Act RCW 42.56 or other applicable law.

- C. Termination: Upon 180 days written notice by a Consortium Member, this Agreement may be terminated and/or dissolved by a vote of $\frac{3}{4}$ of the voting Consortium members at the next Consortium annual meeting. In the event this Agreement is terminated and/or dissolved, assets shall be distributed by the Consortium Board among Consortium Members after paying or making provisions for the payment of all debts, obligations, liabilities, costs and expenses of the Consortium. The distribution shall be based on the following:
1. Non-cash assets contributed without charge by a Consortium member shall revert to the contributor. If the contributor is no longer a member, then the asset shall be treated as if it was acquired with Consortium funds.
 2. The Consortium Board shall conduct a valuation of all remaining assets. Assets acquired, using Consortium funds, after the effective date of this Agreement shall be sold by the Consortium Board, if appropriate, and the money or asset value distributed to those members still participating in the Consortium on the day prior to the termination date. The distribution shall be apportioned by taking the percentage that a Member has contributed to the total Consortium budget over the existence of this Agreement and applying that percentage to the remainder of the assets, resulting in the amount each Member shall receive upon distribution. Assets acquired after the effective date of this Agreement by the Consortium via grant funds shall be distributed in accordance with the terms of the grant and if no such provision exists in the grant, then distributions shall be in accordance with the terms of this Agreement. A Member can elect to take an asset in lieu of money.

If the Consortium Board is unable to fulfill these duties, any such asset not so disposed of may be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the Consortium is then located.

- D. Miscellaneous: This Agreement constitutes the entire agreement of the parties. No provision of the Agreement may be amended or modified except by written agreement signed by at least $\frac{3}{4}$ of all Voting Members. This Agreement shall be binding upon and inure to the benefit of the Parties' successors in interest and assigns. This Agreement does not confer upon any persons other than the current and all future Parties any rights or remedies under this Agreement. Any provision of this Agreement which is declared invalid or illegal shall in no way affect or invalidate any other provision. The venue for any dispute related to this Agreement shall be King County, Washington. Time is of the essence of this Agreement and each and all of its provisions in which performance is a factor. This Agreement may be executed in counterparts.

This Agreement has been executed by each party on the date set forth below:

<p>CITY OF BELLEVUE</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form: _____</p>	<p>CITY OF KIRKLAND</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form: _____</p>
<p>LAKE WASHINGTON SCHOOL DISTRICT NO. 414</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form: _____</p>	<p>UNIVERSITY OF WASHINGTON</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form: _____</p>

<p>BELLEVUE COLLEGE</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>	<p>BELLEVUE SCHOOL DISTRICT NO. 405</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>
<p>KING COUNTY PUBLIC HOSPITAL DISTRICT NO. 2 d/b/a Evergreen Healthcare</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>	<p>CITY OF FEDERAL WAY</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>
<p>CITY OF RENTON</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>	<p>RENTON SCHOOL DISTRICT NO. 403</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>

<p>CITY OF SEATTLE</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>	<p>CITY OF ALGONA</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>
<p>CITY OF AUBURN</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>	<p>CITY OF KENT</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>
<p>CITY OF PACIFIC</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>	<p>CITY OF PUYALLUP</p> <p>By: _____ Its: _____</p> <p>Date: _____</p> <p>Approved as to form:</p> <p>_____</p>

CITY OF TUKWILA	VALLEY COMMUNICATIONS CENTER
By: _____	By: _____
Its: _____	Its: _____
Date: _____	Date: _____
Approved as to form:	Approved as to form:
_____	_____

ORDINANCE _____

AN ORDINANCE OF THE CITY OF KIRKLAND CREATING THE COMMUNITY CONNECTIVITY CONSORTIUM, A PUBLIC CORPORATION AND APPROVING ITS CHARTER.

WHEREAS, the City of Kirkland is a participant in the Regional Fiber Consortium, which is comprised of local government agencies for the purpose of acquiring, constructing, operating, managing and maintaining a regional communications network that meets the needs of community institutions, including but not limited to government agencies, hospitals, schools and universities; and

WHEREAS, the Regional Fiber Consortium members operate pursuant to an interlocal agreement entitled General Terms and Conditions;

WHEREAS, the current Regional Fiber Consortium Members, along with prospective new members would like to adopt a new Interlocal Agreement Establishing the Community Connectivity Consortium ("Interlocal Agreement") pursuant to RCW 39.34 and form a public corporation pursuant to RCW 35.21.730 through 35.21.759 to govern their continued operations; and

WHEREAS, the Interlocal Agreement and the Charter of the Community Connectivity Consortium ("Charter") has been approved by at least nine (9) prospective Consortium Members, which constitutes authorization for proceeding with formation with the Consortium under the Interlocal Agreement;

NOW, THEREFORE, the City Council of the City of Kirkland does ordain as follows:

Section 1. The Charter of the Consortium, attached hereto as Exhibit A and incorporated herein, is hereby approved. The Charter shall be issued in duplicate originals, each bearing the seal of the City of Kirkland attested by the City Clerk. One original shall be filed with the City Clerk. A duplicate original shall be provided to the Consortium.

Section 2. The Consortium shall commence existence upon the fulfillment of each of the following:

(1) The governing bodies of at least nine (9) Consortium Members have approved the creation of the Consortium by the City of Kirkland;

(2) This Ordinance shall become effective; and

(3) The Charter shall have been executed, and the Charter shall be in file with the City Clerk.

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2011.

Signed in authentication thereof this ____ day of _____, 2011.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

CHARTER OF THE COMMUNITY CONNECTIVITY CONSORTIUM, A WASHINGTON PUBLIC CORPORATION

ARTICLE I NAME AND SEAL

The name of this corporation shall be the "Community Connectivity Consortium" ("Consortium"). The corporate seal of the Consortium shall be a circle with the name of the Consortium and the word "SEAL" inscribed therein.

ARTICLE II AUTHORITY FOR CONSORTIUM; LIMIT ON LIABILITY

Section 1. Authority. The Consortium is a public corporation organized pursuant to Revised Code of Washington ("RCW") 35.21.730 through 35.21.759, as the same now exist or may hereafter be amended, or any successor act or acts (the "Act"), Ordinance No. ____ of the City of Kirkland, passed on _____, 2011 and the Interlocal Agreement Establishing the Community Connectivity Consortium adopted and approved by Consortium Members, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference ("Interlocal Agreement").

Section 2. Limitation on Liability. All liabilities incurred by the Consortium shall be satisfied (a) in the case of obligations or liabilities of the Consortium which are not limited recourse in nature, exclusively from the assets, credit, and properties of the Authority, or (b) in the case of obligations or liabilities of the Authority which, by their terms, are limited recourse obligations, from such assets, properties or revenue of the Authority as shall be specifically pledged thereto or otherwise identified as being the source of payment of such limited recourse obligations or liabilities, and no creditor or other person shall have any right of action against or recourse to Consortium Members, their assets, credit or services on account of any debts, obligations, liabilities or acts or omissions of the Consortium.

Section 3. Liability of Consortium and Consortium Members. The following disclaimer shall be printed or stamped on all contracts or other documents that may entail any debt or liability by the Consortium:

The Community Connectivity Consortium ("Consortium") is a public corporation organized pursuant to the ordinances and approvals of the Consortium Members and RCW 35.21.730 through 35.21.759 and RCW Chapter 39.34. RCW 35.21.750 provides as follows: "[A]ll liabilities incurred by such public corporation, commission, or authority shall be satisfied exclusively from the assets and properties of such public corporation, commission, or authority and no creditor or other person shall have any right of action against the city, town, or county creating such corporation, commission or authority on account of any debts, obligations, or liabilities of such public corporation, commission, or authority."

In no event shall the obligations of the Consortium be payable by recourse against any properties, assets or revenues of the Consortium Members, the State

of Washington or any other political subdivision of the State of Washington. No person to whom such obligations are owed shall have any recourse or right of action against the Consortium Members, the State of Washington or any other political subdivision thereof on account of such obligations.

Any of the Consortium Members may, by ordinance or contract or pursuant to interlocal agreement, agree to pay (on a contingent basis or otherwise) all or any portion of the obligations of the Authority; however, (1) no Member shall be obligated beyond the proportion of sum specified by ordinance or contract; and (2) no Member shall be obligated, directly or indirectly for the obligations of another Member.

ARTICLE III DURATION

The duration of the Consortium shall be perpetual except as provided in the Interlocal Agreement.

ARTICLE IV PURPOSE

The purpose of the Consortium is to acquire, construct, operate, manage and maintain a regional communications network that meets the needs of community institutions, including but not limited to government agencies, hospitals, schools and universities.

ARTICLE V POWERS

The Consortium shall have and may exercise all lawful powers conferred by state laws, the Interlocal Agreement, this Charter and its Bylaws that are consistent with the purpose of the Consortium. The Consortium in all of its activities and transactions shall be subject to the powers, procedures, and limitations contained in the Interlocal Agreement, this Charter and the Bylaws.

ARTICLE VI CONSORTIUM MEETINGS AND BOARD RESPONSIBILITIES

Section 1. Consortium Initial Meeting. Upon issuance of this Charter, there shall be an initial meeting of Consortium Members within 60 days. At the initial meeting, Consortium Members shall adopt the Consortium's Bylaws and elect the Consortium Board. The Bylaws shall be approved and a Board member shall be deemed elected to the Board if they receive a majority vote of all Consortium Members with voting member status. Thereafter, the Board shall manage and oversee the Consortium's activities, in accordance with the Interlocal Agreement.

Section 2. Board Meetings and Membership Meetings. The Board shall meet as necessary to oversee the operations of the Consortium. After the initial meeting, the Consortium Members shall meet no less than once per year. To the extent required by law, notice of

Consortium meetings shall be given in a manner consistent with RCW Chapter 42.30, the Open Public Meetings Act.

Section 3. Board Composition, Powers and Responsibilities.

A. Composition. The composition of the Consortium Board shall be set forth in the Consortium Bylaws, provided that the composition of the Consortium Board may not be changed without the approval of 75% or more of the Voting Members of the Consortium. The Consortium Board shall recommend a representative composition of the Board at the Annual Meeting.

B. Consortium Board Terms. The Consortium Board terms shall be set forth in the Consortium Bylaws.

C. Powers. The Consortium Board shall govern the Consortium. The powers of the Consortium Board shall be to: (1) develop and recommend the Consortium's Bylaws for approval by the Consortium Members; (2) create Consortium work programs; (3) determine services to be provided; (4) develop an annual budget for adoption by Consortium Members; (5) review and propose a membership policy; (6) recommend a fee policy for approval by the Consortium Members; (7) make purchases or contract for services to accomplish the purposes of the Consortium; (8) enter into agreements with third parties for goods and services as necessary to carry out the Consortium's purposes; (9) hire staff, consultants or private vendors as necessary; (10) identify and contract for the services of Fiscal Agent for the purposes of carrying out and recording Consortium financial transactions; (11) approve expenditures of funds; and (12) conduct any and all other business allowed by applicable law. The incurrence of debt by the Consortium requires the prior approval of all of the governing bodies of current Voting Members.

D. Responsibilities of Consortium Board Members. Consortium Board Members shall participate fully in matters before the Board, attend all meetings, advocate on behalf of the Consortium, and contribute expertise to guide decisions.

E. Bylaws. The Consortium Members shall adopt Bylaws that govern Consortium operations and decision making.

F. Consortium Membership. Membership in the Consortium shall be limited to government agencies authorized to become signatories to an Interlocal Agreement as authorized by RCW 39.34.030, and who contribute assets, resources, and/or shared services for the benefit of members. The addition of new members shall be subject to the approval of a simple majority of the Consortium Board, as established by the Consortium, to manage its operations.

ARTICLE VII VOTING

In conducting Consortium business, Voting Members will cast a single vote with all votes being equal. A meeting quorum for Board Meetings shall be considered to be a simple majority

of the Board Members. A meeting quorum for Consortium Member meetings shall be a simple majority of Voting Members. It is the desire of the Consortium that decisions be made by consensus, but a simple majority vote of all of the Voting Members present, either in person, electronically or by proxy, shall decide matters at Consortium Member meetings. A simple majority vote of all of the board members present, either in person, electronically or by proxy, shall decide matters at Consortium Board meetings. A second vote may be called in the event of a tie to arrive at a decision. A second tie will table the discussion until the next regularly scheduled meeting.

ARTICLE VIII FINANCE AND BUDGET

The Consortium Board is authorized to accept grants and such other financial opportunities as may arise in order to accomplish the purposes of the Consortium consistent with Chapter 39.34 RCW. The Consortium is empowered to receive all funds and assets allocated to it by its members. The Consortium Board may establish partnerships with public and private corporations or entities as allowed by law. The Consortium Board shall recommend an annual budget for adoption by the Consortium Members.

A. Ownership of Property. The Consortium may own real and personal properties. Ownership of assets, such as fiber strands, equipment or software, shall be defined in the allocation noted within any Consortium Project Agreement to which the Member is signatory. Assets deemed surplus by participants in a Project Agreement shall be held by the Consortium in an Asset Bank administered by the Consortium Board for the benefit of the Consortium Members. Future allocation of surplus assets shall be at the discretion of the Consortium Board. Existing assets owned by the Consortium Members may be transferred to the Consortium for the benefit of Consortium Members at the owner's discretion.

B. Retained Responsibility and Authority. Consortium Members retain the responsibility and authority for managing and maintaining their own internal Fiber Optic systems, including security and privacy of all data which may be linked to the Consortium's network.

C. Fiscal Agent. The Fiscal Agent refers to that agency or government that performs all accounting services for the Consortium as it may require, in accordance with the requirements of Chapter 39.34 RCW. The Consortium Board shall appoint a Fiscal Agent for the Consortium. The Fiscal Agent shall have a non-voting, ex officio seat on the Consortium Board if the agency is not serving on a Consortium Board seat.

D. Intergovernmental Cooperation. The Consortium will cooperate with federal, state, county, and other local agencies to maximize use of any grant funds or other resources and enhance the effectiveness of the Consortium systems, programs and projects.

E. Voting Members. Voting Members shall contribute to the Consortium in accordance with the fee policy adopted by the Consortium Membership.

**ARTICLE IX.
CONSTITUENCY**

There shall be no constituency of the Consortium.

**ARTICLE X
AMENDMENT OF CHARTER AND BYLAWS**

Section 1. Amendments to Bylaws. The Board may propose amendments to the Bylaws for consideration and voting by the general membership at a general membership meeting. Amendments to the Bylaws shall be deemed approved if the amendment proposal receives affirmative votes from a majority of all Voting Members.

Section 2. Amendments to Charter. Proposals to amend this Charter shall be submitted to the Board for review. If the Board recommends approval of the Charter amendment, the amendment proposal shall be submitted to the governing bodies of the Consortium Members. The proposed amendment shall not be effective until approved by the governing bodies of at least 75% of all Voting Members.

**ARTICLE XI
COMMENCEMENT**

The Consortium shall commence its existence effective upon the issuance of its Charter as sealed and attested by the City Clerk of the City of Kirkland, as provided in the Ordinance adopting this Charter.

**ARTICLE XII
DISSOLUTION**

Dissolution of the Consortium shall be in the form and manner set forth in the Interlocal Agreement and as may be required by state law.

CERTIFICATE

I, the undersigned, City Clerk of the City of Kirkland, Washington, do hereby certify that the attached CHARTER OF THE COMMUNITY CONNECTIVITY CONSORTIUM, A WASHINGTON PUBLIC CORPORATION is a true and correct original of such Charter as authorized by Ordinance No. ____ of the City of _____, this ____ day of _____, 2011.

City Clerk of the City of _____, Washington



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3225 - www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Eric Shields, Planning Director
Angela Ruggeri, Senior Planner

Date: August 25, 2011

Subject: Reappointment of Barbara Loomis as Kirkland's Special Voting Member to the King County Landmarks and Heritage Commission (File No. CC-99-77)

RECOMMENDATION

Reappoint Barbara Loomis as Kirkland's Special Voting Member to the King County Landmarks and Heritage Commission.

BACKGROUND DISCUSSION

In July of 1999, the City Council authorized the City Manager to execute an interlocal agreement with the King County Office of Cultural Resources. The interlocal agreement includes a provision for appointment by the mayor, subject to City Council confirmation, of a special voting member to the King County Landmarks and Heritage Commission. This special member is appointed for a three year term and participates in decisions relating to designated historic landmarks in Kirkland. There are presently three designated landmarks in Kirkland: Heritage Hall, the Peter Kirk Building and the Kirkland Woman's Club.

Cathy Smith was recommended by the Heritage Society and appointed by the City Council as the City's first voting member of the Landmarks and Heritage Commission in December of 1999. At that time, the Council asked the Heritage Society to recommend some potential candidates and then chose one for the final appointment, rather than doing an independent recruitment. Ms. Smith was later reappointed to a second term.

The special voting member is only allowed to serve for two terms. Barbara Loomis was appointed as the special voting member on October 3, 2006. Her first term officially expired on October 3, 2009. Although she was not reappointed at that time, due to an oversight, the interlocal agreement allowed for her to continue service until another appointment was made. If she is reappointed, she will serve until October 3, 2012, which will complete her allowed six year term. At that time a new member will be appointed.

The Kirkland Heritage Society Board has recommended that Ms. Loomis complete the last two years of her six-year term (see Attachment 1). They will make a new recommendation when her term is up.

cc: Loita Hawkinson, President, Kirkland Heritage Society, 203 Market Street, Kirkland



Kirkland Heritage Society

Kirkland Heritage Society
203 Market Street, Lower Level
Kirkland, WA 98033

Angela Ruggeri
City of Kirkland
Planning and Community Development
123 Fifth Avenue
Kirkland, WA 98033

August 11, 2011

Dear Angela,

The board of Kirkland Heritage Society recommends that Barbara Loomis complete the last two years of her six-year term as Landmarks and Heritage Commissioner representing Kirkland Heritage Society. In 2012, we would like to see Lynette Friberg Weber step into this position so she will be applying at that time. Lynette is on the King County Landmarks and we feel this is a good fit.

Sincerely,

Loita Hawkinson, President
Kirkland Heritage Society

**CITY OF KIRKLAND**

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

www.kirklandwa.gov**MEMORANDUM**

To: Kurt Triplett, City Manager

From: Robin Jenkinson, City Attorney

Date: August 25, 2011

Subject: Expenditure from Litigation Reserve Fund

RECOMMENDATION:

City Council receives a report on use of the Litigation Reserve Fund.

BACKGROUND DISCUSSION:

The purpose of this memorandum is to advise the City Council that the City Attorney's Office has expended funds from the Litigation Reserve Fund for the payment of professional legal services associated with matter of *Davidson Serles v. City of Kirkland, et al.*, King County Superior Court No. 10-2-35867-SEA.

To this point, in the case of *Davidson Serles v. City of Kirkland, et al.*, as in all of the litigation concerning the Parkplace project, the City Attorney's Office has provided the representation of the City in-house. Recently, counsel for Davidson Serles sought to depose certain current and former Kirkland City Councilmembers along with the former City Manager. The City retained outside counsel, Michael Kenyon of the Kenyon Disend law firm, to represent the current and former Councilmembers and former City Manager at their depositions. There were insufficient funds in the Legal Services portion of the City Attorney Office budget to cover this expense, so the services were paid for out of the Litigation Reserve Fund. The invoices have totaled \$6,417.60 and are not anticipated to exceed \$10,000, leaving a balance of \$60,000 in the 2011-12 Litigation Reserve Fund.

FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Robin Jenkinson, City Attorney							
Description of Request							
Request for funding of up to \$10,000 from the Litigation Reserve for outside counsel in the case of Davidson Serles v. City of Kirkland, et al.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of up to \$10,000 from the Litigation Reserve. This reserve is able to fully fund this request.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2012 Est End Balance	Prior Auth. 2011-12 Uses	Prior Auth. 2011-12 Additions	Amount This Request	Revised 2012 End Balance	2012 Target
	Litigation Reserve	70,000	0	0	10,000	60,000	N/A
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>							
Other Information							

Prepared By	Neil Kruse, Senior Financial Analyst	Date	August 25, 2011
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CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Dave Snider, P.E., Interim Capital Projects Manager
Ray Steiger, P.E., Public Works Director

Date: August 25, 2011

Subject: CENTRAL WAY PEDESTRIAN ENHANCEMENTS -- PHASE II
REJECT ALL BIDS

RECOMMENDATION:

It is recommended that City Council reject all bids received on the Central Way Pedestrian Enhancements - Phase II Project. Additionally, it is recommended that City Council authorize staff to rebid the Project in the fall.

BACKGROUND DISCUSSION:

The Central Way Pedestrian Enhancements – Phase II Project will provide pedestrian and traffic calming improvements along the south side of Central Way, between Lake Street and 4th Street (Attachment A). The planned improvements are consistent with the *2001 Downtown Strategic Plan* and include sections of new concrete sidewalk, new curb and gutter, and pedestrian “bump-outs” at crosswalks (Figure A). The Project also provides minor storm drainage improvements, some traffic signal modifications, and the installation of video detection equipment at the intersection of Central Way and Lake Street.

The funding for the Project is a combination of grant funding (\$198,000 from the Federal Ped & Bike Safety Program) and City Capital Improvement Program funds (\$180,000) for a total Project budget of \$378,000 (Attachment B). With an engineer’s construction estimate of \$210,000 the Project was first advertised on August 1, 2011, using the City’s *Small Works Roster*. The City’s current purchasing policy allows the use of the Small Works Roster bidding process on Public Works projects when the engineer’s estimate for construction is under \$300,000. On August 18, 2011, only two contractor bids were received, as follows:

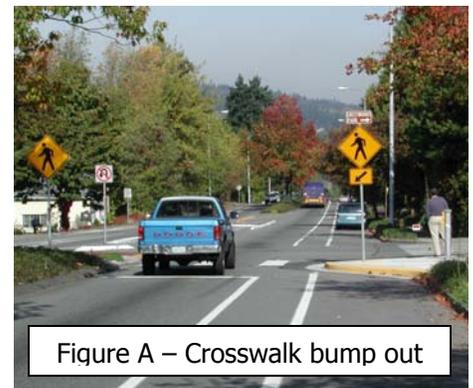


Figure A – Crosswalk bump out

Contractor (with tax)	Total Bid
Engineer's Estimate	\$210,000.00
Kamins Construction	\$277,087.10
Valley Electric Company *	\$299,929.00

* lowest responsive bidder

As shown above, the low number of bidders did not produce a competitive bid result. The apparent low bid represents an amount that is 32% higher than the engineer's estimate, with the second low bid (lowest responsive bid) representing a 42% increase.

After the bids were received, Public Works staff performed a routine bid certification by generating the official bid tabulation and making sure that all bidder requirements had been fulfilled. Through that certification process it was discovered that the apparent low bidder was not on the City's official *Small Works Roster*, which was clearly defined as a requirement for bid submittal. As a result, the apparent low bidder was not technically eligible to submit a bid, thus making the second (and highest) bidder the "lowest responsive bidder".

Due to a less than expected outcome for contractor/bidder participation, with two bids that exceed the engineer's estimate by a significant amount, and due to the bidder irregularity described above, it is staff's recommendation that City Council reject all bids and authorize staff to re-advertise for contractor bids in the fall. In advance of a re-bid, staff will make adjustments to the bid documents by producing a more scalable project through the use of multiple work and bid item schedules. Additionally, staff will utilize the City's standard *Advertised Invitation to Bid Process* and the *Small Works Roster* in an attempt to reach the widest contractor audience in hopes of achieving a more competitive outcome.

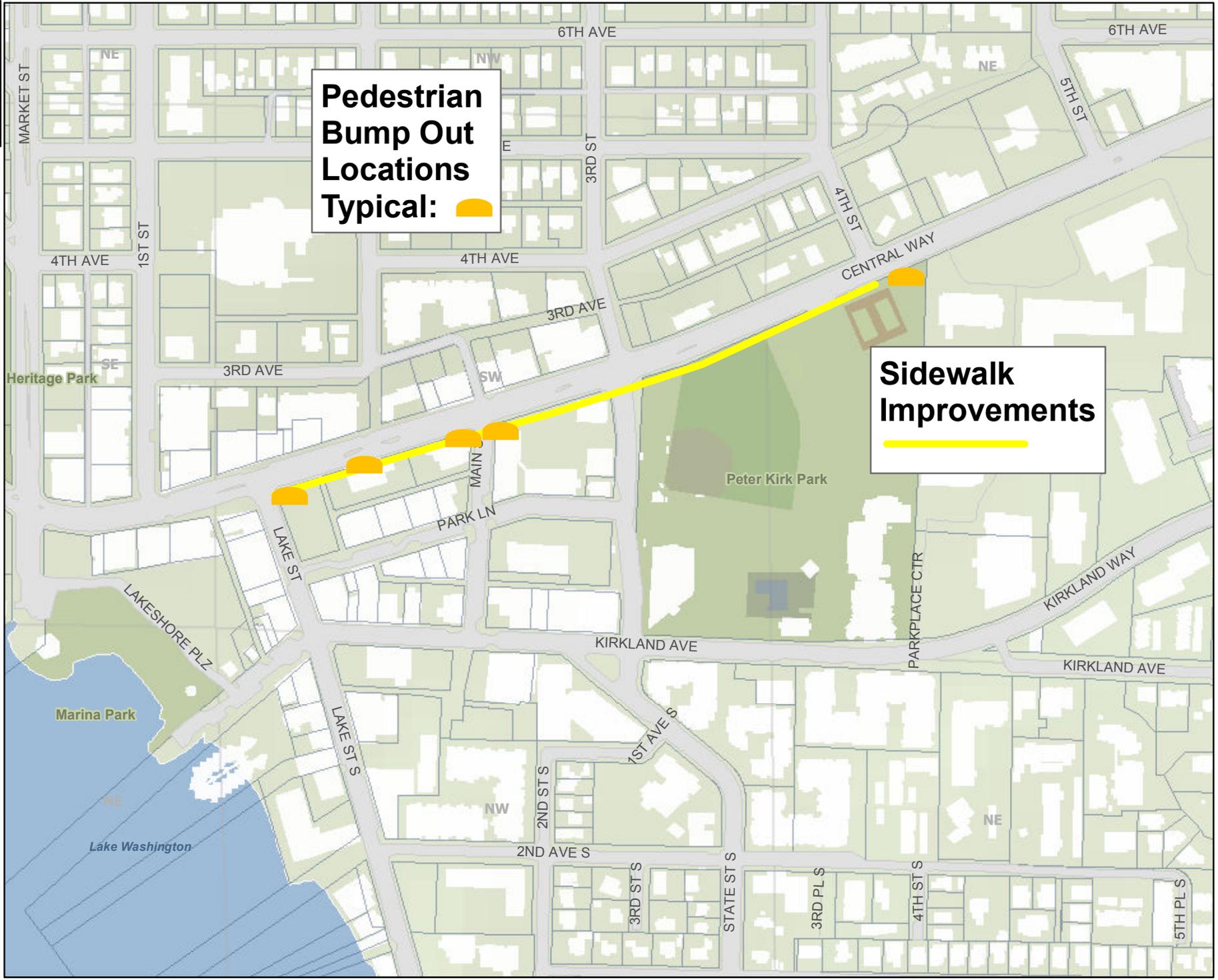
When reporting the results of the bid opening to the grant administrator for the Project, the Washington State Department of Transportation Local Programs Office, the Local Programs Engineer offered support for the above recommendation. That office also confirmed that the obligation of the grant funds allows for added time that will be needed to complete the Project.

Attachments: (2)

**Central Way
Pedestrian
Enh.
(Phase II-
South Side)
CNM-0065**

**Pedestrian
Bump Out
Locations
Typical:** 

**Sidewalk
Improvements**

-  Buildings
-  Road
-  Parks
-  Schools
-  Parcels
-  Lakes

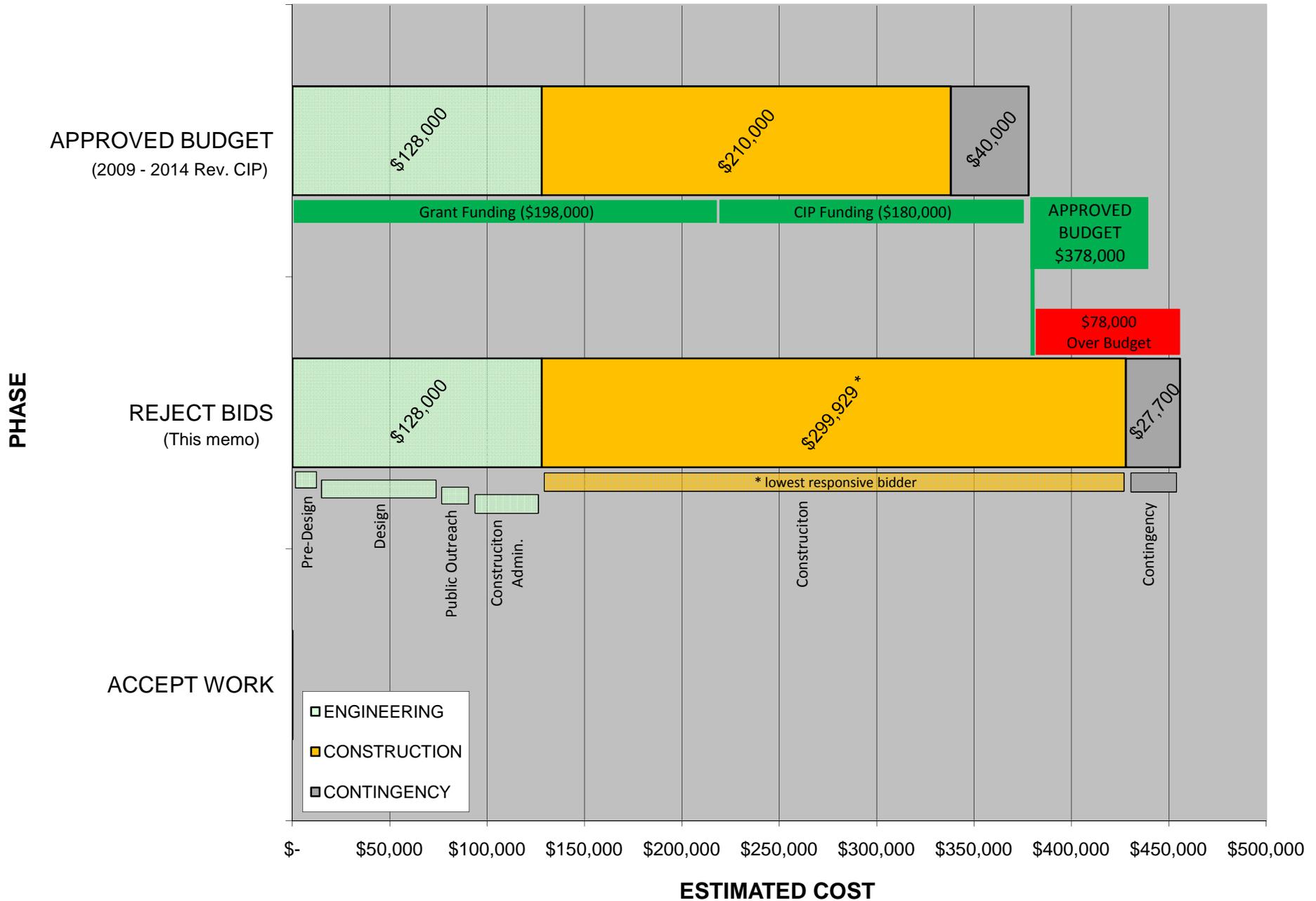


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Author:
Name: Kari Page
Date Saved: August 25, 2011

Central Way Pedestrian Enhancements (Phase II- South Side) Project (CNM-0065)

Project Budget Report





CITY OF KIRKLAND

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Dave Snider, P.E., Interim Capital Projects Manager
Ray Steiger, P.E., Public Works Director

Date: August 17, 2011

Subject: 2012 – 2017 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)
SET PUBLIC HEARING DATE

RECOMMENDATION:

It is recommended that City Council establish September 20, 2011 as the date to hold a public hearing on the proposed 2012-2017 TIP.

BACKGROUND DISCUSSION:

The purpose of the hearing is to provide the public with an opportunity to comment and/or offer input on City transportation projects. Adoption of a six-year TIP is in accordance with RCW 35.77.010 and 47.26.210; the primary use of the TIP is to identify transportation projects which are eligible for federal, state and/or local funding.

For the most part, the projects that are identified in the 2012-2017 TIP mirror the transportation element of the Amended 2011-2016 CIP. The TIP also includes projects that are identified in the 117 street operating funds (loop detector replacement and sidewalk repair, etc.).

The proposed 2012–2017 TIP was discussed with the Kirkland Transportation Commission on July 27, 2010.



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Director of Finance and Administration
Ray Steiger, P.E., Public Works Director

Date: August 29, 2011

Subject: SANITARY SEWER CAPITAL FACILITY CHARGES

RECOMMENDATION:

City Council approve the attached ordinance authorizing the financing of Kirkland sanitary sewer capital facilities charges for residents entering into contracts for the Emergency Sewer Program (ESP), which program is codified in Chapter 15.38 of the KMC.

BACKGROUND DISCUSSION:

As allowed by RCW 35.67.360, the City's ESP financing program has been in place since 1999 and was established by City Council as a relatively affordable means of allowing properties with septic systems to hook up to the public sanitary sewer system. Prior to the ESP, property owners that experienced failed septic systems were either forced to extend the public sewer system to their property, typically an expensive endeavor on their own, pump their septic systems on an increased frequency (again a costly and tedious process), or face significant septic system reconstruction costs. The urban nature of Kirkland and the increasing degradation of the natural drainage systems lead Council to support the ESP which offers a means for property owners to utilize the public sewer system. Since its inception, residents have taken advantage of the program and, combined with development activity, ESP has lead to a number of new connections (Attachment A).

The Program's primary benefit to property owners is that there are three means by which they can buy into the system; under all scenarios, the City designs and constructs the ESP program improvements. Once the ESP program construction has been completed for a given year, benefitting property owners can then decide which of three options they prefer for their access to the system:

- 1) Pay a private contractor for conversion of their septic plumbing to a new side sewer, pay their Kirkland sewer capital facility charge (SCFC) and permit fees (currently approximately \$3,100 and \$400 respectively), contact King County DNR to instigate payment of KC capital facility charges over time, and pay their entire ESP charge; or,
- 2) Sign a 10-year repayment contract to pay off their ESP charge; this options requires them to pay for their side sewer conversion, SCFC, and permit fees at the time that they

decide to connect to the public system; the SCFC and permit fees due are those in place at the time they decide to connect; or
3) wait up to 10 years before deciding to pursue option 1) or 2).

In any case, if the property is either sold or refinanced, the property owner is required to pay off the ESP charge. Recently a number of property owners have inquired about the ability to not only finance the ESP construction charge which was identified in the original ESP formulation ordinance, but also the City's SCFC required by KMC 15.12.063. The SCFC currently must be paid in full *at the time of connection to the system*. Staff believes that the intent of the original program was to encourage residents to hook up to the public system. The delayed repayment of the SCFC does not appear to be a significant detriment to the ESP reserve funds. Therefore, staff recommends that the Council allow residents to include financing of the SCFC with the financing of the ESP charge should the resident wish to finance both. The permit fees would continue to be paid at the time of connection because RCW 35.56.360 only allows for financing of materials and equipment. The SCFC qualifies as a materials and equipment cost because it is charged to each connecting resident to reimburse the City for that resident's proportional share of the costs incurred in constructing the existing infrastructure.

At their July 26, 2011 subcommittee meeting, the Finance Committee recommended that the Council approve the proposed change as well as providing additional information regarding the percentage of annexation area that were on septic systems and whether the Northshore Utility District (NUD) had a similar program.

NUD does not have an ESP, however, they have performed many emergency sewer extensions in the past. If a customer has a failed septic system and asks for sewer extension/connection, the Board of Commissioners will consider them on a case by case basis. Where it is reasonable and the District is capable of the extension, they would construct the extension as a public works project. According to their billing records, there are about 550 accounts of the 12,000 active service accounts in Kirkland that are potentially on septic systems. Exact numbers are not known as multiple notations on the billing for parcels leads to different totals; however it is still approximately 5% of their system.

