CITY OF KIRKLAND

CITY COUNCIL

James Lauinger, Mayor • Joan McBride, Deputy Mayor • Dave Asher • Mary-Alyce Burleigh
Jessica Greenway • Tom Hodgson • Bob Sternoff • David Ramsay, City Manager

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY 425.587.3111 • www.ci.kirkland.wa.us

AGENDA
KIRKLAND CITY COUNCIL MEETING
City Council Chamber
Tuesday, February 6, 2007
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.ci.kirkland.wa.us, at the Public Resource Area at City Hall or at the Kirkland Library 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 (587-3190) or the City Manager's Office (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 587-3190, or for TTY service call 587-3111 (by noon on Monday) if we can be of assistance. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

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.

P - denotes a presentation from staff or consultant

1. *CALL TO ORDER*

2. *ROLL CALL*

3. *STUDY SESSION,* Peter Kirk Room

   a. Joint Meeting with Planning Commission

4. *EXECUTIVE SESSION*

   a. To Discuss Potential Litigation

5. *SPECIAL PRESENTATIONS*

   a. King County Long Term Care Ombudsman Program

   b. Kirkland Founders Week Proclamation

   c. Introduction of Juliana Elsom, Public Works Senior Finance and Operation Analyst

6. *REPORTS*

   a. *City Council*

      (1) Regional Issues

   b. *City Manager*

      (1) Downtown Strategic Plan Assessment and Update and Introduction of Bonnie Berk of Berk and Associates

      (2) 2007 Legislative Status Report

(3) Calendar Update

CONSENT CALENDAR consists of those items which are considered routine, for which a staff recommendation has been prepared, and for items which Council has previously discussed and no further discussion is required. The entire Consent Calendar is normally approved with one vote. Any Council Member may ask questions about items on the Consent Calendar before a vote is taken, or request that an item be removed from the Consent Calendar and placed on the regular agenda for more detailed discussion.

7. COMMUNICATIONS

a. Items from the Audience

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes: January 16, 2007

b. Audit of Accounts:

Payroll $

Bills $

c. General Correspondence

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.

d. Claims

(1) John S. Andrews

(1) Kathy Carr and Leslie McGuire

(2) Sharon Daniels

(3) Darlene Hyatt

(4) Lynden and Lyca Faulkner

(5) Sally Jo Kempf

(6) Cal McAusland

(7) Andrew and Laura Price

(8) Timothy H. Thompson

e. Authorization to Call for Bids

f. Award of Bids

(1) Carillon Woods Park Development, L.W. Sundstrom, Inc.

g. Acceptance of Public Improvements and Establishing Lien Period

h. Approval of Agreements

(1) AFSCME (American Federation of State, County and Municipal Employees) 2006-2008 Contract

P - denotes a presentation from staff or consultant

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.

i. Other Items of Business

(1) 2007 ARCH Work Program and Budget

(2) ARCH Housing Trust Fund

(3) Ordinance No. 4083 and its Summary, Dissolving the Building Board of Appeals and Providing that Administrative Appeals of Fire and Building Department Decisions Shall be Heard by the City of Kirkland Hearing Examiner

(4) 2006 Comprehensive Plan Amendments and Related Zoning Map Amendments:

(a) Ordinance No. 4084 and its Summary, Relating to Comprehensive Planning and Land Use and Amending the Comprehensive Plan (Ordinance 3481 as Amended) as Required by RCW 36.70A.130 to Ensure Continued Compliance with the Growth Management Act

(b) Ordinance No. 4085 and its Summary, Relating to Zoning and Land Use and Amending the City of Kirkland Zoning Map (Ordinance 3710 as Amended) to Conform to the Comprehensive Plan and to Ensure Continued Compliance with the Growth Management Act

(5) Authorizing Yarrow Bay Wetlands Property Acquisition

(6) Surplus Equipment Rental Vehicles/Equipment for Sale

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.

9. PUBLIC HEARINGS

10. NEW BUSINESS

a. Ordinance No. 4086, Relating to Zoning, Planning and Land Use and Amending Section 7 of Ordinance No. 4065 Relating to the Floor Area Ratios (F.A.R.) to Change the Effective Date of the Ordinance

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. UNFINISHED BUSINESS

a. Regional Solid Waste Update

b. Ordinance No. 4072 and its Summary, Relating to Zoning, Planning, and Land Use and Amending Title 23 of the Kirkland Municipal Code

12. ANNOUNCEMENTS

13. ADJOURNMENT

P - denotes a presentation from staff or consultant

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

MEMORANDUM

Date: **January 26, 2007**

To: **David Ramsay, City Manager**

From: **Paul Stewart, Deputy Planning Director**
Eric Shields, Planning Director

Subject: **City Council/Planning Commission Joint Meeting and Planning Work Program (File No. CC-99-84)**

Recommendation

Staff recommends the following:

- Conduct a joint meeting with the Planning Commission
- Review the Draft 2007-2009 Planning Work Program, provide direction on specific tasks as appropriate, and direct staff to bring back a final work program for adoption.
- Discuss other items as appropriate.

Background

The Planning Commission met at their annual retreat on December 14, 2006 to review the proposed work program and discuss other items. At the retreat, the Commission suggested some revisions which were brought back to the Commission at their January 25th, 2007 meeting. At that meeting the Commission concurred with the proposed work program and has recommended it to the City Council.

The transmittal memo from the Commission to the Council addresses some of the key points in the work program that the Commission would like to discuss with the Council at the joint meeting. The Commission is recommending the following format for the meeting to cover the main topics:

- Introduction & Overview — Janet Pruitt (5 minutes)
- Neighborhood Plans — Janet Pruitt (15 minutes)
- Housing — Karen Tennyson (15 minutes)
- Single Family Standards — Bryon Katsuyama (15 minutes)
- Other topics as appropriate — All (10 minutes)

Packet Materials

The enclosed packet contains the transmittal memo from the Commission to the City Council (Attachment 1). Attachment 2 is the Draft 2007-2009 Planning Work Program dated January 25, 2007 along with Attachment 3 which is a summary description of each of the tasks in the proposed work program. For background purposes, Attachment 4 is the *previous* work program adopted last year in March of 2006.

Attachment 5 is the current schedule of neighborhood plan updates. Attachment 6 is the latest compilation of potential code amendments (Task 5 in the work program). The list shows a series of "bundled" projects with general timeframes. We are beginning to scope these in more detail and will bring the next set of amendments to the Commission in early 2007 (Project 1).

Attachments

1 Transmittal Memo from Planning Commission
2 Draft 2007-2009 Planning Work Program
3 Summary Description of Planning Work Program Tasks
4 Adopted 2006-2008 Planning Work Program
5 Neighborhood Plan Update Schedule
6 Code Amendment List
7 Planning Commission Rules of Procedure

CC Planning Commission

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

MEMORANDUM

Date: **January 25, 2008**

To: **Kirkland City Council**

From: **Janet Pruitt, Chair**
Karen Tennyson, Vice Chair

Subject: **Joint Meeting with City Council and Planning Work Program**

Introduction

On behalf of the Planning Commission, we look forward to meeting with the Council to review the proposed Planning Work Program and discuss other items as appropriate. On December 14, 2006 we held our annual retreat to consider the work program and discuss Commission procedures and items of interest. On January 25th, 2007, the Commission met again for the purpose of reviewing the revised work program and based on that review, we are recommending the Council adopt the Planning Work Program.

Joint Meeting Format

At the joint meeting we would like to suggest the following format to make sure we cover some key topics of discussion. For each topic, a Commission member will take the lead on introducing the issue and framing the Commission's discussion. In order to keep within the hour, we would recommend spending about 15 minutes on each of the three main issues

- Introduction and Overview — Janet Pruitt (5 minutes
- Neighborhood Plans — Janet Pruitt (15 minutes)
- Housing — Karen Tennyson (15 minutes)
- Single Family Standards — Byron Katsuyama (15 minutes)
- Other items as appropriate — All (10 minutes)

ATTACHMENT 1

Accomplishments and Projects Completed

In 2006 the Commission completed a number of major projects which the Council considered and in most cases adopted (see below). Considerable time was spent on the Market and Norkirk Neighborhood Plans and the single family floor area regulations. Over the past year, the Commission appreciated the opportunity to participate in Council meetings to convey our recommendations to the Council on these projects and to provide the background and rationale for those recommendations. We also thought it was beneficial to provide periodic updates to the Council on work-in-progress – particularly the neighborhood plans.

The following are the major accomplishments for 2006:

- Market Neighborhood Plan
- Norkirk Neighborhood Plan
- Market Street Commercial Corridor Plan
- Highlands Neighborhood Plan
- Miscellaneous Zoning Code Amendments
- Single Family Floor Area Regulations
- Innovative Housing Evaluation
- Comprehensive Plan Update and Private Amendment Request
- Initiated work on the Shoreline Master Program Update

Attached is a compilation of our agenda topics for 2006. Last year, the Commission met 21 times. About half of the meetings were devoted to the Market and Norkirk Neighborhood Plans. The other topic that the Commission spent the most time on was the floor area ratio regulations.

Proposed Planning Work Program

The Commission reviewed the work program at its retreat and again on January 25th. We concur with the proposed list of tasks and general schedule and would recommend the Council adopt the 2007-2009 Planning Work Program. Once again, the work program contains a variety of important tasks that are of interest to the community. The Commission would like to offer the following comments.

<u>Neighborhood Plans</u>

We still need to complete the implementing regulations for the Market and Norkirk Neighborhood Plans (i.e. small lot and historic standards and design guidelines for the Market Street Corridor). Neighborhood plans take time and resources. The plans for Market and Norkirk took three years with considerable community interest. We did propose some creative ideas in regards to small lots and historic preservation. With the next round of plans for Lakeview and Central Houghton, we want to explore ways to speed up the process without sacrificing community involvement and innovative approaches. We will need to determine the role of the Commission and citizen advisory committees in this update as well as the Houghton Community Council as both neighborhoods fall within the jurisdiction of the Community Council.

Housing

We are pleased that the Council agreed with our recommendation to move forward with the innovative housing regulations. This has the potential of creating some housing diversity within our single family residential areas. We also see approaches to innovative housing as an opportunity to incorporate low impact development techniques and environmental stewardship strategies into these projects.

We are in agreement that housing – particularly affordable housing – is a critical issue for the City. Along with additional incentives, the Commission is interested in exploring a requirement to incorporate some level of affordable housing into residential projects. We understand the Council will be devoting time on housing at the March Council retreat. The Commission would also like to devote an in-depth study session or workshop to this topic. At the joint meeting, we would like to discuss how best the Council and Commission can move forward together.

Single Family Standards

While the Commission spent a number of meetings on this topic and provided a recommendation to the City Council, there continues to be a sense that more work is needed. However, the scope and extent of the work on this task has yet to be determined. The Commission would request the Council articulate and define the problem and the areas to be addressed with this project as they see it. Guidance from the Council would be helpful.

Other Projects

The work program identifies other projects that will require Commission time. In 2007, we will be reviewing updates to the Comprehensive Plan along with potential private amendment requests. The threshold review on these requests occurs in April and May. We also want to complete the work on the regulations for the TL9 district in Totem Lake along with the Gordon Hart private amendment request. Two other tasks that are scheduled for 2007 include Zoning Code amendments and a major update to our Shoreline Master Program. As part of Environmental Stewardship, the Commission would encourage the Council and City to promote and encourage green buildings and sustainable development.

Rules of Procedure

The Commission recently updated our Rules of Procedure. These govern the conduct of our meetings and include provisions for public comment during our study sessions and public hearings. We have included these in the packet for your information.

DRAFT 2007 – 2009 PLANNING WORK PROGRAM: LONG RANGE TASKS January 25, 2007

				2007												2008				2009			
TASK		PROJECT MANAGER	2007 STAFF	J	F	M	A	M	J	J	A	S	O	N	D	1st	2nd	3rd	4th	1st	2nd	3rd	4th
POLICIES, PLANS & REGULATIONS																							
1	**Comprehensive Plan**		**.6 FTE**																				
	• 2007 Comp Plan Revisions	**Swan**																					
	• Private Amendment Requests	**Swan**																					
2	**Neighborhood Plans**		**2.0 FTE**																				
	• Market/Norkirk Small Lot Regs	**Brill**																					
	• Lakeview Neighborhood Plan																						
	• Houghton Neighborhood Plan																						
	• Neighborhood Plan "X"																						
3	**Totem Lake**		**.2 FTE**																				
	• Hart PAR	**Swan**																					
	• TL 9 Zoning	**Collins**																					
4	**Design Regs/Guidelines**		**1.0. FTE**																				
	• Reformat Regs	**Soloff**																					
	• Market Street Corridor	**Ruggeri**																					
	• MF Design Guidelines																						
	• Design Guidelines Revisions	**McMahan**																					
5	**Code Amendments**		**.2 FTE**																				
	• Complete 2006 Misc. ZC Amend	**Consultant**																					
	• 2007 Code Amend (SEPA, Sub, ZC)																						
6	**Single Family Standards**		**.5 FTE**																				
7	**Housing**		**.7 FTE**																				
	• Innovative Housing Regs	**Collins**																					
	• Affordable Housing Regs	**Collins**																					
	• TOD @ Park & Ride																						
	• ARCH Coordination																						
8	**Community Character**																						
	• Historic Preservation Incentives																						
9	**Natural Resources/Stewardship**		**1.5 FTE**																				
	• NRMP Coord/Env. Stewardship	**Tovar/Stewart**																					
	• Shoreline Master Program	**Tovar**																					
	• Critical Area Regs	**Tovar**																					
	• Tree & Landscaping Revisions	**Ray**																					
	• Low Impact Development	**Clauson/PW**																					
	Planning Commission Tasks																						
	Other Tasks																						

ATTACHMENT 2

				2007												2008				2009			
TASK		**PROJECT MANAGER**	**2007 STAFF**	**J**	**F**	**M**	**A**	**M**	**J**	**J**	**A**	**S**	**O**	**N**	**D**	**1st**	**2nd**	**3rd**	**4th**	**1st**	**2nd**	**3rd**	**4th**
SPECIAL TASKS																							
10	**Special Projects**		**.6 FTE**																				
	• DSP Update	**McMahan**																					
	• NE 85th Action Team	**Soloff**																					
	• Economic Development	**Shields**																					
	• CTR/Concurrency/Impact Fees	**Swan/PW**																					
	• Downtown Transit Center	**Stewart**																					
11	**Database Management**	**Goble**	**.2 FTE**																				
12	**Regional Plans**	**Shields/Stewart**	**.1 FTE**																				
13	**Annexation**	**Shields**																					

2007-2009 PLANNING WORK PROGRAM

Summary of Tasks

Planning & Community Development

January, 2007

ATTACHMENT 3

2007 – 2009 PLANNING WORK PROGRAM
Summary of Tasks

POLICIES, PLANS & REGULATIONS

Task 1: Comprehensive Plan Update (.6 FTE)

Comprehensive Plan

In 2004, the City revised the Comprehensive Plan to meet the requirements of the Growth Management Act to conduct a 10 year review and update. The City modified several elements and adopted a new Economic Development Element. Since considerable work was done in 2004, the 2005 and 2006 updates were fairly minor, primarily consisting of some text and map corrections along with the addition of policies on physical activity and healthy lifestyles. In 2006 we also revised the Capital Facilities Element to be consistent with the adopted Capital Improvement Program.

For 2007, we have identified additional changes including minor map and text amendments. One possible change is to review our Comprehensive Plan land use categories to see if we need to have designations that are more descriptive particularly since we have several mixed use areas in the City and the traditional designations of commercial, residential or office are a bit outdated. Another issue that we will address is our transportation level of service standard. The Transportation Commission will be exploring possible alternative LOS methods and concurrency measures. The update to the Comprehensive Plan is scheduled for the second half of the year to be completed by December.

Private Amendment Requests

2007 is the year we consider private requests to amend the Comprehensive Plan and Zoning. The deadline for submitting these requests was December 1st. We received five such requests. These will be reviewed by the Commission in the spring of 2007 for a threshold review recommendation to the City Council.

Task 2: Neighborhood Plans (2.0 FTE)

Market and Norkirk Follow-up

The Council adopted the Market and Norkirk Neighborhood Plans on December 12th, 2006. These two plans, along with the Highlands Neighborhood took 3 years to complete. Follow-up work is necessary to revise our zoning regulations to implement the small lot/historic preservation concept. The work program has this task scheduled for the first five to six months of 2007.

Lakeview and Houghton Neighborhood Plans

The next neighborhood plans on the schedule are Lakeview and Houghton. Based on our experience, staff estimates that each individual neighborhood plan needs a minimum staffing level of at least a 1.0 FTE. As shown on Task 2, the two neighborhood plans would occur concurrently with a staffing commitment of 2.0 FTE's. This neighborhood plan updates would begin in mid-2007 when staffing is available. Previous experience indicates that neighborhood plans take at least three years to complete. Staff and the Commission will need to explore more efficient approaches if we want to lessen the time it takes to do a neighborhood plan. Both of these neighborhoods are within the jurisdiction of the Houghton Community Council.

Task 3: Totem Lake (.2 FTE)

The Council adopted new zoning and design regulations for the majority of the Totem Lake Neighborhood in early 2006. The only remaining area to be updated is TL9 in the northeast corner of the neighborhood. The Gordon Hart private amendment request was to have been considered by the Commission and Council in 2006, but the applicant requested a deferral on this until 2007.

Task 4: Design Regulations and Guidelines (1.0 FTE)

Reformatting Design Regulations

This task consists of several sub-tasks. Staff is currently reformatting the adopted design regulations for ease of use and clarity. There may be some policy issues to discuss, but this is predominately a reorganization of the chapter. The Commission is scheduled to review this in February with a public hearing in March.

Market Street Commercial Corridor

This task to develop design standards for the Market Street Commercial Corridor is a follow-up to the Market and Norkirk Neighborhood Plans and is scheduled to be completed by June.

Multifamily Design Guidelines

This task is intended to establish design guidelines or regulations for the multi-family areas of the City that do not currently have them in place. For the most part, we have addressed this through our neighborhood and business district plans (e.g. North Rose Hill, Totem Lake, etc.). However there are several areas of the city not covered by design standards. At the same time, there are relatively few properties remaining that are undeveloped or underdeveloped. Staff had requested funding in the budget for assistance with this project but the request was not approved. It may be possible to undertake this task later in the year or early next year when we could have cost-savings from other projects or available staff resources.

Design Guidelines Revisions

This involves several "clean-up" sections and some policy issues. The design guidelines are incorporated into the Municipal Code. Unless the Commission desires to look at these changes, staff will be working directly with the Design Review Board.

Task 5: Code Amendments (.2 FTE & Consultant)

Miscellaneous Zoning Code Amendments

In 2006 the Commission completed their review of a bundle of miscellaneous code amendments including revisions to the home occupation and reasonable use regulations. The City Council met on November 21st to review the proposed changes and continued the discussion at their January 2, and January 16, 2007 meetings. It is anticipated that these revisions will be adopted in February.

Future Code Amendments

We continue to maintain an extensive list of potential amendments and, as new issues arise, we are constantly adding to and updating the list. In 2007, we will also be recommending changes to the City's SEPA ordinance and Subdivision Ordinance.

Task 6: Single Family Standards (.5 FTE)

The Single Family Floor Area Regulations were adopted by the Council and went into effect on January 15. While the scope of this project focused on some key elements of the FAR requirements, there was a sense that further work is needed.

However, trying to scope out specifically what should be addressed is problematic. Many of the items that could be considered are complex and could result in fundamental changes to our regulations and requirements (e.g. decreasing setbacks or lot coverage, design review for single-family homes, additional landscaping and open space requirements). In addition, gauging community interest or direction has challenges and could take considerable time, effort and resources (community workshops, visual preference exercises, opinion surveys, etc.).

Such a broad, open and comprehensive approach will require significant professional services such as meeting facilitators and consulting architects. The work program shows this as a task but the scope and schedule for this effort has not been determined. In addition, the Commission and Council will have to determine where this project fits in with the other tasks and projects. Staff could be available beginning in the second half of 2007. In addition, funding for architectural services, facilitators, or design professionals would need to be available to undertake the steps necessary to address these issues.

Task 7: Housing (.7 FTE + ARCH)

Introduction

The Council has identified housing issues – particularly affordable housing – as a critical discussion topic. On January 2, 2007 the Council met in a study session to review and discuss innovative housing. At that meeting they received the report from Mike Luis on innovative housing and provided direction on the moving forward with permanent regulations. Due to the interest in this topic the Council deferred discussion on other housing issues to the March 23rd Council retreat.

Innovative Housing
Phase 1 of this project is done. An evaluation of the two innovative housing demonstration projects was completed by Michael Luis and presented to the Planning Commission, Houghton Community Council and City Council. The work program shows this task to develop permanent innovative housing regulations to be completed by September, 2007.

Affordable Housing
Housing costs continue to rise and the City is not meeting its affordable housing targets. With the innovative housing regulations scheduled for the first nine months of 2007 work on affordable housing incentives and regulations will have to wait until late 2007. Some areas of the City do not have any affordable housing incentives or requirements in place – particularly in the downtown area. As redevelopment moves forward, we continue to lose opportunities for affordable housing.

TOD at Park and Ride Facilities
Staff continues to have intermittent conversations with King County on the potential for "transit oriented development" housing at the South Kirkland Park and Ride facility. The County has done some preliminary analysis. With resources allocated to other tasks, staff's recommendation is to schedule action on this in 2008.

ARCH Coordination
There are a number of other on-going staff efforts on housing including working with ARCH on the Housing Trust Fund, preservation of affordable housing, and education. The City is also participating in a process set up by ARCH to prepare an overall strategy plan and a tool kit of model housing practices and programs.

Task 8: Community Character – Historic Preservation Incentives
Staff had requested a service package for funding to assist in updating the list of historic sites in the next budget and developing incentives for historic preservation. The funding was not approved. We have a place keeper for this task on the work program. It may be possible to undertake this task in late 2007 or 2008 if we are able to obtain funding and have available staff.

Task 9: Natural Resources/Environmental Stewardship (1.5 FTE)
Natural Resource Management Plan and Environmental Stewardship
In 2003 the City adopted its first Natural Resources Management Plan. The City has in place a Natural Resource Management Team consisting of representatives from three key City departments – Planning, Public Works and Parks who coordinated this effort. Over the past year, the team has been coordinating its efforts on implementation actions (education, funding, and programs). We have also broadened our role to address greenhouse emissions in response to the US Mayors Climate Protection Agreement, of which the City is participating. In 2007, our staff

team will be focusing on a variety of environmental stewardship efforts including sustainable communities, green buildings, green businesses and community outreach.

Shoreline Master Program/Critical Area Regulations
State law requires Kirkland to revise our Shoreline Master Program to achieve consistency with new shoreline rules adopted by the Washington State Department of Ecology (DOE). During 2006, an inventory and analysis of Kirkland's Lake Washington shoreline was prepared by consultants. We also conducted two panel discussions and a shoreline tour. Coordination with King County and DOE will occur throughout the project. Proposed amendments to shoreline goals, policies, regulations, and programs will be reviewed by the Planning Commission, Houghton Community Council, the Kirkland City Council, and the public through 2007 and into 2008. As part of this update, the City will likely need to amend its Critical Area Regulations to be incorporated into the Shoreline Master Program. It is anticipated that the City's new Shoreline Master Program will be adopted by the end of 2008. The project schedule will ensure that Kirkland will meet the State's deadline of adoption by December 2009.

Tree and Landscaping Regulations
With the adoption in late 2005 of new standards and regulations for trees and landscaping, the City committed to reviewing these after two years to see if any changes are needed. A report to the Council is targeted in March 2008. The work program shows this task beginning in late 2007.

Low Impact Development
The City was the recipient of a grant, along with several other cities, to have a consultant team provide recommendations on stormwater management techniques and land development to increase the use of low impact development (LID) practices. They have completed their work and staff from Planning and Public Works have been meeting to determine how to incorporate their recommendations into our standards and regulations. Some of the recommendations will likely result in changes to the Zoning Code. One of the most effective strategies identified by the consultants is the concept of clustering units rather than a typical subdivision layout. LID techniques could be an integral component of innovative housing developments.

SPECIAL TASKS

Task 10: Special Project (.6 FTE)

This task consists of a variety of projects and on-going efforts. These do not generally come before the Commission, however, Commission members do serve on some of the applicable committees.

The *Downtown Strategic Plan* will be looked at by the Downtown Action Team in 2007 with assistance from a consultant team. The *NE 85th Street Action Team* will continue to meet as needed – particularly with work still to be done on the corridor improvements by Sound Transit and the City. Under *Economic Development*, the City now has a full time in-house Economic Development Manager.

The *CTR/Concurrency/Impact Fee* item is really a catch-all for several projects. We have received a grant to look at our commute trip reduction program (CTR) to see how we can improve our efforts to reduce SOV use. As a result of work on our LOS, we may need to make changes to our concurrency ordinance. Also, in 2007, the city will be updating its impact fee schedule.

Task 11: Database Management (.2 FTE)

Database management consists of a number of sub-tasks such as our Community Profile, land use inventory, capacity analysis, housing data, etc. that are used for a variety of purposes including neighborhood plans and the Comprehensive Plan. In addition we are required to provide data on buildable lands and benchmarks to King County.

Task 13: Regional Coordination(.1 FTE)

This task involves participation on countywide and regional forums including the Puget Sound Regional Council, the King County Growth Management Planning Council, the Suburban Cities Association and Sound Transit.

Task 14: Annexation

Extensive efforts are underway to obtain community input and undertake additional fiscal analysis to determine if the City will proceed with annexation of our Potential Annexation Area. The Council has been meeting on this for the past several months. If the Council decides to move forward, funding has been targeted for a 1.0 FTE planner to work on the land use and zoning components of the annexation package.

ADOPTED 2006 – 2008 PLANNING WORK PROGRAM: LONG RANGE TASKS March 7, 2006

				2006												2007				2008			
TASK		**PROJECT MANAGER**	**2006 STAFF**	**J**	**F**	**M**	**A**	**M**	**J**	**J**	**A**	**S**	**O**	**N**	**D**	**1st**	**2nd**	**3rd**	**4th**	**1st**	**2nd**	**3rd**	**4th**
POLICIES, PLANS & REGULATIONS																							
1	Comprehensive Plan		**.3 FTE**																				
	• 2006 Comp Plan Revisions	**Teresa Swan**																					
	• Private Amendment Requests																						
	• Moss Bay Industrial Study																						
2	Totem Lake Zoning & Design Regs	**Dorian Collins**																					
3	NE 85th Street																						
	• Zoning & Design Regs	**Janice Soloff**																					
4	Zoning Code Update		**.4 FTE**																				
	• Wireless Facilities	**Consultant**																					
	• Miscellaneous ZC Amendments	**Teresa Swan**																					
	• Single Family - FAR	**Consultant**																					
	• Homeless Encampments	**Nancy Cox**																					
	• Home Occupations																						
	• Downtown Parking Study	**Public Works**																					
5	Design Regs & Guidelines		**.3 FTE**																				
	• Reformat Design Regs	**Soloff/McMahan**																					
	• Multi-Family Design Guidelines	**Janice Soloff**																					
6	Neighborhood Plans		**1.4 FTE**																				
	• Market	**Angela Ruggeri**																					
	• Norkirk Neighborhood	**J. Lieberman-Brill**																					
	• Lakeview Neighborhood																						
	• Houghton Neighborhood																						
	• Neighborhood Plan "X"																						
7	Housing	**Staff & ARCH**	**.4 FTE**																				
	• Innovative Housing Zoning Regs																						
	• Affordable Housing Incentives																						
	• TOD/Park & Ride																						
	• On-Going Housing Efforts																						
8	Community Character	**Angela Ruggeri**																					
	• Historic Preservation Incentives																						
9	Natural Resources/ESA		**1.1 FTE**																				
	• Tree and Vegetation Regs	**E. Walker**																					
	• NRMP Coord/Env. Stewardship	**P. Tovar**																					
	• Critical Area Regs																						
	• Shoreline Master Plan	**P. Tovar**																					
	• Geologic Hazard Regs																						
	Legend																						
	Planning Commission Tasks																						
	Other Tasks																						

ATTACHMENT 4

				2006												2007				2008			
TASK		**PROJECT MANAGER**	**2006 STAFF**	**J**	**F**	**M**	**A**	**M**	**J**	**J**	**A**	**S**	**O**	**N**	**D**	**1st**	**2nd**	**3rd**	**4th**	**1st**	**2nd**	**3rd**	**4th**
SPECIAL TASKS																							
10	Economic Development	**Various**	**.2 FTE**																				
	• DSP Implementation/DAT																						
	• NE 85th Action Team																						
	• Totem Lake Action Team																						
11	Database Management	**Desiree Goble**	**.2 FTE**																				
12	Update Impact Fees	**Parks/PW**	**.1 FTE**																				
13	Regional Plans/Annexation	**Shields/Stewart**	**.1 FTE**																				

NEIGHBORHOOD PLAN UPDATE SCHEDULE

January, 2007

Note: Schedule Subject to Change

Neighborhood Plan Implementation: Zoning Regulations & Design Standards

Market and Norkirk Zoning Regulations	2007
Market St Corridor Design Guidelines	2007

Comprehensive Plan & Neighborhood Plans

Lakeview & Houghton	2007-2008
North & South Juanita	2009-2010
Moss Bay & Everest	2011-2012
Comprehensive Plan Chapters	2011-2012
Bridle Trails & South Rose Hill	2013-2014
Totem Lake	2014-2015
North Rose Hill	2015-2016

Neighborhood Plan Schedule 12-11-03

ATTACHMENT 5

CODE AMENDMENT LIST - UPDATED 1/25/07

(this list contains the code amendments to be addressed this year (2007), plus those to be addressed in future years)

PROJECT 1 - EARLY 2007

Municipal Code

Task #	Code Section	Description	Notes (X = drafted)
	21.06.245	Establish time limits for completion of SEPA for building permits	

Subdivision Ordinance

Task #	Code Section	Description	Notes (X = drafted)
SD.2	22.04.030	Binding site plans for already approved projects should be Process I or Planning Director approval	
SD.11*	22.04.020(d)	Revise LLA criteria to address "City of Seattle v. Crispin" decision (might also affect KZC).	
SD.1*	22.32.030	Change reference to KZC for stormwater regs (DG).	
SD.4*	22.20.245	Add appeal to City Council when existing ROW is opened (DN)	
SD.7*	22.12.100-140 & 22.26.500/ 530	Subdivision ordinance refers to role for HCC, but review process is IIA (8/11/04 SC e-mail).	
SD.9* & SD-10	22.26	Consider incorporating RCW 64.04.172 provision for alternative means of modifying dedicated easements (DG 8/4/03 e-mail via PS 8/11/04 e-mail). Allow easements or other plat modifications through a simpler process than Process IIA	
SD.14	22.28.050	Clarify that rear garage requirement is not applicable in multi-family zones	
SD.15	22.28.040	When lot sized are averaged, prohibit over-sized lots from being later subdivided.	
SD.16	22.20.050 & 22.12.020	Make application requirements the same. Delete list of requirements. Authorize department to establish.	
SD.5*	22.28.080(b)	Allow easements to be counted in the area of servient lots only if the lots have a minimum frontage on a ROW (to prevent multiple micro pipe stem lots.(DN memo to ES 3/31/04)	?
SD.8*	22.28.080.b	Should lots be able to subdivide if they will access from an easement across another lot and in so doing would make the servient lot nonconforming because the area of the easement would now have to de deducted from the area of the servient lot? (8/11/04 SC e-mail).	?

Chapter 15 and 17 - RS and RSX Zones

Task #	Code Section	Description	Notes (X = drafted)
MF.3		Clarify that general regulation in SF zones applies adjoining low density **uses** in low density zones.	X

Chapter 50 CBD Zones

Task #	Code Section	Description	Notes (X = drafted)
	50.30	Correct general regulations that establish excessive height and setback limits abutting 2nd Ave. S.	

Chapter 53 - RH Zones

53.1*		For zones other than RH 1A, 3, and 4, change the required front yard to read: 10' adjacent to NE 85th St; otherwise 20'.	x

Chapter 55 - Totem Lake - TL Zones

55.3	55.	Revise auto sales uses to allow used car sales	x

Chapter 75 - Historic Landmark Overlay Zone

75.1		Simplify process for designation and modification	

Chapter 95 - Trees etc

95.1*	95.40.4	Exempt detached detached units in medium density density zones from buffering other detached units in low density zones.	x
95.2*	95.45	Prohibit ivy and other invasive plants in required landscaping.	
95.3*	95.40.6	Clarify tree spacing requirements in buffers (TLeavitt 10/17/06 e-mail).	x

Chapter 105 - Required Public Improvements

	105.18	Exempt SF walkways from lot coverage requirements. Require pervious paving.	

Chapter 115 - Miscellaneous Standards

115.14*	115.80	When buffering stds are decreased, should driveway/parking area setback also be decreased?	? removed from Ord 4072
115.25	115.43	Address garage facades. Define front façade - garage sunrooms etc - see background from Outlook folders.	Jeremy
115.26	115.120	Require screening HVAC unit when existing unit is replaced with a like unit.	x
115.40*	115.59	Address ABE when subterranean structure is involved. Only count above grade walls that enclose interior space. Clarify existing vs. historic grade.	x (need to review)
115.42	115.115	Allow deletion of 5' setback in flag lot driveways next to interior lot (must be part of the subject property). Incorporate I-89-9 for existing flag lots. 11/00	? I-89-9 Rpld by I-02-1. May still need amdt.
115.44	115.30	Clarify measurement when buildings are at angle to property line (may be definition)	Jeremy
115.51	115.115.3	Make correction to allowed structures and improvements (codify Interp 06-3)	x
115.53	115.125	Change rounding of fractions of dwelling units from .66 to .50	x
115.54	115.45	Distinguish decks and porches from other enclosed (but open) areas that should be counted in FAR.	
115.55	115.15	Prohibit parking of large boats (in addition to vehicles). Apply also adjacent to residential zones	x

115.58	115.115	Allow HVAC units in required side and rear yards if setback X (5?) feet. See Dawn.	