EMERGENCY SEWER PROGRAM OVERVIEW AS OF April 30, 2011

Program	Year	Length (linear feet)	# Connections Provided*	Connected To Date	Final Project Cost	Cost Per Assessment	Reimbursed through 4/30/11	% Reimbursed	Principal Due
1	1999	2,900	54	38	\$576,028	\$8,025	\$532,961	93%	\$56,872
2	2001	4,756	74	47	\$725,995	\$9,726	\$682,428	94%	\$67,941
3	2003	5,700	114	62	\$1,435,668	\$11,857	\$1,147,490	80%	\$288,178
4	2005	4,150	83	23	\$1,325,925	\$15,975	\$759,897	57%	\$566,028
5	2007	4,583	84	33	\$1,668,576	\$19,864	\$624,062	37%	\$1,044,514
6	2009	2,810	49.5	9	\$810,344	\$16,371	\$215,273	27%	\$595,071
TOTAL		24,899	458.5	212	\$ 6,542,536	\$ 81,818	\$ 3,962,111	61%	\$2,618,603

*0.5 attributed to adjacent developer sewer extension

46% Percent Connected

Program	Year	Connections	Paid in Full	Payment Refinance	Payment Sale	Payment Other	ACTIVE Contracts	Delinquent Contracts	Inactive
1	1999	54	49	14	23	12	3	1	1
2	2001	74	63	22	17	24	9	0	2
3	2003	114	76	21	22	33	23	3	12
4	2005	83	41	5	15	21	16	1	25
5	2007	84	21	6	4	11	39	0	24
6	2009	49.5	14	2	0	11	18.5	0	17
TOTAL		459	264	70	81	112	109	5	81

% of Contracts paid with refinance

15.27%

% of Sales

17.67%

% Inactive Accounts

18%

% Other (payout)

24.43%

Paid in full

57.58%

cross check

Payment Options:

1999	54	53
2001	74	74
2003	114	111
2005	83	82
2007	84	84

Refinance

contract paid off upon refinancing of property

Sale

contract paid off upon sale of property

Other

contract paid voluntarily or under settlement

Active

currently on payment plan and under contract

Inactive

no action and or past due to enter contract w/in 10 yrs

ORDINANCE O-4319AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO
EMERGENCY SEWER MAIN EXTENSIONS

WHEREAS, due to the increasing number of failing septic systems and the resulting environmental damage, the City Council established the Emergency Sewer Program (ESP) in 1999, which is codified in Chapter 15.38 of the Kirkland Municipal Code; and

WHEREAS, the ESP not only authorized the City to construct sewer main extensions in response to emergency situations, as allowed by RCW 35.67.360, it also encouraged residents to connect to newly built systems by providing City financing for each resident's proportional share of the costs of constructing the sewer main extension, which otherwise would have had to be paid at the time of connecting to the system; and

WHEREAS, in keeping with this philosophy and as also allowed by RCW 35.67.360, the Council would like to provide further encouragement to connect by allowing for financing of the sewer capital facilities charge required by KMC 15.12.063, which currently must be paid at the time of connection,

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Section 15.38.010 is hereby amended to read as follows:

15.38.010 Connection requests.

The owner of an existing single-family or multifamily dwelling within the Kirkland sewer system service area, having a failed or failing septic tank system, may request to connect to the public sewer system, even though such property may be located more than three hundred thirty feet from an existing sewer main (requiring construction of a sewer main extension in order to be connected). Whenever construction of a sewer main extension is required to make such connection possible, the city shall plan, design and construct such extension within a reasonable time pursuant to the criteria for sewer main extension projects and construction priorities authorized by Section [15.38.040](#) of this chapter. Upon completion of construction and acceptance of the sewer main extension, the city shall:

(1) Give notice to the requesting property owner to connect the property to the public sewer system within thirty days of receipt of the notice; and

(2) Give notice to other property owners benefited by the extension construction to connect the property to the public sewer system within thirty days of receipt of the notice; provided,

that in lieu of connection, such property owners may delay connection of the property and payment of the extension charge pursuant to Section [15.38.030](#) and/or the sewer capital facilities charge pursuant to [15.12.063](#) (SCFC) by executing a written request and authorization, in a form approved by the director of public works in accordance with Section [15.38.040](#), that requests delay of connection and payment and that acknowledges filing of the document described in Section [15.38.030](#)(c) and creation of the lien of Section [15.38.030](#)(d)(5). The department of public works shall record the written request with the King County office of records and elections.

Section 2. Kirkland Municipal Code Section 15.38.030 is hereby amended to read as follows:

15.38.030 Extension charge—Established.

(a) The city shall collect sewer extension charges from owners of properties which individually benefit from publicly built sewer extension facilities constructed after adoption of the ordinance codified in this chapter, except property owners who previously paid their fair share of such an extension through or a LID or ULID. Facilities that may be covered in an extension charge include, but are not limited to, stubs built from the sewer main to the property line, pump stations and sewer main extensions which bring the sewer main to the farther boundary of the property.

(b) The extension charge is the property owner's equitable share of the established costs of the facilities extension from which the property owner benefits. The equitable share shall include interest charges applied from the date of construction acceptance of the sewer extension until the property connects, at a rate commensurate with the rate of interest established in subsection (d)(3) of this section, as applicable at the time of construction of the facility to which the property owner is seeking to connect.

(c) The extension facilities cost shall be allocated to benefiting property owners based on the number of residential customer equivalents. For the purposes of this chapter, "residential customer equivalents" means the number of dwelling units existing on a lot or parcel of land as of the date of construction acceptance of the sewer extension to which the property will be connected or a vacant lot or parcel of land of reasonable residential lot size as determined by the director of public works pursuant to Section [15.38.040](#) of this chapter. At completion of each extension construction project the department of public works shall record, with the King County office of records and elections, a document which identifies the

project and includes a statement of total construction cost, the amount of such cost per residential customer equivalent, a legal description of each lot or parcel of land benefited and the amount of the extension charge allocable for each lot or parcel so described.

(d) The extension charge and the SCFC shall be payable to the city as follows:

(1) For a requesting property owner and for other property owners who do not execute a written request and authorization to delay payment of the extension charge and/or the SCFC, upon receipt of the thirty-day notice to connect pursuant to Section [15.38.010](#); or

(2) For other property owners who execute a written request and authorization to delay payment of the extension charge and/or the SCFC pursuant to Section [15.38.010](#), upon connection of the property to the public sewer system pursuant to Section [15.28.010](#), or ten years following acceptance of the construction of the extension, whichever occurs first; or

(3) The city may enter into contracts with the owners of existing single-family residences, multifamily residences and businesses that meet criteria specified by the department of public works for payment of extension charges and/or the SCFC over ten successive years instead of as a lump sum. In addition to the installment payment on the extension charge and/or SCFC principal, each time payment shall include an administrative handling fee to be established by the finance director, together with interest on the unpaid balance of the extension charge and/or SCFC principal at a rate to be set quarterly on the first working day of the quarter by the finance director, which shall not exceed ninety-five percent of the market yield to maturity of the most recently issued U.S. Treasury note. The interest rate and administrative handling fee to be set quarterly shall remain in effect for said contracts for the term of the contract. The interest rate shall be set quarterly for time payment contracts entered into during that current year. The contract shall provide that the first annual payment shall be payable as of July 1st following connection with the remaining payments due on July 1st of each successive year.

(4) Notwithstanding the foregoing, the entire amount of the extension charge and the SCFC or any remaining unpaid balance thereof shall be payable in full at the time of closing upon sale of the property, or upon refinancing of the property unless the owner requests that the city waive its right to collect this charge out of the refinance proceeds, whether or not the property has been connected to the sewer extension.

(5) Pursuant to RCW 35.67.360, the extension charge and/or SCFC or any unpaid balance of the time payment contract shall

be secured by a lien against the connecting property. The lien shall attach as of the date of recording of the document required to be recorded by the department of public works by subsection (c) of this section and continue thereafter until the extension charge and/or SCFC or any unpaid balance of the time payment contract has been fully paid.

Section 3. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this Section, or the application of the provision to other persons or circumstances is not affected.

Section 5. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2011.

Signed in authentication thereof this ____ day of _____, 2011.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney



CITY OF KIRKLAND
Department of Public Works
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
 www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tim Llewellyn, Fleet Supervisor
Ray Steiger P.E., Public Works Director

Date: August 23, 2011

Subject: SURPLUS EQUIPMENT RENTAL VEHICLES/EQUIPMENT FOR SALE

RECOMMENDATION:

It is recommended that the City Council approve the surplusing of the Equipment Rental vehicles/equipment identified in this memo.

BACKGROUND DISCUSSION:

The surplusing of vehicles or equipment which have been replaced with new vehicles or equipment, or no longer meet the needs of the City, is consistent with the City's Equipment Rental Replacement Schedule Policy. The following equipment has been replaced by new equipment, and if approved by City Council, will be sold in accordance with the purchasing guidelines at public auction or to public agencies.

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License #</u>	<u>Mileage</u>
C01-03X	2001	Ford Crown Victoria	2FAFP71WX1X181358	34103D	40,253
R-03	2000	Caterpillar Roller CB224D	8RZ00199	31766D	2,131 Hrs
P08-04	2008	Ford Crown Victoria	2FAHP71V28X148395	46266D	97,112

For clarification purposes, C01-03X, a 2001 Ford Crown Victoria, was purchased in 2001 for use by the Police Administration Division. It was replaced at the end of its normal life in 2009 but retained for two additional years during which it was assigned to Police - Crime Prevention.

R-03 is a 2000 Caterpillar Roller (asphalt compactor/roller) that met its expected useful life of eight years and was extended for an additional three years of service. It has been replaced by a new roller.

P08-04 is a 2008 Police Patrol vehicle which reached its normal expected service of 2.5 years, and was extended an additional year due to good condition.

Cc: Donna Burris, Internal Services Manager



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3225 - www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Eric Shields, AICP, Planning Director
Date: August 25, 2011
Subject: Countywide Planning Policies Update

RECOMMENDATION

City Council receives an update on proposed amendments to the King County Countywide Planning Policies and decides whether to submit comments to the Growth Management Planning Council prior to its September 21 meeting and/ or to the Suburban Cities Association prior to the September 14 Public Issues Committee meeting.

BACKGROUND DISCUSSION

Introduction

The Growth Management Act (GMA) requires counties subject to the GMA to adopt countywide planning policies (CPPs) to assure coordination of planning among cities at the county level. King County adopted CPPs in 1992 and there have been annual amendments since then.

The GMA also requires the adoption of multi-county planning policies (MPPs) for the Puget Sound region. The Puget Sound Regional Council (PSRC) adopted new MPPs in April, 2008.

A rewrite of the King County CPPs is nearing completion. The rewrite is occurring in order to bring the CPPs into conformance with the new MPPs and with recent state legislation and to update many policies that have become out of date over the past 19 years. Pursuant to an inter-local agreement, prior to adoption by King County, amendments to the CPPs must first be reviewed by a body of elected officials called the Growth Management Planning Council (GMPC). GMPC membership includes the County Executive and five members of the King County Council, the Mayor of Seattle and two members of the Seattle City Council, six elected officials appointed by the Suburban Cities Association (Council member Sternoff is the chair of the SCA caucus), a member of the Bellevue City Council and a nonvoting representative of special purpose districts. Following adoption by the County Council, amendments must be ratified by at least 30% of jurisdictions in the county representing at least 70% of the county population.

The new CPPs have been in preparation for over two years. The GMPC provided initial guidance on the general direction for the CPP update, reviewed drafts of each section over the course of several meetings and was presented with a final draft of the complete CPP document in June, 2011. The draft CPPs are shown in Attachment 1. Attachment 2 is a summary of the

CPPs excerpted from the staff report for the April 27, 2011 GMPC meeting. The GMPC considered adoption of the new CPPs at its meeting on June 29, but due to disagreement over one particular issue, a decision was continued to September 21, 2011.

Schools in Rural Areas

The issue in dispute involves policies restricting the location of schools and the extension of sewers to schools in rural areas. At its June meeting, GMPC discussion focused primarily on the following two proposed policies:

***PF-12** Prohibit sewer expansion in the Rural Area and Resource Lands except where needed to address specific health and safety problems threatening existing structures. If needed, provide such sewer expansion in a manner that does not increase development potential in the Rural Area.*

***DP-50** Limit new public facilities located in the Rural Area to a size and scale appropriate to serve the Rural Area unless the public facilities are consistent with a rural location, such as a large passive park.*

Several GMPC members, primarily from King County and Seattle, expressed support for the policies in order to limit urbanization of the Rural Area. Representatives of several school districts, including the Lake Washington School District, spoke to the GMPC and expressed concerns that the policies would prevent rural properties that were previously acquired by the districts from being developed for schools needed to serve growing student populations.

In response to the school districts' concerns, representatives of the SCA submitted the following alternatives to the above policies:

***PF-12** Prohibit sewer expansion in the Rural Area and Resource Lands except:*

- 1. Where needed to address specific health and safety problems threatening existing structures; or*
- 2. Where needed to site and develop public schools on properties in the Rural Area owned by public school districts as of July 1, 2011 and only if no reasonable alternative technologies are technologically or economically feasible. If a school district sells a Rural Area property, the option of a sewer line extension to the site is prohibited.*

***DP-50** Limit new public facilities located in the Rural Area to:*

- 1. Facilities of a size and scale appropriate for the Rural Area; or*
- 2. Facilities that are consistent with a rural location such as a large passive park; or*
- 3. Public Schools as permitted in accordance with PF-12; or*
- 4. Facilities for public school districts located entirely in the Rural Area.*

In proposing the above amendments, SCA representatives were guided by and bound to support the following adopted SCA position adopted on June 9, 2011:

SCA supports countywide planning policies that protect the rural and resource lands in the county by focusing urban growth and land uses within the UGA, and SCA supports strict

limits on locating urban public facilities and infrastructure outside the UGA, and SCA supports amending the CPPs to prohibit the extension of sewer lines into the rural area, including to schools, on the condition that such prohibition not extend to rural area properties currently owned by public school districts and intended to be developed as schools. If the school district sells its property outside of the UGA to a third party, the prohibition of the extension of sewer lines will be applied.

A map showing developed and undeveloped school sites in King County is provided as Attachment 3. There are several undeveloped Rural Area sites within the Lake Washington School District.

Not all suburban cities are in support of the above position. Two suburban cities, Shoreline and Renton, have expressed concerns. A letter from the City of Shoreline is included as Attachment 4.

The Growth Management Act provides some direction and there is some case law on this issue. An analysis of legal issues is provided by Assistant City Attorney Oskar Rey in Attachment 5. Also attached are the legal opinion of the King County Prosecuting Attorney (Attachment 6) and a discussion of legal issues provided by the attorney for the Puget Sound School Coalition (Attachment 7).

Affordable Housing

In addition to the sewer issue, another issue – the assignment of affordable housing targets – also provoked some controversy. A committee of housing professionals, including ARCH Director Arthur Sullivan, provided advice on the drafting of CPP housing policies. The committee prepared an analysis of the need for low and moderate income housing which concluded that the countywide need for moderate income housing (serving households with incomes between 50% and 80% of county median) is 16% of the new housing stock, while the need for low income housing (serving household with incomes below 50% of median) is 24% of new housing. In recognition of the fact that existing affordable housing is more predominant in south end cities, the committee recommended that targets for low income housing be slightly higher for eastside cities than for south end cities.

Even so, representatives of several south end cities objected to the proposed targets, asking that south end cities' targets be reduced further. A tentative compromise was struck in which the targets were slightly adjusted with the intention that they would be in place on an interim basis until a more detailed analysis and discussion occurs soon after adoption of the CPPs. The resulting targets contained in the draft CPPs, expressed as a percentage of overall new housing, are:

- Moderate income housing for all jurisdictions: 16%
- Low income housing: 20.5% for south end jurisdictions, 26.5% for eastside jurisdictions, 22.5% for Seattle and 24.5% for unincorporated King County.

Next Steps

The GMPC will continue its discussion and consider adoption of the CPPs on September 21. A meeting of the SCA Public Issues Committee is scheduled for September 14 and SCA staff

advised the City that this topic is likely to be discussed and that efforts will be made to find a compromise that meets the needs of all SCA members. It is unclear how the disagreement over the sewer/school policies will be resolved.

Council Options

With regard to the school/ sewer issue, the Council may provide a recommendation for consideration at the September 14 SCA Public Issues Committee meeting on whether to affirm, change or eliminate the current SCA position which guides the voting of SCA members of the GMPC.

The City Council may offer comments on any of the CPPs directly to the GMPC on or before the September 21 GMPC meeting.

Attachments

1. Draft Countywide Planning Policies: June 15, 2011
2. Summary of the Countywide Planning Policies
3. Map of School Sites
4. Letter from City of Shoreline
5. Legal Analysis of Assistant City Attorney Oskar Rey
6. Legal Opinion of King County Prosecuting Attorney
7. Discussion of Legal Issues by Denise Stiffarm, attorney for Puget Sound School Coalition
8. Letter from Dave Russell
9. Letter from Randy Dorn

2011 King County Countywide Planning Policies

June 15, 2011

For Growth Management Planning Council action on June 29, 2011

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VISION 2040 STATEMENT

The 2011 King County Countywide Planning Policies were prepared to address changes to the Growth Management Act, take into account the passage of 20 years since their initial adoption, and to specifically reflect the regional direction established in VISION 2040. While VISION 2040 is consistent with the overall growth management strategy of the 1992 King County Countywide Planning Policies, restructuring the Countywide Planning Policies—into the six chapters of Environment, Development Patterns, Housing, Economy, Transportation, and Public Facilities and Services—was done to match the structure of VISION 2040.

VISION 2040 presents a clear regional growth management strategy that applies within the four-county Puget Sound region. The 2011 King County Countywide Planning Policies support this strategy and provide direction at the county and jurisdiction level with appropriate specificity and detail needed to guide consistent and useable local comprehensive plans and regulations.

VISION & FRAMEWORK

Vision for King County 2030

It is the year 2030 and our county has changed significantly in the roughly 40 years that have elapsed since the first Countywide Planning Policies were adopted in 1992. In many ways this is a result of the successful public-private partnership that has supported a diversified, sustainable regional economy and has managed and accommodated growth while maintaining the quality of life and the natural environment throughout King County.

King County in 2030 is characterized by:

- **Protected Critical Areas. Effective stewardship of the environment has preserved and protected the critical areas in the County, including wetlands, aquifer recharge areas, and fish and wildlife conservation areas.**

These critical areas continue to provide beneficial functions and values for reducing flooding, protecting water quality, supporting biodiversity, and enriching our quality of life for future generations as the as the region's population continues to grow.
- **Viable Rural Area. The Rural Area, established in 1992, is permanently protected with a clear boundary between Rural and Urban Areas.**

The successful protection of these lands is due in large part to continued innovation within the Urban Growth Area to create new ways to use land efficiently and sustainably. In this way, there is minimal pressure to convert rural lands. The Rural Area is a viable option for those seeking a lifestyle contrast to the Urban Growth Area. The pressure to urbanize the Rural Area has also been lessened by market pressures to use the land for agriculture.
- **Bountiful Agricultural Areas and Productive Forest Lands.**

More people are farming and a greater number of residents are benefiting from King County agricultural products, which can be purchased through a network of farmers markets and farm stands throughout the county. Since 2010, the increase in productive farming in the Agricultural Production District and in the Rural Area has accelerated as more residents seek locally grown food. Thriving markets now exist throughout the county for these products. The forests of the Pacific Northwest remain as some of the most productive in the world with large scale commercial forestry prevalent in the eastern half of the county.
- **Vibrant, diverse and compact urban communities.**

Within the Urban Growth Area little undeveloped land now exists and urban infrastructure has been extended to fully serve the entire Urban Growth Area. Development activity is focused on redevelopment to create vibrant

neighborhoods where residents can walk, bicycle or use public transit for most of their needs. Improvements to the infrastructure now focus on maintaining existing capacity as opposed to extending the infrastructure into previously unserved areas. Because of the innovations developed in public and private partnerships, there is still ample capacity to accommodate the planned population and employment growth targets within the Urban Growth Area.

Much of the growth in employment and new housing occurs in the Urban Centers. These centers successfully provide a mixture of living, working, cultural, and recreational activities for all members of the community. All the centers are linked together by a high-capacity transit system, including light rail and high capacity bus transit. Transit stations and hubs are within walking distance to all parts of the center and the high capacity transit system facilitates people moving easily from one center to another. Within the collection of Urban Centers there is balance between jobs and housing. Each center has developed its own successful urban character and all are noted for their livability, vibrancy, healthy environment, design, and pedestrian focus.

Smaller concentrations of businesses are distributed throughout the Urban Growth Area to provide goods and services to surrounding residential areas. Most residents are within walking distance of commercial areas, fostering a healthy community through physical exercise and a sense of neighborhood. Local transit systems provide convenient connections to the Urban Centers and elsewhere within the Urban Growth Area.

Manufacturing/ Industrial Centers continue to thrive and function as important hubs of the regional economy. These areas too are well served by transportation systems that emphasize the efficient movement of people, goods and information to and within Manufacturing/ Industrial Centers as well as connecting to other regions.

The entire Urban Growth Area is characterized by superior urban design with an open space network that defines and separates, yet links, the various jurisdictions and central places. Countywide and regional facilities have been equitably dispersed—located where needed, sited unobtrusively—and have provided appropriate incentives and amenities to the surrounding neighborhoods.

Rural Cities have created unique urban environments within the Rural Area and provide commercial services and employment opportunities for their residents. These include retail, business, educational and social services for residents both of cities and the surrounding Rural Area while protecting and supporting the surrounding Rural Area and Resource Lands.

Federal, state and regional funds have been used to further this land use plan and to fund needed regional facilities while local resources focus on funding local and neighborhood facilities. The sharing of resources to accomplish common goals is done so that the regional plan can succeed and all can benefit.

The economy is vibrant, vital, and sustainable, and emphasizes diversity in the range of goods and information produced and the services provided. Regional cooperation has focused on economic development activities that have retained and expanded key industries such as aerospace, software, and biotechnology while using the resources of the region to attract new business clusters such as in renewable energy. Businesses continue to locate in our county because of the high quality of life; the preservation of the natural environment; the emphasis on providing a superior education; the predictability brought about by the management of growth and the effectiveness of public-private partnerships supporting these attributes.

Housing opportunities for all incomes and lifestyles exist throughout the county and with the balanced transportation system access to employment is convenient and reliable. Innovation in the development of a diverse range of housing types has been fundamental in accommodating population growth. The diversity of housing types has allowed residents to stay within their community as their housing needs change.

King County communities are extraordinarily diverse culturally and this has been embraced and celebrated by the residents of King County. The needs of residents are attended to by a social service system that emphasizes prevention but stands ready to respond to direct needs as well. There is a sense of social equity within our communities and all share equitably in the distribution of and access to parks, open space, and vibrant neighborhood centers.

The Urban Growth Area is completely located within cities, which are the primary providers of urban services. Where appropriate, sub-regional consortia have been created for certain services, and King County government is recognized as a significant provider of regional services as well as the coordinator of local services to the Rural Area and Resource Lands.

Residents and businesses have recognized that, over time, through clear and reasonable timelines and financing commitments, issues will be addressed. Residents and businesses trust in their local governments because the plans and promises made to manage growth starting in 1992 have been followed. Change is accepted and proceeds in an orderly fashion based on the locally adopted and embraced growth management plans.

Framework

The year 1991 was one of tremendous change for the management of growth in King County and this environment of change gave rise to the distinctive character of the 1992 Countywide Planning Policies. While the Countywide Planning Policies have been amended periodically to address specific issues or revisions required by the Growth Management Act, the first thorough update of the Countywide Planning Policies was completed in 2011 to ensure that the Countywide Planning Policies are consistent with VISION 2040, the Growth Management Act and changes that had occurred in the previous twenty years within King County. In addition for the 2011 update, the Growth Management Planning Council directed that the revised policies include countywide direction on three new policy areas: climate change, healthy communities

and social equity. Understanding the history of the 1992 policies is important in order to establish the context for the revised policies.

In 1991 five major conditions gave rise to the first Countywide Planning Policies and the process used in their development and adoption:

- 1. In 1985, the King County Council adopted a Comprehensive Plan that for the first time established a clear boundary between Urban and Rural Areas and set forth standards to delineate a clear development character for each.**
- 2. In 1991, the adoption of the Growth Management Act transformed the way that local jurisdictions looked at land use planning as well as how they interacted with neighboring jurisdictions.**

A fundamental requirement of the Growth Management Act was coordination between a shared countywide vision on how growth would be planned for and accommodated and how this would be implemented by local jurisdictions. In 1991, the Growth Management Act was amended to include the requirement that Countywide Planning Policies be adopted to describe this vision and how these relationships would be created. These provisions gave rise to the creation of the Growth Management Planning Council – an advisory group of elected officials from jurisdictions throughout the county charged with overseeing the preparation of the Countywide Planning Policies. Since the Growth Management Act was new and many jurisdictions had not created a comprehensive plan before, the Countywide Planning Policies became a guide for jurisdictions to follow in complying with the Growth Management Act in areas as diverse as critical area regulation to local growth targets.

- 3. In 1991, the Puget Sound Council of Governments was dissolved and replaced with the Puget Sound Regional Council that initially had significantly reduced responsibilities for regional land use planning and coordination.**

Without an effective regional body for land use planning, it was necessary for the Puget Sound counties to identify their own process and organization for developing the Countywide Planning Policies. In the case of King County, this was the Growth Management Planning Council. Subsequently, as its responsibilities were expanded over time, the Puget Sound Regional Council developed VISION 2040, the multi-county vision and planning policies that set the structure for these revised Countywide Planning Policies.
- 4. By 1991, the Suburban Cities Association had changed from a loose coalition of cities outside of Seattle to a formal organization with the ability to represent constituent jurisdictions in regional forums.**

5. Prior to the development of the Countywide Planning Policies, King County and METRO attempted and failed to win electoral support for merger.

This defeat left jurisdictions with concerns about the relationship between city and county governments, and further confusion about the roles of governments in the Urban Growth Area.

Because of these conditions and the environment they fostered, jurisdictions in King County decided to go further than just meeting the specific statutory requirements for such policies. The 1992 King County Countywide Planning Policies provided direction for many issues related to growth management and established a policy structure for subsequent issue resolution.

Since their adoption, many of the initial Countywide Planning Policies have been codified into local regulations or carried out in regional or statewide arenas and no longer need to be included in them. Through amendments to the King County Charter and interlocal agreements, the relationship between county and city governments has been clearly defined and annexations and incorporations have brought most of the unincorporated urban area into the cities.

Other key actions that were required by the 1992 Countywide Planning Policies along with their current status are described below:

- Complete a fiscal and environmental review of the 1992 Countywide Planning Policies – completed and adopted in 1994;
- Establish housing and employment targets for each jurisdiction – completed in 1994 and periodically updated pursuant to the Countywide Planning Policies;
- Adopt local comprehensive plans pursuant to the Growth Management Act and Countywide Planning Policies – each jurisdiction within King County has an adopted plan that is periodically updated;
- Develop land use capacity and urban density evaluation program – developed and then superseded by the King County Buildable Lands Program as required by the Growth Management Act;
- Develop a growth management monitoring program – King County Benchmarks program established in 1994 and annually updated as described in policy FW-2; and
- Evaluate the need to change the Urban Growth Boundary and work to maintain a permanent Rural Area – established in 1994 and periodically reviewed as described in the Development Patterns chapter.

Framework Policies

Amendments. While much has been accomplished, the Countywide Planning Policies were never intended to be static and will require amendment over time to reflect changed conditions. While the formal policy development is done by the Growth Management Planning

Council, ideas for new policies begin in a variety of areas including individual jurisdictions. Policy FW-1 below describes the process for amending the Countywide Planning Policies:

FW-1 Maintain the currency of the Countywide Planning Policies through periodic review and amendment. Initiate and review all amendments at the Growth Management Planning Council through the process described below:

- a) Only the Growth Management Planning Council may propose amendments to the Countywide Planning Policies except for amendments to the Urban Growth Area that may also be proposed by King County in accordance with policies DP-15 and DP-16;
- b) Growth Management Planning Council recommends amendments to the King County Council for consideration, possible revision, and approval;
- c) A majority vote of the King County Council both constitutes approval of the amendments and ratification on behalf of the residents of Unincorporated King County.;
- d) After approval and ratification by the King County Council, amendments are forwarded to each city and town for ratification. Amendments cannot be modified during the city ratification process; and
- e) Amendments must be ratified within 90 days of King County approval and require affirmation by the county and cities and towns representing at least 70 percent of the county population and 30 percent of those jurisdictions. Ratification is either by an affirmative vote of the city's or town's council or by no action being taken within the ratification period.

Monitoring. Periodically evaluating the effectiveness of the Countywide Planning Policies is key to continuing their value to the region and local jurisdictions. In 1994 King County and cities established the current Benchmarks program to monitor and evaluate key regional indicators.

FW-2 Monitor and benchmark the progress of the Countywide Planning Policies towards achieving the Regional Growth Strategy inclusive of the environment, development patterns, housing, the economy, transportation and the provision of public services. Identify corrective actions to be taken if benchmarks are not being achieved.

Investment. Key to ensuring the success of the Countywide Planning Policies is investment in regional infrastructure and programs. Balancing the use of limited available funds between regional and local needs is extremely complex.

FW-3 Work collaboratively to identify and seek regional, state, and federal funding sources to invest in infrastructure, strategies, and programs to enable the full implementation of the Countywide Planning Policies. Balance needed regional investments with local needs when making funding determinations.

ENVIRONMENT

Overarching Goal: *The quality of the natural environment in King County is restored and protected for future generations.*

Environmental Sustainability

Local governments have a key role in shaping sustainable communities by integrating sustainable development and business practices with ecological, social, and economic concerns. Local governments also play a pivotal role in ensuring environmental justice by addressing environmental impacts on minority and low-income populations and by pursuing fairness in the application of policies and regulations.

EN-1 Incorporate environmental protection and restoration efforts into local comprehensive plans to ensure that the quality of the natural environment and its contributions to human health and vitality are sustained now and for future generations.

EN-2 Encourage low impact development approaches for managing stormwater, protecting water quality, minimizing flooding and erosion, protecting habitat, and reducing greenhouse gas emissions.

EN-3 Encourage the transition to a sustainable energy future by reducing demand through planning for efficiency and conservation and by meeting reduced needs from sustainable sources.

EN-4 Identify and preserve regionally significant open space networks in both Urban and Rural Areas. Develop strategies and funding to protect lands that provide the following valuable functions:

- Physical or visual separation delineating growth boundaries or providing buffers between incompatible uses;
- Active and passive outdoor recreation opportunities;
- Wildlife habitat and migration corridors that preserve and enhance ecosystem resiliency in the face of urbanization and climate change;
- Preservation of ecologically sensitive, scenic or cultural resources;
- Urban green space, habitats, and ecosystems;
- Forest resources; and
- Food production potential.

EN-5 Identify and mitigate unavoidable negative impacts of public actions that disproportionately affect people of color and low-income populations.

Earth and Habitat

Healthy ecosystems and environments are vital to the sustainability of all plant and animal life, including humans. Protection of biodiversity in all its forms and across all landscapes is critical to continued prosperity and high quality of life in King County. The value of biodiversity to sustaining long-term productivity and both economic and ecological benefits is evident in fisheries, forestry, and agriculture. For ecosystems to be healthy and provide healthful benefits to people, local governments must prevent negative human impacts and work to ensure that this ecosystem remain diverse and productive over time. With the impending effects of climate change, maintaining biodiversity becomes even more critical to the preservation and resilience of resource-based activities and to many social and ecological systems. Protection of individual species, including Chinook salmon, also plays an important role in sustaining biodiversity and quality of life within the county. Since 2000, local governments, citizens, tribes, conservation districts, non-profit groups, and federal and state fisheries managers have cooperated to develop and implement watershed-based salmon conservation plans, known as Water Resource Inventory Area plans, to conserve and restore habitat for Chinook salmon today and for future generations.

EN-6 Coordinate approaches and standards for defining and protecting critical areas especially where such areas and impacts to them cross jurisdictional boundaries.

EN-7 Encourage basin-wide approaches to wetland protection, emphasizing preservation and enhancement of the highest quality wetlands and wetland systems.

EN-8 Develop an integrated and comprehensive approach to managing fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species.

EN-9 Implement salmon habitat protection and restoration priorities in approved Water Resource Inventory Area plans.

Flood Hazards

Flooding is a natural process that affects human communities and natural environments in King County. Managing floodplain development and conserving aquatic habitats are the main challenges for areas affected by flooding. The King County Flood Control District exists to protect public health and safety, regional economic centers, public and private property and transportation corridors. Local governments also have responsibility for flood control within their boundaries.

EN-10 Coordinate and fund flood hazard management efforts through the King County Flood Control District.

EN-11 Work cooperatively to meet regulatory standards for floodplain development as these standards are updated for consistency with relevant federal requirements including those related to the Endangered Species Act.

EN-12 Work cooperatively with the federal, state, and regional agencies and forums to develop regional levee maintenance standards that ensure public safety and protect habitat.

Water Resources

The flow and quality of water is impacted by water withdrawals, land development, stormwater management, and climate change. Since surface and ground waters do not respect political boundaries, cross-jurisdictional coordination of water is required to ensure its functions and uses are protected and sustained. The Puget Sound Partnership was created by the Washington State Legislature as the state agency with the responsibility for assuring the preservation and recovery of Puget Sound and the freshwater systems flowing into the Sound. King County plays a key role in these efforts because of its large population and its location in Central Puget Sound.

EN-13 Collaborate with the Puget Sound Partnership to implement the Puget Sound Action Agenda and to coordinate land use and transportation plans and actions for the benefit of Puget Sound and its watersheds.

EN-14 Manage natural drainage systems to improve water quality and habitat functions, minimize erosion and sedimentation, protect public health, reduce flood risks, and moderate peak storm water runoff rates. Work cooperatively among local, regional, state, national and tribal jurisdictions to establish, monitor and enforce consistent standards for managing streams and wetlands throughout drainage basins.

EN-15 Establish a multi-jurisdictional approach for funding and monitoring water quality, quantity, biological conditions, and outcome measures and for improving the efficiency and effectiveness of monitoring efforts.

Air Quality and Climate Change

Greenhouse gas emissions are resulting in a changing and increasingly variable climate. King County's snow-fed water supply is especially vulnerable to a changing climate. Additionally, the patterns of storm events and river and stream flow patterns are changing and our shorelines are susceptible to rising sea levels. Carbon dioxide reacts with seawater and reduces the water's pH, threatening the food web in Puget Sound. While local governments can individually work to reduce greenhouse gas emissions, more significant emission reductions can only be

accomplished through countywide coordination of land use patterns and promotion of transportation systems that provide practical alternatives to single occupancy vehicles. Efficient energy consumption is both a mitigation and an adaptation strategy. Local governments can improve energy efficiency through the development of new infrastructure as well as the maintenance and updating of existing infrastructure.

EN-16 Plan for land use patterns and transportation systems that minimize air pollution and greenhouse gas emissions, including:

- Maintaining or exceeding existing standards for carbon monoxide, ozone, and particulates;
- Directing growth to Urban Centers and other mixed use/ high density locations that support mass transit, encourage non-motorized modes of travel and reduce trip lengths;
- Facilitating modes of travel other than single occupancy vehicles including transit, walking, bicycling, and carpooling;
- Incorporating energy-saving strategies in infrastructure planning and design;
- Encouraging new development to use low emission construction practices, low or zero net lifetime energy requirements and “green” building techniques; and
- Increasing the use of low emission vehicles, such as efficient electric-powered vehicles.

EN-17 Establish a countywide greenhouse gas reduction target that exceeds the statewide reduction requirement that is stated as the 2050 goal of a 50 percent reduction below 1990 levels.

EN-18 Establish a greenhouse gas emissions inventory and measurement framework for use by all King County jurisdictions to efficiently and effectively measure progress toward countywide targets established pursuant to policy EN-17.

EN-19 Promote energy efficiency, conservation methods and sustainable energy sources to support climate change reduction goals.

EN-20 Plan and implement land use, transportation, and building practices that will greatly reduce consumption of fossil fuels.

EN-21 Formulate and implement climate change adaptation strategies that address the impacts of climate change to public health and safety, the economy, public and private infrastructure, water resources, and habitat.

DEVELOPMENT PATTERNS

The policies in this chapter address the location, types, design and intensity of land uses that are desired in King County and its cities. They guide implementation of the vision for physical development within the county. The policies also provide a framework for how to focus improvements to transportation, public services, the environment, and affordable housing, as well as how to incorporate concerns about climate change and public health into planning for new growth. Development patterns policies are at the core of growth management efforts in King County; they further the goals of VISION 2040, and recognize the variety of local communities that will be taking action to achieve those goals.

Overarching Goal: *Growth in King County occurs in a compact, centers-focused pattern that uses land and infrastructure efficiently and that protects Rural and Resource Lands.*

The Countywide Planning Policies designate land as Urban, Rural, or Resource. The Land Use Map in Appendix 1 shows the Urban Growth Area boundary and Urban, Rural, and Resource Lands within King County. Further sections of this chapter provide more detailed descriptions and guidance for planning within each of the three designations.

DP-1 Designate all land within King County as either:

- Urban land within the Urban Growth Area, where new growth is focused and accommodated;
- Rural land, where farming, forestry, and other resource uses are protected, and very low-density residential uses, and small-scale non-residential uses are allowed; or
- Resource land, where permanent regionally significant agricultural, forestry, and mining lands are preserved.