Chapter 117 - Personal Wireless Service Facilities

117.2	117.15	Move all "common" definitions to Chapter 5. There appear to be only two: "building" and "residential."	x
117.3*		Allow minor bldg-mounted wireless in a park as P.O. decision.	x
117.4*	117.35	Do not require process IIA for antennas on residential buildings in **non**residential zones	x
117.5	117.65.6.b	Is height measurement above "conductor" too restrictive on Seattle City Light towers?	x

Chapter 130 - Rezones

130.2		Review criteria for legislative actions; possibly revise (e.g., clarify that private amendment requests are legislative). City vs. person as applicant, fees, other? (see TS memo 04/04) - may also affect overlay zones. (See also 8/24/0-4 Rkaseguma e-mail).	x

Chapter 142 - Design Review

142.1*	142.12.1	Delete "this chapter" and replace with "those requirements".	x
142.2*	142.15.2.b	Consider adding "or the addition of new floor area on a developed site." The way it reads right now, someone could argue that a new building on a developed site is exempt.	x
142.3*	142.35.51	Add language that if the applicant does not submit a complete application for a Design Response Conference within 6 months of the Conceptual Design Conference (CDC), the CDC expires.	x
142.4*	142.40.2	Add the language about petitioners not having appeal standing similar to other process chapters (e.g. 142.60.b).	x

Chapters 145-161 (Process I-IVA)

145.9	160.25	Discuss threshold review when it is a city-initiated rezone (PStewart 05/20/05) Is this necessary?	x
145.16	152.100.1.e	Remove 4 day deadline for HCC comments to go to Hearing Examiner.	x
145.15	150.80.2	Review appeal comment time to determine if 21 day time is needed (ES 08/02/06).	
145.17	Various	Allow publication of notices on-line	
145.1		Use consistent wording with respect to "decision", "report", "notice of decision" (Rod K) (Note: This will require coordinating with support staff and may affect their responsibilities)	Nancy will evaluate ?
145.3		Clarify process for testimony and oral arguments at CC meetings (see AR e-mail of 11/05/03). (work w/RK)	?

Multiple Zones

M.10		Use consistent terminology to regulate gas stations and auto repair.	
MF.9		Reduce side yard setbacks for detached units approved as "detached, attached, or stacked dwelling units" listing in all pertinent zones.	x

PROJECT 2 - SEPA ORDINANCE- MID 2007

S.1		Raise exemption levels (e.g. # of du's, building sq. ft., # of parking stalls, cubic yds. excavated, etc.) - consider concurrency impacts (same thresholds).	
S.2		Rewrite SEPA appeals provisions (Nancy).Reduce appeal period for DNS without agency with jurisdiction review from 14 to 7 days. Should appeals of Hearing Examiner SEPA decisions go to court even if permit is decided by the City Council?	
S.3		Don't require SEPA review solely for seismic hazard areas.	
S.4*		Update SEPA ord to reflect case law and 1998/ 2003 SEPA revisions.	CAO to draft.
S.5		Don't require DNS publication for grading permits	
		Exempt gas line and other utility line replacement	
		Update environmentally sensitive areas map adoped by reference	
		Should we post SEPA for Process I permits if there's an agency w/ jurisdiction & comment period?	

PROJECT 3 - SHORELINE MASTER PROGRAM AND ZONING - 2007/08

Shoreline Master Program and WD Zoning

SL.1	30.10, 30.15, 30.20	WDI, WDII, WDIII - Public pump-out facilities only required for commercial marinas, whereas private pump-out facilities are required for all other piers of 72 boats (AR).	
SL.2		Canvas covers for boats.	
SL.3*		Eliminate 30% view corridor for properties in CBD for continuous street front retail (UM 1 Environ.)	Jeremy
SL 4*		Update all references to reflect changes to the WACs (see DG e-mail 4/14/04)	
		Simplify process for Public Works stream improvements	
		Eliminate definitions that are common to those that apply throughout the entire code	

Chapter 90 - Drainage Basins

90.3		Review to reduce process - consistent with reasonable use process (SC, 10/14/04 LRP)	
90.4	90.20.5	Clarify intended meaning of "normal or routine maintenance or repair."	
90.5	90.55.4	Allow off-site mitigation in another drainage basin for essential public facilities	
90.6	90.45.3	Allow stormwater outfalls to extend into wetlands	
		Eliminate definitions that are common with with definitions applicable throughout entire code	
		Simplify review process for Public Works stream restoration projects	

PROJECT 4 - LOW IMPACT DEVELOPMENT - 2007

115.17*	115.90	Clarify when to give lot coverage credit for semi-pervious materials. Also, consider greater restrictions on use of brick pavers (8/2/06 e0mail from Dawn Nelson).	

PROJECT 5 - CBD 2007/08 (Following Completion of Strategic Plan)

Chapter 50 - CBD

MB.3	50.10 +	Review fast food restaurant regulations. Should parking and other regulations be same as for restaurants when drive-throughs are not involved?	
MB.5	50.10 +	Various amendments on list dated July 1996 (in background info). Some may have been incorporated in more recent design regulation amendments. Review list to check.	
MB.6	50.10 +	Interp 93-6 - Travel agency as street level use in CBD-1 and CBD-2 (maybe repeal)	
MB.7	50.10 +	Review CBD parking requirements for multi-family.	
MB.12*	60.29-60.52	Consider including all or portions of PLA 5 in CBD.(TSwan 04/11/05)	
	50.10 &.12, 50.35 &.37	Incorporate comprehensive plan policies governing building height more directly in the zoning charts for CBD 1 and CBD 5.	

FUTURE PROJECT - NONCONFORMANCE REGULATIONS

Chapter 162 - Nonconformances

162.3*	162.35.3.a	Interp 90-4 - Base 10% limitation for nonconforming structures on a site upon the combined gfa of all	
162.4*	162.35.5.b	Interp 90-3 - Major nonconforming signs	larger issues
162.5		Interp 90-3 - Removal of underground storage tanks	larger issues
162.6*	162.35.2.b,	Interp 85-4(Rev) - Various provisions/clarifications	
162.7*		Interp 83-11 - (may also affect 115.80) - Nonconforming lots held in common ownership.	
162.8	162.30,	Damaged improvements - What happens if damage exceeds 50% (P. 430)? Conflict with 162.35.7.	
162.9	162.35.2	Be less restrictive on structural alterations for non-conforming uses. See "master list" for more info.	
162.10	162.35.2.a	Look at definition of "use" (e.g., office use). See JMcM. Group with 162.9 and 16.	
162.12	162.35.5.b	Minor Nonconforming Signs - Is a new sign a "structural alteration"? Is a new, less non-conforming sign	
162.13	162.35.5.d	Delete 10 years time period and replace with Director discretion with criteria (p. 434)	
162.14*	162.35.7	Do not limit all structural alterations as we do now. When can windows and doors be installed without a	
162.16*	162.35.2.b.3	Develop criteria for allowing change of nonconforming use. Alternatively, consider not allowing change	
162.17*	162.60,90,135	Clarify continued provisions per 9/20/05 e-mail from Dawn Nelson.	
162.18		Classify cabinet signs in zones where cabinet signs not allowed as **major** nonconformance.	

FUTURE PROJECT - SIGN REGULATIONS

Chapter 5 - Definitions

5.12*	5.10.550	Clarify "multi-use complex" for consistency with 100.4.3.b. Delete requirement for exterior entrance.	

Chapter 100 - Signs

		Create criteria to allow for deviations from sign code to be reviewed at a planner level.	
100.2*	100.115	Interp 95-4 - Temporary commercial sign - Add to definition of temporary sign?	
100.3*		Interp 95-3R - Colors as signs, sign area - Add to definition of sign area?	
100.4*	5.115, 100.85	Interp 94-1 - Changing message center and similar signs. Additional criteria? Allow with Master Sign Plan.	
100.5*	100.115	Interp 92-4 - Fuel price signs	
100.7*		Interp 86-17-100 and 115 - Temp. commercial signs when related to permitted temporary activities.	
100.8*	100.65	Interp 86-16 - Signs above rooflines	
100.9*	100.85(2)	Interp 86-13 - Sign regulations regarding holiday decorations	
100.10*	100.30, 100.75	Interp 86-11 - Window signs. Need to reexamine.	
100.11*		Interp 85-8 - 5 and 100 - Status of neon lighting and lighted awnings as signs. Add to definition?	
100.12*	5.108, 100.15	Interp 85-6R - Sign regulations	
100.14		Real estate signs (on- and off-site) - review regulations to reduce number of signs (ES)	
100..6 and .18	100.115	Interp 88-19 - Off-site real estate signs. Need to rethink rules on temporary off site signs. Private advertising signs - restrict size. Temporary commercial signs - Limit to 30 days plus size limitation. Real estate signs - redraft to allow (2) 32 sf advertisement signs and (1) 6 sf per lot (not clear as written) Revise entirely to conform with Supreme Court Decision on Redmond signs.	
100.19*		Address political signs duration and size (DG) - review temp sign chart with Rod Kaseguma.	
100.21		Under marquee signs - allow to be larger (AR). Allow 6 sq. ft.	
100.25		Reduce height of monument signs. Liberalize dimensions for sign base.	
100.26		Special signage for auto dealers? Probalby no, but may want to increase signage for large sites.	
100.27		Add cabinet signs in CBD and JBD - tie to "major nonconforming"	
100.28		Major nonconforming signs & amortization (e.g. billboards). Need to address constitutional issues	
100.31*	100.115	Allow under marquee signs for sign category A (and probably B). (8/11/04 ES e-mail)	
100.32*	100.55	Allow signs for commercial uses in mixed-use buildings to be calculated separately (8/11/04 ES e-mail)	
100.35*	100.5	Change "NE 106th St" to "Forbes Creek Drive" (SUpdegrave 04/12/05)	
100.36*		Temporary advertising signs for public events (Csalzman 12/16/04)	
100.37*		Allow reduced setback for ground mounted signs, subject to criteria.	
100.38*	100.52	Section needs to include NRHBD for consistency with design guidelines.	

FUTURE PROJECTS - OTHER POTENTIAL ISSUES

Chapter 35 - FC III Zone

		Eliminate or revise zone with Lakeview Neighborhood Plan	

Chapter 48 - LIT Zones

48.1*		Community facility/recreational/instructional uses (ES) (gyms, dance studios, etc)	
48.3*		Re-examine the requirement that uses be limited to 2 stories (PS, 8/20/04 e-mail)	
48.4*	55.15.070	Specify limit for size of office space associated with Wholesale Establishments (JRegala 04/12/05)	
48.5*	48.15.220	Delete Special Regulation 1.	
48.6*	48.15.190	Delete Special Regulation 1.	

Chapter 105 - Parking

105.4		Review parking requirements for mixed use developments (e.g., medical office/regular office, business park; strip retail/restaurant/office (ES))	

Chapter 115 - Miscellaneous Standards

115.3	115.60.2	Should rooftop parking be prohibited next to low density zones? How should height be calculated?	
115.41	115.115.5.d	Consider prohibiting parking in front yards in office zones (ES e-mail 08/02/06)	
115.46	115.65	Land surface modification - make consistent with other City regulations (Municipal Code)	Nancy
115.47	115.85	Incorporate Rose Hill BD standards city-wide?	
115.56	115.23	Review common open space - do not require for attached units.	**w/ MF guidelines ?**
ZC.3	115.30	Allow more flex/mod to horizontal façade general regulations in many zones.	

Chapter 125 - PUDs

125.1		Find way to define dollar value of public benefits (or other quantifiable system); re-examine basic approach to PUDs, maybe tiered system	

Chapter 170 - Enforcement

170.3		Consider more formal approach to interpretations, with comment and appeal process.	

Miscellaneous

MF.7		Reduce parking for Assisted Living Facilities from 1.7 stalls/independent unit. Could be chart buster.	
M.4*		Minimum lot area for certain commercial uses - Do we need this (ES e-mail 9/9/96 and AR): Neighborhood retail use in RM; Neighborhood retail use in PR (requires 3600 sf, office has no size requirements); Restaurant use in WDI; Office use in PLA 6B; Service station in BC.	

RULES OF PROCEDURE
OF THE KIRKLAND PLANNING COMMISSION
OF THE CITY OF KIRKLAND

A RESOLUTION OF THE KIRKLAND PLANNING COMMISSION SETTING FORTH THE RULES OF PROCEDURE FOR THE CONDUCT OF PLANNING COMMISSION MEETINGS.

Section 1. Meetings:

A. Regular Meetings. The Planning Commission meets on the second and fourth Thursday of each month, in the Kirkland City Council Chamber, commencing at 7:00 p.m. unless otherwise noticed.

B. Special Meetings. The Planning Commission shall meet for special meetings at the call of the Chair or a majority of the Planning Commission.

C. Open Meeting Requirements and Notification:

1. The open meeting provisions of state law (RCW Chapter 42.30) shall apply to Planning Commission meetings.
2. Notification procedures shall follow the requirements of the Kirkland Zoning Ordinance, Subdivision Ordinance, State Environmental Policy Act, Shoreline Management Act, and other regulations, as applicable.
3. All special meetings shall be noticed by:
    a. Delivering written notice personally by mail, fax, or by electronic mail at least 24 hours in advance to Planning Commission members.
    b. Delivering written notice personally by mail, fax, or by electronic mail at least 24 hours in advance to the newspaper officially designated by the City of Kirkland and to each media publication which has filed a written request with the City.
    c. Specification of the time and place of the meeting and the business to be transacted.

D. Record. A record will be made of all public hearing proceedings and all other meetings. This record will normally be an audio recording by means of electronic equipment.

E. Minutes. The Department of Planning and Community Development staff will prepare minutes of each meeting that include all pertinent information, motions, decisions made, and actions and votes taken.

Section 2. Officers:

A. Appointment. The Planning Commission has the following officers:

1. The Chair;
2. A Vice Chair; and

3. Any other officer that the Planning Commission, by a majority vote, approves and appoints.

B. Temporary Chair. If both the Chair and Vice Chair are absent from a meeting, the Planning Commission shall, by a majority vote of those members present, elect a temporary Chair for that meeting.

C. Duties of Officers. The duties and powers of the officers of the Planning Commission are as follows:

1. Chair:

   a. To preside at all meetings of the Planning Commission;

   b. To call meetings of the Planning Commission;

   c. To sign documents of the Planning Commission;

   d. To act as liaison between the Planning Commission and other City entities; and

   e. To appoint Planning Commission members to serve on other city committees, advisory groups and task forces.

2. Vice Chair: During the absence, disability, or disqualification of the Chair, or upon the request of the Chair, the Vice Chair shall exercise all the duties and be subject to all the responsibilities of the Chair. The Vice Chair shall also maintain any other responsibilities that are assigned to him/her by the Chair.

   The Chair and Vice Chair and other officers shall be elected by a majority vote of the Planning Commission at the first regular meeting each May, and may be reelected.

Section 3. Order of Business:

A. Generally, the Planning Commission will follow the following order of business at all meetings:

1. Call to order / roll call.
2. Announcement of agenda.
3. Comments from the audience on any topic that is not the subject of public hearing - limited to 3 minutes per speaker.
   (Note: The chair may limit the comments to no more than three speakers on any one topic. If both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the chair.)
4. Hearings.
5. Study Sessions.
6. Unfinished Business.
7. New Business.
8. Reading and/or approval of minutes.

9. Administrative reports and Planning Commission discussion.

10. Comments from the audience – limited to 3 minutes per speaker. (Note: The chair may limit the comments to no more than three speakers on any one subject. If both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the chair.)

11. Adjournment.

B. The order of business may be changed during the meeting by the Chair with the consent of a majority of the Planning Commission members present.

Section 4. Quorum:

A majority of the appointed members of the Planning Commission constitutes a quorum. A quorum must be in attendance before business can be transacted. Every motion by the Planning Commission requires approval of a majority of the Planning Commission members present to pass.

Section 5. Disqualification:

No member of the Planning Commission should participate in any Planning Commission discussion or vote on any matter in which the member has a personal or financial interest potentially sufficient to create a conflict between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend, or an employer. Any disqualified member must leave the room when the matter is presented. The minutes shall show that the member left the room and abstained on that vote.

Section 6. Voting:

A. Each member present at a meeting shall cast one vote on each motion. Voting may be by voice call or by roll call.

B. Although it is the duty of every member to vote, a member may abstain. An abstention has the same effect as a negative vote.

Section 7. Vacancies:

Should any vacancy occur among the membership of the Planning Commission by reason of death, resignation, disability, or otherwise, the City Clerk shall be immediately notified. If a member resigns, the member shall tender his or her resignation in writing to the Department of Planning and Community Development and City Clerk. The Chair of the Planning Commission shall request that the Mayor and City Council consider an appointment to the vacancy on the Planning Commission at the earliest possible time.

Section 8. Conduct of Meetings:

A. *General*. The Chair has broad authority over all matters regarding the conduct of meetings. He/she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Planning

Commission while permitting the orderly and timely completion of Planning Commission business.

B. *Use of Roberts Rules of Order.* The Planning Commission may refer to the applicable provision of Roberts Rules of Order for guidance for items not addressed by these Rules and Procedures.

C. On specific agenda items, other than public hearings which are discussed in Section 9, the Chair may allow comments from the audience as appropriate. This usually occurs following a staff presentation and/or the completion of discussion by the Commission on the agenda item. Comments may be subject to the limitations noted in Section 3.A.

Section 9. Rules of Procedure for Public Hearings:

A. *Presentation at the Hearing*.

1. The Chair shall declare the Public Hearing open before the staff presentation is given. After the staff presentation and after everyone has had the opportunity to speak, the Chair shall announce that the hearing continues to remain open, but only for the benefit of the Planning Commission members who may seek further information during their deliberation. Reopening the hearing to give persons an opportunity to speak shall require a motion and a vote. If the hearing is reopened, the Commission may limit the topics to be addressed.

2. Nature of Presentation:

   a. Written Comments. Any person wishing to comment on an application may do so by submitting his/her written comments to the Department of Planning and Community Development before the hearing or the Chair during the hearing. These comments will become part of the official record and shall be considered by the Planning Commission in its action.

   b. Oral Comments. The Chair shall permit any person to make a brief oral presentation at the hearing. Comments are limited to three minutes per speaker unless otherwise authorized by the Chair. The speaker shall first give his/her name and address.

3. Questions from the Planning Commission. Members may question a speaker on any matter related to his/her comments.

4. Questions from the Speaker. All comments and questions shall be directed to the chair.

B. *Planning Commission Deliberation*. After all speakers have been heard, the Planning Commission shall close the public comment portion of the hearing, consider all the information and deliberate on the matter. This deliberation shall include:

1. The information submitted;

2. The written comments received;
3. Any presentation and discussion made at the hearing; and
4. The staff report.

C. *Planning Commission Recommendation.* After discussion and deliberation, the Commission shall make a recommendation to the City Council by a motion and approval of a majority of those members present. Once a motion for recommendation has been passed, the Chair shall declare the public hearing closed.

D. *Continuance*. The Planning Commission may continue the matter by an affirmative vote of a majority of the members present on a motion to continue to a specific date.

Section 10. Amending the Rules of Procedure:

The rules of procedure may be amended at any regular meeting of the Planning Commission by a majority vote of the appointed members.

Section 11. Validity:

If any part of parts of these rules of procedure are found to be invalid, that part or parts will not invalidate the remainder of the rules.

PASSED by the Planning Commission on the 25th day of January, 2007.

Janet Pruitt, Chair	Karen Tennyson, Vice-Chair
Matthew Gregory	Byron Katsuyama
Kiri Rennaker	Carolyn Hayek
Andrew Held	

CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay

From: Carrie Hite, Deputy Director
Jennifer Schroder, Director

Date: January 25, 2007

Subject: Special Presentation: King County Long Term Care Ombudsman Program

RECOMMENDATION: City Council is informed of the King County Long Term Care Ombudsman Program and their effort in Kirkland.

BACKGROUND DISCUSSION:
There has been a growing community concern in the City of Kirkland about the care and safety of over 900 seniors and other disabled adults living in nursing homes, assisted-living facilities and adult family homes. This has prompted the King County Long Term Care Ombudsman program to launch an outreach and recruitment effort seeking Kirkland residents to become volunteer ombudsmen.

After an initial meeting with City Council member Joan McBride, an initial meeting with the Senior Council and subsequent meetings with staff, the King County Long Term Care Ombudsman decided to launch this program in Kirkland as a pilot expansion. The main focus and priority is increasing ombudsman visits to over 360 residents living in Adult Family Homes which house six or fewer residents. Sixty private homes in the Kirkland area are licensed by DSHS to provide care up to six adults per home. These residents are frail, elderly, and/or disabled and live largely unknown to their neighbors.

Currently, there are only two citizens who are certified volunteer ombudsmen working in Kirkland. One is assigned to the nursing home and one visits Adult Family Homes. They provide support and assistance to residents in having their concern about their care resolved.

There is a critical need for 15 volunteer ombudsmen from the Kirkland community to visit in their neighborhoods.

Solid Ground (formerly the Fremont Public Association) is the sponsoring agency for this program. They will be introducing themselves to Council, providing a brief description and history of the program, airing the Public Service Announcement that was produced by the City to show on KGOV, and describing the training and certification process.

Please also see this February 7, 2006 article published in the Seattle Times:
http://seattletimes.nwsource.com/cgi-bin/PrintStory.pl?document_id=2002789115&slug=elderdeath07m&date=20060207

CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tracy Burrows, Senior Management Analyst

Date: January 30, 2007

Subject: Kirkland Founders Week

RECOMMENDATION**:**

Council authorizes the Mayor to sign the Kirkland Founders Week Proclamation.

BACKGROUND DISCUSSION:

Kirkland Founders Week coincides with Peter Kirk's birthday and celebrates the founding of the City of Kirkland. The Kirkland Heritage Society has furthered public awareness of our founders, along with collecting, preserving, exhibiting, and interpreting all other aspects of the history and heritage of Kirkland and its people. A representative of the Kirkland Heritage Society will be present at the February 6th City Council meeting to receive the Kirkland Founders Week proclamation.

A PROCLAMATION OF THE CITY OF KIRKLAND

Designating February 11th – 17th as "Kirkland Founders Week" of the City of Kirkland

WHEREAS, Peter Kirk, Walter Williams, John Kellett, Leigh Hunt and Reginald Collins are recognized as those who founded our city; and

WHEREAS, they worked in the late 1880's and 1890's to build a community with a steel empire unrivaled on the Western Coast of the United States; and

WHEREAS, by their efforts, they brought forth the beginnings of the present city, which would come to bear the name of Peter Kirk; and

WHEREAS, the city of Kirkland recognizes their role in our early history, and their impact on the city including its Incorporation in 1905; and

WHEREAS, the Kirkland Heritage Society has furthered public awareness of our founders, along with collecting, preserving, exhibiting, and interpreting all other aspects of the history and heritage of Kirkland and its people;

NOW, THEREFORE, I, James L. Lauinger, Mayor of the City of Kirkland, do hereby proclaim February 11th to 17th, 2007, as *Kirkland Founders Week* in Kirkland, and urge all the citizens of Kirkland to honor the memory of those who helped found our city.

Signed this 6th day of February, 2007

_____

James L. Lauinger, Mayor

CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Daryl Grigsby, Public Works Director

Date: January 17, 2007

Subject: Public Works Sr. Finance and Operations Analyst

As a result of a prior reorganization of the Public Works Department, 1.00 FTE was available for the Department to determine how best to utilize that position. The Department had both funding and authority to hire a position, so the primary task was to establish the Department's most pressing administrative need. After reviewing current and future challenges, we decided to create a new position titled Senior Operations and Finance Analyst.

We are pleased to introduce our Senior Operations and Finance Analyst, Juliana Elsom. After interviews and reference checks, she was selected from among a talented group of applicants for the position.

Juliana graduated from the University of Washington with a degree in Finance. She held several jobs as an Assistant Accountant and Accountant while in college. Juliana worked for five years as Comptroller and Accountant at Ski-masters Watersports in Kenmore, and her last position was as Senior Accountant for Trammel Crow in Bellevue. In addition to her skills and background, Juliana came highly recommended by those who have worked with her in various capacities. They noted particularly her high standards of performance, communication and collaboration skills, dedication, and work ethic.

She will be responsible for three primary areas, Public Works Finance, Grants and general operational analysis. In the first area she will be working with Mike Reardon, Finance and others in coordinating financial overviews and analysis, making recommendations relative to rates and charges, and assisting with other financial matters. In the grants area, she will be our primary person to coordinate, and in some cases, assist with grant opportunities and applications. She will work closely with Ray Steiger, CIP staff, Stormwater Engineering and others in this task. Juliana will also be involved in various regional transportation forums, like the King County Project Evaluation Committee and the Regional Project Evaluation Committee, where grant programs are discussed and administered. Finally, in the operations area she will coordinate reports and updates to the City Manager, coordinate items requested by the City Manager and City Council, track Public Works Annual Objectives, and perform analytical work as needed on operational improvements and customer service enhancements.

Please join me in welcoming Juliana to Public Works and the City of Kirkland.

CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.ci.kirkland.wa.us

MEMORANDUM

To: Kirkland City Council

From: Jeremy McMahan, Planning Supervisor

Date: January 24, 2007

Subject: DOWNTOWN STRATEGIC PLAN ASSESSMENT AND UPDATE – CONSULTANT INTRODUCTION AND SCHEDULE

Recommendation

Meet Bonnie Berk of Berk & Associates and review and comment on the proposed community process (see Attachment 1).

Background

In September, 2006, the City Council authorized staff to proceed with the assessment and update of the Downtown Strategic Plan. Staff issued a request for qualifications and received nine statements of qualifications from interested firms. After interviewing four teams, the interview panel (staff and DAT Chair Carolyn Hayek) selected Berk & Associates to assist in the project. A summary of team qualifications is included as Attachment 2. The scope of work is currently under discussion and staff would appreciate comments or suggestions from Council before completing the contract. We have invited Bonnie Berk of Berk & Associates to attend the Council meeting on February 6th to respond to any questions Council may have.

As noted in the attached process, we are recommending that the Downtown Action Team (DAT) be re-commissioned to form a Downtown Advisory Committee (advisory to City Council). The goals of this re-commissioning would be as follows:

- Shift the focus of the group back to being advisory rather than being a project-focused "action" team;
- Ensure that constituencies or individuals that should be represented are represented;
- Ensure that those who are selected to participate are fully committed to the process;
- Establish two-way communications so that members are committed to being conduits of information and ideas.

It should be noted that the public outreach is not limited to the advisory committee. The consultants and staff team feel strongly that the communications strategy needs to engage the community as broadly as possible through stakeholder interviews, community meetings, the media, internet, etc.

History of the Downtown Action Team

The City Council appointed a "downtown task force" in 1999 to develop recommendations for a downtown strategic plan. The membership of the group emerged from a collaboration of Council, staff, and various community organizations asking individuals to participate. Individuals were contacted by a letter from the mayor inviting them to participate and the City Council subsequently appointed the task force by motion.

With their recommendation to Council on the Downtown Strategic Plan, the task force recommended that they remain active as the "Downtown Action Team". The organizational structure was established to be self-sustaining without the need for City appointments. As illustrated in the current roster (Attachment 3), community organizations (KDA, neighborhood organizations, KAN, Chamber, etc.) decide who to appoint to the group. There is currently no Council appointment or confirmation process. While this structure has generally worked well, the criticism is that some positions have sat vacant and some members are less committed to attendance and the process than others. The recommendation of staff and the consultant is that Council needs to feel confident that the group it tasks to advise them on the assessment and update has the membership and mission to deliver well-qualified recommendations.

Attachments

1. Proposed Strategic Plan assessment and update process
2. Summary of team qualifications
3. Current Downtown Action Team list

Cc: Downtown Action Team
Ellen Miller-Wolf

Kirkland Downtown Strategic Plan Update Process: Meetings & Products

2007 | FEBRUARY | MARCH | APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER

Phase 1: Project Orientation & Strategic Situation Assessment

Phase 2: Strategic Plan Update–*Exact Schedule & Products TBD based on Phase 1 Outcomes*

Analysis & Plan Update

Project Kick-off
- Finalize Scope
- Define Success

Strategic Situation Assessment
- Stakeholder Interviews
- Market & DSP Assessment

Draft | **Final**

Phase 1 Products
- Strategic Situation Assessment
- New Downtown Vision Statement
- Strategic Opportunities and Next Steps

Downtown Plan Update
- Updated Vision, Goals, and Action Strategies
- Timeline, Roles, and Responsibilities

1st Draft Plan

2nd Draft Plan

Final Plan

Downtown Advisory Committee

Form New DAC
- Charge/Mission
- Project Scope & Schedule
- Operating Principles & Responsibilities
- Membership & Leadership

1
- DAC Kick-off
- Vision
- Situation Assessment

2
- Draft Market/ DSP/Stakeholder Findings
- Prep for Community Mtg

3
- Community Mtg Debrief
- Draft DSP/Situation Assessment
- Next Steps

4
- Final Situation Assessment & Implications
- Strategy Development

5
- Strategy Development

6
- Review Draft Plan
- Prep for Community Workshop

7
- Review Draft Plan
- Debrief Community Workshop

8
- Final Plan

Communication & Outreach

Develop Project Communication Strategy & Materials
- About the Project, FAQs, Initial Press Release

Facilitated Community Mtg #1
- Current Situation Discussion
- Vision for the Future

Facilitated Community Workshop #2
- Draft Plan Review & Comment

Ongoing Communications: Project Website, E-Notices, Press Releases

1 **Website Launch & E-Notice #1** | 2 | 3 | 4 | 5 | 6

City Council Briefings

Council Briefing
- Project Kick-off, Scope & Schedule
- DAT Reconstitution

Council Briefing
- Draft Findings

Phase 1 Completion: Council Briefing
- Community Mtg Debrief
- Final Products
- Next Steps & Recommendations for Phase 2

Council Briefing
- Draft Plan
- Results of Community Workshop

Council Briefing
- Draft Plan

Council Adoption of Final Plan

TEAM QUALIFICATIONS AND EXPERIENCE

Berk & Associates

Berk is an 18-year old, multi-disciplinary policy and management consultancy, providing integrated services in policy analysis and development; strategic and economic development planning; fiscal, economic and real estate market analysis; and stakeholder outreach, meeting facilitation and consensus-building. Since 1998, Berk has focused on economic development strategy, and has worked with dozens of communities to create living plans that energize and direct community activities, investments, programs and policies. Our products are analytically based, using best available data, supplemented by trends analysis, stakeholder perspectives, best practices research and benchmarks, and an understanding of political realities. Our work is also graphically rich, interesting and enjoyable to read.

Our mission is: Helping Communities and Organizations Create their Best Futures. We do this by:

- Integrating the art of effective decision-making with the science of rigorous quantitative and qualitative analysis;
- Bringing people, information, ideas and analysis together – to generate understanding and consensus on the best strategies and decisions; and
- Bridging across disciplines – to integrate and synthesize diverse information, and coordinate, collaborate and facilitate relationships.

We believe the world is full of complexity (and that's what makes it interesting), and that there is extraordinary value in elegantly simple analysis and decisions, effectively communicated. A hallmark of our approach is our ability to communicate complex information to multiple audiences, using words, numbers, pictures and maps. We know that when participants truly understand the issues and options before them, they are able to make good decisions, and can then communicate those decisions to the broader community. In the course of our work, we have developed numerous tools and processes to help us work efficiently and effectively with stakeholders and the public, and to help our clients achieve their policy objectives.

Special Expertise Relevant for this Project. In addition to our expertise in economic development, downtown revitalization, real estate market analysis, and outreach and communications, we offer the City expertise in the following specific, relevant areas:

- **Facilitation of robust agreements.** We are known for our "light touch" in working with a range of people on complex and controversial topics. Our tools and overall approach have consistently helped create successful, implementable strategic plans, as well as new relationships among project participants.
- **Downtown vitality and revitalization strategies.** We understand downtowns and neighborhood business districts, and can quickly assess the current strengths, challenges and opportunities for the area, then provide expert guidance on potential policy options, partnerships and strategies.
- **Site-specific market and strategic analysis.** Berk has extensive experience evaluating site-specific economic development opportunities in a range of Washington communities. Our approach allows cities to

make informed decisions regarding how to best use specific parcels, with an understanding of market conditions, development economics, and the fiscal impacts of various development options.

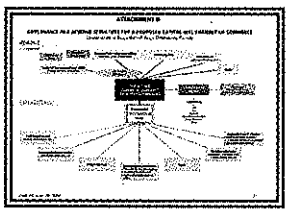
- **Arts and culture as an economic development strategy.** We understand the role arts and culture can play in attracting both businesses and residents to a community, and we have the expertise to advise the City how to build on its existing strengths to make the arts even more of a signature element for Kirkland.