Urban Growth Area

The Urban Growth Area encompasses all of the urban designated lands within King County. These lands include all cities as well as a portion of unincorporated King County. Consistent with the Growth Management Act and VISION 2040, urban lands are intended to be the focus of future growth that is compact, includes a mix of uses, and is well-served by public infrastructure. Urban lands also include a network of open space where ongoing maintenance is a local as well as a regional concern.

The pattern of growth within the Urban Growth Area implements the Regional Growth Strategy in VISION 2040 through allocation of targets to local jurisdictions. The targets create an obligation to plan and provide zoning for future potential growth, but do not obligate a jurisdiction to guarantee that a given number of housing units will be built or jobs added during the planning period.

Several additional elements in the Development Patterns chapter reinforce the vision and targeted growth pattern for the Urban Growth Area. Procedures and criteria for amending the Urban Growth Area boundary address a range of objectives and ensure that changes balance the needs for land to accommodate growth with the overarching goal of preventing sprawl within the county. A review and evaluation program provides feedback for the county and cities on the effectiveness of their efforts to accommodate and achieve the desired land use pattern. Joint planning facilitates the transition of governance of the Urban Growth Area from the county to cities, consistent with the Growth Management Act.

Urban form and development within the Urban Growth Area are important settings to provide people with choices to engage in more physical activity, eat healthy food, and minimize exposure to harmful environments and substances. In particular, the quality and safety of walking and biking routes children use to reach school is known to affect their health.

Goal Statement: *The Urban Growth Area accommodates growth consistent with the regional vision and growth targets through land use patterns and practices that create vibrant, healthy, and sustainable communities.*

Urban Lands

DP-2 Promote a pattern of compact development within the Urban Growth Area that includes housing at a range of urban densities, commercial and industrial development, and other urban facilities, including medical, governmental, institutional, and educational uses and parks and open space. The Urban Growth Area will include a mix of uses that are convenient to and support public transportation in order to reduce reliance on single occupancy vehicle travel for most daily activities.

DP-3 Efficiently develop and use residential, commercial, and manufacturing land in the Urban Growth Area to create healthy and vibrant urban communities with a full range of urban services, and to protect the long-term viability of the Rural Area and Resource Lands. Promote the efficient use of land within the Urban Growth Area by using methods such as:

- Directing concentrations of housing and employment growth to designated centers;
- Encouraging compact development with a mix of compatible residential, commercial, and community activities;
- Maximizing the use of the existing capacity for housing and employment; and
- Coordinating plans for land use, transportation, capital facilities and services.

DP-4 Concentrate housing and employment growth within the designated Urban Growth Area. Focus housing growth within countywide designated Urban Centers and locally designated local centers. Focus employment growth within countywide designated Urban and Manufacturing/Industrial Centers and within locally designated local centers.

DP-5 Decrease greenhouse gas emissions through land use strategies that promote a mix of housing, employment, and services at densities sufficient to promote walking, bicycling, transit, and other alternatives to auto travel.

DP-6 Plan for development patterns that promote public health by providing all residents with opportunities for safe and convenient daily physical activity, social connectivity, and protection from exposure to harmful substances and environments.

DP-7 Plan for development patterns that promote safe and healthy routes to and from public schools.

DP-8 Increase access to healthy food in communities throughout the Urban Growth Area by encouraging the location of healthy food purveyors, such as grocery stores and farmers markets, and community food gardens in proximity to residential uses and transit facilities.

DP-9 Designate Urban Separators as permanent low-density incorporated and unincorporated areas within the Urban Growth Area. Urban Separators are intended to protect Resource Lands, the Rural Area, and environmentally sensitive areas, and create open space and wildlife corridors within and between communities while also providing public health, environmental, visual, and recreational benefits. Changes to Urban Separators are made pursuant to the Countywide Planning Policies amendment process described in policy FW-1. Designated Urban Separators within cities and unincorporated areas are shown in the Urban Separators Map in Appendix 3.

DP 10 Discourage incompatible land uses from locating adjacent to general aviation airports throughout the county.

Growth Targets

DP-11 Allocate residential and employment growth to each city and unincorporated urban area in the county to:

- Accommodate the most recent 20-year population projection from the state Office of Financial Management and the most recent 20-year regional employment forecast from the Puget Sound Regional Council;
- Plan for a pattern of growth that is consistent with the Regional Growth Strategy contained in VISION 2040 including focused growth within cities with countywide designated centers and within other larger cities, limited development in the Rural Area, and protection of designated Resource Lands;
- Efficiently use existing zoned and future planned development capacity as well as the capacity of existing and planned infrastructure, including sewer and water systems;

- Promote a land use pattern that can be served by a connected network of public transportation services and facilities and pedestrian and bicycle infrastructure and amenities;
- Improve the jobs/housing balance within the region and the county;
- Promote sufficient opportunities for housing and employment development throughout the Urban Growth Area;
- Allocate growth to individual Potential Annexation Areas within the urban unincorporated area proportionate to its share of unincorporated capacity for housing and employment growth.

DP-12 Update housing and employment targets periodically to provide jurisdictions with up-to-date growth allocations to be incorporated in state-mandated comprehensive plan updates. Adopt housing and employment growth targets in the Countywide Planning Policies pursuant to the procedure described in policy FW-1. Adjust targets administratively upon annexation of unincorporated Potential Annexation Areas by cities. Growth targets for the 2006-2031 planning period are shown in table DP-1.

DP-13 Plan to accommodate housing and employment targets in all jurisdictions. This includes:

- Adopting comprehensive plans and zoning regulations that provide capacity for residential, commercial, and industrial uses that is sufficient to meet 20-year growth needs and is consistent with the desired growth pattern described in VISION 2040;
- Coordinating water, sewer, transportation and other infrastructure plans and investments among agencies, including special purpose districts; and
- Transferring and accommodating unincorporated area housing and employment targets as annexations occur.

Table DP-1: King County Jurisdiction Growth Targets 2006-2031					
		Net New Units 2006-2031		Net New Jobs 2006-2031	
		Housing Target	Potential Annexation Area Housing Target	Employment Target	Potential Annexation Area Emp Target
Metropolitan Cities					
	Bellevue	17,000	290	53,000	
	Seattle	86,000		146,700	
Metropolitan Cities Subtotal		103,000		199,700	
Core Cities	Auburn	9,620		19,350	
	Bothell	3,000	810	4,800	200
	Burien	4,440		5,610	
	Federal Way	8,100	2,390	12,300	290
	Kent	9,270	90	13,280	210
	Kirkland	8,570		20,850	
	Redmond	10,200	640	23,000	
	Renton	14,835	3,895	29,000	470
	SeaTac	5,800		25,300	
	Tukwila	4,800	50	15,500	2,050
Core Cities Subtotal		78,638		168,990	
Larger Cities	Des Moines	3,000		5,000	
	Issaquah	5,750	290	20,000	
	Kenmore	3,500		3,000	
	Maple Valley	1,800	1,060	2,000	
	Mercer Island	2,000		1,000	
	Sammamish	4,000	350	1,800	
	Shoreline	5,000		5,000	
	Woodinville	3,000		5,000	
Larger Cities Subtotal		28,050		42,800	
Small Cities	Algona	190		210	
	Beaux Arts	3		3	
	Black Diamond	1,900		1,050	
	Carnation	330		370	
	Clyde Hill	10		0	
	Covington	1,470		1,320	
	Duvall	1,140		840	
	Enumclaw	1,425		735	
	Hunts Point	1		0	
	Lake Forest Park	475		210	
	Medina	19		0	
	Milton	50	90	160	
	Newcastle	1,200		735	
	Normandy Park	120		65	
	North Bend	665		1,050	
	Pacific	285	135	370	
Skykomish	10		0		
Snoqualmie	1,615		1,050		
	Yarrow Point	14		0	
Small Cities Subtotal		10,922		8,168	
Urban Unincorp	Potential Annexation Areas	10,090		3,220	
	North Highline	820		1,520	
	Bear Creek UPD	910		3,580	
	Unclaimed Urban Uninc.	650		90	
Urban Incorporated Subtotal		12,470		8,410	
Urban Growth Area Total		233,077		428,068	

Amendments to the Urban Growth Area

DP-14 Review the Urban Growth Area at least every ten years. In this review consider monitoring reports and other available data. As a result of this review, and based on the criteria established in policies DP-15 and DP-16, King County may propose and then the Growth Management Planning Council may recommend amendments to the Countywide Planning Policies and King County Comprehensive Plan that make changes to the Urban Growth Area boundary.

DP-15 Allow amendment of the Urban Growth Area only when the following steps have been satisfied:

- a) The proposed expansion is under review by the County as part of an amendment process of the King County Comprehensive Plan;
- b) King County submits the proposal to the Growth Management Planning Council for the purposes of review and recommendation to the King County Council on the proposed amendment to the Urban Growth Area;
- c) The King County Council approves or denies the proposed amendment; and
- d) If approved by the King County Council, the proposed amendment is ratified by the cities following the procedures set forth in policy FW-1.

DP-16 Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a) A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or
- b) A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space
 - 1) is at least four times the acreage of the land added to the Urban Growth Area;
 - 2) is contiguous with the Urban Growth Area with at least a portion of the dedicated open space surrounding the proposed Urban Growth Area expansion; and
 - 3) Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or
- c) The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity or is park land that has been owned by a city since 1994 and is less than thirty acres in size.

DP-17 If expansion of the Urban Growth Area is warranted based on the criteria in DP-16(a) or DP-16(b), add land to the Urban Growth Area only if it meets all of the following criteria:

- a) Is adjacent to the existing Urban Growth Area and is no larger than necessary to promote compact development that accommodates anticipated growth needs;
- b) Can be efficiently provided with urban services and does not require supportive facilities located in the Rural Area;
- c) Follows topographical features that form natural boundaries, such as rivers and ridge lines and does not extend beyond natural boundaries, such as watersheds, that impede the provision of urban services;
- d) Is not currently designated as Resource Land;
- e) Is sufficiently free of environmental constraints to be able to support urban development without significant adverse environmental impacts, unless the area is designated as an Urban Separator by interlocal agreement between King County and the annexing city; and
- f) Is subject to an agreement between King County and the city or town adjacent to the area that the area will be added to the city's Potential Annexation Area. Upon ratification of the amendment, the Countywide Planning Policies will reflect both the Urban Growth Area change and Potential Annexation Area change.

DP-18 Allow redesignation of Urban land currently within the Urban Growth Area to Rural land outside of the Urban Growth Area if the land is not needed to accommodate projected urban growth, is not served by public sewers, is contiguous with the Rural Area, and:

- a) Is not characterized by urban development;
- b) Is currently developed with a low density lot pattern that cannot be realistically redeveloped at an urban density; or
- c) Is characterized by environmentally sensitive areas making it inappropriate for higher density development.

Review and Evaluation Program

DP-19 Conduct a buildable lands program that meets or exceeds the review and evaluation requirements of the Growth Management Act. The purposes of the buildable lands program are:

- To collect and analyze data on development activity, land supply, and capacity for residential, commercial, and industrial land uses;
- To evaluate the consistency of actual development densities with current comprehensive plans; and
- To evaluate the sufficiency of land capacity to accommodate growth for the remainder of the planning period.

DP-20 If necessary based on the findings of a periodic buildable lands evaluation report, adopt reasonable measures, other than expansion of the Urban Growth Area, to increase land capacity for housing and employment growth within the Urban Growth Area by making more efficient use of urban land consistent with current plans and targets.

Joint Planning and Annexation

DP-21 Coordinate the preparation of comprehensive plans among adjacent and other affected jurisdictions as a means to avoid or mitigate the potential cross-border impacts of urban development.

DP-22 Designate Potential Annexation Areas in city comprehensive plans and adopt them in the Countywide Planning Policies. Ensure that Potential Annexation Areas do not overlap or leave unincorporated urban islands between cities.

DP-23 Facilitate the annexation of unincorporated areas within the Urban Growth Area that are already urbanized and are within a city's Potential Annexation Area in order to provide urban services to those areas. Annexation is preferred over incorporation.

DP-24 Allow cities to annex territory only within their designated Potential Annexation Area as shown in the Potential Annexation Areas Map in Appendix 2. Phase annexations to coincide with the ability of cities to coordinate the provision of a full range of urban services to areas to be annexed.

DP-25 Within the North Highline unincorporated area, where Potential Annexation Areas overlapped prior to January 1, 2009, strive to establish alternative non-overlapping Potential Annexation Area boundaries through a process of negotiation. Absent a negotiated resolution, a city may file a Notice of Intent to Annex with the Boundary Review Board for King County for territory within its designated portion of a Potential Annexation Area overlap as shown in the Potential Annexation Areas Map in Appendix 2 and detailed in the city's comprehensive plan after the following steps have been taken:

- a) The city proposing annexation has, at least 30 days prior to filing a Notice of Intent to annex with the Boundary Review Board, contacted in writing the cities with the PAA overlap and the county to provide notification of the city's intent to annex and to request a meeting or formal mediation to discuss boundary alternatives, and;
- b) The cities with the Potential Annexation Area overlap and the county have either:
 - i) Agreed to meet but failed to develop a negotiated settlement to the overlap within 60 days of receipt of the notice, or
 - ii) Declined to meet or failed to respond in writing within 30 days of receipt of the notice.

DP-26 Develop agreements between King County and cities with Potential Annexation Areas to apply city-compatible development standards that will guide land development prior to annexation.

DP-27 Evaluate proposals to annex or incorporate unincorporated land based on the following criteria:

- a) Conformance with Countywide Planning Policies including the Urban Growth Area boundary;
- b) The ability of the annexing or incorporating jurisdiction to provide urban services at standards equal to or better than the current service providers; and
- c) Annexation or incorporation in a manner that will avoid creating unincorporated islands of development.

DP-28 Resolve the issue of unincorporated road islands within or between cities. Roadways and shared streets within or between cities, but still under King County jurisdiction, should be annexed by adjacent cities.

Centers

A centers strategy is the linchpin for King County to achieve the regional land use vision as well as a range of other objectives, particularly providing a land use framework for an efficient and effective regional transit system. Countywide designation of Urban Centers and local designation of local centers provide for locations of mixed-use zoning, infrastructure, and concentrations of services and amenities to accommodate both housing and employment growth. Manufacturing/Industrial Centers preserve lands for family-wage jobs in basic industries and trade and provide areas where that employment may grow in the future.

Goal Statement: *King County grows in a manner that reinforces and expands upon a system of existing and planned central places within which concentrated residential communities and economic activities can flourish.*

Urban Centers

DP-29 Concentrate housing and employment growth within designated Urban Centers.

DP-30 Designate Urban Centers in the Countywide Planning Policies where city-nominated locations meet the criteria in policies DP-31 and DP-32 and where the city's commitments will help ensure the success of the center. Urban Centers will be limited in number and located on existing or planned high capacity transit corridors to provide a framework for targeted private and public investments that support regional land use and transportation goals. The Land Use Map in Appendix 1 shows the locations of the designated Urban Centers.

DP-31 Allow designation of new Urban Centers where the proposed Center:

- a) Encompasses an area up to one and a half square miles; and
- b) Has adopted zoning regulations and infrastructure plans that are adequate to accommodate:
 - i) A minimum of 15,000 jobs within one-half mile of an existing or planned high-capacity transit station;

- ii) At a minimum, an average of 50 employees per gross acre within the Urban Center; and
- iii) At a minimum, an average of 15 housing units per gross acre within the Urban Center.

DP-32 Adopt a map and housing and employment growth targets in city comprehensive plans for each Urban Center, and adopt policies to promote and maintain quality of life in the Center through:

- A broad mix of land uses that foster both daytime and nighttime activities and opportunities for social interaction;
- A range of affordable and healthy housing choices;
- Historic preservation and adaptive reuse of historic places;
- Parks and public open spaces that are accessible and beneficial to all residents in the Urban Center;
- Strategies to increase tree canopy within the Urban Center and incorporate low-impact development measures to minimize stormwater runoff;
- Facilities to meet human service needs;
- Superior urban design which reflects the local community vision for compact urban development;
- Pedestrian and bicycle mobility, transit use, and linkages between these modes;
- Planning for complete streets to provide safe and inviting access to multiple travel modes, especially bicycle and pedestrian travel; and
- Parking management and other strategies that minimize trips made by single-occupant vehicle, especially during peak commute periods.

DP-33 Form the land use foundation for a regional high-capacity transit system through the designation of a system of Urban Centers. Urban Centers should receive high priority for the location of transit service.

Manufacturing/ Industrial Centers

DP-34 Concentrate manufacturing and industrial employment within countywide designated Manufacturing/ Industrial Centers. The Land Use Map in Appendix 1 shows the locations of the designated Manufacturing/Industrial Centers.

DP-35 Adopt in city comprehensive plans a map and employment growth targets for each Manufacturing/ Industrial Center and adopt policies and regulations for the Center to:

- Provide zoning and infrastructure adequate to accommodate a minimum of 10,000 jobs;
- Preserve and enhance sites that are appropriate for manufacturing or other industrial uses;

- Strictly limit residential uses and discourage land uses that are not compatible with manufacturing and industrial uses, such as by imposing low maximum size limits on offices and retail uses that are not accessory to an industrial use;
- Facilitate the mobility of employees by transit and the movement of goods by truck, rail, air or waterway, as appropriate;
- Provide for capital facility improvement projects which support the movement of goods and manufacturing/industrial operations;
- Ensure that utilities are available to serve the center;
- Avoid conflicts with adjacent land uses to ensure the continued viability of the land in the Manufacturing/ Industrial Center for manufacturing and industrial activities; and
- Attract and retain the types of businesses that will ensure economic growth and stability.

DP-36 Minimize or mitigate potential health impacts of the activities in Manufacturing/ Industrial Centers on residential communities, schools, open space, and other public facilities.

DP-37 Designate additional Manufacturing/ Industrial Centers in the Countywide Planning Policies pursuant to the procedures described in policy FW-1 based on nominations from cities and after determining that:

- a) the nominated locations meet the criteria set forth in policy DP-35 and the criteria established by the Puget Sound Regional Council for Regional Manufacturing/ Industrial Centers;
- b) the proposed center's location will promote a countywide system of Manufacturing/ Industrial Centers with the total number of centers representing a realistic growth strategy for the county; and
- c) the city's commitments will help ensure the success of the center.

Local Centers

DP-38 Identify in city comprehensive plans local centers, such as city or neighborhood centers, transit station areas, or other activity nodes, where housing, employment, and services are accommodated in a compact form and at sufficient densities to support transit service and to make efficient use of urban land.

Urban Design and Historic Preservation

The countywide vision includes elements of urban design and form intended to integrate urban development into existing built and natural environments in ways that enhance both the urban and natural settings. These elements include high quality design, context sensitive infill and

redevelopment, historic preservation, and the interdependence of urban and rural and agricultural lands and uses.

Goal statement: *The built environment in both urban and rural settings achieves a high degree of high quality design that recognizes and enhances, where appropriate, existing natural and urban settings.*

DP-39 Develop neighborhood planning and design processes that encourage infill development, redevelopment, and reuse of existing buildings and that, where appropriate based on local plans, enhance the existing community character and mix of uses.

DP-40 Promote a high quality of design and site planning in publicly-funded and private development throughout the Urban Growth Area.

DP-41 Preserve significant historic, archeological, cultural, architectural, artistic, and environmental features, especially where growth could place these resources at risk. Where appropriate, designate individual features or areas for protection or restoration. Encourage land use patterns and adopt regulations that protect historic resources and sustain historic community character.

DP-42 Design new development to create and protect systems of green infrastructure, such as urban forests, parks, green roofs, and natural drainage systems, in order to reduce climate-altering pollution and increase resilience of communities to climate change impacts.

DP-43 Design communities, neighborhoods, and individual developments using techniques that reduce heat absorption, particularly in Urban Centers.

DP-44 Adopt design standards or guidelines that foster infill development that is compatible with the existing or desired urban character.

Rural Area and Resource Lands

The Rural Area and Resource Lands encompass all areas outside of the Urban Growth Area and include Vashon Island in Puget Sound and the area just east of the Urban Growth Area all the way to the crest of the Cascade Mountains. The Rural Area is characterized by low density development with a focus on activities that are dependent on the land such as small scale farming and forestry. The Rural Area also provides important environmental and habitat functions and is critical for salmon recovery. The location of the Rural Area, between the Urban Growth Area and designated Resource Lands, helps to protect commercial agriculture and timber from incompatible uses. The Rural Area, outside of the Rural Cities, is to remain in unincorporated King County and is to be provided with a rural level of service.

Rural Area

Goal Statement: *The Rural Area provides a variety of landscapes, maintains diverse low density communities, and supports rural economic activities based on sustainable stewardship of the land.*

DP-45 Limit growth in the Rural Area to prevent sprawl and the overburdening of rural services, reduce the need for new rural infrastructure, maintain rural character, and protect the natural environment.

DP-46 Limit residential development in the Rural Area to housing at low densities that are compatible with rural character and comply with the following density guidelines:

- a) One home per 20 acres where a pattern of large lots exists and to buffer Forest Protection Districts and Agricultural Districts;
- b) One home per 10 acres where the predominant lot size is less than 20 acres; or
- c) One home per five acres where the predominant lot size is less than 10 acres.
- d) Allow limited clustering within development sites to avoid development on environmentally critical lands or on productive forest or agricultural lands, but not to exceed the density guidelines cited in (a) through (c).

DP-47 Limit the extension of urban infrastructure improvements through the Rural Area to only cases where it is necessary to serve the Urban Growth Area and where there are no other feasible alignments. Such limited extensions may be considered only if land use controls are in place to restrict uses appropriate for the Rural Area and only if access management controls are in place to prohibit tie-ins to the extended facilities.

DP-48 Establish rural development standards to protect the natural environment by using seasonal and maximum clearing limits for vegetation, limits on the amount of impervious surface, surface water management standards that preserve natural drainage systems, water quality and groundwater recharge, and best management practices for resource-based activities.

DP-49 Prevent or, if necessary, mitigate negative impacts of urban development to the adjacent Rural Area.

DP-50 Limit new public facilities located in the Rural Area to a size and scale appropriate to serve the Rural Area unless the public facilities are consistent with a rural location, such as a large passive park.

DP-51 Allow cities that own property in the Rural Area to enter into interlocal agreements with King County to allow the cities to provide services to the properties they own as long as the cities agree to not annex the property or serve it with sewers or any infrastructure at an urban level of service. The use of the property must be consistent with the rural land use policies in the Countywide Planning Policies and the King County Comprehensive Plan.

Resource Lands

The Resource Lands are designated areas with long term commercial significance for agriculture, forestry, and mining, and are depicted in the Land Use Map in Appendix 1 as Forest Product Districts, Agricultural Production Districts, and Mineral Resource Lands. The use and designation of these lands are to be permanent, in accordance with the Growth Management Act. King County has maintained this base of agriculture and forest lands despite the rapid growth of the previous decades. The Resource Lands are to remain in unincorporated King County but their benefit and significance is felt throughout the county into the cities. Within cities, farmers markets are becoming important and sought after neighborhood amenities.

The forests of the Pacific Northwest are some of the most productive in the world and King County has retained two-thirds of the county in forest cover. Large scale forestry is a traditional land use in the eastern half of King County and remains a significant contributor to the rural economy. In addition, forests provide exceptional recreational opportunities, including downhill and cross-country skiing, mountain biking, hiking, and backpacking.

Goal Statement: *Resource Lands are valuable assets of King County and are renowned for their productivity and sustainable management.*

DP-52 Promote and support forestry, agriculture, mining and other resource-based industries outside of the Urban Growth Area as part of a diverse and sustainable regional economy.

DP-53 Conserve commercial agricultural and forestry resource lands primarily for their long-term productive resource value and for the open space, scenic views, wildlife habitat, and critical area protection they provide. Limit the subdivision of land so that parcels remain large enough for commercial resource production.

DP-54 Encourage best practices in agriculture and forestry operations for long-term protection of the natural resources.

DP-55 Prohibit annexation of lands within designated Agricultural Production Districts or within Forest Production Districts by cities.

DP-56 Retain the Lower Green River Agricultural Production District as a regionally designated resource that is to remain in unincorporated King County.

DP-57 Discourage incompatible land uses adjacent to designated Resource Lands to prevent interference with their continued use for the production of agricultural, mining, or forest products.

DP-58 Support local production and processing of food to reduce the need for long distance transport and to increase the reliability and security of local food. Promote activities and infrastructure, such as farmers markets, farm worker housing and agricultural processing facilities, that benefit both cities and farms by improving access to locally grown agricultural products.

DP-59 Ensure that extractive industries maintain environmental quality and minimize negative impacts on adjacent lands.

DP-60 Support institutional procurement policies that encourage purchases of locally grown food products.

DP-61 Use a range of tools, including land use designations, development regulations, level-of-service standards, and transfer or purchase of development rights to preserve Rural and Resource Lands and focus urban development within the Urban Growth Area.

DP-62 Use transfer of development rights to shift potential development from the Rural Area and Resource Lands into the Urban Growth Area, especially cities. Implement transfer of development rights within King County through a partnership between the county and cities that is designed to:

- Identify rural and resource sending sites that satisfy countywide conservation goals and are consistent with regionally coordinated transfer of development rights efforts;
- Preserve rural and resource lands of compelling interest countywide and to participating cities;
- Identify appropriate transfer of development rights receiving areas within cities;
- Identify incentives for city participation in regional transfer of development rights (i.e. county-to-city transfer of development rights);
- Develop interlocal agreements that allow rural and resource land development rights to be used in city receiving areas;
- Identify and secure opportunities to fund or finance infrastructure within city transfer of development rights receiving areas;
- Permit existing King County allowance for very limited transfers of development rights within the Rural Area; and
- Be compatible with existing within-city transfer of development rights programs.

HOUSING

The Countywide Planning Policies provide a framework for all jurisdictions to plan for and promote a range of affordable, accessible, and healthy housing choices for current and future residents. Meeting the county's affordable housing needs will require actions by a wide range of private for profit, non-profit and government entities, including substantial resources from federal, state, and local levels. As part of this effort, all jurisdictions share the responsibility to plan for and encourage a sufficient stock of housing that is affordable to households of all income levels and demographic groups. The housing policies in this chapter encompass a full range of public actions including assessment of needs, setting targets, establishing implementation actions, and monitoring outcomes. More detailed guidance is provided in Appendix 4.

Overarching Goal: *The housing needs of all economic and demographic groups are met within all jurisdictions.*

Housing Supply and Needs Analysis

The Growth Management Act requires a housing inventory and needs analysis as part of the housing element of each jurisdiction's comprehensive plan. Development of effective housing policies and programs requires adequate information on current and future conditions, local and countywide housing needs, and available resources. Assessing local housing needs includes reviewing the needs of a full range of income groups, among both current and expected future residents. The housing supply and needs analysis complements the affordable housing targets for each jurisdiction with a more comprehensive assessment to guide a full range of policies and regulations that influence housing. Further guidance on the elements of the assessment is provided in Appendix 4.

H-1 Include in each jurisdiction's comprehensive plan an inventory and analysis of housing needs of all economic and demographic segments of the population, including individuals and families. Include in the inventory, at a minimum, relevant characteristics of housing supply and housing need, especially the needs of very-low, low- and moderate-income households, and special needs populations in the county, and changing demographic needs of the community. Address in the analysis each jurisdiction's existing housing needs as well as its responsibility to accommodate a fair share of the projected future demand for affordable housing countywide over the planning period as expressed in the affordable housing targets described in policy H-2.

Affordable Housing Targets

Within King County, the most pressing unmet need for affordable housing is for households earning less than 80 percent of area median income. Households that fall below this threshold

include low-wage workers in services and other industries; persons on fixed incomes including many disabled and elderly residents; homeless individuals and families; and many other community members. The county and all cities share in the responsibility to increase the supply of housing that is affordable to these households. The Countywide Planning Policies assign Affordable Housing Targets to each jurisdiction in order to focus local plans, regulations, and programs on increasing housing choice and opportunity for households at the lower end of the income range, increasing the housing stock affordable to those households in areas of higher-cost housing, and increasing the range of housing choices and affordability levels in areas with existing concentrations of low-cost housing.

While neither the county nor the cities can guarantee that a given number of units at a given price level will be produced during the planning period, setting planning targets makes explicit the scope of the effort required in each jurisdiction. Progress toward affordable housing targets may be accomplished through the addition of newly constructed affordable units or existing units newly preserved or acquired and rehabilitated with a regulatory agreement for long-term affordability. Local governments may also achieve targets through the efforts of multijurisdictional organizations.

H-2 Adopt in each jurisdiction’s comprehensive plan policies and strategies that accommodate at a minimum the affordable housing targets shown: in a) and b) below. Over time, progress toward achieving targets is measured as a percentage of overall housing growth within each jurisdiction and the county as a whole.

- a. Housing affordable to moderate income households, with incomes between 50 and 80 percent of the area median household income, which is equal to 16 percent of the jurisdiction’s overall housing target; and
- b. Housing affordable to low-income and very-low-income households, with incomes at or below 50 percent of area median household income, as described in Appendix 4.

Strategies to Meet Housing Needs

VISION 2040 encourages local jurisdictions to adopt best housing practices and innovative techniques to advance the provision of affordable, healthy, sustainable, and safe housing for all residents. No single tool is likely to be sufficient to meet the full range of needs in a given jurisdiction, and the county and cities are encouraged to adopt a range of housing tools, supported by land use, transportation, and other policies, regulations, and investments. Sufficient capacity for housing to meet targeted needs, provided in a variety of unit types and sizes, is the foundation for implementing the housing policies. More detailed guidance on the range of strategies for promoting housing supply and affordability is contained in Appendix 4.

H-3 Provide zoned residential capacity within each jurisdiction in the Urban Growth Area for a range of housing types and densities, sufficient to accommodate each jurisdiction’s overall

housing targets, affordable housing targets, and, where applicable, its housing targets for designated Urban Centers.

H-4 Adopt strategies, at the local and countywide levels, that promote housing supply, affordability, and diversity. At a minimum, these strategies should address the following areas:

- New housing that increases the overall supply and diversity of housing, including both rental and ownership housing suitable for a range of household types and sizes;
- New housing that is affordable to very-low, low-, and moderate-income households;
- Provision of housing that is suitable and affordable for households with special needs;
- Preservation of existing housing units, especially affordable housing units;
- Acquisition and rehabilitation of housing units for long-term affordability;
- Universal design and sustainable development of housing; and
- Increased housing supply, including affordable housing and special needs housing, within Urban Centers and in other areas planned for concentrations of mixed land uses.

H-5 Plan for housing that is accessible to major employment centers and affordable to the workforce in them so people of all incomes can live near or within reasonable commuting distance of their places of work. Encourage housing production at a level that improves the balance of housing to employment throughout the county.

H-6 Promote housing development, preservation, and affordability in coordination with transit, bicycle, and pedestrian plans and investments and in proximity to transit hubs and corridors, such as through transit oriented development and planning for mixed uses in transit station areas.

H-7 Plan for residential neighborhoods that protect and promote the health and well-being of residents by supporting active living and healthy eating and reducing the risk of injury and exposure to environmental toxins.

H-8 Adopt comprehensive plan policies that promote fair housing and plan for communities that include residents with a range of abilities, ages, races, incomes, and other diverse characteristics of the population of the county.

Regional Cooperation

Housing affordability is important to regional economic vitality and sustainability. Housing markets do not respect jurisdictional boundaries. For these reasons, multijurisdictional efforts for planning and adopting strategies to meet regional housing needs are an additional tool for identifying and meeting affordable housing needs. Collaborative efforts, supported by the work of Puget Sound Regional Council and other agencies, contribute to producing affordable

housing and coordinating equitable, sustainable development in the county and region. Where individual cities lack sufficient resources, collective efforts to fund or provide technical assistance for affordable housing development and programs can help to meet the housing needs identified in comprehensive plans.

H-9 Collaborate in developing new countywide housing resources and programs, including funding, with a focus on meeting the affordable housing needs of very-low, low-, and moderate-income households. Support countywide affordable housing programs, contribute resources and other in-kind assistance to local affordable housing development, and support countywide partnership efforts that encourage equitable and sustainable development.

H-10 Work cooperatively among jurisdictions to provide mutual support in meeting overall housing targets and affordable housing targets.

H-11 Work cooperatively with the Puget Sound Regional Council and other agencies to identify ways to expand technical assistance to local jurisdictions in developing, implementing and monitoring the success of strategies that promote affordable housing that meets changing demographic needs. Collaborate in developing and implementing a housing strategy for the four-county central Puget Sound region.

Measuring Results

Maintaining timely and relevant data on housing markets and residential development allows the county and cities to evaluate the effectiveness of their housing strategies and to make appropriate changes to those strategies when and where needed. In assessing efforts to meet affordable housing targets, jurisdictions need to consider public actions taken to encourage development and preservation of very low-, low- and moderate-income housing, such as local funding, development code changes, and creation of new programs, as well as market and other factors that are beyond local government control. Further detail on monitoring procedures is contained in Appendix 4.

H-12 Monitor housing supply and affordability, including progress toward achieving affordable housing targets, both countywide and within each jurisdiction. Local and countywide monitoring should encompass:

- Number and type of new housing units;
- Number of units lost to demolition, redevelopment, or conversion to non-residential use;
- Number of new units that are affordable to very-low, low-, and moderate-income households;
- Number of affordable units newly preserved and units acquired and rehabilitated with a regulatory agreement for long-term affordability for very-low, low-, and moderate-income households;

- Housing market trends including affordability of overall housing stock;
- Changes in zoned capacity for housing;
- The number and nature of fair housing complaints; and
- Housing development and market trends in Urban Centers.

H-13 Report regularly on the results of the housing monitoring program and consider those data in evaluating progress in the county and cities toward achieving housing goals and targets, and in developing and updating countywide and local housing policies and strategies.

ECONOMY

Overarching Goal: *People throughout King County have opportunities to prosper and enjoy a high quality of life through economic growth and job creation.*

The Countywide Planning Policies in the Economy Chapter support the economic growth and sustainability of King County's economy. A strong and healthy economy results in business development, job creation, and investment in our communities. The Economy Chapter reflects and supports the Regional Economic Strategy and VISION 2040's economic policies, which emphasize the economic value of business, people, and place.

The Regional Economic Strategy is the region's comprehensive economic development strategy and serves as the VISION 2040 economic functional plan. VISION 2040 integrates the Regional Economic Strategy with growth management, transportation, and environmental objectives to:

- support critical economic foundations, such as education, infrastructure, technology, and quality of life; and
- promote the region's specific industry clusters: aerospace, clean technology, information technology, life sciences, logistics and international trade, military, and tourism.

Each local community will have an individual focus on economic development, while the region's prosperity will benefit from coordination between local plans and the regional vision that take into account the county's and the region's overall plan for growth.

EC-1 Coordinate local and countywide economic policies and strategies with VISION 2040 and the Regional Economic Strategy.

EC-2 Support economic growth that accommodates employment growth targets (see table DP-1) through local land use plans, infrastructure development, and implementation of economic development strategies.

EC-3 Identify and support industry clusters and subclusters within King County that are components of the Regional Economic Strategy or that may otherwise emerge as having significance to King County's economy.

EC-4 Evaluate the performance of economic development policies and strategies in business development and job creation. Identify and track key economic metrics to help jurisdictions and the county as a whole evaluate the effectiveness of local and regional economic strategies.

Business Development

Business creation, retention, expansion, and recruitment are the foundations of a strong economy. The success of the economy in the county depends on opportunities for business growth. Our communities play a significant role through local government actions, such as by making regulations more predictable, by engaging in public-private partnerships, and by nurturing a business-supportive culture.

These policies also seek to integrate the concept of healthy communities as part of the county's economic objectives, by calling for support of the regional food economy, including production, processing, wholesaling and distribution of the region's agricultural food and food products.

EC-5 Help businesses thrive through:

- Transparency, efficiency, and predictability of local regulations and policies;
- Communication and partnerships between businesses, government, schools, and research institutions; and
- Government contracts with local businesses.

EC-6 Foster the retention and development of those businesses and industries that export their goods and services outside the region.

EC-7 Promote an economic climate that is supportive of business formation, expansion, and retention and emphasizes the importance of small businesses in creating jobs.

EC-8 Foster a broad range of public-private partnerships to implement economic development policies, programs and projects.

EC-9 Identify and support the retention of key regional and local assets to the economy, such as major educational facilities, research institutions, health care facilities, manufacturing facilities, and port facilities.

EC-10 Support the regional food economy including the production, processing, wholesaling, and distribution of the region's agricultural food and food products to all King County communities. Emphasize increasing access to those communities with limited presence of healthy food options.

People

People, through their training, knowledge, skills, and cultural background, add value to the region's economy. Additionally, creating an economy that provides opportunities for all helps alleviate problems of poverty and income disparity.

EC-11 Work with schools and other institutions to increase graduation rates and sustain a highly-educated and skilled local workforce. This includes aligning job training and education

offerings that are consistent with the skill needs of the region's industry clusters. Identify partnership and funding opportunities where appropriate.