- **Excellent report writing and strategic communications.** We expect the updated Plan to be scrutinized by many interested parties, and as such, it will need to be rigorous, defensible and highly readable. We are known for our ability to prepare clear, concise summary-level reports that convey quantities of complex information and analysis in an accessible, usable and reader-friendly format. Using information design principles, schematics, color and well-edited text, our reports effectively convey the content and conclusions of complex analysis to busy decision-makers and the public.

Results and Success

Berk & Associates has nearly 20 years of continuously successful experience working with communities like Kirkland. We are focused on making a measurable difference in the communities in which we work, and our projects have had both immediate and lasting results for many communities. In fact, many of our clients begin implementing the strategies and recommendations from our work before the project is completed. A few example profiles of successful outcomes from our projects include:

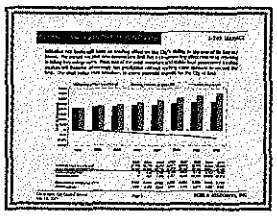
City of Snohomish Strategic Plan: IMAGINE SNOHOMISH: *Promoting Vitality and Preserving Character.* Before the project was concluded, the City Council endorsed the Citizen Advisory Committee's preliminary goals and action strategies, and approved several strategies for funding in 2007, including a new economic development coordinator, business retention and attraction strategies, and downtown revitalization strategies. Even more importantly, the Council agreed to align its annual budget process and appropriations with the Strategic Plan, thereby establishing a long-term framework for strategic City investments and new ways of conducting City business.



Seattle's Broadway Economic Vitality Agenda 2006-08: *A Strategy for an Economically Vital, Livable, Unique, Urban Community.* Based on this Strategic Plan, the Mayor and City Council have committed $500,000 towards revitalization of this struggling business district ($125,000 in 2006 and $375,000 in 2007). The funding will be spent on capacity building to help form a new Chamber of Commerce, and on streetscape improvements to enhance the appearance of the corridor. The City and community together organized a "Clean Sweep" community event on Broadway in October; the Mayor and Council members attended and the business community sponsored equipment and publicity. The business community is stepping up generally, fundraising for matching cash contributions and providing in-kind support, such as office space for the new Chamber.

City of University Place 2002-07 Strategic Plan: *Strategies for a Livable and Sustainable Community.* The City Council unanimously adopted this Plan and funded a new economic development manager position for business retention, expansion and attraction. The City has moved aggressively ahead with many of the Plan's strategies, including redevelopment of several aging strip malls and facilitation of a major new Town Center development, which includes relocation of City Hall and the Library. The Town Center project will provide new housing units in the center of the City, will create a gathering place and activity center for the City, and will bring new, national retailers to the community. Based on the Plan, the City is also working to capitalize on

development of the new professional-level golf course being designed on the Chambers Creek property, located within City limits. We also developed a marketing brochure based on the Plan, which staff have used in discussions with businesses and developers considering locating to the City. Plan implementation has been so successful that the City has commissioned Berk to create an updated Plan for 2007-11.



City of Kent Economic Development Strategic Plan 2003-08: Positioning Kent as the Premier Location for Business and Community Vitality. The City Council unanimously adopted this Plan, which won an International Economic Development Council (IEDC) award for economic development planning in 2003. The City has implemented many of the Plan's strategies, including proceeding with the Kent Station mixed-use project (new housing, a movie Cineplex, national retailers and restaurants – now a regional model for successful suburban mixed-use development), specific downtown partnerships with the Kent Downtown Partnership, and partnering with the Kent Chamber of Commerce to obtain federal funding for a feasibility study and business plan for a new Advanced Manufacturing Institute to be located in Kent. The City has also used the Plan as a marketing tool to attract new business.

City of Duvall Economic Development Strategic Action Plan: 2006-2011. Completed in late 2005, the City is implementing many of the Plan's strategies, including funding a new economic development manager in the 2007 budget. The Plan encompassed numerous arts, culture and tourism strategies, which the City is currently acting upon. The Plan integrated revitalization strategies in Old Town with actions to attract new residential and commercial development in other parts of town, leveraging the community's strong historic and artistic resources as well as allocating space for desirable new development.

Pierce County Economic Action Agenda: 2007-2011. In June 2006 we completed a Strategic Economic Development Vision and Plan for Pierce County government, which has been adopted and endorsed by the County Executive and County Council. The Plan focuses on primary job creation, and for the first time, brings together three County departments – Economic Development, Public Works, and Planning and Land Services – to work interdepartmentally on infrastructure development, planning policies and regulatory improvements to make Pierce County a great place to do business. We also created a PowerPoint presentation of the Plan, which is being used by County staff to communicate with the cities and towns, as part of a more coordinated, collaborative approach to economic development in the County.

Qualifications of Berk Project Staff

Bonnie Berk President of the firm, will serve as Project Manager. Bonnie specializes in managing multi-disciplinary studies involving diverse interests and often controversial issues, providing facilitation services, and designing processes that integrate technical analysis with policy making and citizen involvement. Bonnie has particular expertise and passion for community-building projects that involve downtown vitality strategies and incorporating history, arts and culture strategies into economic development plans. She has 25 years of experience and success working with community leaders and citizen volunteers to create energizing, implementable and sustainable community economic development strategies, and she particularly enjoys working with communities where staff, elected officials and community members are working together to create a great future for their city.

Bonnie has designed and managed numerous successful strategic economic and community development projects, including the Broadway Economic Vitality Action Agenda, City of Snohomish's 2007-20011 Strategic Planning Project, the City of Lynnwood's Strategic Economic Development Plan, the City of Lake Forest Park's Strategic Plan, the City of University Place's 2002-2007 Economic Development Strategic Action Plan, the City of

Kent's Strategic Economic Development Plan, the Port of Seattle's Harbor Development Strategy process, the City of Seattle's Office of Economic Development Strategic Action Plan and Pierce County's Strategic Economic Development Planning project. She frequently facilitates workshops and retreats for Councils and Commissions, including most recently, Council retreats for the Cities of Burien, Redmond, Kent, Federal Way, University Place and others. She holds a MPP from the University of California, Berkeley and a MBA from the University of Washington.

Michael Hodgins will serve as Strategic Advisor to the project. Michael is the firm's practice area manager for financial and economic analysis, and has been with the firm since 1992. He will provide technical assistance on the real estate market and economic analysis components of the project, as needed. Michael specializes in the preparation of financial, economic and policy studies, with areas of concentration including urban land economics, regional economic and development patterns, market analysis, growth management issues, fiscal impact and feasibility studies for transportation and development projects, and municipal fiscal analyses, including comprehensive revenue and expenditure forecasting. Michael has conducted numerous economic analyses and feasibility studies for public and private sector clients, and our clients often rely on his analysis in making strategic investment decisions and in choosing among competing development alternatives or proposals. Recent clients include the Cities of Redmond and Snoqualmie, where he is providing expertise on the fiscal and economic issues associated with large-scale development proposals, and the Cities of Kirkland, Mukilteo and Anacortes, where he is developing strategic financial plans that integrate market and annexation analyses with long-term revenue forecasting.

Kapena Pflum is a policy analyst with expertise in market, demographic, and GIS analysis. Recent projects include economic and market analysis to facilitate creation of new economic development strategic action plans in Snohomish, Mountlake Terrace, University Place, Woodinville and Duvall; market and land-base analysis for the City of Mukilteo to assess economic development opportunities in Mukilteo and its potential annexation areas; a strategic assessment of economic development potential in the North Highline area of King County for the City of Burien, which included spatial analysis of emergency service provision changes in the area; and research on economic development best practices to inform development of an economic action agenda for Pierce County. Kapena received his MPA from the University of Washington's Evans School of Public Affairs, where he worked as a research assistant with the Center for Urban Simulation and Policy Analysis, assisting in GIS analysis related to advanced land use and transportation simulation processes.

Meghann Glavin is a policy analyst with a background in urban and neighborhood development, public policy, and community outreach. Most recently, Meghann has been coordinating the stakeholder outreach component of the Washington State Transportation Commission's State Rail System and Capacity Needs Study, facilitating the Broadway Economic Revitalization Action Team to identify action steps to improve Seattle's Broadway neighborhood, and working with the City of Renton to estimate the revenue capacity available from the establishment of a business improvement district downtown. Her projects have also included working with King County and the West Hill Governance Alternatives Task Force to complete an annexation analysis for the unincorporated island of West Hill, assessing the economic impacts of the Seattle Public Library's New Central Library, and working with the cities of Duvall and Woodinville to assess current market conditions and build a strategic economic development plan. Prior to Berk, Meghann worked for the City of Seattle's Office of Economic Development where she assisted the Neighborhood Business District program. She has also worked for the Downtown Schenectady Improvement Corporation, a business improvement district in upstate New York, where she closely with the community, the City and County of Schenectady, local businesses, and key stakeholders to rebuild downtown Schenectady.

Natasha Fedo is a financial and policy analyst specializing in policy research, data collection, market and financial analysis. Recent projects include the City of Snohomish's Strategic Plan, the Lakewood Annexation Feasibility study, the City of Mukilteo's Economic Development and Annexation study, the Economic Development and Fiscal Analysis project for the City of Anacortes, market analysis for the City of Burien's Strategic Assessment of Economic Development Potential in North Highline project, financial analysis for the Washington State Ferries 20-year Long Range Plan and several studies focused on annexation and incorporation throughout King County. Prior to joining Berk & Associates, Natasha was with Kennedy Associates Real Estate Counsel, Inc., where she performed financial analysis for the commercial real estate industry.

Leland Consulting Group

Leland Consulting Group, Real Estate Strategists, is a national firm of seasoned strategic advisors serving public and private leaders in the development and redevelopment of urban places. The firm has offices in Portland, Denver, Seattle, Boston, New York and Austin. LCG's principals have decades of experience working on challenging urban projects and achieving successful results, including developing strategies to revitalize more than 80 downtowns across the country. LCG's services encompass market strategy, acquisition and development programs, marketing and implementation strategies, public-private partnership development and negotiation facilitation. Principals for this project will be Dave Leland and Chris Zahas.

Dave Leland is among the most knowledgeable urban strategists in the country, with more than 40 years of experience in the real estate industry as a consultant, advisor, developer, and owner. He has conducted and managed more than 3,000 real estate projects and assignments in 25 states and abroad. As the former CEO of a national real estate acquisitions and development company and as someone who is educated in architecture, city planning and urban economics, he brings a unique and thorough perspective to any project. Dave's strength is a comprehensive understanding of real estate and planning issues. His particular interest lies in downtown revitalization, smart growth communities, transit-oriented development, and innovative mixed-use employment centers. He has worked with more than 200 communities with a portfolio that includes 80 downtown revitalization and implementation strategies, 70 light rail transit stations and a host of smaller centers, corridors and main streets.

Dave is a member of The Counselors of Real Estate, the highest designation in the real estate industry. As a CRE, he is also a member of the National Board of Realtors. He is a national lecturer for ULI on the subject of Place Making and Transit Oriented Development. He is a contributor to ULI national and international publications including the new *Mixed-Use Development Handbook.*

Chris Zahas works with LCG's private and public sector clients to prepare strategies to develop and revitalize a variety of urban places. As a principal, he manages complex projects and multidisciplinary teams with an emphasis on downtown revitalization, urban corridors, transit-oriented development, mixed-use development, and public-private partnerships. He has worked on revitalization and economic development projects in Alaska, Arizona, California, Colorado, Idaho, Montana, Oregon, Utah, Washington, and Wyoming. His approach involves carefully matching smart growth principles and market realities with the client's vision, to create successful, innovative projects. Chris previously worked at the Portland Development Commission, where he coordinated complex urban renewal projects among multiple public agencies, community organizations and private consultants. He holds a master's degree in urban and regional planning from Portland State University and a Bachelor of Arts degree in international affairs from Lewis and Clark College. Chris is a member of the American Planning Association, American Institute of Certified Planners, and the Urban Land Institute.

Downtown Strategic Plan
Downtown Action Team

December, 2006

Businesses:

- **ART GALLERY ASSOCIATION** [a]
  Patricia Rovzar
- **MERCHANTS:** [b]
  - **Retail**
    Georgie Kilrain
  - **Financial**
    Mike Nelson
  - **Restaurant**
    Todd Ormsby
- **OFFICE** [b]
  Doug Davis
  Michael Shulman
- **PROPERTY OWNERS** [b]
  Marilyn Dillard
  Joe Castleberry

Residents/Neighborhoods:

- **DOWNTOWN RESIDENTS** [b]
  - George Lawson
  - Sinclair Jones
- **NEIGHBORHOOD ASSOCIATIONS:** [a]
  - Market Neighborhood Association
    Jeff Leach
  - Norkirk Neighborhood Association
    Eric Eng
  - Moss Bay Neighborhood Association
    Ken Dueker
- **KIRKLAND ALLIANCE OF NEIGHBORHOODS (2)** [a]
  Vacant
  Greg Butler

Boards and Commissions:

- **PLANNING COMMISSION** [a]
  Carolyn Hayek
- **TRANSPORTATION COMMISSION** [a]
  Don Samdahl
- **PARK BOARD** [a]
  Jeff Trager
- **PARKING ADVISORY BOARD** [a]
  Glenn Peterson
- **SENIOR COUNCIL** [a]
  Joanna Hancock
- **LTAC** [a]
  Sheila Cloney
- **KIRKLAND YOUTH COUNCIL** [a]
  Aja Chinnell-Mateen
- **DESIGN REVIEW BOARD** [a]
  Brian Berg
- **ARTS AND CULTURAL COUNCIL** [a]
  Boris Srdar

Community Organizations:

- **KIRKLAND HERITAGE SOCIETY** [a]
  Bob Burke
- **CHAMBER OF COMMERCE** [a]
  Bill Vadino
- **KDA EXECUTIVE DIRECTOR** [a]
  Dick Beazell
- **CITY (2)** [a]
  Dave Ramsay
  Eric Shields

Development/Planning Professionals (4): [c]

- Tom Uren
- Bob Cornish
- *vacant*
- *vacant*

Notes:

(a) Denotes appointment made by corresponding organization

(b) Denotes KDA appointment

(c) Denotes DAT appointment

The selection guide is intended to provide a list of the types of representation that should be active on the DAT. Because positions change over time and other qualified individuals will come forward, it is intended to provide some flexibility. It should also be clear that most if not all representatives are not just business people, board and commission members, or organization representatives, but also residents of Kirkland who are active in their community.

DAT Executive Committee

- DAT Chair
- DAT Vice Chair
- Immediate Past Chair
- City Manager
- KDA Executive Director
- City Planning Commissioner
- Parking Advisory Board member
- Chair persons of active Working Groups

Staff

- Jeremy McMahan, Planning and Community Development
- Ray Steiger, Public Works
- Mike Metteer, Parks and Community Services
- Ellen Miller-Wolfe, City Manager's Office

CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tracy Burrows, Senior Management Analyst

Date: January 25, 2007

Subject: 2007 Legislative Session Status Report

The 2007 Legislative Session is in its third week. The first legislative cut-off date is February 28th when bills must have progressed out of their house of origin.

Below is a brief summary of the status of the City's major issues that have been addressed to date:

Municipal Courts: *Kirkland supports cities' ability to form municipal courts and is working to preserve all options for providing municipal court services in the future.*

Senator Adam Kline has introduced a bill that would allow cities to contract with one another, would require the election of all judges, and would expand the jurisdiction of municipal courts to include several types of protection orders. This last provision could significantly expand the caseload of municipal courts without the commensurate resources to handle the workload. At the hearing on the bill, AWC organized strong testimony in opposition to the election requirements and the expansion of municipal court jurisdiction. AWC has developed an alternative bill that is limited to the issue of court contracting and Rep. Goodman is the prime sponsor for the bill. It has yet to be scheduled for a hearing.

Streamlined Sales Tax : *Kirkland supports the objectives of the Streamlined Sales Tax project, including the application of sales tax to internet and catalogue sales. Kirkland supports the seven principles for SST implementation that have been agreed upon by the Association of Washington Cities (AWC) SST Committee, including the goal of full mitigation for the sales tax revenue losses of negatively impacted cities.*

Both Senate and House SST bills appear to be poised to move forward with SST bills. There is no organized opposition to SST. If adopted, the effective date of the legislation would be July 1, 2008.

Incentives for Affordable Housing : *Kirkland supports incentives for affordable housing, including property tax exemptions to new or rehabilitated multi-family housing.*

Kirkland has worked with A Coalition for Regional Housing (ARCH) and AWC to draft a bill that would expand cities' ability to grant property tax exemptions for new or rehabilitated multifamily housing, and in particular would allow for partial exemptions for rental housing. Rep. Springer has signed onto the bill. It has yet to be scheduled for a hearing.

Transportation and Growth Management

Kirkland is also monitoring a number of bills related to transportation funding and growth management. For a number of years, Kirkland has partnered with AWC to support more local options for transportation funding. This year, AWC has developed a bill that would give local governments that establish Transportation Benefit Districts the authority to impose up to a $20 motor vehicle license fee by a vote of the Council. If applied in Kirkland, this would generate approximately $600,000 in revenue. Rep. Springer has signed on to sponsor this bill.

The Washington Association of Realtors has proposed amendments to the Growth Management Act that are aimed at increasing the supply and capacity of land within the Urban Growth Boundary. While some of the proposed amendments are consistent with growth management goals, others appear to be intended to limit local government discretion over land use regulation and to expand the urban growth boundary. Many of the concepts that the Realtors are advocating for were considered by the Governor's affordable housing task force, but were not supported by a consensus of that group. Kirkland is working with AWC and the Suburban Cities Association on a strategic response to these bills.

2007 Legislative Issues Update as of 1/25/2007

Kirkland Legislative Contacts
Senator Eric Oemig: http://www.sdc.wa.gov/oemig.htm
Rep. Roger Goodman: http://www.housedemocrats.wa.gov/members/goodman/
Rep. Larry Springer: http://www.housedemocrats.wa.gov/members/springer/
Senator Rodney Tom: http://www.sdc.wa.gov/tom.htm
Rep. Ross Hunter: - http://www.housedemocrats.wa.gov/members/hunter/
Rep. Deb Eddy: http://www.housedemocrats.wa.gov/members/eddy/

Bill Number	Legislative Issue	Current Status – from AWC and leg.wa.gov	Action Needed/Initiated
MUNICIPAL FINANCE			
SB 5089	Streamlined Sales Tax	Conforming Washington's tax structure to the streamlined sales and use tax agreement. Passed out of Ways and Means Committee. In Senate Rules.	Support.
HB 1072	Streamlined Sales Tax	Conforming Washington's tax structure to the streamlined sales and use tax agreement. Scheduled for executive action by House Finance Committee	Support. Scheduled for Exec. Action 1/26
HB 1342	LTAC Flexibility	Clarifies the use of existing lodging tax revenues for tourism promotion. The bill would define "tourism promotion" to also include the operation of special events, not just marketing. It also allows cities to support tourism-related facilities owned by a nonprofit organization.	Hearing scheduled for Feb 1st.
HB 1254	LTAC Flexibility	Expands the definition of "tourism related facilities" to include those owned by a nonprofit organization. It allows municipalities to contract with nonprofit organizations for tourism promotion activities.	Hearing scheduled for Feb 1st.
HB 1369	City Fiscal Flexibility	Expands voter-approved multi-year property tax lid lifts to all local jurisdictions i.e. library and fire districts. It also removes non-supplanting language on the lid lifts for cities and counties.	No hearing scheduled yet.
ENVIRONMENT AND GROWTH MANAGEMENT			
	Ecology Issues NPDES Phase II Permit	Stormwater permit which affects 101 cities in Washington. Permit entails details about stormwater management requirements.	Will likely be appealed by multiple stakeholders
HB 1726	Housing Density	Changes the OFM population forecasting method based to account for job growth – will likely increase King County's share of Puget Sound growth. Also requires UGA to be sized for part-time, vacation, and second homes.	Hearing Feb 1st in House Local Govt.
HB 1727	Housing Density	Adds local requirements for accommodating growth including provisions for a	Hearing Feb 1st in

		range of housing densities and mandatory use of innovative techniques if land supply is not adequate for projected population and employment growth.	House Local Govt.
HB 1358	Requiring Performance and Reasonable Measures for the Purpose of Growth Management Planning	Requires all 29 GMA-planning counties to adopt policies and performance measures that regularly review progress towards accommodating 20-year population and employment growth projections.	Hearing scheduled January 25th
SB 5372 HB 1374	Puget Sound Planning and Clean-Up Reorganization	Recreates the state agency, Puget Sound Action Team, to be called the Puget Sound Partnership. This partnership will be governed by a seven-member council appointed by the Governor and confirmed by the Senate. Bill creates an action agenda which directs and coordinates efforts to restore Puget Sound Health by 2020. This agenda will effect the activities put on in surrounding counties.	Hearing held January 23rd
ECONOMIC DEVELOPMENT and INFRASTRUCTURE			
SB 5115	Local Infrastructure Financing Tool	▪ Increases the competitive portion from $2.5 million to $5.0 million. ▪ Repeals the one per county prohibition on using this authority. ▪ Eliminates an assessed value per square foot requirement. ▪ Provide several technical changes that will make the authority more flexible.	Hearing on January 24th
HB 1091 SB 5090	Innovation Zones	Authorizes CTED to designate innovation zones that must include a university or college, a concentration of R&D firms, and training capacity. Innovation zones will be eligible for LIFT and possibly other funding sources.	Hearing on January 24th
HB 1361	Dedicating Existing Revenue Infrastructure Funding	Redirects part of the state Real Estate Exercise Tax (REET) for a variety of state recreational programs and also directs funding to the Public Works trust fund (PWTF).	Hearing scheduled for January 25th
ENERGY			
HB 1036	Creating Sustainable Energy Trust	Entails charging all electric and natural gas retail customers a benefit charge to be then used to develop sustainable renewable resources.	Hearing on Jan 17th.

LAW & JUSTICE			
SB 1036	Court Contracting and Election of Judges	Clarifies the authority the city has to contract court services. Bill requires judges to be elected and expands the types of cases that municipal courts must hear.	Testified at January 19th hearing.
TRANSPORTATION			
	Transportation Benefit Districts	Transportation Benefit Districts are currently authorized and funding mechanisms require a vote of the people. This bill would authorize an additional $20 in Motor Vehicle License Fees by councilmanic vote. This would be approximately $600,000 in revenue in Kirkland.	No hearing scheduled yet.

KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
January 16, 2007

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:
Members Present: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.
Members Absent: None.

3. STUDY SESSION

a. City Council Goals

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Assistant City Manager Marilynne Beard and consultant Dee Endelman, KEYS Organizational Consulting.

4. EXECUTIVE SESSION

a. To Discuss Labor Negotiations

b. To Review the Performance of a Public Employee

5. SPECIAL PRESENTATIONS

None. A previously scheduled presentation on the King County Long Term Care Ombudsman program was cancelled and will be rescheduled.

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding the Suburban Cities Association All-Caucus Orientation; St. Edwards Park update; electric scooter demonstration; King County Project Lifesaver; King County Transit surveys; Washington Clean Elections; Kirkland Business

Roundtable meeting; Legislative Breakfast; and Council Committee assignments.

b. City Manager

(1) 2007 Legislative Status Report

(2) Neighborhood Council Meeting Plan

(3) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

John Chadwick, Jr. Softball World Series, 12107 SE 46th Court, Bellevue, WA
Megan Veldee, 424 10th Avenue, Kirkland, WA
Rob Johnson, Transportation Choices Coalition, 811 1st Avenue, Ste. 626, Seattle, WA
Mario Morales, 13320 125th Avenue NE, Kirkland, WA
Loree Nelson, 5111 NE 65th Street, Seattle, WA
Drew Robertson, 40 Lake Bellevue, #100, Bellevue, WA
Larry Andrew, 6514 128th, Kirkland, WA
Bill Vadino, 12 Skagit Key, Bellevue, WA
Terri Leek, 6619 132nd Ave NE, Kirkland, WA

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes:

(1) January 2, 2007

(2) January 9, 2007

b. Audit of Accounts:
Payroll $ 1,795,527.07
Bills $ 2,619,505.02
run # 649 check #'s 484928 - 485088
run # 650 check #'s 485115 - 485199

c. General Correspondence

(1) Robert Style, Regarding Surface Water Drainage

d. Claims

(1) Tom D. Cho

(2) Heriberto Diaz

(3) Sarah Jean Groenink

(4) Thea Huijgen

(5) Joan M. Rice

(6) Sheila Shih

(7) Joseph Spinola

e. Authorization to Call for Bids

f. Award of Bids

g. Acceptance of Public Improvements and Establishing Lien Period

(1) 2006 Street Preservation Project

Work completed by Watson Asphalt Paving Co. was accepted and the statutory 45 day lien period was established.

h. Approval of Agreements

i. Other Items of Business

(1) Ordinance No. 4081 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), AND AMENDING ORDINANCE NO. 4078 TO ADD TWO USE ZONE CHART LISTINGS TO THE NORKIRK NEIGHBORHOOD PLAN UPDATE AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO IV-03-27."

(2) Official City Newspaper:

a. Ordinance No. 4082, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO DESIGNATION OF

THE CITY'S OFFICIAL NEWSPAPER AND PUBLICATION OF ITEMS IN THE OFFICIAL NEWSPAPER"

b. Resolution R-4621, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DESIGNATING THE SEATTLE TIMES AS THE OFFICIAL NEWSPAPER FOR THE CITY OF KIRKLAND."

(3) Resolution R-4622, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE EXCEPT FOR A UTILITIES EASEMENT IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS STEPHEN H. AND ELLEN O. LUTZ."

(4) Resolution R-4623, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SOLE SOURCE PURCHASE OF IN-PAVEMENT WARNING LIGHT REPLACEMENT HEADS SOLD BY LIGHTGUARD SYSTEMS AND AUTHORIZING THE PURCHASING AGENT TO MAKE SAID PURCHASE."

Motion to Approve the Consent Calendar with suggested additional language to the response letter for item 8.c.(1).
Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Jessica Greenway
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Council recessed for a short break.

9. PUBLIC HEARINGS

None.

10. NEW BUSINESS

a. Ben Franklin Elementary School Park Improvements Plan

Park Planning and Development Manager Michael Cogle reviewed the plan, phasing and next steps in the process.

Motion to Approve the Ben Franklin Elementary School Park Improvements

Plan.
Moved by Councilmember Dave Asher, seconded by Councilmember Bob Sternoff
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

b. Kirkland Cannery Pre-Design Study

Senior Management Analyst Tracy Burrows presented an overview of the study with Kirkland Cultural Council members Linda Meuter and Kathy Feek.

Motion to accept the Kirkland Cannery Pre-Design Study and authorize the Cultural Council to begin identifying partners in the restoration effort.
Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Dave Asher
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

11. UNFINISHED BUSINESS

a. Pedestrian Safety Update

Council received an update on pedestrian safety actions from Public Works Director Daryl Grigsby, who also responded to Council questions.

b. Ordinance No. 4072 and its Summary, Relating to Zoning, Planning, and Land Use and Amending Title 23 of the Kirkland Municipal Code

Planning and Community Development Director Eric Shields briefly reviewed Council's past discussion of desired changes to the proposed amendments, continued from their November 21, 2006 and January 2, 2007 Council meetings, and introduced the final items remaining to complete their review. Council will continue the discussion on the reasonable use issue at their February 6, 2007 meeting.

12. ANNOUNCEMENTS

13. ADJOURNMENT

The Kirkland City Council regular meeting of January 16, 2007 was adjourned at 10:30 p.m.

City Clerk Mayor

Council Meeting: 02/06/2007
Agenda: Claims
Item #: 8. d.

CITY OF KIRKLAND
Department of Finance and Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Kathi Anderson, City Clerk

Date: January 31, 2007

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) John S. Andrews
321 3rd Street #103
Kirkland, WA 98033

Amount: Unspecified Amount

Nature of Claim: Claimant states damage to property resulted from faulty drainage system.

(2) Kathy Carr and Leslie McGuire
7243 NE 116th Street
Kirkland, WA 98034

Amount: $ 163.20

Nature of Claim: Claimant states damage resulted from miscommunication regarding passport application requirements.

(3) Sharon Daniels
10454 Forbes Creek Drive
Kirkland, WA 98033

Amount: $ 3635.00

Nature of Claim: Claimant states damage to property resulted from faulty drainage system.

(4) Darlene Hyatt
935 1st Street South
Kirkland, WA 98033

Amount: Unspecified amount

Nature of Claim: Claimant states damage to property resulted from faulty drainage system.

(5) Lynden and Lyca Faulkner
5802 Lakeview Drive NE
Kirkland, WA 98033

Amount: Unspecified amount

Nature of Claim: Claimant states damage to property resulted from faulty drainage system.

(6) Sally Jo Kempf
21905 NE 102nd Street
Redmond, WA 98053

Amount: $ 1185.91

Nature of Claim: Claimant states damage to vehicle resulted from running over a large pothole in the street.

(7) Cal McAusland
45655 Lake Washington Boulevard NE #3
Kirkland, WA 98033

Amount: Unspecified amount

Nature of Claim: Claimant states damage to property resulted from faulty drainage system.

(8) Andrew and Laura Price
1327 5th Lane NE
Kirkland, WA 98033

Amount: $ 706.50

Nature of Claim: Claimant states damage resulted from failure to be notifed of water meter leak.

(9) Timothy H. Thompson
15704 NE 105th Court
Redmond, WA 98052

Amount: $ 280.42

Nature of Claim: Claimant states damage to vehicle resulted from running over a large pothole in the street.

CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.ci.kirkland.wa.us

To: David Ramsay, City Manager

From: Jennifer Schroder, Director of Parks and Community Services
Michael Cogle, Park Planning Manager

Date: January 24, 2007

Subject: AWARD OF BID: Carillon Woods Park Improvements

RECOMMENDATION:

That the City Council award a construction contract to L.W. Sundstrom, Inc., in the amount of $297,024 for improvements to Carillon Woods.

BACKGROUND DISCUSSION:

At their meeting of September 19, 2006, the City Council authorized staff to call for bids for this project. Bids were opened on January 23, 2007. Results:

BIDDER	BASE BID	ADD ALTERNATE 1 Play Equipment	ADD ALTERNATE 2 Replace Fencing
Architect's Estimate	$210,000.00	$65,000.00	$8,000.00
L.W. Sundstrom	***$214,336.00***	***$78,336.00***	***$4,352.00***
Dariotis Construction	229,711.62	98,373.70	8,289.47
Evergreen Landscape	238,250.24	71,699.20	8,704.00
Trimaxx Construction	257,584.07	64,192.00	7,072.00
A-1 Landscaping	270,912.00	104,448.00	4,136.80
Construct Company	277,991.61	70,720.00	7,616.00
Gary Harper Construction	285,708.80	87,584.00	7,507.20
Epic Construction	317,696.00	96,832.00	2,720.00
Wyser Construction	321,444.92	93,816.50	8,268.80
Dennis Craig Construction	350,585.15	105,290.11	7,633.41
Tastad Construction	463,270.40	91,392.00	6,092.80

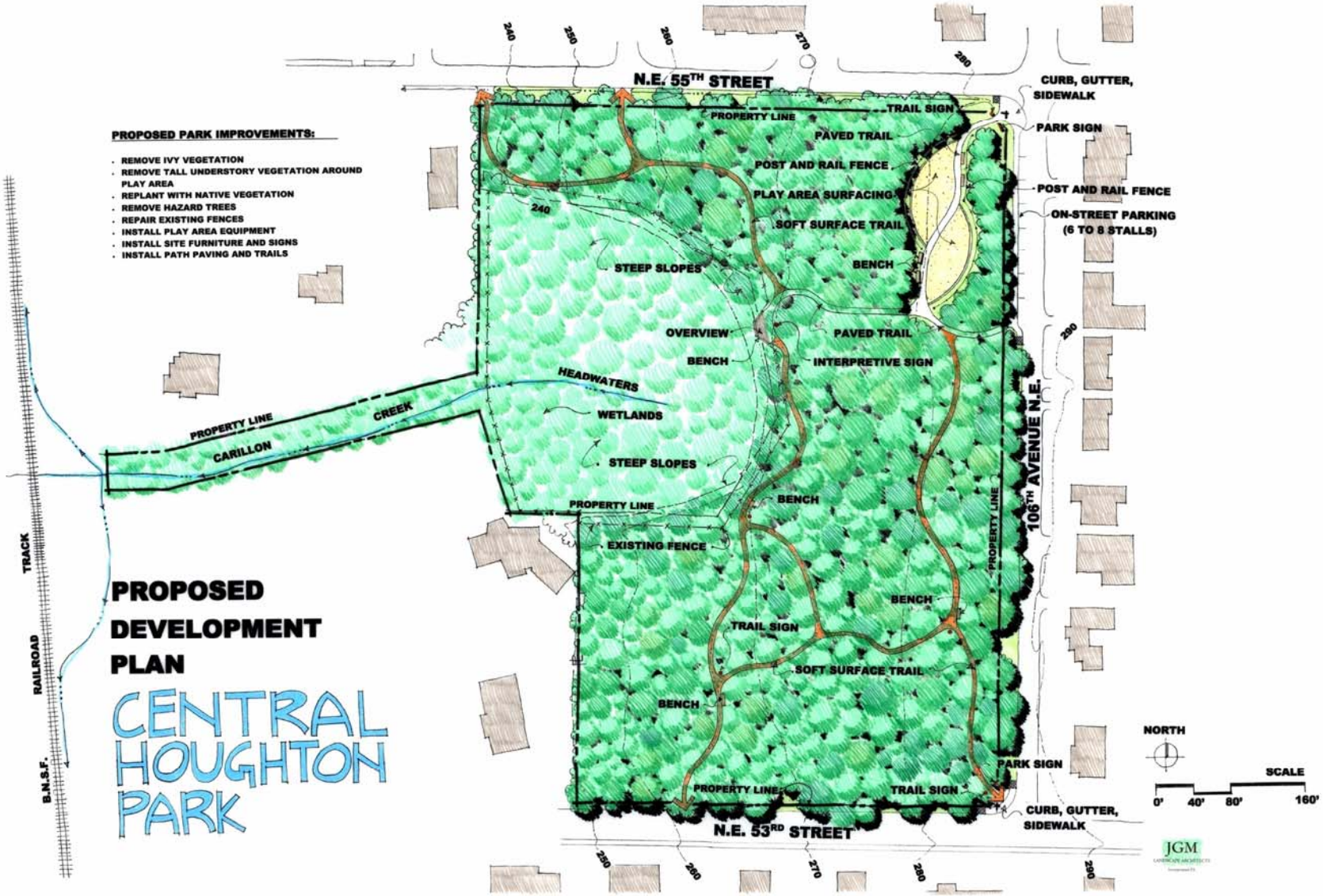
Staff recommends award of bid to the low bidder, L.W. Sundstrom, Inc., including additive alternate #1 and additive alternate #2. Total cost of the contract, including sales tax, is $297,024.