EC-12 Celebrate the cultural diversity of local communities as a means to enhance the county's global relationships.

EC-13 Address the historic disparity in income and employment opportunities for economically disadvantaged populations, including minorities and women, by committing resources to human services; community development; housing; economic development; and public infrastructure.

Places

Economic activity in the county predominantly occurs within the Urban Growth Area, including Urban Centers and Manufacturing/ Industrial Centers. Continuing to guide local investments to these centers will help provide the support needed to sustain the economy and provide greater predictability to businesses about where capital improvements will be located. In addition to making productive use of urban land, economic activity adds to the culture and vitality of our local communities. Businesses create active, attractive places to live and visit, and make significant contributions to the arts. The Rural Area and Resource Lands are important for their contribution to the regional food network, mining, timber and craft industries, while Rural Cities are important for providing services to and being the economic centers for the surrounding Rural Area.

EC-14 Foster economic and employment growth in designated Urban Centers and Manufacturing/ Industrial Centers through local investments, planning, and financial policies.

EC-15 Make local investments to maintain and expand infrastructure and services that support local and regional economic development strategies. Focus investment where it encourages growth in designated centers and helps achieve employment targets.

EC-16 Add to the vibrancy and sustainability of our communities and the health and well-being of all people through safe and convenient access to local services, neighborhood-oriented retail, purveyors of healthy food (e.g. grocery stores and farmers markets), and transportation choices.

EC-17 Promote the natural environment as a key economic asset. Work cooperatively with local businesses to protect and restore the natural environment in a manner that is efficient and predictable and minimizes impacts on businesses.

EC-18 Maintain an adequate supply of land within the Urban Growth Area to support economic development. Inventory, plan for, and monitor the land supply and development capacity for,

manufacturing/ industrial, commercial and other employment uses that can accommodate the amount and types of economic activity anticipated during the planning period.

EC-19 Support Manufacturing/ Industrial Centers by adopting industrial siting policies that limit the loss of industrial lands, maintain the region’s economic diversity, and support family-wage jobs. Prohibit or strictly limit non-supporting or incompatible activities that can interfere with the retention or operation of industrial businesses, especially in Manufacturing/ Industrial Centers.

EC-20 Facilitate redevelopment of contaminated sites through local, county and state financing and other strategies that assist with funding environmental remediation.

EC-21 Encourage economic activity within Rural Cities that does not create adverse impacts to the surrounding Rural Area and Resource Lands and will not create the need to provide urban services and facilities to those areas.

TRANSPORTATION

The Regional Growth Strategy adopted in VISION 2040 identifies a network of walkable, compact, and transit-oriented communities that are the focus of urban development, as well as industrial areas with major employment concentrations. In the Countywide Planning Policies, these communities include countywide designated Urban Centers and Manufacturing/Industrial Centers, and locally designated local centers. An essential component of the Regional Growth Strategy is an efficient transportation system that provides multiple options for moving people and goods into and among the various centers. Transportation system, in the context of this chapter, is defined as a comprehensive, integrated network of travel modes (e.g. airplanes, automobiles, bicycles, buses, feet, ferries, freighters, trains, trucks) and infrastructure (e.g. sidewalks, trails, streets, arterials, highways, waterways, railways, airports) for the movement of people and goods on a local, regional, national and global scale.

Goals and policies in this chapter build on the 1992 King County Countywide Planning Policies and the Multicounty Planning Policies in VISION 2040. Policies are organized into three sections:

- Supporting Growth – focusing on serving the region with a transportation system that furthers the regional growth strategy;
- Mobility – addressing the full range of travel modes necessary to move people and goods efficiently within the region and beyond; and
- System Operations – encompassing the design, maintenance and operation of the transportation system to provide for safety, efficiency, and sustainability.

Overarching Goal: *The region is well served by an integrated, multi-modal transportation system that supports the regional vision for growth, efficiently moves people and goods, and is environmentally and functionally sustainable over the long term.*

Supporting Growth

An effective transportation system is critical to achieving the Regional Growth Strategy and ensuring that centers are functional and appealing to the residents and businesses they are designed to attract. The policies in this section reinforce the critical relationship between development patterns and transportation and they are intended to guide transportation investments from all levels of government that effectively support local, county and regional plans to accommodate growth. Policies in this section take a multi-modal approach to serving growth, with additional emphasis on transit and non-motorized modes to support planned development in centers.

Goal Statement: *Local and regional development of the transportation system is consistent with and furthers realization of the regional growth strategy.*

T-1 Work cooperatively with the Puget Sound Regional Council, the state, and other relevant agencies to finance and develop a multi-modal transportation system that enhances regional mobility and reinforces the countywide vision for managing growth. Use VISION 2040 and *Transportation 2040* as the policy and funding framework for creating a system of Urban Centers and Manufacturing/ Industrial Centers linked by high-capacity transit, bus transit and an interconnected system of freeways and high-occupancy vehicle lanes.

T-2 Avoid construction of major roads and capacity expansion on existing roads in the Rural Area and Resource Lands. Where increased roadway capacity is warranted to support safe and efficient travel through the Rural Area, appropriate rural development regulations and effective access management should be in place prior to authorizing such capacity expansion in order to make more efficient use of existing roadway capacity and prevent unplanned growth in the Rural Area.

T-3 Increase the share of trips made countywide by modes other than driving alone through coordinated land use planning, public and private investment, and programs focused on centers and connecting corridors, consistent with locally adopted mode split goals.

T-4 Develop station area plans for high capacity transit stations and transit hubs. Plans should reflect the unique characteristics and local vision for each station area including transit supportive land uses, transit rights-of-way, stations and related facilities, multi-modal linkages, and place-making elements.

T-5 Support countywide growth management objectives by prioritizing transit service to areas where existing housing and employment densities support transit ridership and to Urban Centers and other areas planned for housing and employment densities that will support transit ridership. Address the mobility needs of transit-dependent populations in allocating transit service and provide at least a basic level of service throughout the Urban Growth Area.

T-6 Foster transit ridership by designing transit facilities and services as well as non-motorized infrastructure so that they are integrated with public spaces and private developments to create an inviting public realm.

T-7 Ensure state capital improvement policies and actions are consistent with the Regional Growth Strategy and support VISION 2040 and the Countywide Planning Policies.

T-8 Prioritize regional and local funding to transportation investments that support adopted growth targets.

Mobility

Mobility is necessary to sustain personal quality of life and the regional economy. For individuals, mobility requires an effective transportation system that provides safe, reliable, and affordable travel options for people of all ages, incomes and abilities. While the majority of people continue to travel by personal automobile, there are growing segments of the population (e.g. elderly, teens, low income, minorities, and persons with disabilities) that rely on other modes of travel such as walking, bicycling, and public transportation to access employment, education and training, goods and services. According to the *2009 American Community Survey*, 8.7 percent of all households in King County had no vehicle available. For many minority populations, more than 20 percent of households in King County have no vehicle available to them. For certain minority groups (e.g. Asian-Pacific Islander, Black, Hispanic, and Native American) the percentage of households with no vehicle available is generally greater.

The movement of goods is also of vital importance to the local and regional economy. International trade is a significant source of employment and economic activity in terms of transporting freight, local consumption, and exporting of goods. The policies in this section are intended to address use and integration of the multiple modes necessary to move people and goods within and beyond the region. The importance of the roadway network, implicit in the policies of this section, is addressed more specifically in the System Operations section of this chapter.

Goal Statement: *A well-integrated, multi-modal transportation system transports people and goods effectively and efficiently to destinations within the region and beyond.*

T-9 Promote the mobility of people and goods through a multi-modal transportation system based on regional priorities consistent with VISION 2040 and local comprehensive plans.

T-10 Support effective management of existing air, marine and rail transportation capacity and address future capacity needs in cooperation with responsible agencies, affected communities, and users.

T-11 Develop and implement freight mobility strategies that strengthen King County's role as a major regional freight distribution hub, an international trade gateway, and a manufacturing area.

T-12 Address the needs of non-driving populations in the development and management of local and regional transportation systems.

T-13 Site and design transit stations and transit hubs to promote connectivity and access for pedestrian and bicycle patrons.

System Operations

The design, management and operation of the transportation system are major factors that influence the region's growth and mobility. Policies in this section stress the need to make efficient use of the existing infrastructure, serve the broad needs of the users, address safety and public health issues, and design facilities that are a good fit for the surroundings. Implementation of the policies will require the use of a wide range of tools including, but not limited to:

- technologies such as intelligent transportation systems and alternative fuels;
- demand management programs for parking, commute trip reduction and congestion; and
- incentives, pricing systems and other strategies to encourage choices that serve a common good such as public health and environmental sustainability.

Goal Statement: *The regional transportation system is well-designed and managed to protect public investments, promote public health and safety, and achieve optimum efficiency.*

T-14 Prioritize essential maintenance, preservation, and safety improvements of the existing transportation system to protect mobility and avoid more costly replacement projects.

T-15 Design and operate transportation facilities in a manner that is compatible with and integrated into the natural and built environments in which they are located. Incorporate features such as natural drainage, native plantings, and local design themes that facilitate integration and compatibility.

T-16 Protect the transportation system (e.g. roadway, rail, transit, air, and marine) against major disruptions by developing prevention and recovery strategies and by coordinating disaster response plans.

T-17 Promote the use of tolling and other pricing strategies to effectively manage the transportation system, provide a stable and sustainable transportation funding source, and improve mobility.

T-18 Develop a countywide monitoring system to determine how transportation investments are performing over time consistent with *Transportation 2040* recommendations.

T-19 Design roads and streets, including retrofit projects, to accommodate a range of motorized and non-motorized travel modes in order to reduce injuries and fatalities and to encourage non-motorized travel. The design should include well-defined, safe and appealing spaces for pedestrians and bicyclists.

T-20 Develop a transportation system that minimizes negative impacts to human health, including exposure to environmental toxins generated by vehicle emissions.

T-21 Provide opportunities for an active, healthy lifestyle by integrating the needs of pedestrians and bicyclists in the local and regional transportation plans and systems.

T-22 Plan and develop a countywide transportation system that reduces greenhouse gas emissions by advancing strategies that shorten trip length or replace vehicle trips to decrease vehicle miles traveled.

T-23 Apply technologies, programs and other strategies that optimize the use of existing infrastructure in order to improve mobility, reduce congestion, increase energy-efficiency, and reduce the need for new infrastructure.

T-24 Promote the expanded use of alternative fuel vehicles by the general public with measures such as converting public and private fleets, applying incentive programs, and providing for electric vehicle charging stations throughout the Urban Growth Area.

PUBLIC FACILITIES AND SERVICES

Overarching Goal: County residents in both Urban and Rural Areas have access to the public services needed in order to advance public health and safety, protect the environment, and carry out the regional vision.

Urban and Rural Levels of Service

The Growth Management Act directs jurisdictions and special purpose districts to provide public facilities and services to support development. The Growth Management Act distinguishes between urban and rural services and states that land within the Urban Growth Area should be provided with a full range of services necessary to sustain urban communities while land within the Rural Area should receive services to support a rural lifestyle. Certain services, such as sanitary sewers, are allowed only in the Urban Growth Area, except as otherwise authorized. The Growth Management Act also requires jurisdictions to determine which facilities are necessary to serve the desired growth pattern and how they will be financed, in order to ensure timely provision of adequate services and facilities.

PF-1 Provide a full range of urban services in the Urban Growth Area to support the Regional Growth Strategy and adopted growth targets and limit the availability of services in the Rural Area consistent with VISION 2040.

Collaboration Among Jurisdictions

More than 100 special purpose districts, including water, sewer, flood control, stormwater, fire, school and other districts, provide essential services to the residents of King County. While cities are the primary providers of services in the Urban Growth Area, in many parts of the county special purpose districts also provide essential services. Coordination and collaboration among all of these districts, the cities, King County, the tribes, and neighboring counties is key to providing efficient, high-quality and reliable services to support the Regional Growth Strategy.

PF-2 Coordinate among jurisdictions and service providers to provide reliable and cost-effective services to the public.

PF-3 Cities are the appropriate providers of services to the Urban Growth Area, either directly or by contract. Extend urban services through the use of special districts only where there are agreements with the city in whose Potential Annexation Area the extension is proposed. Within the Urban Growth Area, as time and conditions warrant, cities will assume local urban services provided by special service districts.

Utilities

Utilities include infrastructure and services that provide water supply, sewage treatment and disposal, solid waste disposal, energy, and telecommunications. Providing these utilities in a cost-effective way is essential to maintaining the health and safety of King County residents and to implementing the regional growth strategy.

Water Supply

Conservation and efficient use of water resources are vital to ensuring the reliability of the region's water supply, the availability of sufficient water supplies for future generations, and the environmental sustainability of the water supply system.

PF-4 Develop plans for long-term water provision to support growth and to address the potential impacts of climate change on regional water resources.

PF-5 Support efforts to ensure that all consumers have access to a safe, reliably maintained, and sustainable drinking water source that meets present and future needs.

PF-6 Coordinate water supply among local jurisdictions, tribal governments, and water purveyors to provide reliable and cost-effective sources of water for all users, including residents, businesses, fire districts, and aquatic species.

PF-7 Plan and locate water systems in the Rural Area that are appropriate for rural uses and densities and do not increase the development potential of the Rural Area.

PF-8 Recognize and support agreements with water purveyors in adjacent cities and counties to promote effective conveyance of water supplies and to secure adequate supplies for emergencies.

PF-9 Implement water conservation and efficiency efforts to protect natural resources, reduce environmental impacts, and support a sustainable long-term water supply to serve the growing population.

PF-10 Encourage water reuse and reclamation, especially for high-volume non-potable water users such as parks, schools, and golf courses.

Sewage Treatment and Disposal

Within the Urban Growth Area, connection to sanitary sewers is necessary to support the Regional Growth Strategy and to accommodate urban densities. Alternatives to the sanitary sewer system and the typical septic system are becoming more cost effective and therefore, more available. Alternative technology may be appropriate when it can perform as well or better than sewers in the Urban Growth Area. Septic systems are not considered to be alternative technology within the Urban Growth Area.

In the Rural Area and Resource Lands, which are characterized by low-density development, sewer service is not typically provided. In cases where public health is threatened, sewers can be provided in the Rural Area but only if connections are strictly limited. Alternative technology may be necessary to substitute for septic systems in the Rural Area.

PF-11 Require all development in the Urban Growth Area to be served by a public sewer system except:

- a) single-family residences on existing individual lots that have no feasible access to sewers may utilize individual septic systems on an interim basis; or
- b) development served by alternative technology other than septic systems that:
 - provide equivalent performance to sewers;
 - provide the capacity to achieve planned densities; and
 - will not create a barrier to the extension of sewer service within the Urban Growth Area.

PF-12 Prohibit sewer expansion in the Rural Area and Resource Lands except where needed to address specific health and safety problems threatening existing structures. If needed, provide such sewer expansion in a manner that does not increase development potential in the Rural Area.

Solid Waste

King County and the entire Puget Sound region are recognized for successful efforts to collect recyclable waste. Continuing to reduce and reuse waste will require concerted and coordinated efforts well into the future. It is important to reduce the waste stream going into area landfills to extend the usable life of existing facilities and reduce the need for additional capacity.

PF-13 Reduce the solid waste stream and encourage reuse and recycling.

Energy

While King County consumers have access to electrical energy derived from hydropower, there are challenges for securing long-term reliable energy and for becoming more energy efficient.

PF-14 Reduce the rate of energy consumption through efficiency and conservation as a means to lower energy costs and mitigate environmental impacts associated with traditional energy supplies.

PF-15 Promote the use of renewable and alternative energy resources to help meet the county's long-term energy needs, reduce environmental impacts associated with traditional energy supplies, and increase community sustainability.

Telecommunications

A telecommunications network throughout King County is essential to fostering broad economic vitality and equitable access to information, goods and services, and opportunities for social connection.

PF-16 Plan for the provision of telecommunication infrastructure to serve growth and development in a manner consistent with the regional and countywide vision.

Human and Community Services

Public services beyond physical infrastructure are also necessary to sustain the health and quality of life of all King County residents. In addition, these services play a role in distinguishing urban communities from rural communities and supporting the Regional Growth Strategy.

PF-17 Provide human and community services to meet the needs of current and future residents in King County communities through coordinated planning, funding, and delivery of services by the county, cities, and other agencies.

PF-18 Locate human, community, and educational services and facilities that serve urban populations within the Urban Growth Area, where they are accessible to the populations that they serve. Site these services and facilities in locations that are well served by transit and pedestrian and bicycle networks.

PF-19 Locate human, community, and educational services and facilities that serve rural residents in neighboring cities, rural towns, and rural neighborhood centers.

Siting Public Capital Facilities

While essential to growth and development, regional capital facilities can disproportionately affect the communities in which they are located. It is important that all jurisdictions work

collaboratively and consider environmental justice principles when siting these facilities to foster the development of healthy communities for all.

PF-20 Site or expand public capital facilities of regional or statewide importance within the county in a way that equitably disperses impacts and benefits and supports the Countywide Planning Policies.

APPENDIX 1: LAND USE MAP

The maps in these appendices are submitted under separate cover.

APPENDIX 2: POTENTIAL ANNEXATION AREAS MAP

APPENDIX 3: URBAN SEPARATORS MAPS

Including:

- Urban Separators: North Overview
- Urban Separators: South Overview
- Urban Separators: Kirkland/ Willows

APPENDIX 4: HOUSING TECHNICAL APPENDIX

Affordable Housing Targets

As described in policy H-2, each jurisdiction is assigned a set of targets for future accommodation of affordable housing. The targets are for planning purposes. They are intended for use as broad quantitative guidance to the County and cities in: 1) establishing a mix of future land use and zoning designations sufficient to accommodate housing affordable to low- and moderate-income households and 2) implementing a range of regulations and programs designed to achieve the targets over the planning period. The methodology for establishing Affordable Housing Targets for each jurisdiction is summarized as follows:

1. **Moderate-Income Housing Targets.** Based on Census Bureau estimates¹, which show that approximately 16 percent of households in King County have incomes between 50 percent and 80 percent of area median income, the target for housing units affordable to these moderate income households is 16 percent of each jurisdiction's overall housing growth target.
2. **Low-Income Housing Targets.** Census Bureau estimates¹ also indicate that the proportion of households in the county with incomes of 0 to 50 percent of area median income is currently about 24 percent. This includes a rising number of very-low-income households with incomes no more than 30 percent of area median income. While responsibility to provide for housing affordable to low-income households is shared among all jurisdictions, the targets are adjusted for each city in order to more widely distribute housing affordable to low-income households and to provide housing for low-wage workers near their workplaces.
3. **Adjustment to Low-Income Housing Targets.** The level at which each city must plan for housing affordable to low-income households is determined using a combination of two indexes:
 - a. The **Low Wage Job-Housing Balance Index** is based on data from the 2000 census and identifies cities with a high proportion of low-wage jobs and a low proportion of low-cost housing compared with the county as a whole. The index is calculated as follows: the percent of total county jobs located in the city that pay less than \$20,000 per year *divided by* the percent of total county rental units affordable at less than 50 percent of area median income. An index value greater than one suggests a greater need for housing for local workers earning low wages.
 - b. The **Low-Income Housing Index** is based on housing market data published in the King County Benchmark Report for 2009.² The index identifies cities with a relatively low proportion of rental units affordable to households with incomes less than 50 percent

¹ American Community Survey 5-Year Estimates for 2005-2010.

² Due to data gaps, Benchmark data for 2008 were used for several cities.

of area median income compared with the county as a whole. It is calculated as follows: the percent of the county’s rental units affordable at 50 percent of area median income *divided by* the percent of the city’s rental units affordable at 50 percent of area median income. An index value greater than one suggests a greater need for low-income housing in that city.

- c. The **Combined Index** for each city incorporates the Low Wage Jobs-Housing Index weighted at 25 percent and the Low Income Housing Index weighted at 75 percent.

Table H-1 below shows how the Combined Index is applied to set the targets for housing affordable to low-income households.³ Because unincorporated King County has a combined index of exactly one, and because it is made up of a variety of areas with different characteristics, the target for unincorporated King County is calculated separately.

Combined Index	Target for Percent of Housing Growth Target Affordable to Low-Income Households
Less than 0.9	20.5%
0.9 to 2	22.5%
Greater than 2	26.5%
Unincorporated King County	24.5%

³ Note on data gaps. Sufficient data were not available for all cities to generate one or both indexes. Where one index could be calculated, the other index was given a neutral value of 1. Where neither index could be calculated, the city’s combined index was set at 1.01 for cities in East County and .99 for cities in South County.

Table H-2: King County Jurisdiction Affordable Housing Targets 2006-2031			
		Moderate Income Housing Targets Percent of Housing Growth Target in Table DP-1	Low Income Housing Targets Percent of Housing Growth Target in Table DP-1
Metropolitan Cities			
	Bellevue	16%	26.5%
	Seattle	16%	22.5%
Core Cities			
	Auburn	16%	20.5%
	Bothell	16%	22.5%
	Burien	16%	20.5%
	Federal Way	16%	20.5%
	Kent	16%	20.5%
	Kirkland	16%	26.5%
	Redmond	16%	26.5%
	Renton	16%	20.5%
	SeaTac	16%	20.5%
	Tukwila	16%	22.5%
Larger Cities			
	Des Moines	16%	20.5%
	Issaquah	16%	26.5%
	Kenmore	16%	22.5%
	Maple Valley	16%	22.5%
	Mercer Island	16%	26.5%
	Sammamish	16%	26.5%
	Shoreline	16%	22.5%
	Woodinville	16%	26.5%
Small Cities			
	Algona	16%	22.5%
	Beaux Arts	16%	22.5%
	Black Diamond	16%	22.5%
	Carnation	16%	20.5%
	Clyde Hill	16%	22.5%
	Covington	16%	26.5%
	Duvall	16%	20.5%
	Enumclaw	16%	20.5%
	Hunts Point	16%	22.5%
	Lake Forest Park	16%	22.5%
	Medina	16%	26.5%
	Milton	16%	22.5%
	Newcastle	16%	22.5%
	Normandy Park	16%	20.5%
	North Bend	16%	26.5%
	Pacific	16%	20.5%
	Skykomish	16%	22.5%
	Snoqualmie	16%	26.5%
	Yarrow Point	16%	22.5%
Urban Unincorporated King County		16%	24.5%*

Housing Supply and Needs Analysis

Context: As set forth in policy H-1, each jurisdiction must include in its comprehensive plan an inventory of the existing housing stock and an analysis of both existing housing needs and housing needs projected over the planning period. This policy reinforces requirements of the Growth Management Act for local Housing Elements. The housing supply and needs analysis is referred to in this appendix as the “Housing Analysis.” As is noted in policy H-1, the Housing Analysis must consider local as well as countywide housing needs because each jurisdiction has a responsibility to accommodate a share of countywide affordable housing need as quantified in the affordable housing targets.

The purpose of this section of Appendix 4 is to provide further guidance to local jurisdictions on the subjects to be addressed in their Housing Analysis. Additional guidance on carrying out the Housing Analysis is found in the Puget Sound Regional Council’s report, “Puget Sound Regional Council Guide to Developing an Effective Housing Element,” and the Washington Administrative Code, particularly 365-196-410(2)(b) and (c).

Housing Supply

Understanding the mix and affordability of existing housing is the first step toward identifying gaps in meeting future housing needs. Combined with the results of the needs analysis, these data can provide direction on appropriate goals and policies for both the housing and land use elements of a jurisdiction’s comprehensive plan. A housing supply inventory should address the following:

- Total housing stock in the community;
- Types of structures in which units are located (e.g., single-family detached, duplex or other small multiplex, townhome, condominium, apartment, mobile home, accessory dwelling unit, group home, assisted living facility);
- Unit types and sizes (i.e., numbers of bedrooms per unit);
- Housing tenure (rental vs. ownership housing);
- Amount of housing at different price and rent levels, including housing receiving public subsidies;
- Housing condition (e.g. age, general condition of housing, areas of community with higher proportion of homes with deferred maintenance);
- Vacancy rates;
- Statistics on occupancy and overcrowding;
- Neighborhoods with unique housing conditions or amenities;
- Location of affordable housing within the community, including proximity of housing affordable to low and moderate income households to transit;
- Transportation costs as a component of overall cost burden for housing within the community;

- Housing supply, including housing affordable to low- and moderate-income households within designated Urban Centers and local centers;
- Capacity for additional housing, by type, under current plans and zoning; and
- Trends in redevelopment and reuse that have an impact on the supply of affordable housing in the community.

Housing Needs

The housing needs part of the Housing Analysis should include demographic data related to existing population and demographic trends that could impact future housing demand (e.g. aging of population). This information should be evaluated in combination with the housing supply part of the Housing Analysis in order to assess housing gaps, both current and future. This information can then inform goals, policies, and strategies in the comprehensive plan update.

A comprehensive housing needs analysis should address the following population, household, and community characteristics:

- Household sizes and types
- Age distribution of population
- Ethnic and racial diversity
- Household income, including the following income groupings:
 - 30 percent of area median income or lower (very-low-income),
 - Above 30 percent to 50 percent of area median income (low-income)
 - Above 50 percent to 80 percent of area median income (moderate-income)
 - Above 80 percent to 100 percent of area median income
 - Above 100 percent to 120 percent of area median income
- Above 120 percent of median income
- Housing Targets and Affordable Housing Targets included in the Countywide Planning Policies
- “Cost-burdened” households that lack a sufficient supply of suitable, affordable housing. Such households pay more than thirty percent of household income toward housing costs. “Severely-cost-burdened” households pay more than fifty percent of household income toward housing costs. Cost-burdened households may be households with very-low, low- or moderate-incomes, single parent households, homeless individuals and households, seniors, persons with disabilities, or other people with special housing needs.
- Trends that may substantially impact housing need during the planning period. For example, the impact that a projected increase in senior population would have on demand for specialized senior housing, including housing affordable to low- and moderate-income seniors and retrofitted single family homes to enable seniors to age in place.

- Housing demand related to job growth, with consideration of current and future jobs-housing balance as well as the affordable housing needs of the local and subregional workforce.
- Housing needs, including for low- and moderate-income households, within designated Urban Centers and local centers.

Note on Adjusting for Household Size

As currently calculated, the affordable housing targets do not incorporate differences in household size. However, the reality is that differently-sized households have different housing needs (i.e., unit size, number of bedrooms) with different cost levels. A more accurate approach to setting and monitoring housing objectives would make adjustments to reflect current and future household sizes and also unit sizes in new development. Accounting for the household size factor in providing affordable units could better inform local policies and programs as well as future updates of the countywide planning policies and affordable housing targets.

Implementation Strategies

As stated in policy H-4, local jurisdictions will need to employ a range of strategies for promoting housing supply and housing affordability. The Puget Sound Regional Council's Housing Innovations Program Housing Toolkit presents a range of strategies. The strategies are identified as being generally applicable to single family development, multifamily development, ownership housing, rental housing, market rate projects, and subsidized projects. Strategies marked as a "Featured Tool" are recommended as being highly effective tools for promoting affordable and diverse housing in the development markets for which they are identified.

GLOSSARY

Affordable Housing: Housing that is affordable at 30 percent or less of a household’s monthly income. This is a general term that may include housing affordable to a wide range of income levels.

Agricultural Production District: A requirement of the Growth Management Act for cities and counties to designate, where appropriate, agricultural lands that are not characterized by urban growth, have soils suitable for agriculture, and that have long-term significance for commercial farming. The King County Comprehensive Plan designates Agricultural Production Districts where the principal land use should be agriculture.

Area Median Income: The annual household income for the Seattle-Bellevue, WA Metro Area as published on approximately an annual basis by the U.S. Department of Housing and Urban Development.

Buildable Lands Program: A requirement of the Growth Management Act for certain counties in western Washington to report on a regular basis the amount of residential and commercial development that has occurred, the densities of that development, and an estimate of each jurisdiction’s ability to accommodate its growth target based on the amount of development that existing zoning would allow.

Climate Change: The variation in the earth’s global climate over time. It describes changes in the variability or average state of the atmosphere. Climate change may result from natural factors or processes (such as change in ocean circulation) or from human activities that change the atmosphere’s composition (such as burning fossil fuels or deforestation.)

Climate Change Adaptation refers to actions taken to adapt to unavoidable impacts as a result of climate change.

Climate Change Mitigation refers to actions taken to reduce the future effects of climate change.

Comprehensive Plan: A plan prepared by a local government following the requirements of the Washington Growth Management Act, containing policies to guide local actions regarding land use, transportation, housing, utilities, capital facilities, and economic development in ways that will accommodate at least the adopted 20-year targets for housing and employment growth.

Environmental Justice: The fair distribution of costs and benefits, based on a consideration for social equity. Environmental justice is concerned with the right of all people to enjoy a safe, clean, and healthy environment, and with fairness across income, ethnic, and racial groups in the siting and operation of infrastructure, facilities, or other large land uses.

Forest Production District. A requirement of the Growth Management Act for cities and counties to designate, where appropriate, forest lands that are not characterized by urban growth and that have long-term significance for the commercial production of timber. The King County Comprehensive Plan designates Forest Production Districts where the primary use should be commercial forestry.

Growth Management Act: State law (RCW 36.70A) that requires local governments to prepare comprehensive plans (including land use, transportation, housing, capital facilities and utilities) to accommodate 20 years of expected growth. Other provisions of the Growth Management Act require developing and adopting countywide planning policies to guide local comprehensive planning in a coordinated and consistent manner.

Greenhouse Gas: Components of the atmosphere that contribute to global warming, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Human activities have added to the levels of most of these naturally occurring gases.

Healthy Housing: Housing that protects all residents from exposure to harmful substances and environments, reduces the risk of injury, provides opportunities for safe and convenient daily physical activity, and assures access to healthy food and social connectivity.

High-capacity Transit: Various types of transit systems, such as light rail and bus rapid transit, operating on fixed guideway or dedicated right-of-way designed to carry a large number of riders at higher speeds.

Industry Clusters: Specific economic segments that are the focus of the Regional Economic Strategy. As of June 2011, the identified regional industry clusters included: aerospace, clean technology, information technology, life sciences, logistics and international trade, military, and tourism.

King County Open Space System: A regional system of *county-owned* parks, trails, natural areas, working agricultural and forest resource lands, and flood hazard management lands.

Low-Income Households: Households earning between 31 percent and 50 percent of the Area Median Income for their household size.

Manufacturing/ Industrial Centers: Designated locations within King County cities meeting criteria detailed in policies DP 35-37.

Mixed-Use Development: A building or buildings constructed as a single project which contains more than one use, typically including housing plus retail and/or office uses.

Moderate-Income Households: Households earning between 51 percent and 80 percent of the Area Median Income for their household size.

Potential Annexation Area: A portion of the unincorporated urban area in King County that a city has identified it will annex at some future date. See Appendix 2: Interim Potential Annexation Areas Map.

Purchase of Development Rights: Programs that buy and then extinguish development rights on a property to restrict development and limit uses exclusively for open space or resource-based activities such as farming and forestry. Covenants run with the land in perpetuity so that the property is protected from development regardless of ownership.

Regional Growth Strategy: The strategy defined in VISION 2040 that was developed by the Puget Sound Regional Council to help guide growth in the four-county region that includes King, Kitsap, Pierce and Snohomish counties. VISION 2040 directs most of the region’s forecasted growth into designated Urban Areas, and concentrates growth within those areas in designated centers planned for a mix of uses and connection by high-capacity transit

Resource Lands: Designated areas within King County that have long-term significance for agricultural, forestry, or mining. See Appendix 1: Land Use Map.

Rural Area: Designated area outside the Urban Growth Area that is characterized by small-scale farming and forestry and low-density residential development. See Appendix 1: Land Use Map.

Rural Cities: Cities that are surrounded by Rural Area or Resource Lands. Rural Cities are part of the Urban Growth Area.

Stormwater Management: An infrastructure system that collects runoff from storms and redirects it from streets and other surfaces into facilities that store and release it – usually back into natural waterways.

Sustainable Development: Methods of accommodating new population and employment that protect the natural environment while preserving the ability to accommodate future generations.

Transfer of Development Rights: Ability to transfer allowable density, in the form of permitted building lots or structures, from one property (the “sending site”) to another (the “receiving site”) in conjunction with conservation of all or part of the sending site as open space or working farm or forest.

Transportation 2040: A 30-year action plan for transportation investments in the central Puget Sound region intended to support implementation of VISION 2040.

Transportation Demand Management: Various strategies and policies (e.g. incentives, regulations) designed to reduce or redistribute travel by single-occupancy vehicles in order to make more efficient use of existing facility capacity.

Transportation System: A comprehensive, integrated network of travel modes (e.g. airplanes, automobiles, bicycles, buses, feet, ferries, freighters, trains, trucks) and infrastructure (e.g. sidewalks, trails, streets, arterials, highways, waterways, railways, airports) for the movement of people and goods on a local, regional, national and global scale.

Universal Design: A system of design that helps ensure that buildings and public spaces are accessible to people with or without disabilities.

Urban Centers: Designated locations within King County cities meeting criteria detailed in Development Pattern chapter policies 31-32.

Urban Growth Area: The designated portion of King County that encompasses all of the cities as well as other urban land where the large majority of the county's future residential and employment growth is intend to occur. See Appendix 1: Land Use Map.

Very Low-Income Households: Households earning 30 percent of the Area Median Income or less for their household size.

VISION 2040: The integrated, long-range vision for managing growth and maintaining a healthy region—including the counties of King, Kitsap, Pierce and Snohomish. It contains an environmental framework a numeric regional growth strategy, the Multicounty Policies, and implementation actions and measures to monitor progress.

Water Resource Inventory Area: Major watershed basins in Washington identified for water-related planning purposes.

Workforce Housing: Housing that is affordable to households with one or more workers. Creating workforce housing in a jurisdiction implies consideration of the wide range of income levels that characterize working households, from one person working at minimum wage to two or more workers earning the average county wage or above. There is a particular need for workforce housing that is reasonably close to regional and sub-regional job centers and/or easily accessible by public transportation.

SUMMARY OF PROPOSED KING COUNTY COUNTYWIDE PLANNING POLICIES

VISION & FRAMEWORK

The Vision & Framework chapter serves two purposes. It states the vision of King County in the year 2030, which is characterized by: environmental stewardship to protect the county’s critical areas; permanent protection of the Rural Area and Natural Resource Lands; and compact urban development. The chapter also provides contextual narrative around the origin and purpose of the Countywide Planning Policies. This section of the chapter includes three Framework Policies regarding:

- The process for amending the CPPs;
- The monitoring of CPPs through key regional indicators; and
- The collaborative nature of identifying and directing investments to regional infrastructure and programs.

ENVIRONMENT

The Environment Chapter emphasizes environmental sustainability to strengthen “the region’s economic, social, and environmental resiliency, while enhancing our ability to cope with adverse trends, including the challenges associated with climate change.”¹

This is a full revision of the Environment chapter from the current CPPs. The existing CPPs were written prior to adoption of major environmental advances such as adoption of Critical Areas Ordinances by local jurisdictions, the formation of the Water Resource Inventory Areas (WRIAs), and the creation of the Puget Sound Partnership, among others. Consequently, many of the existing policies are no longer relevant and do not adequately implement the new direction found in VISION 2040.

The focus of the Environment Chapter is on those issues that cross jurisdictional boundaries, have cross-jurisdictional impacts, or require a strong policy foundation for continued coordination across the county. The policies in the Environment chapter are supported by additional environmental policies in the Development Patterns, Transportation and Public Services chapters.

The Environment chapter includes policies that address:

- Environmental Sustainability
 - Collaborative approaches to integrate development with ecological, social, and economic concerns to maintain healthy ecosystems and environments.

¹ As defined by VISION 2040, http://www.psrc.org/assets/1735/Part_I_Toward_a_Sustainable_Environment.pdf.

Sustainable development is grounded in the Environment chapter and echoed as a theme throughout the CPPs.

- Recognition of the importance of environmental justice principles.
- Earth and Habitat
 - Multijurisdictional coordination in designating and protecting critical areas, developing common methodologies for assessing habitat needs, and planning for open space and greenbelts that cross jurisdictional boundaries.
- Flood Hazards
 - Recognition of the role of King County Flood Control District and calls for coordinated flood hazard management efforts throughout the District.
 - Encouragement of multi-jurisdictional approaches that balance regional levee maintenance standards with public safety and habitat protection objectives.
- Water Resources
 - Support for the protection of water resources by calling on jurisdictions to coordinate land use and transportation plans and actions for the benefit of Puget Sound and its watershed.
 - Call for the establishment of a multi-jurisdictional approach to water quality funding and monitoring.
 - Call for water conservation efforts to protect natural resources and support a sustainable water supply.
- Air Quality and Climate Change
 - Encouragement of land use patterns and transportation systems that minimize air pollution and greenhouse gas (GHG) emissions. Relevant policies are found in the Environment, Development Patterns, and Transportation chapters.
 - Call for a countywide GHG reduction target and establishment of a countywide measurement framework to monitor progress toward that target.
 - Recognition of the role of energy efficiency in climate change reduction strategies.
 - Call for a climate change adaptation strategy.

DEVELOPMENT PATTERNS

Countywide Planning Policies on development patterns address the location; types; design and form; and intensity of land uses throughout King County and its cities. They describe and implement a vision for future growth within the county, including its relationship to other functional elements of the Countywide Planning Policies such as transportation, public services, the environment, affordable housing, and public health. Development patterns policies are at the core of growth management efforts in King County, in furtherance of the goals and objectives of

VISION 2040, and with recognition of the variety of local communities within which those goals and objectives are realized.

The Development Patterns chapter consolidates elements of several chapters in the current CPPs, including Land Use Pattern, Community Character and Open Space, and Contiguous and Orderly Development, as well as provisions of several Framework Policies. This new chapter responds to the policy direction in VISION 2040 and updates the policies to reflect current conditions. Subsections of the new chapter include Urban Growth Area; Centers; Urban Design and Historic Preservation; and Rural Area and Resource Lands.

The Development Patterns chapter includes policies that address:

- Urban Growth Area
 - Call for the designation of all land within King County as either Urban land within the Urban Growth Area (UGA), Rural Land, or Resource Land.
 - Promotion of a pattern of growth within the UGA that is consistent with the regional vision.
 - Establishment of housing and employment growth targets for the 2006 – 2031 planning period.
 - Identification of the review and amendment processes for monitoring the UGA.
 - Reaffirmation of the buildable lands program pursuant to the Growth Management Act.
 - Call for joint planning, especially with regard to the annexation of unincorporated Urban lands.
- Centers
 - Promotion of centers (countywide designated Urban Centers and Manufacturing/Industrial Centers as well as locally designated centers) and compact development. Policy DP-28 requires that a proposed Urban Center meet the criteria of designation by the PSRC as a Regional Growth Center as well as additional countywide-established criteria (beyond those required by the PSRC) regarding geographic size, zoning regulations, and infrastructure plans to accommodate certain densities of job activity and housing units.
- Urban Design and Historic Preservation
 - Inclusion of elements of urban design and form intended to integrate urban development into existing built and natural environments in ways that enhance both the urban and natural settings.
- Rural Area and Resource Lands
 - Minimization of negative environmental impacts to Rural Lands; call for appropriate character and location of development in Rural Areas; and identification of strategies to permanently protect such lands.

HOUSING

The Housing chapter proposal makes policy and technical amendments to the current Affordable Housing chapter of the CPPs. The chapter responds to the policy direction in VISION 2040 and updates the policies to reflect current conditions.

The Housing chapter includes policies that address:

- Housing Supply and Needs Analysis
 - Policy direction for local comprehensive plan housing needs assessments, with detailed guidance on scope, data, and methods to be covered in a technical appendix to the CPPs.
- Affordable Housing Targets
 - Affordable housing targets that are calculated similarly to the current affordable housing targets, with technical updates to reflect current data and a refined approach to jobs-housing balance.
- Strategies to Meet Housing Needs
 - Provision of adequate land capacity and local and regional adoption of a range of tools to further housing production, diversity, and affordability, with detailed guidance on housing tools and resources to be covered in a technical appendix to the CPPs.
 - New policy language covering housing and affordable housing in mixed-use centers.
- Regional Cooperation
 - Multi-jurisdictional efforts to plan for and adopt strategies to meeting regional housing needs are an additional tool for identifying and meeting affordable housing needs.
- Measuring Results
 - Policy direction on monitoring housing activity and markets as a basis for improving outcomes for all economic and demographic segments of the county's population, with further detail on monitoring and evaluation provided in a technical appendix.

ECONOMY

The policies within the Economy chapter are consistent with the VISION 2040 framework and Regional Economic Strategy (RES).² VISION 2040 integrates the RES with growth management, transportation, and environmental objectives to:

² The Regional Economic Strategy is the region's federally required comprehensive economic development strategy as well as VISION 2040's economic functional plan.

- support fundamental economic foundations, such as education, technology, infrastructure, and quality of life; and
- promote the region’s specific economic clusters: aerospace, clean technology, information technology, life sciences, logistics and international trade, military, and tourism.

Overarching Economy policies call for aligning local economic policies and strategies with VISION 2040 and the Regional Economic Strategy, supporting the adopted 20-year employment targets, and identifying and supporting the region’s industry clusters within King County.

The Economy chapter includes policies that address:

- Business Development
 - Support for business retention and development, including local government actions, such as predictability of local regulations, and public-private partnerships.
 - Integration of the healthy communities concept into the Economy chapter, calling for support of the regional food economy, including production, processing, wholesaling and distribution of the region’s agricultural food and food products.
- People
 - Support for education and workforce training, celebrating the economic advantage of cultural diversity, and addressing disparity in income and employment for those that are economically disadvantaged.
- Places
 - Reinforcement of the centers-oriented approach of the region’s growth strategy and supports infrastructure investments that are aligned with the region’s economic strategy.
 - Economic activity in Rural Cities (new policy EC-21).

TRANSPORTATION

Goals and policies in the Transportation chapter build on the existing Countywide Planning Policies and the Multicounty Planning Policies in VISION 2040. The policies also support Transportation 2040, the region’s functional transportation plan that identifies priorities for the region’s major investment decisions.

The Transportation chapter includes policies that address:

- Supporting Growth
 - Emphasis on transit and other modes that provide alternatives to driving alone within and between centers, supporting the Regional Growth Strategy as described in VISION 2040.

- Reinforcement of the critical relationship between land use and transportation and are intended to guide the decisions made at the state, regional and local levels that affect that relationship.
- Mobility
 - Promotion of the mobility of people—including transit-dependent populations—through a multi-modal transportation system that supports access and connectivity for all users.
 - Recognition of the county’s regional economic value by supporting the effective management of the freight-mobility transportation system.
- System Operations
 - Protection of public investments through maintenance, preservation, and safety improvements of the existing transportation system to avoid costly replacement projects.
 - Promotion of the identification of reliable financing methods and capabilities, coordination of transportation investment opportunities, and monitoring of transportation investment performance over time.
 - Promotion of public health and safety by minimizing human exposure to vehicle emissions; reducing greenhouse gas emissions; integrating the needs of pedestrians and bicyclists in the local and regional transportation plans; and developing coordinated prevention and disaster response plans.
 - Encouragement of technologies, programs, and other strategies to optimize the existing infrastructure and promote clean transportation opportunities.

PUBLIC FACILITIES AND SERVICES

The Public Facilities and Services chapter consolidates elements of several chapters in the current CPPs, including Contiguous and Orderly Development, Community Character, and Siting Public Capital Facilities, as well as provisions of several Framework Policies. These policies ensure that utilities provide complete service within the UGA in ways that do not promote growth in the rural areas.

The Public Facilities and Services chapter includes policies that address:

- Collaboration among jurisdictions
 - Recognition of cities as appropriate providers of services to the UGA, either directly or by contract.
- Utilities
 - Cost-effective provision utility services including water supply; sewage treatment and disposal; solid waste; energy; and telecommunications.

- Promotion of conservation and efficient use of resources to sustain those resources for use by future generations.
- Promotion of alternative technologies as appropriate to improve service delivery and protect public health and safety.
- Human and Community Services
 - Encouragement of location and provision of human, community, and educational services and facilities in a manner to support the Regional Growth Strategy and distinguish urban communities from rural communities.
- Siting Public Capital Facilities
 - Encouragement of all jurisdictions to work collaboratively and consider environmental justice principles when siting regional capital facilities to avoid disproportionate effects on the communities in which they are located.

NEXT STEPS

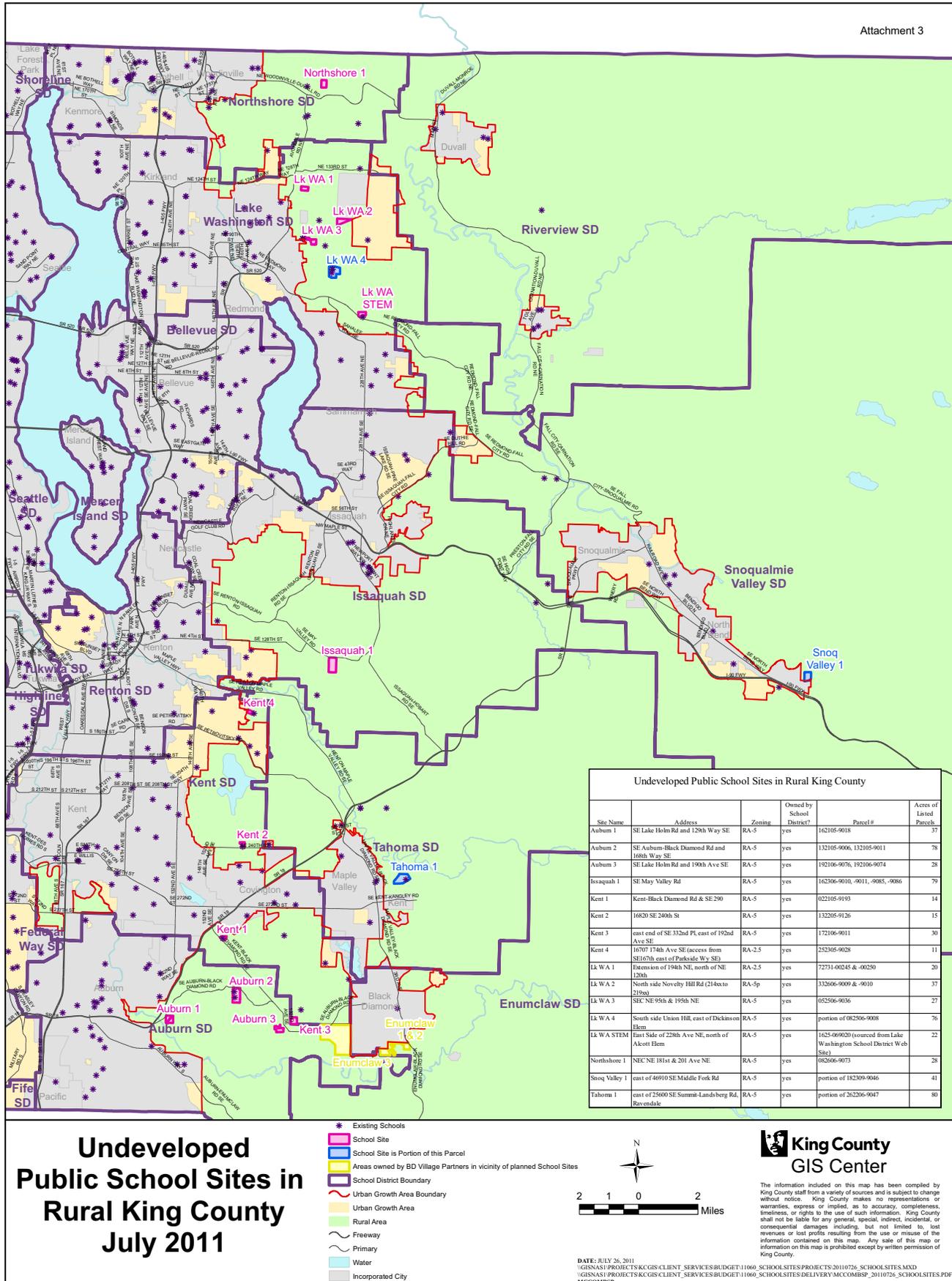
Staff will continue to work on finalizing the King County Countywide Planning Policies 2011 Update for GMPC consideration and possible action at the next meeting on June, 29, 2011. Specifically, staff will:

- Revise policies and text based on GMPC feedback today and from comments submitted by the public and from PSRC;
- Complete the glossary;
- Complete the technical appendices; and
- Compile a list of action items.

Comments on the Public Review Draft can be submitted through **May 20th**. Staff will be available to meet with any of the stakeholder groups, as requested, and to respond to any questions from the public. The proposed document will be available for distribution no later than June 15th – two weeks in advance of the next GMPC meeting.

STAFF RECOMMENDATION

While no formal action by GMPC is requested at this time, staff seeks feedback from GMPC regarding the direction expressed by the draft policies included herein.



Undeveloped Public School Sites in Rural King County

July 2011

- * Existing Schools
- School Site
- School Site is Portion of this Parcel
- Areas owned by BD Village Partners in vicinity of planned School Sites
- School District Boundary
- Urban Growth Area Boundary
- Urban Growth Area
- Rural Area
- Freeway
- Primary
- Water
- Incorporated City



The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

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SHORELINE
CITY COUNCIL

Keith A. McGlashan
Mayor

Will Hall
Deputy Mayor

Chris Eggen

Doris McConnell

Christopher Roberts

Terry Scott

Shari Winstead

July 22, 2011

The Honorable Dow Constantine, Chair
King County Executive
Growth Management Planning Council
King County Chinook Building
401 5th Ave. Suite 800
Seattle, WA 98104

Dear Chair Constantine:

The Shoreline City Council would like to formally share our concerns regarding the proposed Countywide Planning Policy position of extending sewers to School District properties outside the Urban Growth Boundary. As you are aware, Councilmember Shari Winstead presented our concerns during public comment at the June 29th Growth Management Policy Council meeting.

The City of Shoreline is opposed to the proposed Countywide Planning Policy amendment to allow sewers to be extended to properties owned by school districts outside the Urban Growth Boundary, as we feel this policy violates the Growth Management Act and a specific policy under the Vision 2040 plan.

Locating school facilities outside the urban growth boundary puts pressure for residential development nearby, and adds traffic loads to rural roads as schools on the urban fringe have to bus a much larger share of the students. Additionally, our understanding is that some of the properties are several miles away from the nearest urban growth boundary, which exacerbates the problem.

More troubling, our City Attorney has identified a Growth Hearings Board Case (Central Puget Sound Growth Management Hearings Board Case 06-3-0015c (Pilchuch VI)) related to connecting sewer to schools or churches adjacent to the urban growth boundary. The Growth Management Hearings Board case determined that policies that permitted extension or expansion of sewers into the rural area to serve schools and churches *adjacent* [emphasis added] to the Urban Growth Boundary was erroneous and noncompliant with the Growth Management Act (RCW 36.70A.110(4)). The Board also entered a determination of invalidity for these policies.

Therefore, we feel that the proposed amendment is contrary to the Growth Management Act, and according to the Growth Management Hearings Board case mentioned above, it would also be illegal. We strongly urge the Growth

Management Policy Council to revise this amendment to not allow sewer extension outside the Urban Growth Boundary.

Thank you for the opportunity to comment on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith A. McGlashan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Keith A. McGlashan
Mayor

cc: Shoreline Councilmembers
GMPC members
King County Council

**CITY OF KIRKLAND**

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

www.kirklandwa.gov

MEMORANDUM

To: Eric Shields, Planning Director

From: Oskar Rey, Assistant City Attorney

Date: August 25, 2011

Subject: Proposed Amendments to Draft Countywide Planning Policies—Sewer Extensions into Rural Areas to Serve Schools

This Memorandum addresses legal issues surrounding proposed amendments to the Draft Countywide Planning Policies regarding sewer extensions into rural areas to serve public schools. The proposed amendments would allow sewer extensions to rural properties currently owned by public school districts for the purpose of siting and developing public schools when other alternatives are technologically or economically feasible.

Some concerns have been raised (by the King County Prosecutor and the City of Shoreline, among others) that the proposed amendments violate the Growth Management Act (GMA). The GMA provides that:

In general, cities are the units of local government most appropriate to provide urban governmental services. In general, it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.

RCW 36.70A.110(4).

That provision was interpreted by the Washington Supreme Court to prohibit sewer extensions into rural areas in Thurston County v. Cooper Point, 148 Wn.2d 1, 57 P.3d 1156 (2002). In that case, Thurston County sought to connect two existing private sewer systems in the rural area to the County system. The County also proposed providing additional hook-ups for single family residences experiencing septic failures in the future. The County's plan would have required the installation of a new limited-capacity sewer line in the rural area to connect the private systems with the existing Thurston County system. The Court invalidated the County's plan, ruling that the plan amounted to the extension of an urban government service into a rural area and that the additional hookups also constituted an expansion of sewer service in a rural area. Cooper Point, 148 Wn.2d at 9-10. The Court also noted that prior septic failures in the area had been remedied by on-site solutions in "an environmentally safe manner." Id. at 5.

August 25, 2011

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Cooper Point does not specifically address the issue of the extension of sewer lines to schools in rural areas. However, that issue was addressed by the Growth Management Hearings Board (GMHB) in Pilchuck Audubon Society v. Snohomish County, (Case No. 06-3-0015c)(2006). In that case, Snohomish County adopted a policy that schools and churches in rural areas could connect to sewers located on or adjacent to school or church properties. The GMHB invalidated the County policy, holding that it was based solely on proximity and did not meet the RCW 36.70A.110(4) requirement that the sewer extension be necessary for the protection of public health, safety or the environment.¹

On the other hand, the Puget Sound School Coalition (PSSC) points out that schools are not inherently urban and may be located in rural areas under the GMA. It also notes that the proposed policies require that sewers serving schools in rural areas be "tightlined," which means that they would be sized to serve only the school facility in question and could not be used to provide service to additional properties in rural areas. The PSSC notes that tightlining was not a requirement in the Pilchuck case and the proposed amendments to the Countywide Planning Policies would allow for sewer extensions only in cases where other alternatives were not reasonably feasible.

Based on its review of the relevant authorities, the City Attorney's Office is concerned that the proposed amendments may violate the GMA (RCW 36.70A.110(4)). That statute makes clear that sewer extensions into rural areas are authorized only when necessary for the protection of the public health, safety and welfare. The Washington Supreme Court in the Cooper Point case interpreted this exception narrowly, holding that "necessary" means the equivalent of "absolutely required" or "indispensible." Cooper Point, 148 Wn.2d at 12-13. While tightlining may help ensure that a sewer extension will not contribute to urbanization in a rural area, it does not directly address the GMA requirement that the sewer extension be necessary for protection of public health, safety and welfare. Similarly, limiting sewer extensions to situations where reasonable alternatives are not technologically or economically feasible may minimize extensions, but does not address the health, safety and welfare requirements set forth in RCW 36.70A.110(4).

Having said that, it should be noted that the provisions being considered are proposed county planning policies and not City regulations. While this Office is pleased to provide its views on legal issues involving the proposed policies, they would ultimately be adopted and applied by King County.

This Office is also aware that there are significant policy issues with respect to whether the proposed regulations should be adopted. This Office takes no position on those issues, which are beyond the scope of this Memorandum and the role of this Office.

¹ The GMHB Decision is 85 pages long. The discussion of sewer extensions occurs at pp. 45 to 53 of the Decision. I am happy to make a copy of the GMHB Decision, the Cooper Point case, or any other authority cited in this Memo available upon request.

DANIEL T. SATTERBERG
PROSECUTING ATTORNEY



Office of the Prosecuting Attorney
CIVIL DIVISION
W400 King County Courthouse
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Seattle, Washington 98104
(206) 296-9015
FAX (206) 296-0191

21 June 2011

MEMORANDUM

TO: Carrie Cihak, Executive's Office, Policy and Strategic Initiatives Director

FROM: Jennifer Stacy, Senior Deputy Prosecuting Attorney
Darren Carnell, Senior Deputy Prosecuting Attorney

SUBJECT: Update of the Countywide Planning Policies and the Policy Regarding Sewer in the Rural Area.

In the context of proposed revised Countywide Planning Policy PFS-12, which "prohibit[s] sewer expansion in Rural Areas and resource lands except where needed to address specific health and safety problems threatening existing structures," you have asked us to discuss the relevant Growth Management Act ("GMA") requirements and case law addressing sewer in the rural area.

The GMA provides that "cities are the units of local government most appropriate to provide urban governmental services" and that "it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development." RCW 36.70A.110(4). Urban governmental services are defined to include sanitary sewer systems. RCW 36.70A.030(18).

The leading case on the issue of sewer in the rural area is Thurston County v. Cooper Point Assoc., 148 Wn.2d 1 (2002). In that case, the Washington Supreme Court concluded that the area in question was indeed rural and that the County's proposed sewer line constituted an impermissible expansion of an urban governmental service, in contravention of the GMA provisions cited above. See id. at 8-11. The court further determined that the proposed sewer line was not necessary to protect basic public health and safety and the environment as concerns about *potential* wastewater management problems in the future were insufficient to meet the definition of necessary. See id. at 11-15 (applying a restrictive definition of the term "necessary," to mean indispensable or absolutely required).

Proposed Countywide Planning Policy PFS-12 tracks both the GMA and the relevant case law in that it prohibits the expansion of sewer into the rural area, yet does allow for exceptions when necessary to address health and safety issues.

Prosecuting Attorney
King County

C. Cihak
6/21/11
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We would also observe that there is a more general underlying GMA issue involving what uses are appropriately allowed in the rural area. While the rural area is largely limited to residential and resource uses, more intensive uses “may be allowed in the rural area if “the use, by its very nature, is dependent upon being in a rural area and is compatible with the functional and visual character of rural uses in the immediate vicinity.” Timberlake Christian Fellowship v. King County, 114 Wn.App. 174, 184 (2002) (citations omitted). Although this limitation does not directly involve the sewer question you raised, there may be an issue about the extent to which schools are dependent on being in the rural area. If a use is so intensive that it requires sewer, it is arguably too intensive for the rural area. One argument for locating a new school in the rural area would be that the school is necessary to serve children who live in the rural area. However, our understanding is that the schools currently contemplated for location in the rural area would be serving primarily children from the urban area. Such a school would not appear to be “dependent” on being in the rural area, nor, if it required sewer, would its intensity of use be compatible with the functional and visual character of rural uses in the vicinity.

We would be happy to discuss with you further any of the issues or legal authority cited in this memorandum.

Puget Sound School Coalition

Bethel, Everett, Federal Way, Franklin Pierce, Highline, Issaquah, Lake Washington, Northshore, Orting, Riverview, Snohomish, Snoqualmie Valley, and Tahoma School Districts

August 2011

Schools are not inherently urban.

The Growth Management Hearings Board has repeatedly endorsed locating schools in the rural area. See Hensley et al. v. Snohomish County, (03-3-0009c) (2003) at 17 (“schools may be located in rural areas”); CTED v. Snohomish County, (03-3-0017) (2003) at 28 (same); see also, Karpinski v. Clark County, (07-2-0027) (2008) at 18. The King County Comprehensive Plan permits certain nonresidential uses like schools in the rural area, and these provisions have been found to be consistent with the Growth Management Act for those uses that serve both an urban and rural population. Timberlake Christian Fellowship v. King County, 114 Wn. App. 174 (2002). In Vashon-Maury, et al. v. King County, (95-3-0008) (1995), the Central Board specifically approved the King County Comprehensive Plan provisions that authorize connecting a public school located in the rural area to a sewer via a tightline.

The current Countywide Planning Policies appropriately balance all relevant factors.

The existing Countywide Planning Policies strike a careful balance between preserving the rural area and providing for the public schools needed to serve our communities. The policies authorize a tightline to a sewer, solely to serve a public school, where reasonable alternatives are not feasible. These policies have been in place for nearly twenty years, are narrowly drafted, and comply with the law.

Schools have planned and made investments based upon the current County policies.

School districts serving the residents of King County own 15 undeveloped sites located in the rural area, with a total assessed value of \$12 million. The school districts acquired these sites in good faith under existing County policies. School districts purchased these sites to plan for future needs and as careful stewards of public funds.

The current policies have worked well because tightlines cannot induce growth.

Since 1992, only six schools have been built using tightline sewers. Together, the six schools compromise less than $2/100^{\text{th}}$ of one percent (0.02%) of the land in unincorporated King County outside the urban growth area. There is no evidence that a tightline leads to development in the rural area. In fact, this isn't technically feasible because a tightline is sized only to serve the school facility. Furthermore, the King

County Council would have to approve an amendment to the sewer and water district plan before anyone could attempt to access a tightline. The Growth Management Hearings Board has recognized that schools themselves also do not induce growth. See Karpinski v. Clark County, (07-2-0027) (2008) at 18.

Simply stated, other properties cannot hook up to the tightline and this policy has not resulted in sprawl.

Case law confirms that the provisions at issue are appropriately narrow.

The Growth Management Hearings Board and the Washington Supreme Court have rejected efforts to extend sewers into the rural area under standards much more lax than those included in the current Countywide Planning Policies and the King County Comprehensive Plan. In Thurston County v. Cooper Point Ass'n, 148 Wn.2d 1 (2002), the court upheld the Board's conclusion that the extension of a sewer line through a rural area to serve residential developments constituted an impermissible urban governmental service under the GMA. Thurston County could not justify the extension of urban sewer service into the rural as "necessary to protect basic public health and safety and the environment." See RCW 36.70A.110(4).

Thanks to a 2008 amendment, the current King County Comprehensive Plan provisions incorporate the very requirement that was the focus in Cooper Point. In order to permit a tightline to serve the needs of a public school, operating consistent with the paramount duty to provide education set forth in the Washington Constitution, the Comprehensive Plan requires King County to make two specific findings: 1) that no reasonable alternative technologies are feasible; and 2) "*that an on-site sewer disposal system for the public school or public school facility would not protect basic public health, safety, and the environment during the use of this site for a school or school facility.*" (Emphasis added.)

In Cooper Point, moreover, the sewer that Thurston County proposed would not only serve two existing residential developments but also accommodate another 100 outlying residential properties. This is in sharp contrast to a tightline; as the King County Comprehensive Plan makes clear, the "tightlining of sewers means that a sewer line is designed and sized to only serve a particular structure." (See page G-24.) A tightline does not permit urban development in the rural area. Indeed, it does not meet the statutory definition of an urban governmental service, which the GMA defines as "those public services and public facilities *at an intensity historically and typically provided in cities*, specifically including storm and sanitary sewer systems" RCW 36.70A.030(18) (emphasis added). A tightline's limited capacity precludes its use in a city, where sewer systems are comprehensive and serve many properties. By definition, a sewer sized only to serve the specific needs associated with a single public school, lacks sufficient "intensity" or capacity to be an urban governmental service as defined in the GMA. It would, therefore, fall within the ambit of permissible services in the rural area. See RCW 36.70A.110(1) (permitting growth outside of urban growth area if it is "*not urban in nature*") (emphasis added).

Following Cooper Point, the Board struck down a Snohomish County policy that broadly allowed for sewer extensions. In CTED II v. Snohomish County, (03-3-0020) (2004) and Pilchuck Audubon Society et al. v. Snohomish County, (06-3-0015c) (2006), the Board invalidated the Snohomish County Plan update provisions that allowed sewer extensions to churches and schools in the rural area based *solely* on their proximity to existing sewer lines. The Snohomish policy at issue in both CTED II and Pilchuck created a proximity-based exception for new sewer lines for churches and schools. This policy did not require tightlines. Nor were the sewer extensions tied to a finding that no reasonable alternative was feasible, or a showing of harm to the public health, safety, and environment. These decisions do not require a change in the current King County policies. On the contrary, they implicitly validate those policies.

Allowing tightlines to serve public schools located in the rural area is fundamentally consistent with the holdings and intent of the above case law, as well as the underlying purposes of the GMA.

Vision 2040 recognizes that tightlines to rural schools are appropriate.

Vision 2040 recognizes that tightlines serving rural schools can be permitted:

Sewage Treatment. With very few exceptions — *generally provided only for schools* or for specific health, safety, or environmental concerns — sanitary sewer service is allowed only in urban areas. (emphasis added) (page 91)

Vision 2040 expressly states that schools are an appropriate exception to the general rule. Vision 2040 supports the provisions in the current Countywide Planning Policies.

Limiting school siting and forbidding tightlines would be contrary to the Constitution and bad public policy.

The Washington State Constitution states in Art. IX, Sec. 1, that it is the paramount duty of the State to make ample provision for the education of all children within the State. This duty applies no less in rural areas than in urban ones. Our Constitution nowhere makes any other duty paramount. Seattle Sch. Dist. No. 1 v. Washington, 90 Wn.2d 476, 510 (1978). Beyond our own borders, “[n]o other state has placed the common school on so high a pedestal.” Id. at 511. The GMA requires local jurisdictions to balance a variety of policy concerns while planning for growth: “[T]he Washington State legislature passed the GMA to help preserve Washington’s environmental quality and to balance the inevitable growth with the quality of life concerns for the benefit of Washington residents.” Lewis County v. Western Washington Growth Management Hearings Board, 157 Wn.2d 488 (2006). The GMA allows local jurisdictions to take into account the needs of local areas for public facilities, including specifically public schools, so that the State can carry out its paramount duty.

The Board has noted that, consistent with the GMA, “schools should be located near the population they serve.” Hensley v. Snohomish County, (03-3-0009c) (2003), at 17. The Board has also recognized that

Schools ... are unique in that they are institutional facilities that serve the population. ... They are also unique in that ... [they] are needed to serve both the urban and rural population. Therefore ... [schools] are allowed and may be located in many urban or rural areas.

CTED v. Snohomish County, (03-3-0017) (2003), at 28.

In deciding whether or not to de-designate agricultural lands, the Western Board stated that “[w]hile schools are defined as a public facility, *they are not listed as either a rural or an urban service*. That is because school districts make schools available to students who live on urban, rural, and resource lands. *They are not the same kind of facility as a water line or sewer line that enhances the ability of property to be developed.*” Karpinski v. Clark County, (07-2-0027) (2008) at 18 (emphasis added).

Realistically, as a matter of public health, a small number of schools located in the rural area may need a tightline. Where a school needs to be connected to a sewer, a tightline is a permissible solution.

If you have any questions, please call Denise Stiffarm at (206) 370-7645.

Dear Mayor McBride and Councilmembers,

The King County Growth Management Planning Council will shortly meet to review and take action on a comprehensive update of the countywide planning policies (CPP's). Staff has prepared an excellent first draft of that document. As you review it, I urge you to support policy PF-12, and not the amended version proposed by the Suburban Cities Association.

Remarkably, the existing CPP's appear to allow extension of sewer service into rural areas to serve the "needs of public facilities such as schools". This is in contradiction to the Growth Management Act (GMA) which states "in general, it is not appropriate that urban government services be extended or expanded in rural area except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment..."

Draft Policy PF-12 brings the CPP's in line with the GMA on this issue by "prohibiting sewer expansion in Rural and Resource Lands except where needed to address specific health and safety problems threatening existing structures." The amended version would allow service to be extended "where needed to site and develop public schools on properties in the Rural Area owned by public school districts as of July 1, 2011..."

The 2010 census shows that the school age population within the urban growth areas in King County increased by over 18 percent over the last 10 years, while that in the rural areas decreased by 8 percent. The need for schools is in our cities and towns, not the rural areas. Siting urban schools on rural lands would require extension of other urban-level services, be inefficient for access, deprive the communities they serve of a centralized gathering point, and encourage further exceptions and sprawl. We should locate schools where the children are, not where the land is cheapest!

A feature of the GMA is the separation of urban and rural uses and services. There is no demonstrated need for the amendment beyond allowing some schools to use less expensive land. It is bad public policy and probably not legally defensible.

I understand the cities of Seattle and Shoreline will oppose the amendment, and urge you to do so as well.

Respectfully,

Dave Russell
4507 105th Ave NE
Kirkland, WA 98033

Kirkland, WA 98033



SUPERINTENDENT OF PUBLIC INSTRUCTION

Randy I. Dorn Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

August 24, 2011

King County Executive Dow Constantine
Chair, Growth Management Planning Council
King County Chinook Building
401 5th Avenue, Suite 800
Seattle, WA 98104

Dear Executive Constantine:

Our office has reviewed the June 15, 2011 draft King County Countywide Planning Policies and we have significant concerns regarding how these policies will impact the delivery of public education. Proposed policies DP-50, PF-12, PF-18, and PF-19 appear to compromise the ability of locally elected school boards to make siting decisions that are considerate of service area needs and taxpayer resources.

Given that this issue has the potential to affect the delivery of public education statewide, I would like to talk with you regarding these implications and discuss alternatives to the current policies. It would be detrimental to public education in our State for policies DP-50, PF-12, PF-18, and PF-19 to be adopted in their current form. I understand that the King County Growth Management Planning Council is scheduled to take action on the policies on September 21, 2011. As such, I hope that we can discuss this matter no later than September 7, 2011. Please contact Karen Conway at 360-725-6003 to schedule a mutually convenient time.

Sincerely,

A handwritten signature in cursive script that reads "Randy Dorn".

Randy I. Dorn
State Superintendent
of Public Instruction

Cc: Members, King County Growth Management Planning Council

Karen Conway
Office of Superintendent of Public Instruction
Executive Services
360-725-6003

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.kirklandwa.gov**MEMORANDUM**

To: Kurt Triplett, City Manager

From: Marilynne Beard, Assistant City Manager
Robin Jenkinson, City Attorney

Date: August 25, 2011

Subject: CODE OF ETHICS UPDATE AND ADOPTION OF CODE OF CONDUCT

RECOMMENDATION:

City Council receives an update on the selection of a contractor to serve as the City's Ethics Board and approves the attached resolution adopting a Code of Conduct.

BACKGROUND DISCUSSION:

At the July 19, 2011 City Council meeting, staff provided an updated draft Code of Ethics and draft Code of Conduct. The City Council agreed to adopt the Code of Conduct as presented (with one minor edit) and the attached resolution was subsequently prepared for Council consideration. Once adopted, the Code of Conduct will be forwarded to City Council and Board and Commission members with a request that the document be signed, acknowledging that the Code of Conduct was received and read.

At the same meeting, the City Council authorized staff to proceed with a contract for services with either the King County Ombudsman or the City of Seattle Ethics and Elections staff to serve as Kirkland's Ethics Board. The representatives of both agencies were very knowledgeable, experienced, and helpful. Staff will be proceeding with a contract for services with the City of Seattle based on the estimated turnaround time for cases, the approach to investigation and experience with contracted ethics services.

City staff has received input from both King County and the City of Seattle on the draft Code of Ethics. Both agencies provided useful input, including clarification of certain provisions that will provide a more clearly enforceable document. Staff has been advised that areas in the draft Code of Ethics that are important, but more aspirational in nature, such as civility, are more appropriately addressed in the Code of Conduct. Once a contract is in place, staff will work toward a revised draft Code of Ethics for Council's consideration and develop a training plan.

It is anticipated that a revised draft will be presented in October or November.

RESOLUTION R-4889

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND
ADOPTING A CODE OF CONDUCT.

WHEREAS, the holding of public office and positions on City
Boards and Commissions is a public trust, and

WHEREAS, the Kirkland City Council desires to ensure the
public's confidence in its elected and appointed representatives;

NOW, THEREFORE, be it resolved by the City Council of the
City of Kirkland as follows:

Section 1. The Code of Conduct attached as Exhibit A is
adopted.

Passed by majority vote of the Kirkland City Council in open
meeting this ____ day of _____, 2011.

Signed in authentication thereof this ____ day of _____,
2011.

MAYOR

Attest:

City Clerk

CITY OF KIRKLAND
CODE OF CONDUCT FOR CITY COUNCIL AND BOARDS AND COMMISSIONS

The Code of Conduct is supplemental to the Kirkland Municipal Code and the Code of Ethics and applies to the City Council and all members of City advisory boards and commissions. The Code of Conduct describes how Kirkland officials treat each other and work together for the common good of the community. Conducting the City's business in an atmosphere of respect and civility is the underlying theme in this code. City Officials are responsible for holding themselves and each other accountable for displaying actions and behaviors that consistently model the ideals expressed in the code.

Implicit in the Code of Conduct is recognition of the worth of individual members and an appreciation for their individual talents, perspectives and contributions. The Code will ensure an atmosphere where individual members, staff and the public are free to express their ideas and work to their full potential.

As a City Official of the City of Kirkland, I agree to these principles of conduct:

We consistently demonstrate the principles of professionalism, respect and civility in working for the greater good of Kirkland.

We assure fair and equal treatment of all people.

We conduct ourselves both personally and professionally in a manner that is above reproach.

We refrain from abusive conduct, personal charges or verbal attacks on the character or motives of Council members, commissioners, staff and the public.

We take care to avoid personal comments that could offend others.

We show no tolerance for intimidating behaviors.

We listen courteously and attentively to all public discussions and treat all people the way we wish to be treated.

We serve as a model of leadership and civility to the community.

Our actions inspire public confidence in Kirkland government.

Keeping in mind the common good as the highest purpose, we will focus on holding efficient meetings that achieve constructive solutions for the public benefit.

We work as a team to solve problems and render decisions that are based on the merits and substance of the matter.

We respect differences and views of other people.

We adhere to the principles and laws governing the Council/Manager form of government and treat all staff with respect and cooperation.

We will refrain from interfering with the administrative functions and professional duties of staff.

We will not publicly criticize individual staff but will privately communicate with City Manager any concerns about a Department or Department Head or staff person.