Staff has checked references for L.W. Sundstrom and we have verified that they are qualified and capable of doing the project. We have experience working with this company as they successfully built the picnic shelter at Everest Park. Their recent work has included park construction for the cities of Seattle, Kent, and Enumclaw.

Improvements will include construction of new soft-surface and asphalt trails, interpretive signage, native plantings, and a children's playground. This project is funded via the 2002 voter-approved Kirkland Park Bond as well as from unexpended funds from the completed B.E.S.T. School Playfield project. Total project budget is $410,500.

Attachment 1: Site Plan
Attachment 2: Photos of Playground Equipment

Attachment 1 – Carillon Woods Development Plan



Attachment 2

Carillon Woods Play Equipment
"Timber Trail Model"

Carillon Woods Climbing Boulder

CITY OF KIRKLAND
Human Resources
505 Market Street Suite B, Kirkland, WA 98033 425.587.3210
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: William Kenny, Human Resources Director

Date: January 30, 2007

Subject: Contract Approval between the City of Kirkland and the American Federation of State, County & Municipal Employees (AFSCME) AFL-CIO, Local #1837

RECOMMENDATION**:**
Requesting an approval of the Collective Bargaining Agreement between the City of Kirkland and the American Federation of State, County & Municipal Employees AFL-CIO, Local #1837 for the period of January 01, 2006 through December 31, 2008.

BACKGROUND DISCUSSION:
Recent Collective Bargaining Agreement negotiations between the City of Kirkland and employees of the Local #1837 AFSCME Union have yielded a new collective bargaining agreement covering the period of January 01, 2006 to December 31, 2008. The new agreement has been voted and approved by the AFSCME membership and is waiting final approval from City Council.

Attachment 1
Final CBA City of Kirkland and AFSCME Local #1837 2006 – 2008
Attachment 2
Salary Schedule CBA Addendum

AGREEMENT

by and between

The City of Kirkland, Washington

and the

LOCAL #1837
The Washington State Council
of County and City Employees
of the
American Federation of State,
County and Municipal Employees
AFL-CIO

January 1, 2006 through December 31, 2008

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SIGNATURES

PREAMBLE

THIS AGREEMENT is made by and between the CITY OF KIRKLAND, WASHINGTON, (hereinafter referred to as the "Employer"), and Local 1837, Washington State Council of County and City Employees of the American Federation of State, County and Municipal Employees, AFL-CIO, (hereinafter referred to as the "Union").

The purpose of the Employer and the Union in entering into this Agreement is to set forth their entire agreement with regard to wages, hours, and working conditions so as to promote uninterrupted public service, efficient operations, and harmonious relations, giving full recognition to the rights and responsibilities of the Employer and the Employees.

ARTICLE 1 – DEFINITIONS

As used herein, the following terms shall be defined as follows:

1.1 Bargaining Unit (Union) shall be Local 1837 Washington State Council of County and City Employees of the American Federation of State, County and Municipal Employees, AFL-CIO.

1.2 Employer Seniority shall mean the period of continuous service, consistent with Article 8.

1.3 Continuous Service shall be uninterrupted employment with the Employer and is suspended during leaves without pay of thirty (30) continuous days or more.

1.4 Employer shall mean the City of Kirkland.

1.5 Employee shall mean a person occupying a position and paid a salary or wage by the City of Kirkland who is a member of the bargaining unit (as defined in Article 2.1 hereof) covered by this Agreement. Employee shall not include any person retained by the Employer under a written personal services or consultant contract or agreement.

1.6 Executive, Administrative, and Professional Employees shall mean all employees as defined in WAC 296-128-500.

1.7 Flex-time shall mean an authorized alternative work schedule.

1.8 Job classifications and salary steps are listed and categorized in Appendix A of this Agreement.

1.9 Immediate Family shall mean persons related by blood, marriage, or legal adoption in the degree of relationship of grandparent, parent, wife, husband, brother, sister, child, grandchild, or domestic partner (as defined by Employer Policy) and other persons with the approval of the City Manager.

1.10 Job Classification Seniority shall be defined as the total length of continuous service in a position title within the Bargaining Unit.

1.11 Job Share positions shall be defined as those position(s) where two employees are occupying one full time position. Job share employees may be required by Department Director, or his or her designee, to fill in for other employee absences and high volume periods on an as-needed basis.

1.12 Loudermill Rights is the process of being informed in regards to disciplinary action. Loudermill Rights are the employees' rights of due process and to not be deprived of the property rights of their positions without due process.

1.13 Members of Employee's Household shall mean persons who reside in the same home, who have reciprocal and natural or moral duties to and/or do provide support for one another. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or a commune.

1.14 Oral Warning shall be consistent with Article 7.6 addressing specific performance issues and what needs to be done to correct the performance issue.

1.15 Overtime shall mean all Employer-required work which has been performed in excess of forty hours per week.

1.16 Promotion shall be the appointment of an employee to a higher paid classification.

1.17 Regular full-time Employee means any salaried employee, hired for an indefinite period of time, who works forty or more hours per week on a fixed, regular schedule and is compensated and accrues benefits based on full-time employment.

1.18 Regular Part-time Employee means any salaried employee, hired for an indefinite period of time, who works less than forty hours per week on a fixed regular schedule and is compensated and accrues benefits proportionate to the number of hours worked per pay period.

1.19 Temporary Employee shall mean an employee hired for a specific purpose or project and for a specific or definite period of time.

1.20 Transfer shall mean the reassignment of an employee to the same classification in a different Department with different duties and responsibilities, or to a different classification in any Department, provided such different classification is equal or lower in pay than the employee's previous classification. A transfer to a lower paid classification represents a voluntary non-disciplinary demotion.

1.21 Vacation shall mean a scheduled work day or accumulation of scheduled work days on which an employee may, by pre-arrangement, continue to receive the regular rate of compensation although he or she does not work.

1.22 Weingarten Rights are employees' rights to Union representation during an interview that the employee reasonably believes may lead to disciplinary action.

1.23 Working Day shall mean for the purpose of timelines associated with grievances, appeals and policy issues, an 8-hour working day, excluding holidays.

1.24 Written Reprimand shall describe the infraction and the discipline to be executed based on the scale of the severity of the infraction. A Written Reprimand shall be part of employee personnel file. Weingarten Rights must be upheld.

1.25 Written Warning shall describe both the problem and the needed correction in specific terms, and the potential consequences if it reoccurs. A Written Warning shall be part of employee personnel file. Weingarten Rights must be upheld.

ARTICLE 2 – RECOGNITION

2.1 RECOGNITION

The Employer recognizes the Union as the exclusive collective bargaining representative for all regular employees of the City of Kirkland as noted in the classifications identified in Addendum A – Salary Schedules, excluding supervisory and confidential employees.

2.1.1 The Employer also recognizes the Union as the exclusive bargaining representative for all temporary employees, as defined in Article 5.2.3, working in those job classifications except interns and work study students. The Union agrees that representation of temporaries shall not include input into decisions regarding the tenure of temporary employees. With respect to new job classifications, see Article 2.2.

2.1.2 The Employer also recognizes the Union as the exclusive bargaining representative for those Seasonal or On-Call employees working in represented job classifications, who attain benefits eligibility, consistent with Articles 5.2.4 and 5.2.5,

2.1.3 Both the Employer and the Union recognize the benefit of utilizing volunteers from the local community. Volunteers shall be limited to performing tasks enumerated in mutually agreed to job descriptions which shall include work that is supportive of work performed by regular bargaining unit employees.

2.2 NEW CLASSIFICATIONS

When new regular or temporary positions are created within the departments represented or the classifications listed in Article 9.1, the Union will be notified of the pending action ten (10) working days prior to the date that the position is first posted or advertised.

When existing classifications are substantially modified within the departments represented or the classifications listed in Article 9.1, the Union will be notified of the pending action within ten (10) working days of the date that the position is first posted / advertised or the proposed effective date of the action that would change the status of the classification.

It is mutually agreed that it is the intent of the parties to meet, upon request by either party, in order to include or exclude new or modified positions in the bargaining unit consistent with the duties, responsibilities, and organizational level of the classification.

The parties agree that new classification(s) designated and approved by the Employer to be within the non-represented pay plans shall be excluded from the bargaining unit, absent a request to meet within thirty (30) calendar days. Existing bargaining unit classifications shall remain within the

bargaining unit absent a mutual agreement by the parties or a decision by the Public Employment Relations Commission (PERC).

If either party disagrees with the pay plan designation for a new or reclassified position, the parties recognize the determination of whether the position is included within the bargaining unit may be reviewed by PERC upon petition by either party or jointly. Should PERC determine the classification to be included in the bargaining unit, the position shall be placed within the Union salary schedule at the appropriate rate of pay and at a step arrived at either by mutual agreement / negotiation or PERC ruling.

ARTICLE 3 –UNION SECURITY

3.1 MEMBERSHIP

Subject to the provisions of this Article, all employees in the bargaining unit who are members of the Union as of the signature date of this agreement shall remain members in good standing for the term of the agreement.

3.1.1 As of the signing of this agreement, the six (6) grandfathered employees that have elected not to become Union members are not obligated to pay any monies to the Union under the terms of this agreement, except as provided in Article 3.1.2

3.1.2 When a grandfathered employee voluntarily changes departments, to fill a represented position, they will be responsible for paying Union dues or a service fee in accordance with Article 3.2.

3.2 DUES DEDUCTION

Any employee hired after the effective date of this agreement shall within thirty (30) days of employment become and remain a member of the Union; provided that in the event any employee wishes to withdraw from the Union or does not wish to become a member of the Union, the employee shall pay each month an amount equivalent to the Union dues as a service fee toward the cost of the negotiations and administration of this agreement. Such service fee shall not exceed the dues attributable to being a member of the Union.

Dues and service fees levied above shall be deducted by the Employer and provided to the Union upon written authorization from the employee as a condition of employment. Dues and service fee deductions shall not be modified more than once per year. Rights of non-association, dues deductions and any service fee shall be administered consistent with applicable state and federal law.

If any employee does not have a check coming to him or her or the check is not large enough to satisfy the deduction, no deduction shall be made from that employee for that month. The Union agrees to refund to the Employer any amounts paid to it in error upon presentation of proper evidence.

The Union shall indemnify, defend, and hold the Employer harmless against any claims made and against any suit instituted against the Employer on account of any check-off of dues for the Union.

The Employer recognizes that employees of the City of Kirkland may, at their discretion, pay a service fee in lieu of union membership dues. The Union accepts its responsibility to fairly represent all employees in the bargaining unit regardless of membership status.

3.3 BARGAINING UNIT ROSTER

The Employer shall provide the Union with a roster of employees covered by this Agreement on an annual basis or as needed pursuant to Article 8. The roster shall include name, address, salary, classification, department, hire date and termination date.

The Union agrees to supply Human Resources with current lists of officers and stewards. The Employer will recognize the officers and stewards as soon as the list is received, in writing, by Human Resources.

3.4 NONDISCRIMINATION – UNION ACTIVITY

Neither party shall discriminate against any employee because of membership in or non-membership in or activity on behalf of the Union. No employee shall be discharged or discriminated against for upholding Union principles, fulfilling duties as an officer in the Union or serving on a Union committee.

ARTICLE 4 – UNION / EMPLOYER RELATIONS

4.1 UNION ACCESS

The Union's authorized staff representatives shall have access to the Employer's premises where employees covered by this Agreement are working for the purpose of investigating grievances and contract compliance, after notifying the Employer. Access for other purposes shall not be unreasonably denied by the Employer. Such visits shall not interfere with or disturb employees in the performance of their work during working hours.

4.2 FACILITY USE

The conduct of Union business on Employer time and premises shall be subject to the limitations set forth in this Article and with the understanding that no Union member or officer shall use Employer's equipment in the conduct of Union business.

The Union shall be permitted to use designated premises of the Employer for Union meetings, with or without Union staff present, provided it is not disruptive to operations and space is available. Use of Employer's premises for meetings shall be limited to the hours of 5pm to 8am and 12pm to 1pm, unless otherwise approved by the Employer.

4.3 STEWARDS

The Union shall provide the Human Resources Department with a current list of all stewards and officers. With notice to the Employer, stewards and/or the officers shall be allowed reasonable time during working hours to investigate and process grievances, as defined in Article 4.8, 4.9 and 19.4. Employees shall attend Union meetings on their own time.

The Employer recognizes that the Union is entitled to at least one steward in each department in which bargaining unit members are employed.

4.4 ORIENTATION

During the new employee orientation process, the Employer will notify the employee of the requirements of Article 3.1, as appropriate to the respective classification, and Union contact information.

4.5 BULLETIN BOARDS

The Employer will provide a bulletin board for Union use. No materials shall be posted except notices of meetings and elections, results of elections, changes in Union by-laws, notices of employee social occasions, similar Union notices, letters, and memoranda. All material shall be signed by an officer of the Union. Union will limit the posting of any material on the Employers' premises to its bulletin board.

4.6 CONTRACT DISTRIBUTION

The Union will provide access to a copy of this Agreement to each new and current employee in the unit.

4.7 NEGOTIATIONS RELEASE TIME

The Employer will make a good faith effort to assist in providing release time for Union negotiating team members participating in contract negotiations if negotiations take place on work time, provided that coverage can be arranged.

4.8 GRIEVANCE RELEASE TIME

Prior to any proposed investigation of a grievance, stewards or officers provide notice to their and the grievant's supervisor, which will be granted unless the steward, officer or the grievant is working on something that requires immediate attention. If permission cannot be immediately granted, the Employer will arrange to allow investigation of the grievance at the earliest possible time. When it is necessary for stewards or officers to conduct Union business authorized by this Agreement in an area or on a shift other than their own, they shall notify the supervisor of that area or shift of their presence and of the nature of their business. No compensation shall be provided by the Employer for such steward activities outside the employee's work shift, without express pre-authorization by the steward's Department Director or Human Resources.

4.9 UNION BUSINESS

Compensable Union business shall be defined as meeting with an authorized Employer representative who schedules a meeting during normal business hours when it is necessary for a duly authorized officer of the Union (who is also a member of the bargaining unit) to attend for the purpose of resolving a grievance filed by a member of the bargaining unit, or other issues that require the presence of a Union official. When reasonably possible, the Union representative will notify their Supervisor or designee when they are requested to attend a Union meeting during regular business hours. Consistent with Articles 4.3, 4.8 and 19.4, stewards and/or the officers shall be afforded reasonable time for the investigation of grievance and compliance issues dealing with this Agreement. Other Union business will not be conducted on Employer time.

Any concerns by the Employer which indicate that a Union officer or steward is spending an unreasonable amount of time performing Union duties shall be referred to Human Resources for discussion and resolution with the Staff Representative of the Union or their designee.

The Union and the Employer have the right to communicate on matters of concern using e-mail, written correspondence, and telephonic communications. The Parties agree to ensure that all stakeholders are notified and copied appropriately. The parties agree to respond to written and e-mail correspondence within 10 working days and telephonic messages as soon as reasonably possible.

ARTICLE 5 – EMPLOYMENT

5.1 PROBATIONARY PERIODS

Probation - A new employee shall work under the terms of this Agreement, but shall be subject to the normal six (6) month probation period, during which time the employee may be discharged without recourse from the employee or the Union.