We will refrain from negotiating or making commitments without the involvement and knowledge of City Manager.

We will work with staff in a manner that consistently demonstrates mutual respect.

We will not discuss personnel issues, undermine management direction, or give or imply direction to staff.

We will communicate directly with the City Manager or department directors when asking for information, assistance or follow up.

We will not knowingly blindside one another in public and will contact staff prior to a meeting with any questions or issues.

We will not attend City staff meetings unless requested by staff.

I acknowledge that I have received and read this Code of Conduct

Name

Date



CITY OF KIRKLAND
 Department of Parks & Community Services
 505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
 www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jennifer Schroder, C.P.R.P., Director
 Michael Cogle, Interim Deputy Director

Date: August 30, 2011

Subject: Request for Supplemental Funding to Complete Environmental and Other Park-Related Improvements to Juanita Beach Park

RECOMMENDATION:

City Council approves funding from the General Capital Contingency to complete improvements to Juanita Beach Park.

BACKGROUND DISCUSSION:

In 2010 the City Council awarded a construction contract to DMSL Construction, Inc. (DMSL) as the low responsive bidder for the Juanita Beach Park Project – Phase I. Project items include all work related to demolition of existing shelters and creek bridge, construction of a concrete waterfront promenade, parking lot reconfiguration and associated rain gardens, surface drainage bio-filtration swales and associated water quality improvements, wetland restoration, riparian restoration of Juanita Creek including side channel (marsh) creation, removal of hazard trees, significant new plantings, lawn renovation, new site furniture, new bridge, new irrigation, new paths, and a public art sculpture. Scheduled improvements are consistent with the approved 2005 park master plan.

On June 3, 2011 the City terminated the contract of DMSL for non-performance. The contractor was only compensated for actual work which it completed. Approximately \$450,000 of DMSL's contract is available to help defray costs to complete the project, as shown below:

\$1,180,390.57	Authorized Original DMSL Contract
<u>\$ 165,668.83</u>	Approved Change Orders (\$180,000 Construction Contingency Budgeted)
\$1,346,059.40	Revised Contract Amount
<u>(\$ 897,315.28)</u>	Amount paid to DMSL for work completed
\$ 448,744.12	Balance to Finish Contract

Due to an urgent need to complete environmental work within permitting requirements and strong community interest in seeing the park's beachfront reopened this summer, the City Council on June 7 approved Resolution R-4883, thereby waiving competitive bidding requirements and authorizing staff to execute all necessary contracts for emergency completion of the project.

After receiving the waiver, staff hired Marshbank Construction on June 13 to protect the site, implement erosion control measures and evaluate the steps necessary to complete the project and reopen the park. At the same time, we began working cooperatively with DMSL's bond company, First Sealord Surety Inc, in order to protect the City's financial interests. At the request of First Sealord, the City evaluated a subsequent proposal by DMSL to complete the work. DMSL's proposal did not demonstrate the ability to finish the project. Therefore on June 23 we gave Marshbank Construction direction to proceed with the work as soon as possible, with activities compensated on a "time and materials" basis (rather than a lump sum).

Due to the actions of the City Council and the responsiveness of Marshbank Construction, the City was able to partially reopen the park, including the popular beachfront, on August 5. Construction activities are ongoing and are anticipated to be substantially complete by September 23.

In the interim, the City continues to work with First Sealord Surety. Sealord and the City continue to evaluate what the full cost will be to complete the entire project and what costs will be the responsibility of the surety. Financial projections are difficult at this point, since not all the costs have been accounted for yet. Based on a rough order of magnitude projection, we anticipate that the cost to complete the work will exceed the DMSL contract balance of approximately \$450,000 by an estimated \$850,000. The additional costs are due in part to the transition from DMSL to Marshbank and the correction of nonconformities and defects in DMSL work that were discovered. After the project has been fully completed the City will provide comprehensive project accounting to Sealord for remission to the City as anticipated by the terms of DMSL's payment and performance bonds.

Impact to State Grant

The City received a \$500,000 matching grant from the State in 2007, and another \$500,000 matching grant in 2008, for a total of up to \$1,000,000 in State matching funds to complete the project. Due to the City receiving a favorable bid from DMSL, the City estimated that a total of \$925,000 of project costs would be eligible for reimbursement under the terms of the grant agreement.

The original terms of the agreement were for the project to be completed in 2009. Due to permitting challenges which delayed the start of construction, the City received an initial time extension from the State to complete the project by the end of 2010. After construction started, a second and final extension request was approved by the State, requiring project completion by June 1, 2011. Because the project was not completed by this date, the City will be eligible to receive reimbursement for only \$700,000 of project expenses. Staff has asked State grant officials to reconsider the City's situation to see if a waiver might be granted and potentially reimbursing the City for up to \$225,000 of additional project expenses accrued since June 1.

Need for Supplemental Project Funding

As shown in Figure 1 below, the project has a potential funding deficit of up to \$750,000. This is the difference between available funding resources for the project and anticipated expenses to complete the all of the remaining project elements in the coming weeks.

Figure 1 - Juanita Beach Park Project Completion (CPK0119)

	Estimated Completion
Resources:	
City Contribution	1,500,000
State Grant	700,000
KC Flood Control District Grant	100,000
King County Contribution	200,000
Total Resources	2,500,000
Expenses:	
DMSL Contract	895,000
Marshbank Contract (Projection)	1,175,000
In-house management	120,000
Master Planning, A&E, Permitting, Inspections	775,000
Required Long Term Wetland Monitoring Services	50,000
Remove Pier Vertical Wave Baffles (separate contract)	60,000
Miscellaneous Costs 2003 - Present ⁽¹⁾	175,000
Total Expenses	3,250,000
Projected Project Deficit/Request from Contingency	(750,000)

⁽¹⁾ *Miscellaneous Costs include:
Interim improvements to park after City takeover in 2003; Public Art;
Utility Connection Charges; Bathhouse repairs; Other costs such as
printing, advertising, supplies, etc.*

The funding request of \$750,000 is the net effect of expenditures over and above the original estimated amount and lost grant revenue. As shown in the following table, the original project would have had a positive balance of \$325,000. But the lost revenue of \$225,000 and the added cost of \$850,000, eliminated the projected project savings and left a deficit funding need of \$750,000.

Figure 2 - Juanita Beach Park Project Completion (CPK0119)

	Original (DMSL)	Revised (Marshbank)	Variance
Resources:			
City Contribution	1,500,000	1,500,000	-
State Grant	925,000	700,000	(225,000)
KC Flood Control District Grant	100,000	100,000	-
King County Contribution	200,000	200,000	-
Total Resources	2,725,000	2,500,000	(225,000)
Expenses:			
Paid to DMSL	1,345,000	895,000	(450,000)
Paid to Marshbank (Projection)	-	1,175,000	1,175,000
In-house management	120,000	120,000	-
Master Planning, A&E, Permitting, Inspections	650,000	775,000	125,000
Required Long Term Wetland Monitoring Services	50,000	50,000	-
Remove Pier Vertical Wave Baffles (separate contract)	60,000	60,000	-
Miscellaneous Costs 2003 - Present ⁽¹⁾	175,000	175,000	-
Total Expenses	2,400,000	3,250,000	850,000
Projected Project Savings/Funding Deficit	325,000	(750,000)	
Total Financial Impact			(1,075,000)

The City will continue to pursue eligibility for the State grant and will be requesting reimbursement from Sealord Surety to compensate for the over-expenditure, currently estimated to be \$850,000. If the City is successful on both fronts, the Capital Contingency will be repaid and the positive balance of \$325,000 will again be available to apply to the next phase of the Juanita Beach project.

Original project balance/(deficit) available to apply to next phase	325,000
LESS State grant revenue lost due to delay of project	<u>- 225,000</u>
Revised project balance/(deficit) available to apply to next phase	100,000
LESS project costs above original estimate due to change in contractor	<u>-850,000</u>
Revised project balance/(deficit) available to apply to next phase	-750,000
Request from Capital Contingency	<u>750,000</u>
Revised project balance/(deficit) available to apply to next phase	0
Potential recovery of State grant	225,000
Potential recovery from Surety	<u>850,000</u>
Total Potential Recovery	1,075,000
LESS repayment to Capital Contingency Reserve	<u>(750,000)</u>
Potential project balance/(deficit) available to apply to next phase	325,000

In summary, staff requests supplemental funding from the General Capital Contingency Fund in the amount of \$750,000 to complete environmental and park improvements to Juanita Beach Park. Please see the attached fiscal note. The Fund will be replenished pending the outcome of the City's discussions with the bonding company. Ideally, the project will end with the same positive balance as it started (prior to the contractor change) with a balance available to apply to the next phase of the Juanita Beach project.

Attachment

FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Jennifer Schroder, Director Parks and Community Services

Description of Request

Request for \$750,000 from the General Capital Contingency to complete the Juanita Beach Park project improvements (CPK 0119) pending resolution of negotiations with the original contractor's bonding company.

Legality/City Policy Basis

Fiscal Impact

One-time use of \$750,000 from the General Capital Contingency. The reserve is able to fully fund this request.

Recommended Funding Source(s)

	Description	2012 Est End Balance	Prior Auth. 2011-12 Uses	Prior Auth. 2011-12 Additions	Amount This Request	Revised 2012 End Balance	2012 Target
Reserve		4,669,463			750,000	3,919,463	N/A
Revenue/Exp Savings							
Other Source							

Other Information

Prepared By	Neil Kruse, Senior Financial Analyst	Date	August 26, 2011
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August 24, 2011

**VIA EMAIL &
FIRST CLASS MAIL**

MCarson@FirstSealord.biz

windus@lfa-law.com

Michael Carson
First Sealord Surety, Inc.
789 East Lancaster Ave, Suite 200
PO Box 900
Villanova, PA 19085

Tom Windus
Livengood, Fitzgerald & Alskog, PLLC
PO Box 908
Kirkland, WA 98083-0908

*Re: City of Kirkland Juanita Beach Park Project Phase I
Job Number 18-09-PK
Bond Number 10-00537-PP*

Dear Messrs Carson & Windus:

I am writing to you in follow-up to my July 6, 2011 letter, as I have not yet received a response from either First Sealord Surety, Inc. ("Sealord") or its legal counsel. Thus, the City of Kirkland ("City") has been proceeding forward with the completion of DMSL Construction's ("DMSL") remaining contract work. Here is a status of the construction and financial projection of where the project will likely be at completion. This projection is also the amount the City expects to be paid to fully compensate the City for Sealord's principal's default.

1. Beach Front Access.

The beach was opened to the public on Friday, August 5, 2011. As previously explained in my letters, this event was a primary concern to the Kirkland citizens who had been promised that the beach was going to be open at different times for months before it actually opened in August. Those failed projections and missed opening dates were based on DMSL's unwarranted ever-changing construction schedule and were in part the cause for the default termination of DMSL.

2. Creek Bed Restoration.

As advised in my July 6, 2011 letter, when the City did not receive the promised proposal from Sealord for the creek bed restoration work, which was subject to a "fish window" closing of August 31, 2011, the City awarded that scope of work to Marshbank Construction, Inc. ("Marshbank") on July 7, 2011. As you will recall, in my letter of June 22, 2011, I had advised Sealord that if Sealord desired to complete the creek bed restoration, the City needed a response from Sealord no later than July 1. Since no response was received by July 1, the City proceeded

Michael Carson
Tom Windus
August 24, 2011
Page 2

forward with Marshbank. The creek bed work is on track to be completed by the August 31 date on which the fish window closes.

3. Projection of Remaining Work.

Sealord has been monitoring the project since the default termination continuously through its agents, received bids to complete some or all of the remaining work and promised it would provide the City with contractor bids to finish the job. The City, however, received no plan or proposal from Sealord or its contractors to complete this work and thus the City proceeded to engage Marshbank to finish up the project (including the creek bed restoration). Based on Sealord's inaction while the City completed this project, the City came to the inevitable conclusion that Sealord has tacitly accepted the City's engagement of Marshbank to finish DMSL's work rather than complete the work through its own contractors.

The City anticipates that the completion of the remaining work will occur on approximately September 23, 2011. Financial projections are difficult at this point, since not all the cost has been accounted for yet. Based on a rough order of magnitude projection, the City anticipates that the cost to complete DMSL's work will exceed the DMSL contract balance by \$850,000. The overruns are due in part to the transition from Marshbank to DMSL, the correction of nonconformities and defects in DMSL work that were discovered and DMSL's failure to pay its subcontractors and suppliers when it was performing the work for the City. When the project is complete and the accounting has been finished, we will provide a copy of that accounting to Sealord for remission to the City as anticipated by the terms of DMSL's payment and performance bonds.

Very truly yours,

Marilynne Beard
Assistant City Manager
For Kurt Triplett
City Manager

cc: John P. Ahlers, Ahlers & Cressman PLLC (via email, jahlers@ac-lawyers.com)
Wm. R. Evans (via email, wevans@kirklandwa.gov)

**CITY OF KIRKLAND**123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: J Kevin Nalder, Director Fire and Building Department
Mark Jung, Captain, EMS Officer

Date: August 25, 2011

Subject: EMS Transport Fee Program Update

RECOMMENDATION:

City Council receives an update on EMS Transport Fee Program implementation.

Background:

The Kirkland City Council approved Ordinance 4287 authorizing user fees for EMS transportation in January of this year and six months have passed since the City began charging transport fees on March 1, 2011. Today, the program is fully deployed, implementation is nearing completion, and enough descriptive and financial data have been collected to make a preliminary evaluation and report of the transport fee program.

Implementation:

With just under two months from approval of the authorizing ordinance to the go-live date, the implementation team worked diligently to develop policies, operational documents, and training in time for the initial crew training that took place in the second half of February. In addition, a professional services agreement was negotiated and signed with our billing vendor, the program administrator (EMS Officer) and support positions were filled and a public information strategy was developed and executed.

The implementation team identified three primary areas where concerns about the program might turn into objections if these concerns were not adequately addressed:

1. Concerns of citizens and potential patients: The implementation team developed a focused message that was consistently delivered in transport-fee communications, "Transport fees are legal, reputable, common and well established user fees that will help sustain EMS service levels in this challenging economy and will support system improvements in the future." Public outreach efforts included:
 - Multiple press releases
 - A new transport-fee web page on the City Web Site.
www.kirklandwa.gov/emstransport

- A frequently asked questions sheet to be given to each patient transported (Attachment 1)
 - A newspaper editorial explaining the program
 - Ongoing monitoring for complaints about the program by the EMS Officer and the City Communications Program Manager.
2. Concerns of firefighter / EMTs: Fire Department Senior staff worked with labor and the implementation team to understand the concerns of our firefighters and craft program parameters, policies, and procedures that were acceptable to all parties. There was remarkable common interest identified in the process. These common areas of interest include:
- Patient focused treatment and transportation decisions-making
 - Program administration by someone who understands the work of firefighters and has credibility to influence both firefighters and Fire Department Senior Staff
 - Minimize additional paperwork and administrative processes for firefighters
 - Billing policies that minimize impact on patients
 - Strong financial aid policy
3. Concerns of other jurisdictions: Kirkland's Fire and EMS system is highly integrated with our regional partners through automatic aid agreements and the King County EMS System. The King County EMS Levy provides full financial support for ALS response as well as core regional services like uniform training programs, planning and medical direction. The implementation team took the following actions to allay concerns of our regional partners before and after the go-live date:
- Sent a letter to each of our neighboring jurisdictions through the City Manager's Office assuring them that Kirkland would continue to provide service in their communities without charge to their citizens and we would not require them to change their procedures when they respond in to Kirkland on automatic aid. (Attachment 2)
 - The Fire Operations Deputy Chief and EMS Officer met in-person with Redmond Fire and Bellevue Fire leadership to explain the program and answer any questions prior to going live.
 - The EMS Officer met with the Redmond Fire Paramedic group to answer any questions shortly after program deployment.
 - The EMS Officer met with other King County Fire Departments that are charging transport fees and other interested fire departments in a meeting hosted by the King County EMS Division.

Evaluation:

With the program currently fully deployed and nearly six months of billing history, we are soundly in the evaluation phase of implementation. The remainder of this memo will be dedicated to evaluation of the program as currently deployed and recommendations for future improvement.

There are three key areas of program performance to evaluate against benchmarks identified in the December 7, 2010 staff analysis:

- Acceptance of key stakeholders

- Financial performance
- Utilization of program staff

Acceptance by Stakeholders:

- Citizens and patients have been very accepting of the new user fee. There was only one piece of negative correspondence received in response to the City's press release and other informational materials introducing the transport fee program. The EMS Officer received three phone calls requesting additional information, but in each case, when the program was explained, the callers were satisfied. Firefighters working at the street-level generally report that patients are accepting the user fee as a normal cost of their medical care.
- Firefighter / EMT's were initially resistant to transport user fees, but as the program was deployed they became more accepting. Credit for this change goes to the implementation team for developing easy-to-use tools and training for use in the field, and to the Fire Department Senior Staff and EMS Officer who answered questions and carefully explained how the transport user fee would help the City and the Fire Department through the current economic downturn. Many firefighters have completely changed their opinion, moving from resistance to support; firefighters often use transport fees as a tangible example of how they are helping the City maintain services in this difficult economy. One note received by the EMS Officer illustrates this change:

I was one who dreaded this change and its potential impacts. Now I am only amazed at how smoothly and flawlessly it has run. When my crew or I have had questions you answered them immediately. The paperwork has had no impact on my end, mainly because it is so organized and user friendly.

Earning the support of the Line Firefighters may be the greatest leadership success among many successes associated with this program.

- Other Jurisdictions:
 - The reaction of neighboring jurisdictions can be characterized as respectful and understanding.
 - The King County EMS Division continues to have a neutral position on BLS transport fees recognizing that it is a local decision, but the King County medical leadership has vocally opposed transport fees (attachment 3). This is an issue that is likely to be contentious in the ongoing strategic planning process for the 2014 King County EMS Levy.

Financial Performance:

Revenue is the product of three elements

- The fee
- The number of transports
- The collection rate

Fee: The fee was set by Council at \$600 plus \$14 per mile.

Number of Transports: The initial staff projection of 200 billable transports per month was developed based on history and anticipated increases in call volume after annexation. Clearly, during the first three months the projected number of transports was not reached. (Table 1)

Table 1

Transports (200 Projected in Staff Memo)				Annexation ----->								
	March		April		May		June		July		Total	
Transports Billed	167		169		167		204		196		903	
Resident	130	78%	123	73%	129	77%	152	75%	150	77%	684	76%
Non-Resident	35	21%	40	24%	37	22%	47	23%	43	22%	202	22%
Employee at Work	2	2%	6	5%	1	1%	5	3%	3	2%	17	2%
Transport from OJ	13		23		18		10		9		73	
Total	180		192		185		214		205		976	

The increase in population and fire staffing associated with annexation increased transport volume to the expected level, but transports from out-of-jurisdiction (OJ) have been higher than anticipated. Table 2 shows transports by unit. In general OJ transports by A22 come from Bellevue, A26 from Redmond, and A27 / A29 from Woodinville. Not charging for OJ transports represents a 7.5% reduction in billable transports and proportional reduction in revenue.

Table 2

	March			April			May			June			July		
Transports By Unit			OJ			OJ			OJ			OJ			OJ
A21	38	21%		39	20%		33	18%		38	18%	1	29	14%	1
A22	40	22%	5	40	21%	4	37	20%	3	48	22%	1	45	22%	1
A25	17	9%		9	5%		16	9%		18	8%	0	15	7%	0
A26	17	9%	7	35	18%	8	29	16%	7	19	9%	3	27	13%	3
A27	15	8%		11	6%		19	10%	2	74	35%	5	72	35%	5
A29	53	29%	1	58	30%	10	51	28%	5	17	8%	0	17	8%	0
Total	180		13	192		22	185		17	214		10	205		10
(Including TX from OJ)															

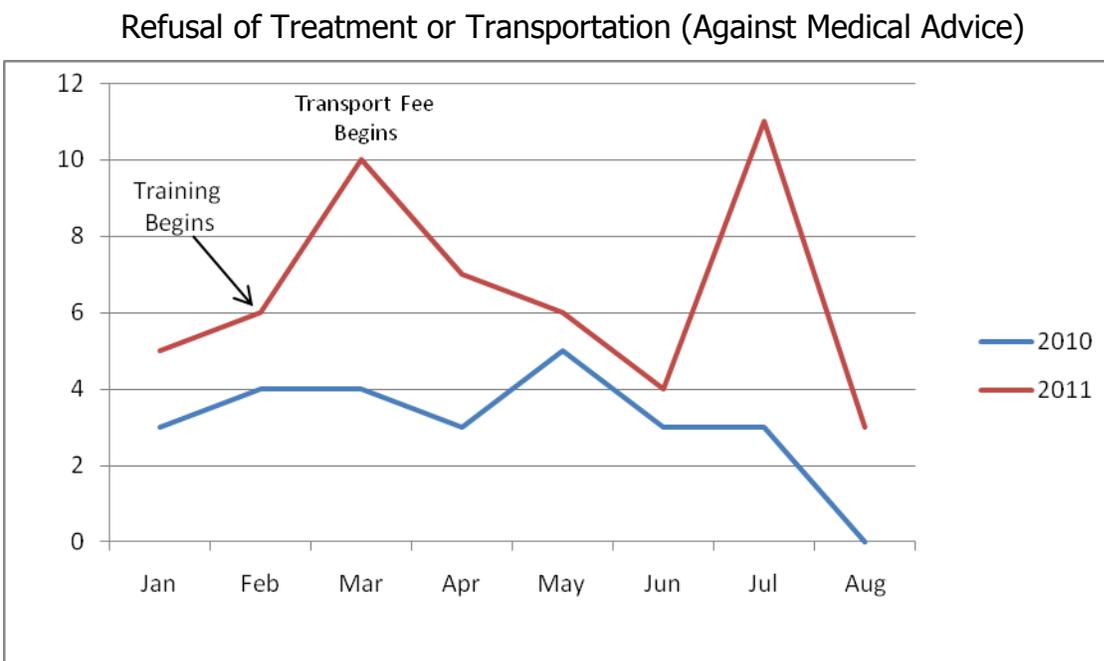
A second issue associated with transport volume is that the deployment of transport user fees may have had an effect on transport volume. During the first three months after deployment, year-over-year EMS responses have increased while the number of transports has decreased. During the same three month period in 2010, 44% of patients were transported by a Kirkland Aid Unit; after transport fees were deployed in 2011, only 41% of EMS patients were transported by Kirkland Aid Units. Furthermore, the number of patients refusing to be transported against medical advice¹ (AMA) more than doubled from 18 (March through August)

	March-May (2010)	March-May (2011)	Change
EMS Responses	1293	1379	+6.6%
Transports	574 (44%)	560 (41%)	-2.5%

¹ Patients who are mentally competent have the right to refuse medical treatment. When the lead firefighter/EMT has completed a medical evaluation and determined that further treatment and/or transportation is necessary the patient may formally refuse further care by signing a "Refusal of Medical Evaluation, Treatment and/or Transportation" form.

in 2010 to 41 during the same time period in 2011 (Figure 1). This appears to be a dramatic change, but staff believes that the change has been caused by better documentation and more frequent use of the "Refusal" form by firefighter/EMTs. The use of the "Refusal" form was highlighted as part of training prior to deployment of the transport fee, and the increase in use of the "Refusal" form can be seen already in February prior to deployment of the transport fee. In addition, staff has analyzed each patient care report, where the "Refusal" form was used, since the transport fee was deployed. The types of cases are consistent with pre-transport-fee refusals. The most frequent use of the "Refusal" form continues to be trauma where the patient has been consuming alcohol.

Figure 1



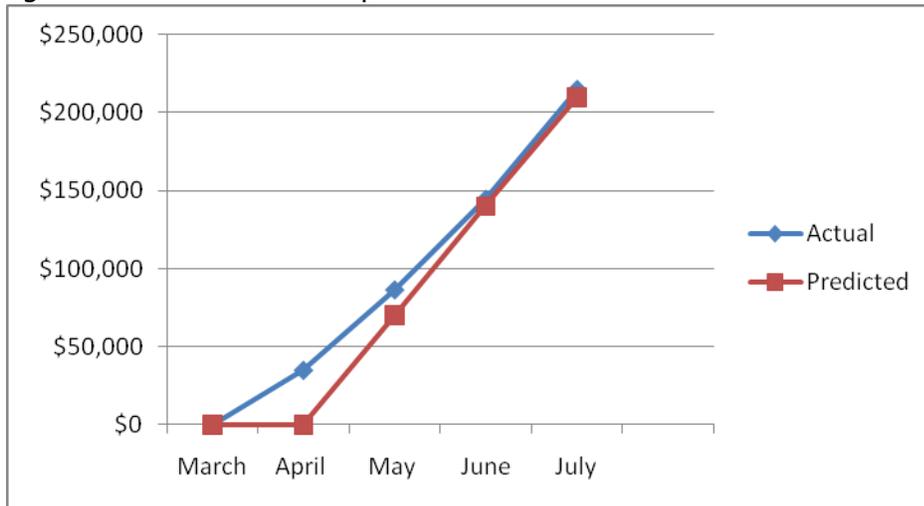
Determining the cause of these changes with scientific certainty is beyond the level of analysis available here and is further complicated by the changes in staffing and population associated with the June 1, 2011 annexation. However, even if deployment of transport fees has caused a reduction in transport volume, this may not be a problem. Anecdotal evidence supports the idea that EMS crews and patients are working together to find more cost effective methods of transport when it is medically appropriate and desired by the patient. Both the EMS Officer and the Operations leadership continue to monitor these areas and look for ways to ensure that patients who need medical treatment and transportation are not deterred by the transport user fee.

Collection Rate: The transport fee program has produced a collection rate of 49.4% for the first three months of billing. The initial staff analysis predicted a collection rate of 53% based on Council's billing policy direction and the anticipated payer mix.

The billing procedure for EMS transport fees creates a significant lag between the date of service and final resolution of fees. It can take 90 days or more to get full payment from an insurance provider before any copayment or deductible, if owed, is billed to the patient. The patient then has 90 days or more to make full payment. Although it may not always take this long, an account can take six months or more to be resolved. Even at this late date, the collection rate for the earliest months of billing may improve slightly as private payments continue to be applied to open accounts.

Revenue: With some billing history in hand, revenue can be evaluated directly. The initial staff analysis predicted \$70,000 per month after the start-up lag. Figure 2 shows total revenue in line with the staff estimate.

Figure 2 EMS Transport Fee Revenue



The history is still very limited, but the total revenue picture is encouraging. Monthly revenue has increased steadily, and reached the \$70,000 per month target in July. The next several months will tell the full story, but there is reason to be optimistic about meeting or exceeding revenue expectations for 2011 and beyond.

Financial Aid: With more than nine hundred transports billed, the City has received only one application for financial aid. It is currently being reviewed.

Utilization of Staff:

EMS Officer: The EMS Officer is currently committing two thirds of his time to the day-to-day operation of the transport fee program. Day-to-day activities include quality assurance and improvement efforts with EMS crews, supervising support staff, preparing reports and preparing for future opportunities and threats. His remaining time is committed to EMS activities related to EMS transport. Two examples are:

- The implementation of new patient care software and hardware that will allow us to more efficiently process transport billing and automate some of the quality assurance efforts. This new reporting system should be fully deployed by the end of 2012.

- EMS Officer is the primary staff support for Chief Nalder and the City Council's representative on the King County EMS Levy Strategic Planning Taskforce.

Fire Records Specialist: The Records Specialist is responsible for data entry and scanning of all EMS reports, obtaining updated patient information from hospitals, reconciling electronic records with paper records, submitting batches of reports to the billing vendor, responding to additional requests for information from the biller, and ensuring that all confidential information is accounted for and secure. The Records Specialist is currently fully utilized at 0.5 FTE. Implementation of the new patient care software and hardware, late 2012, is expected to eliminate much of the work currently being done by the Records Specialist.

Accounting Associate: The 0.25 FTE Accounting Associate is fully utilized reconciling statements received from the billing vendor against batch records, and supporting data collection and reporting projects.

Conclusion:

Six months after deployment of EMS transport fees in Kirkland, the initial staff evaluation shows that the implementation has gone extremely well:

- Strong administrative policies and procedures have been adopted and deployed.
- New procedures have become routine with firefighter / EMTs.
- Key stakeholder relationships have been preserved.
- Revenue appears to be in line with projections. Revenue data that will become available over the next several months will reveal a more complete picture.
- Fire Department staff is continuing quality assurance efforts with particular attention to making sure the transport user fee does not impact patient care or patient's perceived access to the 911 system.
- A capable administrative team has been assembled to complete additional work associated with the transport fee, and staff is continuing to look for efficiencies that will reduce the administrative overhead of the program.

Taken all together, the EMS transport fee program is looking like it will be a great success. Staff expects to update Council again in the first quarter of 2012.



Kirkland Fire Department Basic Life Support (BLS) Transport User Fees

Patient Frequently Asked Questions

In March 2011 the Kirkland Fire Department began its Basic Life Support (BLS) Transport User Fee Program. The Program was established to create a sustainable revenue source to support essential emergency medical services. Fees from the BLS transport user fee will help cover the cost of providing emergency medical service to the Kirkland community. Without this new revenue the Fire Department would have had to reduce service levels. Initially, the transport fees will be used to maintain the current level of service; in the future, the fees will be used to improve service, reduce response times, and provide greater EMS resources to the community.

The purpose of this handout is to help you understand what to expect if you are transported to a medical facility by the Kirkland Fire Department.

Is there a charge for calling 911 for a medical emergency?

There is no fee for calling 911. The transport user fee only applies when a Kirkland Fire Department aid unit transports you to a medical facility.

How much is the transport user fee?

As of March 1, 2011, the transport user fee will be \$600 plus \$14 per mile, as established by the Kirkland City Council. There is no fee for calling 911.

How will the billing process work for Kirkland residents?

As a patient who was transported by the City of Kirkland, your insurance company will be billed. Even if the insurance company only pays a portion of the fee, it will be considered paid in full. You will not be responsible any unpaid balance.

- If you are an employee who becomes sick or injured while at work, you will be treated as a resident for billing purposes.
- If you are a patient without insurance, you will be billed for the full transport user fee. However, you may be eligible for financial assistance.
- If you refuse to sign appropriate forms or have not provided complete insurance information, you will be billed directly for the full fee. An opportunity to provide insurance information and sign authorization forms will be included with the bill.

How will the billing process work if I am not a Kirkland resident?

If you live outside Kirkland but are transported by the Kirkland Fire Department, your insurance company will be billed. The balance not covered by insurance will be billed to you (the patient).

- If you are a patient without insurance, you will be billed for the full transport user fee. However, you may be eligible for financial assistance.
- If you refuse to sign appropriate forms or have not provided complete insurance information, you will be billed directly for the full fee. An opportunity to provide insurance information and sign authorization forms will be included with the bill.

Do late fees apply?

There is no late fee or finance charge associated with the transport user fee.

What if I do not have health insurance or cannot afford to pay for the service?

You will receive service regardless of your ability to pay. You may have coverage under other policies. Many auto and homeowner insurance policies provide some medical coverage and you are encouraged to review your various insurance policies to verify the limits of coverage under each policy.

What options do I have to pay the bill?

In order to maintain a fair and equitable system for all users and the taxpayers, the City and its billing services provider must issue bills according to our BLS transport billing policy. Every effort will be made to accommodate those who wish to pay on an installment plan or apply for payment relief through our financial assistance policy.

Is financial relief available?

Yes. The Kirkland Fire Department has established a financial assistance policy that is consistent with State law on hospital charity care; supported by a sliding scale, and based on Federal poverty guidelines.

As a patient, you may demonstrate an inability to pay in one of two ways:

1. An application form may be obtained from our billing services provider. When the application is complete and returned, Fire Department representatives will determine if you qualify.
2. The Fire Department will also accept charity care granted by the receiving medical facility as evidence of financial need and will grant proportionally equivalent relief.

Can I refuse ambulance transport?

Yes. Patients who are mentally competent and not a threat to themselves or others may refuse treatment and/or transportation. They will be asked to sign a *Refusal of Treatment or Transportation* form.

Is there a charge for all transports in Kirkland?

If your condition requires Advanced Life Support (ALS) treatment and transport, then there is no transport fee. ALS services in King County are provided regionally and are fully funded by the voter-approved King County EMS (Medic One) levy.

For billing information, contact:

System Design West, LLC Billing Services
PO Box 3510
Silverdale, WA 98383
PH: 800-238-9398
FAX: 360-697-1659

www.emspatient.com/kirklandfire

For program information, contact:

Kirkland Fire Department, EMS Officer
123 Fifth Avenue
Kirkland, WA 98033
PH: 425-587-3650
FAX: 425-587-3651

www.ci.kirkland.wa.us/emstransport

December 10, 2010

Dear Chief ():

I am writing to inform you of Kirkland City Council's recent decision to begin charging a fee for BLS transportation. This fee only applies to transports by Kirkland units from Kirkland locations. We deeply value the automatic-aid relationship we have with Bellevue and our other automatic-aid partners, and we are developing a program that is intended to have zero impact on our automatic-aid relationship.

This program is intended to collect fees for the transports we are already doing. We do not anticipate any change in the number of transports we complete annually or our out-of-service time. Further, Council specifically limited fees to BLS transports that originate from within the City of Kirkland and its Proposed Annexation Area. No fee will be charged when Kirkland Units transport from Bellevue locations.

Kirkland Fire Department intends to continue to honor our automatic-aid agreement by providing service in (), whenever needed, as if the service were being provided by Bellevue units themselves.

Please contact me if you have any questions or concerns.

Sincerely,

J Kevin Nalder
Director Fire and Building Department, Fire Chief

DRAFT

December 20, 2010

Name
Address
PO
City

Dear Mayor, City Manager

The Medic One and Emergency Medical Services (EMS) system in King County is facing the best of times and the worst of times. It is the best of times because of our superb quality of care and international recognition as one of the best programs in the world. Our survival rate from cardiac arrest is second to none. It is the worst of times because budget shortfalls in cities are or may be leading to separate decisions to bill patients for fire department transportation to local hospitals. We believe such developments threaten the regional system of EMS in our county. We are writing to share our concerns and request that there be a regional discussion of this important matter. As medical directors and leaders of the programs in King County we have a special interest in maintaining the jewel that is our Medic One program. We know that you, as well as the citizens in your community, have a vested interest in the quality of the EMS system.

This system is a wonderful partnership of public and private services and has served our entire community well for 40 years. The voters in King County strongly support our regional system. In fact, the last 6-year levy in 2007 to fund the EMS program received over 80% yes vote. This incredible support says voters are willing to tax themselves because they perceive the program to be of the highest quality. When they dial 911, they know the fire department (and sometime paramedics) will arrive quickly. This is what they have supported. When they voted in 2007 there were (with a few exceptions) no charges for fire department transportation. Now there is a looming "tipping point" of many cities charging for fire department transportation. Had transportation fees been part of the ballot, we are certain support would have diminished. And as more and more cities charge for transportation, support will erode until passage of the levy will become jeopardized.

We have serious concerns about fire departments in King County charging patients for basic transport to the hospital. Our concerns are as follow:

1. We have a regional system of EMS and the regional approach insures a consistently high quality of care with strong medical supervision and control. Fragmentation of this system with each city addressing fiscal shortfalls with short term solutions may ultimately threaten the entire regional system.
2. User fee charges may jeopardize the next EMS levy (the current levy expires in December, 2013). Voters may experience anger for "double charging" and vote against the levy when it comes time to renew. Voters passed the levy to support EMS services in general and will be confused by fire department charges for transport to hospital.
3. Fire departments can expect modest returns at best if they charge for transport relative to what is risked by a levy failure. In 2009, the EMS levy collected \$67 million for Medic One services outside Seattle. These funds fully support delivery of paramedic services throughout the county. In addition the levy funds approximately \$15 million, or

approximately 20% of fire department basic life support services. Does it make sense to jeopardize this sizable subsidy of fire department services?

4. Charges for BLS transport will discourage elderly, fixed income, and low-income people from calling 911 for emergency services. If they know their call will incur a \$400-\$800 fee, they will be loath to call. Concern for large ambulance fees is a documented reason some people do not call 911 for chest pain. The last thing we want to do is discourage people with chest pain from calling 911.
5. Monies generated from user fees will not be large. There is no pot of money waiting to be picked up. When one factors in bad debt, uncollected fees, fixed reimbursements, contested charges, charge card fees, and so on, the actual amount collected will be much less than projected.
6. Charging for BLS transport may eliminate private ambulance services in the community. Private ambulances provide a needed service and their ability to stay in business will be compromised by competition from the fire department. A reduction of private ambulance services will have a major adverse impact on nursing home-to-hospital transfers and hospital-to-hospital transfers.
7. Fire departments if asked to transport more patients (as a way to generate revenue) than they currently transport will dilute their services and availability for other emergency medical calls or fires. There are only so many vehicles and personnel on duty at any time and if they are travelling all over the county transporting basic life support patients they will not be available for the next emergency call.

For these reasons, and for the very real risk of unforeseen consequences, we have real concerns with fire departments charging for basic transportation to hospitals. Such a policy may have irretrievable long term deleterious effects. We urge that there be a regional discussion of this matter with all affected cities and departments coming together to deliberatively weigh all options.

We have the world's premier EMS service. Let's work together to solve this issue and not put 40 years of work at jeopardy.

Mickey Eisenberg, MD
Medical Program Director
King County Emergency Medical Services

Jim Boehl, MD
Medical Director
Bellevue Paramedic Program

Adrian Whorton, MD
Medical Director
Redmond Paramedic Program

Tom Rea, MD
Medical Director
South King County Paramedic Program

Leonard Cobb, MD
Past Medical Director
Seattle Medic One

Gary Somers, MD
Medical Director
Shoreline Paramedic Program

Michael Copass, MD
Medical Director
Seattle Medic One

Graham Nichol, MD
Director, University of Washington-
Harborview Center for Prehospital
Emergency Care

David Carlbom, MD
Associate Medical Director
Seattle Medic One

Sam Warren, MD
Medical Director
Vashon Island Paramedic Program

Peter Kudenchuk, MD
Associate Medical Director
King County, EMS

P.S. Please kindly address questions or correspondence to Mickey Eisenberg at:
mickey.eisenberg@kingcounty.gov or call 206.263.8569.

cc: Fire Chiefs



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3225 - www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Joan Lieberman-Brill, AICP, Senior Planner
Eric Shields, AICP, Planning Director

Date: August 24, 2011

Subject: RECOMMENDATION ON THE FAST TRACK ZONING CODE AND
MUNICIPAL CODE AMENDMENTS, FILE NO. ZON11-00020

RECOMMENDATION

Approve the proposed amendments. The Council may do so by adopting the enclosed ordinances.

BACKGROUND DISCUSSION

These amendments have been reviewed using the "Fast Track" code amendment process, Process IVA, pursuant to 161 KZC. Process IVA was adopted in 1997 to increase efficiency when enacting minor Zoning Code amendments. A roster of the proposed amendments was approved by the City Council on June 21, 2011 authorizing the review of the proposed amendments through Process IVA. This bundle of amendments includes a variety of minor clarifications, simplifications and corrections to the Zoning Code and two minor changes to the Kirkland Municipal Code. Several proposed amendments were added to the list after it was reviewed by Council in June. They are identified with an asterisk* on the attached roster summary (Exhibit A to this memorandum).

On July 25, 2011, as required by Chapter 161 KZC, a public hearing was held on the proposed amendments by the Planning Director. The Houghton Community Council declined to hold a hearing on the amendments after concluding that those within the Community Council jurisdiction were minor. The staff report prepared for the hearing can be accessed by following this link:

[Fast Track Planning Director Hearing - July 25, 2011](#)

At the hearing, there was no public testimony but refinements to the proposed Zoning amendments were entered into the record, based on a critique by planning staff. The hearing was held open until 5:00 on July 25, 2011, in order to receive a further staff refinement to Chapter 117 KZC regarding personal wireless service facilities. A roster summary of all amendments is attached as Exhibit A. The final ordinances incorporate all of the amendments as recommended by the Planning Director.

One of the amendments allows electronic reader board signs at the North Kirkland Community Center (NKCC) (Exhibit B). The Council may recall that such signs are currently allowed through an interim ordinance (O-4297). Administrative Policy 2-3 establishes content and usage policies for electronic reader board signs (Exhibit C). The policy limits electronic reader board messages at the NKCC to only those relating to emergencies. The proposed code amendment is not as restrictive as the policy, but the policy will continue to apply. However, if code amendment is adopted, the policy will need to be amended to delete a reference to the interim ordinance, as shown in Exhibit C. The policy amendment would be handled administratively.

DECISIONAL CRITERIA

According to Chapter 161 KZC, a proposed amendment may be approved through Process IVA if it meets the decisional criteria established in the applicable provision of the Zoning Code. Sections 161.15 and 161.25 further establish that Process IVA is only to be used for Zoning amendments that:

- Are minor
- Are not controversial
- Do not need extensive policy study
- Promote clarity, eliminate redundancy or correct inconsistencies.

CONCLUSION

The full texts of the amendments are presented in the Attachments to the enclosed ordinances. Separate ordinances are provided for the Zoning and Municipal Code amendments. Both the Zoning Code and Municipal Code amendments are recommended by the Planning Director. The proposed amendments satisfy the applicable decisional criteria and may be approved by adopting the enclosed ordinances.

EXHIBITS

- A Roster summary of all amendments
- B Proposed zoning text revision regarding allowing electronic reader board signs at the North Kirkland Community Center
- C Administrative Policy for Electronic Reader Board Signs Content and Usage

cc: File ZON11-00020

File No. ZON11-00020
Roster and Summary of Proposed Fast Track Zoning Amendments and
Kirkland Municipal Code Amendments

Amendments added after City Council review in June are identified with an asterisk*

ZONING AMENDMENTS

Chapter 49 – Park/Public Use (P) Zones

49.15.030 Expand government facilities (to include the North Kirkland Community Center) allowed to have electronic readerboards for public service messages. Currently only fire stations are permitted to have them. Duplicate language currently used for regulating electronic readerboards at fire stations. City Council has established a policy for what constitutes public service messages at the NKCC.

Chapter 50 - Central Business District (CBD) 5 Zone

50.35.70 Office Use - Correct the sign category for offices. Change from B to D consistent with all other CBD zones and office zones. Sign category D allows wall-mounted, marquee, pedestal and monument signs. (Marquee signs are any sign which forms part of, or is integrated into, a marquee or canopy and which does not extend horizontally beyond the limits of such marquee or canopy.)

*** Chapter 53 – Rose Hill 7 Zone**

53.74.080. Special Regulation 4 – Correct the number of units that trigger the affordable units requirement. In 2009, O-4222 was adopted, which changed the threshold for requiring affordable housing from 10 units to 4 units throughout the code. This change did not get made in RH7.

Chapter 90 – Drainage Basins

90.35 Wetland Determinations, Delineations, Regulations, Criteria, and Procedures- Change reference from 1997 DOE manual to DOE mandated federal manual for wetland delineations, as required by Department of Ecology, effective March 14, 2011 (WAC 173-22-035). Add a clause that eliminates the need to revise this section in the future.

*** 90.45.1** Wetland Buffers and Setbacks – Clarify that both land surface modification and tree removal are prohibited in wetland buffers and setbacks. Tree removal was deleted from the LSM definition in 2008 with O-4151. This deletion was part of the reorganization of the Zoning Code that re-located tree removal regulations to Chapter 95 Tree Management and Required Landscaping. Historically tree removal was included in the LSM definition and prohibited in sensitive areas. Inadvertently, when tree removal was removed from the LSM definition it was not picked up in

Chapter 90 Wetlands and Setbacks, resulting in allowing tree removal. This amendment re-instates this prohibition.

- * 90.80 & 90.1 Activities in or Near Streams & Stream Buffers and Setbacks - As noted above for the amendment to 90.45.1, clarify that both land surface modification and tree removal are prohibited near streams and in stream buffers and setbacks.

Chapter 105 – Parking Areas, Vehicle and pedestrian Access, and Related Improvements

- * 105.15 Exception in Design Districts – Reorganize for clarity
- 105.18 Pedestrian Access- Reorganize for clarity.
- 105.19 Public Pedestrian Walkways- Reorganize for clarity.
- * 105.103 Modifications - Reorganize for clarity.

Chapter 115 – Miscellaneous Use, Development and Performance Standards

- 115.07.4 Accessory Dwelling Units – Clarify that the ADU floor area limit is not based on the area of garages, sheds or outbuildings. Reorganize section to clarify that detached ADU's are limited to lesser of 800 sq ft or 40% of combined primary and ADU sq ft.
- 115.23.1 Common Recreational Open Space Requirements for Certain Residential Uses – Add RMA and PRA zones to the list of zones where common open space is required. This was an oversight with annexation zoning.

*** Chapter 117 – Personal Wireless Service Facilities**

- 117.15 Definitions – Add definition of “approved antenna or tower” to address existing legally non-conforming PWSF's in the JFK annexation area.
- 117.20 Applicability – Clarify that electronic equipment may be added to existing approved cell facilities if it meets concealment requirements.
- 117.40 Application Review Process – Correct footnote references in chart.
- 117.70 Equipment and Equipment Structure Standards – Clarify that equipment may not always be located in an equipment structure, but still must meet standards.
- 117.105 Clarify that complete compliance is required based on all prior approvals unless a subsequent modification is granted.

Chapter 142 – Design Review

142.40 Appeals of Design Review Board Decisions – Clarify which sections of Chapter 142 and which sections of Chapter 145 apply.

Various Chapters

- Delete references to Uniform Building Code, because it has changed to the International Building Code. Also, delete references to the Uniform Sign Code, because the City did not adopt Appendix H (the uniform sign code section) of the IBC. Therefore no other sign regulations have to be considered, as was the case before adoption of the IBC. The structural parts of a sign must continue to be consistent with the IBC to receive permit approval from the Building Department. Therefore, compliance with the IBC remains. (Chapters 5,100)
- Clarify which Zoning Code section regulates installation of through block pedestrian pathways. (Chapters 20, 48, 52, 53, 55)
- * Make application requirements for Process IIA and IIB consistent with Process I application requirements. It is no longer necessary for the applicant to provide public notice materials since the City GIS department now provides address labels, vicinity maps, and assessor maps. Therefore these requirements are eliminated. (Chapters 150, 152)

KIRKLAND MUNICIPAL CODE

Title 19 – Streets and Sidewalks

19.16.040 Petition for vacation brought by abutting property owners – Change street vacation application requirements so they are consistent with Zoning Code requirements.

* 19.16.070 Vacations of streets and access easements-Public notification of hearing – Eliminate bond requirement to ensure removal of signs. Such bonding has been demonstrated to be unnecessary.

Section 49.15



USE ZONE CHART

or at the North
Kirkland
Community Center

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 49.15	USE REGULATIONS ↓ ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.020	Public Utility	None	None	Will be determined on case-by-case basis.			--	--	See KZC 105.25.	1. If the proposal is for a governmental facility located at the Houghton Landfill site as designated on the Official Zoning Map, Process IIB. Otherwise, Process IIA. 2. One pedestal sign with a readerboard having electronic programming is allowed at a fire station only if: a. It is a pedestal sign (see Plate 12) having a maximum of 40 square feet of sign area per sign face; b. The electronic readerboard is no more than 50 percent of the sign area; c. Moving graphics and text or video are not part of the sign; d. The electronic readerboard does not change text and/or images at a rate less than one every seven seconds and shall be readily legible given the text size and the speed limit of the adjacent right-of-way; e. The electronic readerboard displays messages regarding public service announcements or City events only; f. The intensity of the display shall not produce glare that extends to adjacent properties and the signs shall be equipped with a device which automatically dims the intensity of the lights during hours of darkness; g. The electronic readerboard is turned off between 10:00 p.m. and 6:00 a.m. except during emergencies; h. It is located to have the least impact on surrounding residential properties. If it is determined that the electronic readerboard constitutes a traffic hazard for any reason, the Planning Director may impose additional conditions.		
.030	Government Facility Community Facility	See Special Regulation 1.										

City Facilities
Electronic Reader Board Signs Content and Usage
Chapter 2, Community Relations
Policy 2-3
Effective Date: July 7, 2011

Purpose:

1. To provide guidelines for the use of electronic reader board signs installed at City of Kirkland facilities.
2. To establish departmental oversight and management for electronic reader board signs installed at City of Kirkland facilities.
3. To facilitate the use of electronic reader board signs at City of Kirkland facilities primarily for public safety information.

Goal:

To ensure public safety through the use of electronic reader board signs to communicate with the public during emergencies, natural disasters or other events that requires rapid and widespread communication with the community.

Scope:

This policy applies to electronic reader board signs located at City of Kirkland facilities where allowed by the Kirkland Zoning Code including Fire Stations and at North Kirkland Community Center.

Definitions:

Emergency for the purposes of the use of electronic reader board signs is any event or situation that presents immediate or imminent hazards to the community as determined by the City Manager in consultation with the City's Office of Emergency Management.

Electronic Reader Board Administrators ("Administrators") is defined as the Deputy Fire Chief, Fire and Building Services Department, responsible for emergency management activities and, for non-emergency messages, the Communications Program Manager in the City Manager's Office.

Content is the text that can be displayed for a single message.

References:

Kirkland Zoning Code 17.10.080

Policy:

The following procedures and standards will be used by all departments as applicable to the use of electronic reader boards located at City facilities.

I. Electronic Reader Board Sign Content

1. The primary purpose of the electronic reader board signs installed at City facilities is for communication with the public regarding emergencies. The following levels of public safety messaging are established for the purpose of indentifying when emergency information messages may be posted on reader board signs. The reader board at the North Kirkland Community Center is limited ~~by interim Ordinance No. 4297-(proposed deletion)~~ to emergency situations as determined by the City Manager:
 - a. Level 3 Emergency – The City's Emergency Operations Center (EOC) is fully activated and a state of emergency has been or will likely be formally declared.
 - b. Level 2 Emergency – The City's EOC is partially activated and there is an expected event or an event that has already occurred that requires close coordination of multiple City functions.
 - c. Level 1 Emergency – Minimal functions of the City's EOC are activated in order to coordinate communication to the public and alert responders to potential hazardous conditions.
 - d. Driver Alerts – Amber alerts and notices of public safety incidences, driving conditions or road closures requiring caution or alternate routes.
2. A secondary purpose of the electronic reader board signs installed at the City facilities (unless otherwise restricted by law) is to provide information about City-sponsored meetings and public service messages.
 - a. Public Education and Public Service Announcements – Educational messages or announcements related to public health, safety and the environment and the time and date. Examples include, but are not limited to, emergency preparedness advice and fireworks ban.
 - b. Notice of City Events – Notices of City-sponsored meetings or events or driver alerts related to such activities. Examples include, but are not limited to, City Council meetings with a neighborhood association, neighborhood association meetings and public hearings or workshops.
3. Information related to emergencies will have first priority over all other uses (e.g. notice of City and neighborhood meetings, public service announcements, time and date, City-sponsored events).
4. Electronic reader board signs may not be used for the promotion of commercial activities such as business promotions or fund raising events.

II. **Allowed Users and Management**

1. Use of electronic reader board signs is restricted to City employees in the Fire and Building Department and the City Manager's Office.
2. Management of electronic reader board signs will be the responsibility of the Administrators. The Administrators:
 - i. Screen and approve all emergency and non-emergency messages posted to the electronic reader board. Non-emergency messages will be screened and approved by the Communications Program Manager.
 - ii. Consult with the City Manager regarding when an emergency exists for the purpose of limiting or prioritizing reader board messages.
 - iii. Establish priority messages related to emergency public safety issues.
3. The Office of Emergency Manager will:
 - i. Monitor and assure that electronic reader board signs are used and maintained in accordance with this policy and the Kirkland Zoning Code.
 - ii. Monitor and assure that electronic reader board signs are maintained in good working order and repaired timely.

III. **Restrictions**

1. Use of electronic reader board signs will conform to the standards and uses identified in the Kirkland Zoning Code (17.19.080):
 - i. The electronic reader board signs will not change text and/or images at a rate less than one every seven seconds and shall be readily legible given the text size and the speed limit of the adjacent right-of-way;
 - ii. The electronic reader board signs will display messages regarding public service announcements or City events only;
 - iii. The intensity of the display will not produce glare that extends to adjacent properties and the signs shall be equipped with a device which automatically dims the intensity of the lights during the hours of darkness;
 - iv. The electronic reader board sign will be turned off between 10 pm and 6 am except during emergencies.

ORDINANCE O-4320

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE; ADOPTING MINOR AMENDMENTS PURSUANT TO CHAPTER 161 OF THE KIRKLAND ZONING CODE (KZC); AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF THE KZC, ORDINANCE 3719 AS AMENDED: CHAPTER 5 – DEFINITIONS; CHAPTER 20 – RM AND RMA ZONES; CHAPTER 48 – LIT ZONES; CHAPTER 49 – P ZONES; CHAPTER 50 – CBD 5 ZONE; CHAPTER 52 – JBD ZONES; CHAPTER 53 – RHBD 7 ZONE; CHAPTER 55 – TL ZONES; CHAPTER 90 – DRAINAGE BASINS; CHAPTER 100 – SIGNS; CHAPTER 105 – PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS; CHAPTER 115 – MISCELLANEOUS STANDARDS; CHAPTER 117 – PERSONAL WIRELESS SERVICE FACILITIES; CHAPTER 142 – DESIGN REVIEW; CHAPTER 150 – PROCESS IIA; CHAPTER 152 – PROCESS IIB; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION , FILE NO. ZON11-00020.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Director to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719 as amended, all as set forth in that certain report and recommendation of the Planning Director dated August 24, 2011 and bearing Kirkland Department of Planning and Community Development File No. ZON11-00020; and

WHEREAS, prior to making said recommendation, the Kirkland Planning Director, following notice thereof as required by RCW 35A.63.070, on July 25, 2011, held a public hearing, on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, the Houghton Community Council decided not to hold a courtesy hearing, on the amendment proposals; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-625; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Director; and.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Zoning text amended: The specified sections of the text of the Kirkland Zoning Code, Ordinance 3719 as

amended, be and they hereby are amended to read as set forth in Attachment A attached to this Ordinance and incorporated by reference.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. To the extent the subject matter of this Ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this Ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Ordinance within 60 days of the date of the passage of this Ordinance.

Section 4. Except as provided in Section 3, this Ordinance shall be in full force and effect January 1, 2012, after its passage by the Kirkland City Council and publication, pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this Ordinance and by this reference approved by the City Council, as required by law.

Section 5. A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

PASSED by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 20__.

SIGNED IN AUTHENTICATION thereof this ____ day of _____, 20__.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

Chapter 5 – Definitions

5.10 Definitions (*Note: Only definitions for which changes are proposed are included below. All other definitions in Chapter 5 KZC remain unchanged*)

~~430 International Building Code -The International Building and related Codes as amended and adopted in KMC Title 21~~

~~940 International Building Code (formerly Uniform Building Code) –The International Building and related Codes as amended and adopted in KMC Title 21.~~

~~945 Uniform Sign Code –The Uniform Sign Code as amended and adopted in Chapter 21.16 KMC.~~

Chapter 20 – Multifamily Residential (RM and RMA) Zones**20.08 – General Regulations**

The following regulations apply to all uses in this zone unless otherwise noted:

8. If the property is located in the NE 85th Street Subarea, the following shall apply:

a. (*No change*)

b. If the subject property is located directly north of the RH 4 zone, the applicant shall install a through-block pedestrian pathway pursuant to the standards in KZC 105.19(3) to connect an east-west pedestrian pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE. (See Plate 34K).

Chapter 48 – Light Industrial Technology (Lit) Zones**48.10 – General Regulations**

The following regulations apply to all uses in this zone unless otherwise noted:

4. If the property is located in the NE 85th Street Subarea, the applicant shall install a through-block pedestrian pathway to connect an east-west pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE pursuant to the through-block pathway standards in KZC 105.19(3) (See Plate 34K).

Chapter 49 – Park/Public Use (P) Zones (see Use Zone Chart)**Chapter 50 – Central Business District (CBD) 5 Zone (see Use Zone Chart)**

Chapter 52 - Juanita Business District (JBD) Zones

52.10 – JBD 1 General Regulations

The following regulations apply to all uses in this zone unless otherwise noted:

4. The applicant shall install a through-block pathway extending from the north end to the south end of JBD 1 of the Juanita Business District. Two through-block pathways, spaced far enough apart to provide maximum accessibility for the whole block, will also extend from the east side to the west side of JBD 1 (see Plate 34I in Chapter 180 KZC). See KZC 105.19(4) for through-block pathway standards.

Chapter 53 – Rose Hill Business District (RHBD) 7 Zone (see Attachment C)

53.32 – RH 3 General Regulations

The following regulations apply to all uses in this zone unless otherwise noted:

9. A through-block pedestrian pathway shall be installed pursuant to the through-block pathway standards in KZC 105.19(3); see Plate 34K:

Chapter 55 - Totem Lake (TL) Zones

55.19 – TL 2 General Regulations

The following regulations apply to all uses in this zone unless otherwise noted:

3. The applicant shall install at least one through-block pathway pursuant to the standards in KZC 105.19(4) from Totem Lake Boulevard to 120th Avenue NE, between the upper and lower portions of TL 2 and within TL 2 where necessary to strengthen the pedestrian connections to streets between buildings, parking areas and public spaces. Pedestrian connections to surrounding uses, including the Transit Center, the Evergreen Hospital Medical Center campus and to the TL 1 zone shall also be provided.

55.37 – TL 5 General Regulations

The following regulations apply to all uses in this zone unless otherwise noted:

9. The applicant shall install a through-block pathway or other pathways to link streets and/or activities. In addition to the new roads to be developed through the district (123rd Avenue NE and NE 120th Street), designated as major pedestrian sidewalks in Plate 34F, a network of east-west pathways at intervals no greater than 350 feet that link uses to 124th Avenue NE shall be installed. Through-block pathways may be integrated with internal access roads and/or provided within separate pedestrian-only corridors. See KZC 105.19(3) for through-block pathway

standards. Additional through-block pathways not shown in the Comprehensive Plan may be required by the City on parcels larger than two acres in order to enhance pedestrian access on large sites.

55.43 – TL 6A, 6B General Regulations

The following regulations apply to all uses in this zone unless otherwise noted:

10. The applicant shall install a through-block pathway or other pathways to link streets and/or activities. (See Plate 34G). Include at least one mid-block east-west pathway connecting uses to 116th Avenue NE and a network of north-south pathways at intervals no greater than 350 feet that link uses to NE 124th Street. Through-block pathways may be integrated with internal access roads and/or provided within separate pedestrian-only corridors. See KZC 105.19(3) for through-block pathway standards. Additional through-block pathways not shown in the Comprehensive Plan may be required by the City on parcels larger than two acres in order to enhance pedestrian access on large sites.

Chapter 90 – Drainage Basins

90.35 Wetland Determinations, Delineations, Regulations, Criteria, and Procedures

All ~~determinations and~~ delineations of wetlands shall be made using the criteria and procedures ~~contained in the Washington State Wetlands Identification and Delineation Manual (Washington Department of Ecology, 1997) described in WAC 173.22.035, now or as hereafter amended.~~ All determinations, delineations, and regulations of wetlands shall be based on the entire extent of the wetland, irrespective of property lines, ownership patterns, and the like.

90.45 Wetland Buffers and Setbacks

1. No land surface modification or tree removal shall occur and no improvement may be located in a wetland or its buffer, except as provided in ~~this section~~ KMC 90.45 through 90.70. See also KZC 95.23(5)(d)(2), Trees in Critical Areas or Critical Area Buffers; and KZC 95.50(11), Installation Standards for Required Plantings – Mitigation and Restoration Plantings in Critical Areas and Critical Area Buffers. Required, or standard, buffers for wetlands are as follows:

Wetland Type	Primary Basin	Secondary Basin
1	100 feet	75 feet
2	75 feet	50 feet
3	50 feet	25 feet

90.80 Activities in or Near Streams

No land surface modification or tree removal may occur and no improvements may be located in a stream or its buffer except as provided in ~~KZC 90.90 through 90.120~~ this chapter.

90.85 Stream Determinations (*No change*)

90.90 Stream Buffers and Setbacks

1. Stream Buffers – No land surface modification or tree removal shall occur and no improvement may be located in a stream or its buffer, except as provided in ~~this section KZC 90.90 through 90.120~~. See also KZC 95.23(5)(d)(2), Trees in Critical Areas or Critical Area Buffers; and KZC 95.50(11), Installation Standards for Required Plantings – Mitigation and Restoration Plantings in Critical Areas and Critical Area Buffers. Required, or standard, buffers for streams are as follows:

Stream Class	Primary Basins	Secondary Basins
A	75 feet	N/A
B	60 feet	50 feet
C	35 feet	25 feet

Chapter 100 Signs

100.20 ~~Uniform Sign Code and~~ International Building Code – Compliance Required

1. General – Each sign erected or altered after the effective date of this code must comply with the provisions of ~~the Uniform Sign Code and~~ the International Building Code as adopted by the City.
2. Conflict of Provisions – If any provision of this chapter conflicts with ~~the Uniform Sign Code or~~ the International Building Code, the provision of this chapter will govern.

Chapter 105 – Parking- Areas, Vehicle and Pedestrian Access, and Related Improvements

Sections:

- 105.15 Exception in Design Districts
- 105.18 Pedestrian Access
- 105.19 Public Pedestrian Walkways
- 105.103 Modifications

105.15 Exception in Design Districts

If the subject property is within a Design District, the requirements contained within the applicable Use Zone Charts, those chapters and Chapter 92, or Chapter 110 KZC supersede any conflicting provisions of this chapter. The provisions of this chapter

that do not conflict with the Design District chapters and Chapter 92 KZC apply to properties in their respective zones.

105.18 Pedestrian Access

1. General – Promoting an interconnected network of pedestrian routes within neighborhoods is an important goal within the City. Providing pedestrian access from buildings to abutting rights-of-way, walkways and other uses on the subject property, and connections between properties help meet the objectives of nonmotorized transportation policies. Installing pedestrian connections and other pedestrian improvements with new development reduces the reliance on vehicles, reduces traffic congestion and promotes nonmotorized travel options and provides health benefits. This section establishes general regulations for pedestrian access intended to that primarily benefit serves the users of the subject property and for which dedication of public access rights is not required. Section 105.19 establishes regulations for when public pedestrian access and for which dedication of public access is required.
2. Pedestrian Access - Location - The applicant ~~All new development, except detached single-family and duplex uses,~~ shall comply with the following pedestrian access requirements ~~with new development for all uses, (multifamily, office, retail, restaurants and taverns, institutional uses and community facilities, industrial (except detached single-family and duplex,)~~ pursuant to the standards in subsection (32) of this section ~~and KZC 105.19~~:
 - a. Pedestrian Access From Buildings to Sidewalks and Transit Facilities – Provide pedestrian walkways designed to minimize walking distance from the primary entrances to all buildings to the abutting right-of-way, pedestrian walkway and transit facilities pursuant to the applicable standard in subsection (32) ~~(a) or (b)~~ of this section.
 - b. Pedestrian Access Between Uses on Subject Property – Provide pedestrian walkways between the primary entrances to all businesses, uses, and/or buildings on the subject property pursuant to the applicable standard in subsection (32) ~~(a) or (b)~~ of this section.
 - c. Pedestrian Access Along Building Facades Not Adjacent to a Sidewalk in the Rose Hill Business District (RHBD) and Totem Lake Neighborhood (TLN) Design DistrictsZones – In RHBD and TLN Design Districtszones, for buildings that do not front on a public sidewalk, a pedestrian walkway shall be provided along the entire facade of all building facades containing the primary entrance (see Figure 105.18.A). The walkway shall meet the through-block pedestrian pathway standards in KZC 105.19(23)(b) (see also Figure 105.19.A) except public dedication will typically not be required (see Figure 105.19.A). Exceptions may be approved as part of Design Review in the following circumstances: where new development is less than 2,000 square feet of gross floor area, features a landscaped front yard area and parking is located to the side or rear, only direct pedestrian access

shall be provided from the abutting sidewalk to the primary entrance to the buildings.

- d. ~~Pedestrian Connections~~ Between Properties – Provide pedestrian walkways connecting to adjacent properties pursuant to the applicable standards in subsection ~~(23)(a) or (b)~~ of this section. Exceptions: Pedestrian connections to industrial uses are not required. The location for the access points at property edges and to adjacent lots shall be coordinated with existing and planned development to provide convenient pedestrian links between developments. Where there are topographic changes in elevation between properties, stairs or ramps shall be provided to make the pedestrian connection.
- e. ~~Pedestrian Access~~ Through Parking Areas – All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. The walkways must meet the development standards pursuant to subsection ~~(32)(e)~~ of this section (see Figures 105.18.B and C).
- f. ~~Pedestrian Access~~ Through Parking Garages – Provide marked pedestrian routes through parking garages from the parking area to the abutting public right-of-way and to the pedestrian entrance of the building. Install walkways pursuant to standards in subsection ~~(32)(e)~~ of this section.
- ~~g. Overhead Weather Protection – The applicant shall provide pedestrian overhead weather protection pursuant to standards in subsection (2)(d) of this section:~~
 - ~~1) Along any portion of the building which is adjacent to a pedestrian walkway or sidewalk;~~
 - ~~2) Over the primary exterior entrance to all buildings including residential units.~~
 - ~~3) Exceptions in Design Districts:

In CBD Zones: Along at least 80 percent of the frontage of the subject property on each pedestrian-oriented street.

In RHBD and TLN Zones: Along at least 75 percent of a pedestrian-oriented building facade.

In JBD Zones: Along 100 percent of a building facade abutting a street or through-block pathway.

For more information regarding designated pedestrian-oriented streets see Plate 34 in Chapter 180 KZC, and pedestrian-oriented facades in Chapter 92 KZC.~~

23. Pedestrian Access - Required Improvements~~Development Standards Required for Pedestrian Improvements~~

a. Pedestrian Walkway Standards – General – The applicant shall install pedestrian walkways pursuant to the following standards:

- 1) Must be at least five (5) feet wide;
- 2) Must be distinguishable from traffic lanes by painted markings, pavement material, texture, or raised in elevation;
- 3) Must have adequate lighting for security and safety. Lights must be nonglare and mounted no more than 20 feet above the ground;
- 4) Will not be included with other impervious surfaces for lot coverage calculations;
- 5) Must be centrally located on the subject property;
- 6) Must be accessible;
- 7) Barriers which limit future pedestrian access between the subject property and adjacent properties are not permitted;
- 8) Easements to provide rights of access between adjacent properties shall be recorded prior to project occupancy.

a.b. Overhead Weather Protection – Location – The applicant shall provide pedestrian overhead weather protection in the following locations:

1) Along any portion of the building which is adjacent to a pedestrian walkway or sidewalk;

2) Over the primary exterior entrance to all buildings including residential units.

3) Exceptions in Design Districts:

In CBD Zones: Along at least 80 percent of the frontage of the subject property on each pedestrian-oriented street.

In RHBD and TLN Zones: Along at least 75 percent of a pedestrian oriented building facade.

In JBD Zones: Along 100 percent of a building facade abutting a street or through-block pathway.

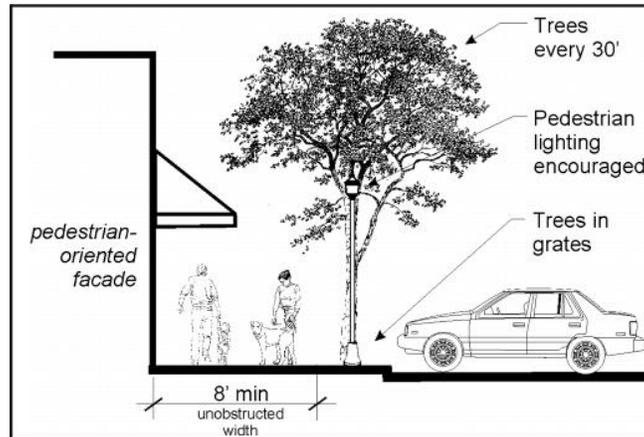
For more information regarding designated pedestrian-oriented streets see Plate 34 in Chapter 180 KZC, and pedestrian-oriented facades in Chapter 92 KZC.

- c. Overhead Weather Protection – Configuration - The overhead weather protection may be composed of awnings, marquees, canopies, building overhangs, covered porches, recessed entries or other similar features. The overhead weather protection must cover at least five (5) feet of the width of the adjacent walkway and must be at least eight (8) feet above the ground immediately below it.

If development is subject to Design Review, the City will specifically review and approve the color, material and configuration of all overhead weather protection and the material and configuration of all pedestrian walkways as part of the Design Review decision.

- ~~b. Pedestrian Walkway Standards Specific to Design Districts—In addition to the pedestrian access standards of subsections (1) and (2)(a) of this section, the following standards may apply in certain Design Districts. See Chapter 110 KZC for additional sidewalk improvements that may apply.~~
- ~~1) In CBD, Major Pedestrian Sidewalks—If the subject property contains or abuts a major pedestrian sidewalk designated in Plate 34, Chapter 180 KZC, the applicant shall install that sidewalk on and/or abutting the subject property consistent with the following standards:~~
- ~~a) The major pedestrian sidewalk must be installed in the approximate location and make the connections shown in Plate 34.~~
- ~~b) The major pedestrian sidewalk must be paved with decorative concrete and have a minimum width of at least eight (8) feet, unless otherwise noted in Plate 34. If the required improvements cannot be accommodated within the existing right of way, the difference may be made up with a public easement over private property. Buildings may cantilever over such easement areas, flush with the property line.~~
- ~~c) The major pedestrian sidewalk must have adequate lighting with increased illumination around building entrances and transit stops.~~
- ~~d) Barriers which will limit pedestrian access between the subject property and adjacent properties are not permitted.~~

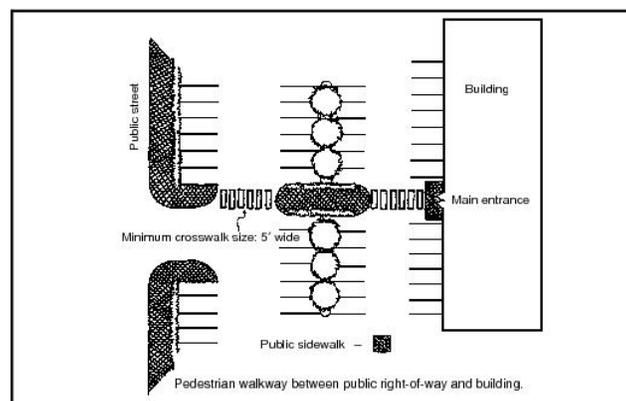
Pedestrian Walkway Along Building Facade *(((editors note – move figure to follow section 105.18.2.c)))*

**FIGURE 105.18.A**

ed. Pedestrian Walkways Through Parking Areas and Parking Garage Standards – The applicant shall install pedestrian walkways through parking areas and parking garages pursuant to the following standards (see Figure 105.18.B):

- 1) Must be installed pursuant to the standards described in subsection (32)(a) of this section;
- 2) Walkway shall not use vehicle entrance or exit driveways from the parking area to a public right-of-way;
- 3) Must connect from the parking spaces to the pedestrian entrance of the building served by the parking.

Pedestrian Access From Street or Pedestrian Walkway to Building Entrance

**FIGURE 105.18.B**

- 4) All parking lots that contain more than 25,000 square feet of paved area, including access lanes and driveways, must include clearly identified pedestrian routes from the parking stalls to the main building entrance or central location (see Figure 105.18.C). At a minimum,

walkways must be provided for every three (3) driving aisles or at a distance of not more than 150-foot intervals, whichever is less and meet the standards of subsection (32)(a) of this section.

Pathways must be provided through parking areas.

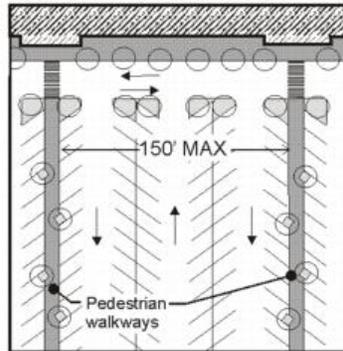


FIGURE 105.18.C

~~d. Overhead Weather Protection Standards — The applicant shall install overhead pedestrian weather protection pursuant to the following standards:~~

- ~~1) May be composed of awnings, marquees, canopies, building overhangs, covered porches, recessed entries or other similar features;~~
- ~~2) Must cover at least five (5) feet of the width of the adjacent walkway;~~
- ~~3) Must be at least eight (8) feet above the ground immediately below it; and~~

~~e. If development is subject to Design Review, the City will specifically review and approve the color, material and configuration of all overhead weather protection and the material and configuration of all pedestrian walkways as part of the Design Review decision.~~

105.19 Public Pedestrian Walkways

1. Public Pedestrian Walkways - Location – In addition to the pedestrian walkways required in KZC 105.18, the City may require the applicant to install additional public pedestrian walkways for use by the general public on the subject property and dedicate public pedestrian access rights in any of the following circumstances where the walkway is reasonably necessary as a result of the development activity:
 - a. A pedestrian connection is indicated as appropriate in the Comprehensive Plan or Nonmotorized Transportation Plan; or designated elsewhere in this code; or

- b. A walkway is reasonably necessary to provide efficient pedestrian access to a designated activity center of the City or to transit; or
 - c. A through-block pedestrian pathway where specifically required in Design Districts may be required on properties if blocks are unusually long; or
 - d. A through-block pedestrian pathway if blocks are unusually long; or
 - ~~ed.~~ Pedestrian access is necessary may be required to connect between existing or planned dead-end streets, through streets, or other pedestrian access; ~~and~~
2. Required Improvements Standards—General – The applicant shall install public pedestrian walkways pursuant to the following standards; ~~except for Design Districts listed in subsections (3) and (4) of this section (see Figure 105.19.A):~~
- a. General:
 - 1) Pedestrian access shall be provided by means of dedicated rights-of-way, tracts, or easements at the City’s option;
 - 2) The width of the access right-of-way, tract, or easement, and the walkway material and width, shall be determined per the Public Works Pre-Approved Plans;
 - 3) The height of solid (blocking visibility) fences along a pedestrian walkway that is not directly adjacent to a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors;
 - 4) All new building structures shall be set back a minimum of five (5) feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent to a public or private street right-of-way;
 - 5) The alignment of walkways shall consider the location of proposed and existing buildings (preferably located along building fronts or property lines);
 - 6) The area developed as public pedestrian walkways will not be included with other impervious surfaces for lot coverage calculations;
 - 7) Adequate pedestrian lighting at a maximum of 12 feet in height shall be provided along the pathway.
 - 8) Overhead weather protection shall be installed consistent with KZC 105.18.3.
- b.3. Through-Block Pathway Standards – General – If a through-block pathway is designated to be installed on the subject property, ~~the applicant~~ shall be installed a through-block pathway pursuant to the following standards. See

subsection (c) of this section for standards within specified, ~~except for Design Districts listed in subsection (4) of this section:~~

- ~~1)a-~~ A minimum unobstructed pavement width of eight (8) feet, paved with decorative concrete. A minimum of five (5) feet may be approved for residential uses.
- ~~2)b-~~ Trees placed at an average of 30 feet on-center between the pathway and any parking or vehicular access area (see Figure 105.19.A). Exceptions:
 - ~~a1)~~ To increase business visibility and accessibility, the City may allow modifications in the required tree coverage adjacent to primary building entries; however, no less than one (1) tree per 60 lineal feet of the required pathway shall be provided.
 - ~~b2)~~ The required trees must be placed in planting strips at least 4.5 feet in width or within tree grates.
- ~~3)c-~~ Adequate pedestrian lighting at a maximum of 12 feet in height shall be provided along the pathway.
- ~~4)d-~~ Barriers that will limit pedestrian access between the subject property and adjacent properties are not permitted.
- ~~5)e-~~ The through-block pathway may be retained within dedicated rights-of-way, tracts, or easements at the City's option. The width of the pathway right-of-way, tract, or easement will be determined by the Planning Official.
- ~~6)f-~~ If subject to Design Review the City will specifically review and approve the material and configuration of all through-block pathways as part of the Design Review decision.

c.4. Through-Block Pathway Standards ~~Specific~~ Unique to Certain Design Districts

- ~~1)a-~~ In JBD 1 – See Use Zone Chart KZC 52.10 for location of through-block pathways in JBD 1. Through-block pathways adjacent to the front of buildings must be 10 feet wide with a 6-inch vertical curb, and paved with concrete or unit pavers. Pathways that are not adjacent to the front of buildings must have a minimum width of eight (8) feet and differentiated with texture or material from adjacent driveway and parking area pavement unless otherwise determined through Design Review.
- ~~2)b-~~ In TL 2 – See Use Zone Chart KZC 55.19 for location of through-block pathways in TL 2. The minimum width, curb specifications and paving materials for through-block pathways shall be established through the Conceptual Master Plan review. Through-block pathways must have

adequate lighting, with increased illumination around building entrances and at street crossings.

3)e. In TL 5 – See Use Zone Chart KZC 55.37 for location of through-block pathways in TL 5. See subsection (b3) of this section for development standards.

4)d. In TL 6B – See Use Zone Chart Section 55.43 for location of through-block pathways in TL 6B. See subsection (b3) of this section for development standards.

Through-Block Pathway

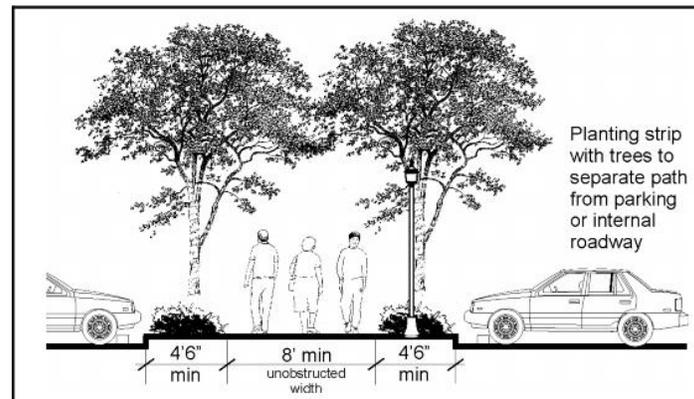


FIGURE 105.19.A

105.103 Modifications

1. General – The provisions of this section establish under what circumstances the requirements of this chapter may be modified.
2. Authority to Grant and Duration
 - a. If the proposed development of the subject property requires approval through Process I, IIA, or IIB, described in Chapters 145, 150 and 152 KZC, respectively, a request for a modification will be considered as part of that process under the provisions of this section. The City must find that the applicant meets the criteria listed below in subsection (3) of this section. If granted under Process I, IIA, or IIB, the modification is binding on the City for all development permits issued for that development under the Building Code within five (5) years of the granting of the modification.
 - b. For projects requiring Design Review described in Chapter 142 KZC, a request to modify the requirements in KZC 105.18 or KZC 105.19, Pedestrian Access, will be considered as part of the Design Review process.

The Design Review Board must find that the applicant meets the criteria listed below in subsection (3)(b) of this section.

- c. If subsection (2)(a) and/or (2)(b) of this section does not apply, the Planning Official may grant a modification in writing under the provisions of this section.
3. Modifications – ~~The Planning Official may require or grant a~~ modification to improvement requirements of this chapter may be required or granted if the applicant demonstrates on submitted plans and/or in writing that the following criteria have been met for modifications to the applicable sections:
 - b. For a modification to KZC 105.18 or KZC 105.19 the requirements for pedestrian access may be modified if:
 - 1) The modification is necessary because of the size, configuration, topography or location of the subject property;
 - 2) The modification will provide for equal or improved pedestrian and bicycle safety and convenience; and
 - 3) The modification will not have any substantial detrimental effect on nearby properties and the City as a whole.

Chapter 115 – Miscellaneous Use, Development and Performance Standards

115.07.4 – Accessory Dwelling Units

One (1) accessory dwelling unit (ADU) is permitted as subordinate to a single-family dwelling; provided, that the following criteria are met:

1. Number of Occupants – *(No change)*.
2. Owner Occupancy – *(No change)*.
3. Subdivision – *(No change)*.
4. Scale –

a. Attached ADU: The square footage of the accessory dwelling unit shall not exceed 40 percent of the primary residence and accessory dwelling unit combined. If the accessory unit is completely located on a single floor, the Planning Director may allow increased size in order to efficiently use all floor area. Garages, sheds and outbuildings are excluded from the square footage calculation for the primary residence and the ADU.

b. Detached ~~accessory dwelling units~~ADU:

- 1) An accessory dwelling unit will be considered to be “detached” from the principal unit if it has any of the following characteristics:

- a) It does not share a common roof structure with the principal unit.
 - b) It is not integrated into the footprint of the principal unit.
 - c) The design is inconsistent with the existing roof pitch, siding treatment, and window style of the principal unit.
- 2) The square footage of the detached ADU shall not exceed the lesser of 800 square feet of gross floor area or 40 percent of the primary residence and accessory unit combined. Garages, sheds and outbuildings are excluded from the square footage calculation for the primary residence and the ADU. When calculating the square footage of the ADU see KZC 5.10.340, definition of "gross floor area". The gross floor area shall not include: area with less than five (5) feet of ceiling height, as measured between the finished floor and the supporting members for the roof. When calculating the square footage of the ADU (see KZC 5.10.340, definition of "gross floor area"), An accessory dwelling unit will be considered to be "detached" from the principal unit if it has any of the following characteristics: covered exterior elements such as decks and porches will not be included, provided, the total size of all such covered exterior elements does not exceed 200 square feet. See KZC 115.08 for additional size and height limitations. An accessory dwelling unit will be considered to be "detached from the principal unit if it has any of the following characteristics:
- a. ~~It does not share a common roof structure with the principal unit.~~
 - b. ~~It is not integrated into the footprint of the principal unit.~~
 - c. ~~The design is inconsistent with the existing roof pitch, siding treatment, and window style of the principal unit.~~
 - a) Area with less than five (5) feet of ceiling height, as measured between the finished floor and the supporting members for the roof.
 - b) Covered exterior elements such as decks and porches will not be included; provided, the total size of all such covered exterior elements does not exceed 200 square feet. See KZC 115.08 for additional size and height limitations.

115.23 Common Recreational Space Requirements for Certain Residential Uses

1. General – Residential developments identified herein by zone and use listing shall comply with the common recreational space requirements of this section:
 - a. RM and RMA Zones: "Detached, Attached, or Stacked Dwelling Units," KZC 20.10.020;

- b. PR and PRA Zones: "Detached, Attached or Stacked Dwelling Units," KZC 25.10.020;
- c.-t. *(No Change)*

Chapter 117 – Personal Wireless Service Facilities

117.15 Definitions

For the purpose of this chapter, the following terms shall have the meaning ascribed to them below. Terms not defined in this section shall be defined as set forth in Chapter [5](#) KZC:

1. "Antenna" shall mean any exterior apparatus designed for telephonic, radio, data, Internet or other communications through the sending and/or receiving of radio frequency signals including, but not limited to, equipment attached to a tower, pole, light standard, building or other structure for the purpose of providing personal wireless services and its attendant base station. Types of antennas include:
 - a. An "omni-directional antenna" receives and transmits radio frequency signals in a 360-degree radial pattern;
 - b. A "whip antenna" is an omni-directional antenna that is up to 15 feet in height and up to four (4) inches in diameter; and
 - c. A "directional or panel antenna" receives and transmits radio frequency signals in a specific directional pattern of less than 360 degrees.
2. "Antenna height" shall mean the vertical distance measured from average building elevation to the highest point of the antenna, or if on a rooftop or other structure, from the top of the roof or structure to the highest point of the antenna. For replacement structures, antenna height is measured from the top of the existing structure to the highest point of the antenna or new structure, whichever is greater.
3. ["Approved antenna or tower" shall mean any personal wireless service facility \(PWSF\) that has received all required permits for the installation, maintenance, and reconfiguration of the facility.](#)
43. "Cell site" shall mean a tract or parcel of land or building that contains the PWSF including any antenna, antenna support structure, accessory buildings, and associated parking, and may include other uses associated with and ancillary to personal wireless services.
54. "Co-location" shall mean the use or placement of PWSF on a tower by two (2) or more personal wireless service providers or by one (1) personal wireless service provider for more than one (1) type of communication technology.

[65.](#) "Conductor" means a material or object designed and used to conduct heat, electricity, light, or sound, and contains electrical charges that are relatively free to move through the material. The term "conductor" does not include "insulator" or any connecting or support device.

[76.](#) "Equipment structure" shall mean a facility, shelter, cabinet or vault used to house and protect electronic or other associated equipment necessary for processing wireless communications signals. "Associated equipment" may include, for example, air conditioning, backup power supplies and emergency generators.

[87.](#) "Existing structure" shall mean, but is not limited to, any existing building, utility pole, water reservoir, other support structure, and structures accessory thereto.

[98.](#) "Insulator" means a material in a unit form designed and used so as to support a charged conductor and electrically isolate it.

[109.](#) "Nonresidential" or "nonresidential zone" shall mean (1) all portions of the City (including rights-of-way adjacent thereto, measured to the centerline of the right-of-way) in an area not zoned residential as defined in this chapter, or (2) the I-405 or SR 520 right-of-way.

[1110.](#) "Other support structure" shall mean a structure used to support PWSF or equipment structures, excluding buildings, utility poles, and water reservoirs. Examples of "other support structure" include flagpoles and ballfield light standards.

[1211.](#) "Personal wireless services" and "personal wireless service facilities (PWSF)," as used in this chapter, shall be defined in the same manner as in Title 47, United States Code, Chapter 5, Subchapter III, Part I, Section 332(c)(7)(C), as they may be amended now or in the future.

[1312.](#) "Replacement structure" shall mean a structure that replaces or is intended to replace an existing structure of a similar design and similar primary purpose, to enable the installation of new or additional PWSF on that structure. If a "replacement structure" meets the definition of "tower," it shall be regulated as a new tower.

[1413.](#) "Residential zone," for the purpose of this chapter, shall be as defined in KZC [5.10.785](#), together with the PLA1 and P zones; and rights-of-way adjacent to each of the aforementioned zones, measured to the centerline of the right-of-way.

[1514.](#) "Tower" shall mean any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas, including any antenna support structure, self-supporting lattice towers or monopole towers. A "tower" shall not include a replacement utility pole as authorized by KZC [117.65\(6\)](#).

[1615.](#) "Utility pole" shall mean a structure designed and used primarily for the support of electrical wires, telephone wires, television cable, traffic signals, or lighting for streets, parking areas, or pedestrian paths.

117.20 Applicability

1. New Antennas and Towers – All new antennas and towers shall comply with this chapter unless the applicant had a vested application to site said PWSF under a prior version of this chapter, or unless specifically exempted by KZC 117.25.
2. Approved Antennas and Towers - Reconfiguration of or additions to an approved antenna or tower is permitted as noted in this chapter. Reconfiguration of or additions to an antenna or tower that was not approved are not allowed unless the entire facility obtains approval as a new facility through the appropriate review process.

2.3 Existing Antennas and Towers

- a. The usage of existing antennas and towers shall be allowed to continue as they exist as of the effective date of this chapter. Routine maintenance and reconfiguration of antennas shall be permitted on such existing antennas and towers, subject to the limitations below.
- b. Any reconfiguration pursuant to subsection (~~23~~)(a) of this section that increases the height or number of antennas shall be treated and processed as a new facility.
- c. Existing antennas that conform to the provisions of this chapter may be replaced by new antennas, if such new antennas are approved as a minor modification pursuant to KZC 117.105.
- d. The replacement of existing antennas that do not conform to the provisions of this chapter shall be treated and processed as a new facility.
- e. The replacement of an existing tower, whether that tower conforms or does not conform to the provisions of this chapter, shall be treated and processed as a new facility.

34. Equipment Structures

- a. The usage of existing equipment structures shall be allowed to continue as it exists as of the effective date of this chapter. Routine maintenance, reconfiguration of, or additions to equipment structures shall be permitted, subject to the limitations below.
- b. Existing equipment structures may be replaced, and new equipment structures may be added to an approved antenna and/or tower; provided, that the new equipment structures conform with the provisions of this chapter, and are approved as a minor modification pursuant to KZC 117.105.
- c. Reconfiguration or addition of equipment structures that increases the size of the equipment structure enclosure shall be treated and processed as a new facility.

~~d. Reconfiguration of or additions to a non-approved antenna or tower are not permitted, unless the entire facility obtains approval as a new facility through the appropriate review process.~~

45. Other Wireless Communication Facilities – All of the provisions of this chapter, which address personal wireless services and PWSF, shall also be deemed to cover other wireless communications facilities (and, in particular, but without limitation, television, satellite radio, global positioning systems (GPS), and AM/FM radio towers) to the maximum extent allowed by law.

117.40 Application Review Process

After the applicant has satisfied the pre-submittal meeting requirements of KZC [117.45](#), an application to site a PWSF shall be processed according to the table below. This table does not include all requirements for PWSF. Additional requirements and standards affecting design and location of PWSF can be found in KZC [117.65](#) (PWSF Standards), [117.70](#) (Equipment Structure Standards), and [117.75](#) (Screening).

Review Process	Facility Type ¹
1. Planning Official Decision (Planning Official issues decision.)	a) Co-location of antennas on existing towers in nonresidential zones. b) Attachment of antennas to existing buildings or mechanical equipment enclosures in a nonresidential zone. See KZC 117.65(7) . c) Attachment of antennas to existing water reservoirs, utility poles, or other support structures in any zone. ² See KZC 117.65(6) and (7). d) Attachment of antennas to replacement utility poles in any zone, where the diameter of the replacement pole will not exceed 18 inches or increase the diameter of the existing pole by more than 50 percent, whichever is less. ² See KZC 117.65(6) . ² e) Attachment of antennas to existing buildings within a public park, regardless of zone, if approved by the Park Board.
2. Process I Permit (Planning Director decision following public notice and comment, per Chapter 145 KZC.)	a) Co-location of antennas on existing towers in residential zones, not resulting in any increase to tower height. b) New towers in nonresidential zones, not exceeding 40 feet in height. ⁴ c) Attachment of antennas to replacement utility poles in any zone, where the diameter of the replacement pole will not exceed 24 inches or increase the diameter of the existing pole by more than 100 percent, whichever is less. ² See KZC 117.65(6) . ² d) Attachment of antennas to nonresidential buildings, such as schools or churches, in residential zones, except when located in a public park. ³ See KZC 117.65(7) .
3. Process IIA Permit (Hearing Examiner holds public hearing and issues	a) New towers in nonresidential zones, exceeding 40 feet in height. ⁴ b) Attachment of antennas to replacement utility poles in any

decision, per Chapter 150 KZC.)	zone, where the diameter of the replacement pole will exceed the diameter of the existing pole by more than 100 percent, or 24 inches, whichever is less. See KZC 117.65.(6). ² c) Attachment of antennas to multifamily residential buildings in residential zones. ³
4. Process IIB Permit (Hearing Examiner holds public hearing, City Council issues decision, per Chapter 152 KZC.)	a) Co-location of antennas on existing towers in residential zones resulting in an increase in tower height. ³ b) New towers in residential zones, not exceeding 40 feet in height. ^{3, 4} c) Departures from standards contained in this chapter, subject to the limitations of KZC 117.80 . d) Any facility that does not qualify for review as a Planning Official Decision, Process I permit, or Process IIA permit as listed above. ³

Footnotes:

- 1 Although this table specifically addresses antennas and towers, it is presumed that for each facility there will be associated equipment structures, and there may be structural alterations to existing support structures. Such equipment structures and structural alterations shall be reviewed through the same process as the facility with which they are associated, subject to the limitations of KZC [117.20](#).
- 2 Attachment of antennas to existing water reservoirs or other support structures, or to existing or replacement utility poles, where such attachment results in a height increase to the original support structure, may be approved only once through the review process indicated. Any subsequent proposal that would result in a height increase shall be reviewed through Process IIB.
- 3 If in a residential zone, the applicant shall demonstrate that a diligent effort has been made to locate the proposed facility in a nonresidential zone, and that due to valid considerations including physical constraints or technological feasibility, no other location is available.
- 4 An application for a new tower shall not be approved unless the applicant demonstrates, to the satisfaction of the City, that an attempt was made to co-locate the proposed antenna on an existing structure, and that such attempt was spatially, structurally, or technically infeasible. New towers are prohibited on properties within jurisdiction of the Shoreline Management Act as set forth in Chapter [83](#) KZC.

117.65 PWSF Standards (*No change*)117.70 Equipment [and Equipment](#) Structure Standards

1. Maximum Size in Residential Zones – Equipment structures shall not exceed five (5) feet in height. Equipment structure enclosures shall not exceed 125 square feet each. These limitations shall apply to each individual equipment structure and enclosure; provided, that equipment structures that are fully contained within a

legally established building that houses or is accessory to a principal permitted use shall not be subject to these limitations.

2. Maximum Size in Nonresidential Zones – Gross floor area of equipment structures shall be the minimum necessary but not greater than 240 square feet per provider. Maximum height is 10 feet above average building elevation. These limitations shall not apply to equipment structures that are fully contained within a building that houses or is accessory to a principal permitted use and that satisfies the dimensional regulations of the underlying zone.
3. Equipment Structures Located in Right-of-Way
 - a. If ground-mounted, equipment structures shall not exceed a height of 30 inches. If mounted on poles, said structures shall comply with subsection (6) of this section. Setback requirements do not apply to equipment structures located in the right-of-way.
 - b. Exception – The Planning Official may increase the 30-inch height limitation for ground-mounted equipment structures to a maximum of 66 inches, if:
 - 1) The height increase is required by the serving electrical utility; and
 - 2) No feasible alternative exists for reducing the height of the structure; and
 - 3) Concealment measures are employed; and
 - 4) The height increase will not adversely impact the neighborhood or the City.
4. Setbacks When Located on Private Property – Ground-mounted equipment structures over 30 inches in height shall be set back at least 10 feet from all property lines; provided, that equipment structures that are fully contained within a legally established building that houses or is accessory to a principal permitted use shall not be subject to this requirement.
5. Equipment Structures on or Above a Structure – Equipment structures on or above a structure shall be subject to the following criteria:
 - a. Equipment structure height is measured above the top of the roof, not the parapet.
 - b. When mounted to the roof of a building with a pitched or stepped roof form, roof-mounted equipment structures shall be incorporated into the stepped roof form, and not appear as a separate penthouse or box.
6. Equipment ~~Structures~~-Mounted on Poles or Towers
 - a. Electronic and other associated Equipment~~equipment structures~~ may be mounted on utility poles or towers. The location and vertical clearance of such structures shall be reviewed by the Public Works Department and verified by

the underlying utility owner to ensure that the structures will not pose a hazard to other users of the right-of-way.

- b. ~~Electronic and other associated~~ Equipment ~~structures~~ mounted on utility poles or towers shall be located in a manner that minimizes clutter and visual impact.
 - c. Electronic and other associated equipment mounted on utility poles or towers shall be of a similar color to that of the pole or tower to which it is attached, unless alternative measures are approved by the City as part of the applicable review process.
7. Compatibility – Equipment structures shall be designed to be compatible with the surrounding area in which they are located. For example, in a residential area, a sloped roof or wood siding may be required.
8. Concealment – One (1) or more of the following concealment measures must be employed unless the City determines through the applicable review process that alternative measures would be more appropriate given the contextual setting of the equipment or equipment structure:
- a. Locating within a building or building appendage constructed in accordance with all applicable City codes;
 - b. Locating on top of a building, with architecturally compatible screening;
 - c. Locating underground; or
 - d. Locating above ground with a solid fence and landscaping subject to the limitations of KZC [117.75\(3\)](#); ~~or~~
 - e. ~~If mounted on a utility pole or tower, the equipment structure shall be of a similar color to that of the pole or tower to which it is attached, unless alternative measures are approved by the City as part of the applicable review process.~~
9. Noise Standards – Equipment structures shall be oriented so that exhaust ports or outlets are pointed away from properties that may be impacted by noise. The installation and operation of equipment structures shall comply with noise regulations in KZC [115.95](#). The City may require an assessment of noise after operation begins and remediation if the noise levels created are not within the prescribed limits. Cumulative noise impacts will be measured in cases where there is more than one (1) equipment structure.

117.75 Screening (*No change*)

117.80 Departures from Chapter Provisions (*No change*)

117.85 Nonuse/Abandonment (*no change*)

117.90 Removal from City Property – When Required (*no change*)

117.95 Appeals and Judicial Review (*no change*)

117.100 Lapse of Approval (*no change*)

117.105 Complete Compliance Required

1. General – Except as specified in subsection (2) of this section, the applicant must comply with all aspects, including conditions and restrictions, of ~~an all prior approvals granted under this chapter~~ in order to do everything authorized by that approval.
2. Exception – Subsequent or Minor Modification – The Planning Official may approve a modification to the permit approved for the PWSF if:
 - a. The modification is minor and will not substantially change the proposed facility; and
 - b. The proposed modification will comply with the provisions of this chapter in effect at the time of the modification request; and
 - c. There will not be any substantial changes in the impacts on the neighborhood or the City as a result of the change.

Any modification, other than as specified in subsection (2) of this section, must be reviewed and decided upon as a new PWSF approval under this chapter.

Chapter 142 – Design Review

142.40 Appeals of Design Review Board Decisions

1. Jurisdiction – Appeals of the decision of the Design Review Board will be heard as follows:
 - a. (*No change*)
 - b. If there are no other open record hearings required for related development permits, then the decision of the Design Review Board shall be heard according to the Process I appeal procedures and provisions in Chapter 145.60 KZC and judicial review procedures and provisions in Chapter 145.110 KZC.

Only those issues under the authority of the Design Review Board as established by KZC 142.35(3) and (4) are subject to appeal.

Chapter 150 – Process IIA

150.15 Applications

1. Who May Apply – *(No change)*.
2. How To Apply – The applicant shall file the following information with the Planning Department:
 - a. A completed application, with supporting affidavits, on forms provided by the Planning Department.
 - ~~b. Public notice materials, including:

 - 1) Address labels containing the names and addresses of the owners of all property, including the subject property, within 300 feet of any boundary of the subject property; the labels must be no more than six (6) months old.
 2. Address labels marked “resident” or “tenant” for all addresses located:
 - a) On the subject property, and
 - b) Adjoining the subject property.
 3. A copy of the King County Assessor’s Map identifying the properties specified in subsections (2)(b)(1) and (2)(b)(2) of this section.

— Provided, that if the notice of application distributed pursuant to KZC 150.22(2)(a)(1) and (2)(a)(2) will be provided in summary form, the above public notice materials are not required of the applicant.~~
 - ~~c. A vicinity map showing the subject property and all property within 400 feet of any boundary of the subject property.~~
 - ~~d.~~ Any information or material that is specified in the provision of this code that describes the applied for decision.
 - ~~e.~~ Any additional information or material that the Planning Official specified at the pre-submittal meeting.
 - ~~f.~~ Any additional information or material which must be submitted in order to have a complete application under KMC Title 20.

Chapter 152 – Process IIB

152.15 Applications

1. Who May Apply – *(No change)*.
- 2 How To Apply – The applicant shall file the following information with the Planning Department:
 - a. A completed application, with supporting affidavits, on forms provided by the Planning Department.
 - ~~b. Public notice materials, including:
 - 1) Address labels containing the names and addresses of the owners of all property, including the subject property, within 300 feet of any boundary of the subject property; the labels must be no more than six (6) months old.
 - 2) Address labels marked “resident” or “tenant” for all addresses located:
 - a) On the subject property, and
 - b) Adjoining the subject property.
 - 3) A copy of the King County Assessor’s Map identifying the properties specified in subsections (2)(b)(1) and (2)(b)(2) of this section.

— Provided, that if the notice of application distributed pursuant to KZC 152.22(2)(a)(1) and (2)(a)(2) will be provided in summary form, the above public notice materials are not required of the applicant.~~
 - c. ~~A vicinity map showing the subject property and all property within 400 feet of any boundary of the subject property.~~
 - ~~d.~~b Any information or material that is specified in the provision of this code that describes the applied for decision.
 - ~~e.~~c Any additional information or material that the Planning Official specified at the pre-submittal meeting.
 - ~~f.~~d Any additional information or material which must be submitted in order to have a complete application under KMC Title 20.

Section 49.15



USE ZONE CHART

or at the North
Kirkland
Community Center

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 49.15	USE REGULATIONS ↓ ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.020	Public Utility	None	None	Will be determined on case-by-case basis.			--	--	See KZC 105.25.	1. If the proposal is for a governmental facility located at the Houghton Landfill site as designated on the Official Zoning Map, Process IIB. Otherwise, Process IIA. 2. One pedestal sign with a readerboard having electronic programming is allowed at a fire station only if: a. It is a pedestal sign (see Plate 12) having a maximum of 40 square feet of sign area per sign face; b. The electronic readerboard is no more than 50 percent of the sign area; c. Moving graphics and text or video are not part of the sign; d. The electronic readerboard does not change text and/or images at a rate less than one every seven seconds and shall be readily legible given the text size and the speed limit of the adjacent right-of-way; e. The electronic readerboard displays messages regarding public service announcements or City events only; f. The intensity of the display shall not produce glare that extends to adjacent properties and the signs shall be equipped with a device which automatically dims the intensity of the lights during hours of darkness; g. The electronic readerboard is turned off between 10:00 p.m. and 6:00 a.m. except during emergencies; h. It is located to have the least impact on surrounding residential properties. If it is determined that the electronic readerboard constitutes a traffic hazard for any reason, the Planning Director may impose additional conditions.		
.030	Government Facility Community Facility	See Special Regulation 1.										

Section 50.35  **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 50.35	USE REGULATIONS 	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.070	Office Use	D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	67' above average building elevation.	D See Spec. Reg. 3.	B ↑ D	One per each 350 sq. ft. of gross floor area.	<ol style="list-style-type: none"> Ancillary assembly and manufacture of goods on premises may be permitted as part of an office use if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this office use; and The outward appearance and impacts of this office use with ancillary assembly and manufacturing activities must be no different from other office uses. The following regulations apply to veterinary office only: <ol style="list-style-type: none"> May only treat small animals on the subject property. Outside runs and other outside facilities for the animals are not permitted. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the D.R. and building permit applications. A veterinary office is not permitted if the subject property contains dwelling units. Landscape Category C is required if subject property is adjacent to 6th Street or Kirkland Avenue.
.080	Church								D See Spec. Reg. 2.		One per every four people based on maximum occupancy of any area of worship.	<ol style="list-style-type: none"> No parking is required for daycare or school ancillary to the use. Landscape Category C is required if subject property is adjacent to 6th Street or Kirkland Avenue.
.090	School, Day-Care Center, or Mini-School or Day-Care Center								D		See KZC 105.25.	<ol style="list-style-type: none"> A six-foot-high fence is required along all property lines adjacent to outside play areas. Structured play areas must be set back from all property lines by at least five feet. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

(Revised 4/11)

Section 53.74



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 53.74	USE REGULATIONS ↓ USE →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	Development Containing Stacked Dwelling Units and one or more of the following uses: Retail uses including Banking and Other Financial Services, Restaurants or Taverns See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.	More than 3 acres.	10' adjacent to NE 85th St., otherwise 20'.	0'	0'	80%	45' above average building elevation.	A	E	See KZC 105.25.	<ol style="list-style-type: none"> Development may also include other uses allowed in this zone. The following uses are not permitted in this zone: <ol style="list-style-type: none"> Vehicle service stations. Automotive service centers. Uses with drive-in facilities or drive-through facilities. Retail establishments providing storage services unless accessory to another permitted use. Retail establishment involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles. The entire zone must be physically integrated both in site, building design, pedestrian access internally and to the street and provide other pedestrian amenities. At least 10 percent of the units in new residential developments of 40 units or greater shall be affordable housing units as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.
.090	Church		None				30' above average building elevation.		B	1 per every 4 people based on maximum occupancy load of any area of worship. See Special Regulation 2.	<ol style="list-style-type: none"> May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to the use. 	

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PUBLICATION SUMMARY
OF ORDINANCE O-4320

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE; ADOPTING MINOR AMENDMENTS PURSUANT TO CHAPTER 161 OF THE KIRKLAND ZONING CODE (KZC); AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF THE KZC, ORDINANCE 3719 AS AMENDED: CHAPTER 5 – DEFINITIONS; CHAPTER 20 – RM AND RMA ZONES; CHAPTER 48 – LIT ZONES; CHAPTER 49 – P ZONES; CHAPTER 50 – CBD 5 ZONE; CHAPTER 52 – JBD ZONES; CHAPTER 53 – RHBD 7 ZONE; CHAPTER 55 - TL ZONES; CHAPTER 90 – DRAINAGE BASINS; CHAPTER 100 – SIGNS; CHAPTER 105 – PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS; CHAPTER 115 – MISCELLANEOUS STANDARDS; CHAPTER 117 – PERSONAL WIRELESS SERVICE FACILITIES; CHAPTER 142 – DESIGN REVIEW; CHAPTER 150 – PROCESS IIA; CHAPTER 152 – PROCESS IIB; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION , FILE NO. ZON11-00020.

SECTION 1. Identifies the specific amendments to the Kirkland Zoning Code.

SECTION 2. Provides a severability clause for the Ordinance.

SECTION 3. Provides that the effective date of the Ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

SECTION 4. Authorizes publication of the Ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as January 1, 2012, after publication of summary.

SECTION 5. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 20__.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

City Clerk

ORDINANCE O-4321

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING TITLE 19.16 OF THE KIRKLAND MUNICIPAL CODE RELATING TO VACATIONS OF STREETS AND ACCESS EASEMENTS, FILE NO. ZON11-00020

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-625; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official; together with the report and recommendations of the Planning Director;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Municipal Code Text Amended: The specific portions of the sections of the text of the Kirkland Municipal Code are amended to read as set forth in Attachment A attached to this Ordinance and incorporated herein by this reference.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. This Ordinance shall be in full force and effect January 1, 2012, after its passage by the Kirkland City Council and publication, pursuant to Kirkland Municipal Code 1.08.017, in summary form attached to the original of this Ordinance and by this reference approved by the City Council as required by law.

Section 4: A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

PASSED by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 20__.

SIGNED IN AUTHENTICATION thereof this
_____ day of _____, 20__.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

Kirkland Municipal Code

Chapter 19.16
VACATIONS OF STREETS AND ACCESS EASEMENTS

19.16.040 Petition for vacation brought by abutting property owners.

(1) The owners of an interest in any real estate abutting upon any street or alley, or underlying any public easement governed by this chapter, may petition the city council for vacation of the subject property.

(2) The applicant shall apply for a vacation by submitting the following:

(a) A vacation petition with supporting affidavits on forms provided by the department of planning and community development ("planning department");

(b) A legal description of the area to be vacated prepared by a licensed surveyor;

(c) For each petitioner a title report indicating ownership and providing a legal description of the property owned by the petitioner;

~~(d) Five paper copies of a site map showing the subject property and showing all properties within three hundred feet of any portion of the subject property. The site maps shall be at a scale of one inch equals one hundred feet;~~

~~(e) An eight and one half inch by eleven inch clear plastic transparency of the site map;~~

~~(f) Address labels containing the names and addresses of the owners of all property within three hundred feet of any boundary of the subject property;~~

~~(g) A copy of the King County assessor's map identifying the properties specified in subsection (f) of this section;~~

~~(h)~~ (d) The vacation application fee as established by ordinance;

~~(i)~~ (e) A signed agreement to pay the cost of an appraisal as provided for in Section [19.16.170](#); and

~~(j)~~ (f) Any additional information or material that the director of the planning department determines is reasonably necessary for the city council to consider the requested vacation.

(3) The petition shall be filed with the planning department, and the petition shall be signed by the owners of more than two-thirds of the property abutting on the street or alley (based on front footage), or underlying the public easement (based on square footage). (Ord. 3803 § 2 (part), 2001)

19.16.050 Council resolution for vacation. (No change)**19.16.060 Date of public hearing. (No change)****19.16.070 Vacations of streets and access easements—Public notification of hearing.**

(1) Content. The director of the planning department shall prepare a public notice containing the following information:

(a) A statement that a request to vacate the subject property will be considered by the city council;

- (b) A statement of the time and place of the public hearing before the city council;
- (c) A location description in non-legal language along with a vicinity map that identifies the subject property proposed to be vacated;
- (d) A statement that the vacation file is available for viewing at Kirkland City Hall; and
- (e) A statement of the right of any person to submit written comments to the city council prior to or at the public hearing and to appear before the city council at the hearing to give comments orally.

(2) Distribution of Notice of Hearing. At least twenty calendar days before the public hearing, the director of the planning department shall distribute the public notice as follows:

- (a) A copy will be sent, by mail, to the owner of each piece of property within three hundred feet of any boundary of the subject property;
- (b) A copy will be sent, by mail, to each resident living immediately adjacent to or on the subject property;
- (c) A copy will be published in the official newspaper of the city, except no vicinity map shall be required;
- (d) At least two copies will be posted in conspicuous public places in the city;
- (e) A copy will be posted on the subject property in the manner set out in subsection (3) of this section.

(3) Public Notice Sign. The applicant shall provide for and erect public notice signs at least twenty calendar days before the public hearing as follows:

- (a) The sign shall be designed and constructed to city standards. A copy of the notice described in subsection (1) of this section and a vicinity map shall be attached to each sign.
- (b) The planning department is authorized to develop the standards for the public notice signs necessary for implementation of this section.
- (c) One sign shall be erected on the subject property. The planning department may require that additional signs be erected on or near the subject property and placed so that the signs are conspicuously visible from an improved public right-of-way not subject to the vacation request. The department of planning and community development shall approve the location of each sign.
- (d) ~~The applicant shall post a deposit to ensure proper maintenance and removal of the signs.~~

PUBLICATION SUMMARY
OF ORDINANCE O-4321

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING TITLE 19.16 OF THE KIRKLAND MUNICIPAL CODE RELATING TO VACATIONS OF STREETS AND ACCESS EASEMENTS, FILE NO. ZON11-00020

SECTION 1. Identifies the specific amendments to the Kirkland Municipal Code.

SECTION 2. Provides a severability clause for the Ordinance.

SECTION 3 Authorizes publication of the Ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as January 1, 2012, after publication of summary.

SECTION 4. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 20__.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

City Clerk