The Department Director may extend the six month probationary period for new employees up to an additional six months. The Department Director shall provide a written notice to the Union no less than fourteen (14) calendar days prior to the probationary period's expiration of his or her intent to extend a probationary period. The Union may request reconsideration of the decision within fourteen (14) calendar days of the date of the notice. The employee will remain on probation until such time as a resolution has been determined.

Trial Service Period - Employees who are transferred or promoted to another position and/or classification in the bargaining unit shall serve a trial service period for six (6) months of work, consistent with Article 7.3.

5.2 TYPES OF EMPLOYMENT

5.2.1 REGULAR FULL-TIME EMPLOYEES:

A regular full time employee is scheduled to work forty (40) hours per week in a regularly budgeted, on-going position. Regular Full-Time employees are eligible to receive the standard benefit package.

5.2.2 REGULAR PART-TIME EMPLOYEES:

A regular part-time employee typically is scheduled to work a minimum of twenty (20) hours per week but no more than forty (40) hours per week in a regularly budgeted, on-going position. Regular Part-Time employees are eligible to receive the standard benefit package, prorated to match the FTE percentage and adjusted by actual hours worked.

5.2.3 TEMPORARY EMPLOYEES:

A temporary employee is hired for a specific assignment that has a duration of employment and schedule that is anticipated to work one thousand and forty (1,040) hours or more in a twelve (12) month period.

A temporary employee is eligible for the standard benefits package, prorated to match the anticipated FTE percentage and adjusted by actual hours worked.

If a regular employee accepts an assignment of a temporary position, that employee will be eligible for return rights to their former position upon completion of the specific assignment or term of the temporary employment or upon twenty (20) calendar days notice from the Employer or 30 calendar days notice from the employee, whichever is earlier. Any new-hire employee who is hired to fill the vacancy, which was created by the regular employee accepting a temporary position, will also be hired as a temporary employee and that employee will cease to have employment rights upon the return of the regular employee to the former position.

Union membership will be required per Article 3 for represented classifications, per the terms of the Agreement. Regular employees moving to a temporary position, as above, will become or remain Union members, per the Agreement representing the temporary position.

After a temporary position is filled longer than two (2) years, the Employer will meet and discuss the status of the position with the Union. If or when the position is fully funded, a temporary employee may apply for that position.

Employees in temporary positions serve an anticipated but not guaranteed term. While a term of employment is anticipated, the assignment / project may be terminated at any time for any reason, with or without notice.

5.2.4 SEASONAL EMPLOYEES:

A seasonal employee works for a specific amount of time and is not anticipated to meet or exceed one thousand and forty (1,040) accumulated hours in a twelve (12) month period. A seasonal employee is not eligible to receive the benefits package.

If the one thousand and forty (1,040) hour limitation is met or exceeded in any one (1) type of employment within a twelve (12) month period, the employee will become eligible for the standard benefits package, consistent with current personnel rules. Benefits shall be prorated to match the FTE percentage, as determined by service to that point, and adjusted by actual hours worked. Union membership will then be required per Article 3 for represented classifications, per the terms of the Agreement.

5.2.5 ON-CALL / EXTRA HELP EMPLOYEES:

An on-call / extra help employee works in a limited, but on-going capacity. They do not have a specific end date. Their schedule may consist of an intermittent or varying schedule per week on an as needed basis, and are anticipated to work fewer than one thousand and forty (1,040) hours within a twelve (12) month period. They are not eligible for the benefits package.

If the one thousand and forty (1,040) hour limitation is met or exceeded in any one (1) type of employment within a twelve (12) month period, the employee will become eligible for the standard benefits package, consistent with current personnel rules. Benefits shall be prorated to match the FTE percentage, as determined by service to that point, and adjusted by actual hours worked. Union membership will then be required per Article 3 for represented classifications, per the terms of the Agreement.

5.3 CONTRACTORS

The Employer will make good faith efforts to limit bargaining unit work to employees covered by this Agreement. "Contractors" who are not employees of the Employer will be permitted to do bargaining unit work where both the need is occasional and temporary and when there are not regular staff either qualified or available to do such work.

5.4 STUDENTS / INTERNS

Student and Internship programs may be created by the employer provided such does not take work away from budgeted classifications represented by the Union, the Union is provided notice and, upon request by the Union, the Employer meets with the Union to discuss the impacts and benefits of the program.

ARTICLE 6 – HOURS OF WORK AND OVERTIME

6.1 WORKDAY / WORKWEEK

A regular full-time workweek shall consist of forty (40) hours of time actually worked or compensated within a seven (7) day period (typically Sunday 12:00 a.m. through Saturday 11:59 p.m.). Changes in work schedule, which may include changes in the schedule or total hours, shall be consistent with Article 6.2.

6.2 WORK SCHEDULES

The normal work schedule for full-time employees shall be Monday – Friday, 8am to 5pm. The employer may change the work schedule at any time. If the Employer makes a non-emergency change in the employee's work schedule, the employee shall be given at least ten (10) working days notice prior to the new schedule going into effect.

6.2.1. If the Employer makes a change in a non-exempt employee's normal work schedule with less than 48 hours' notice, the employee shall be paid a ten percent (10%) premium based on the employee's regular straight time hourly rate of pay for the remainder of work week hours the employee is assigned to work outside his or her regular schedule.

6.2.2 Employees shall be permitted to maintain other employment to the extent that it does not impair the employee's ability to perform his or her normal work duties and/or responsibilities with the City of Kirkland, nor create a conflict of interest as defined by the Employer's Personnel policies.

Flex Time - Employees may work flex time with written approval of the Department Director. Approved flex time shall constitute an employee's normal work schedule and must represent forty (40) hours per work week for full-time employees and such schedule shall comply with the Fair Labor Standards Act and WAC 296.128-500.

6.3 REST / MEAL BREAKS

All employees shall receive a fifteen (15) minute break for each four (4) hours worked, in addition to their lunch break. Lunch break shall be on the employees' own time. Employees working three or more hours longer than a normal work day schedule shall be allowed at least one (1) thirty (30) minute unpaid meal period prior to or during the additional work period. Where the nature of the work allows employees to take intermittent rest periods equivalent to fifteen (15) minutes for each

four (4) hours worked, scheduled rest breaks are not required. Missed rest breaks are not compensable as overtime. Breaks may not be collected or not taken in order to shorten the work day or work week.

Employees who because of the nature of their work or by specific direction of their supervisor are required to eat their lunch at their work station shall be provided a paid meal period. Employees whose meal period is normally unpaid may be paid overtime (per Article 6.4) for the time worked or have the day or workweek adjusted.

6.4 OVERTIME

Overtime Eligible

Employees listed in the salary schedule as "overtime eligible" are entitled to overtime compensation. Overtime shall be compensated at one and one half (1 ½) times the employee's normal hourly rate of pay or time off at that rate for all time worked over forty (40) hours per week. Overtime shall be paid in fifteen (15) minute increments. Employees subject to emergency callback and not in a standby mode shall have holiday hours included in the calculation of hours worked for the purpose of calculating overtime.

6.4.1 For purposes of computing overtime, all contractual holidays, comp time, sick leave and vacation time shall be considered as time worked.

6.4.2 While over-time is not paid for working over a regular scheduled shift, unless such results in over forty (40) hours compensated for the workweek, either the employee or the Employer may propose an "adjusted work-week" (i.e. flexing hours within that same work week). The adjusted work week must also be approved in advance by the employee's immediate supervisor and should be established at the time of authorizing the hours worked over a regular shift. The adjusted work week must be by mutual agreement.

6.4.3 Non-pyramiding - Premium or overtime pay shall not be duplicated or pyramided. Except in emergent / emergency situations, all overtime must be approved in advance by the employee's immediate supervisor.

Overtime Exempt

Employees listed in Appendix A as **"**overtime exempt**"** are considered to be executive, administrative, or professional employees and are not entitled to overtime compensation. These employees are responsible for scheduling and performing their duties consistent with their job requirements and the needs of their department. In so doing, these employees occasionally may be required to work extra time beyond their normal work schedule and will be allowed to take discretionary time off with pay, provided that it does not interfere with the functions of their department. Greater variation in work schedules may be necessary for some employees depending on their job requirements. It is not required that extra time worked and discretionary time off be balanced hour for hour. The payment of the basic salary and benefits is not affected by extra time worked or discretionary time away from the job.

When scheduling use of discretionary time, employees will consult with their immediate supervisor prior to taking the time.

6.5 COMPENSATORY TIME

Generally, overtime shall be paid rather than compensatory time granted. Overtime shall be compensated at the rate of one and one-half (1½) times the employee's regular rate of pay. Compensatory time shall be awarded by mutual agreement between the employee and the supervisor at the time of authorizing the overtime.

Compensatory time, accrued in lieu of cash compensation for overtime hours worked, shall be paid out on an annual basis, on the first pay day following November 1st, for all hours earned through October 31st, provided however, with written notice submitted to the payroll preparer prior to October 31st, the employee may elect to carry over up to forty (40) hours of compensatory time into the next cycle year.

Compensation shall not be paid (or compensatory time taken) more than once for the same hours under any provision of this Article or Agreement. Premium or overtime pay shall not be duplicated or pyramided unless required by the Fair Labor Standards Act, in which case premium or overtime pay shall be based on the employee's regular rate of pay.

ARTICLE 7 – EMPLOYMENT PRACTICES

7.1 NONDISCRIMINATION

The Employer and Union shall ensure that all terms and conditions of employment included in this Agreement shall be administered in accordance with Federal or State law governing employment discrimination. Administration and application that is not in contravention of Federal or State law shall not be construed to be discrimination under this Article.

The Union and the Employer agree to provide equal opportunity as to the provisions of this Agreement to all their members and employees. Neither the Employer nor the Union shall discriminate against any person on the basis of such person's race, sex, marital status, color, creed or religion, national origin, age, veteran status, sexual orientation or the presence of any sensory, mental or physical disability, unless based upon a bona fide occupational qualification.

Wherever words denoting a specific gender are used in this Agreement, they are intended and shall be construed so as to apply equally to either gender.

7.2 JOB POSTING

When a job opening or vacancy in the bargaining unit occurs, notice of such position shall be posted by the Human Resources department for a period of no less than five (5) working days before the position is filled. Job openings shall be posted within the Employer only and may also be posted externally. Except as limited by Article 7.3, the Employer may consider applicants from within the Employer or may advertise and solicit applicants simultaneously from outside the City. The posting shall indicate the salary range for the position, the required or preferred minimum qualifications and/or experience, the department to whom the position will report and the application process. Union positions will be identified as such.

7.3 PROMOTIONS

When a new position is created or a vacancy occurs, the Employer shall select the most qualified candidate to fill the position. The Union recognizes the Employer's obligation to comply with

State and Federal statutes regarding Affirmative Action. At the discretion of the Employer, outside recruitment and selection may take place. When an employee applies and is not selected for a vacancy, he/she will receive notification.

Promotions to a higher job classification shall be according to ability and seniority; ability determined to be equal, seniority shall prevail. There shall be a six (6) month trial service period, or less at the Employer's option, for such promotions, in order for the employees to acquire skills and demonstrate their qualifications, during which time the employee shall be compensated at the higher rate of pay. At any time during the trial service period the Employer may assign the promoted employee back to their previous position to help with workload or training.

During the trial service period, an employee promoted to a regular position may return to the former position by their choice. The employee may also be returned to their former position upon an evaluation of unsatisfactory performance by the employer during the six (6) months trial service period. The employee may voluntarily waive their return rights in writing, with a copy to the Union, at any point after the promotion has occurred.

Upon returning to the former position, the employee shall retain their seniority and be placed in the salary schedule and step in which they would have been had they not been promoted. It shall be the goal of the Employer to promote insofar as possible from the ranks of the employees.

Employees who are transferred or promoted to another position and/or classification in the bargaining unit shall serve a trial service period for six (6) months of work. The employer shall not be required to hold the positions open from which the employees were transferred or promoted. If the position is filled, the trial service period and any associated return rights will end upon an regular employment offer of hire to fill the vacancy of the former position. The right to assign the promoted employee back to their previous position shall, regardless, continue to help with workload or training. During the trial service period, the employees may be reassigned to their previous positions and/or classifications at the sole discretion of the employer. However, the discharge or discipline (as defined in Article 7.6) of a transferred or promoted employee shall be subject to the grievance procedure.

7.4 PERSONNEL FILE / POLICIES

Unless otherwise provided by the terms of this Agreement, the City of Kirkland Administrative and Personnel Policies shall apply to members of this bargaining unit. Employees shall also refer to Employer policies to resolve matters not covered by this Agreement or for clarification of matters covered by this Agreement. However, where there is a conflict between Employer policies and any provisions of this Agreement, the provision(s) of this Agreement shall govern.

Employees shall have access to their personnel file with reasonable frequency. Upon request to the Human Resources department, access shall be provided within a maximum of four (4) working days. Conditions of hiring, termination, change in status, shift, evaluations, commendations and disciplinary actions shall be in writing with a copy to the Employee prior to placement in their personnel file. The Employer’s failure to abide by this section pertaining to personnel file access shall not affect the Employer’s ability to proceed with the merits of discipline or discharge but may be a separate Union grievable matter and any grievance time-lines will be correspondingly extended.

Employees shall have the right to provide a written response to any written evaluations or disciplinary actions to be included in the personnel file.

7.5 EVALUATIONS

The purpose of evaluation is to help an employee be successful in performance and to understand the standards and goals of their position and their department. The evaluation will assess and focus on the employee's accomplishment of their job functions and the goals and standards of the position. Where the employee does not meet the above, a plan for correction, training or support should be developed with the employee.

Evaluation may occur in two forms:

7.5.1 All regular employees should be formally evaluated in writing by their immediate supervisor and/or department head or designee during the probationary or trial service period and at least annually (at date of hire or a common date) thereafter.

7.5.2 Additionally, evaluation of job performance may occur at any time and on an ongoing basis. Evaluation may occur in various ways and may include coaching, counseling or written assessment.

The evaluation process shall also include a review of the current job description.

Evaluation shall not, by itself, constitute disciplinary action – disciplinary action must be specifically identified as such, in writing, consistent with Article 7.6.

Employees will be given a copy of the evaluation. Employees will be required to sign the evaluation, acknowledging its receipt. Evaluations are not grievable, however, employees may elect to provide a written response to the evaluation, which will be retained with the evaluation in the employee's personnel file.

7.6 DISCIPLINE / CORRECTIVE ACTION

The Employer agrees to act in good faith in the discipline, dismissal or demotion of any regular employee and any such discipline, dismissal or demotion shall be made only for just cause.

No employee shall be discharged except for just cause. The parties recognize that just cause requires progressive discipline. Progressive discipline may include:

- oral warnings, which will be documented;
- written warnings – which may also include work performance improvement or corrective action plan for poor work performance or misconduct,
- suspension or administrative leave with or without pay;
- demotion; or
- discharge.

The intent of progressive discipline is to assist the employee with performance improvement or to correct misconduct. Progressive discipline shall not apply where the offense requires more serious discipline in the first instance. Both the sequencing and the steps of progressive discipline are determined on a case-by-case basis, given the nature of the problem.

All disciplinary actions shall be clearly identified as such in writing. The employee will be requested to sign the disciplinary action. The employee's signature thereon shall not be construed as admission of guilt or concurrence with the discipline, but rather shall be requested as an indication that they have seen and comprehend the gravity of the disciplinary action. Employees shall have the right to review and comment on disciplinary actions in their personnel file.

A copy of all disciplinary notices shall be provided to the employee before such material is placed in their personnel file. Employees disciplined or discharged shall be entitled to utilize the grievance procedure. If, as a result of the grievance procedure utilization, just cause is not shown, personnel records shall be cleared of reference to the incident, which gave rise to the grievance.

The Employer will notify the Union in writing within three (3) working days after any notice of discharge. The failure to provide such notice shall not affect such discharge but will extend the period within which the affected employee may file a grievance.

The Employer recognizes the right of an employee who reasonably believes that an investigatory interview with a supervisor may result in discipline to request the presence of a Union representative at such an interview. Upon request, they shall be afforded a Union representative. The Employer will delay the interview for a reasonable period of time in order to allow a Union representative an opportunity to attend. If a Union representative is not available or delay is not reasonable, the employee may request the presence of a bargaining unit witness. (Weingarten rights)

Employees shall also have a right to a notice and a determination meeting prior to any disciplinary action (except oral warning). The Employer must provide a notice and statement in writing to the employee identifying the performance violations or misconduct alleged, a finding of fact and the reasons for the proposed action. The employee shall be given an opportunity to respond to the charges in a meeting with the Employer, and shall have the right to Union representation during that meeting, upon request. (Loudermill rights)
The Employer shall endeavor to correct employee errors or misjudgments in private, with appropriate Union representation if requested by the employee.

Discipline shall be subject to the grievance procedure in this Agreement as to whether or not such action as to any post-probationary employee was for just cause. Just cause shall be established if the following has been shown by the Employer:

7.6.1 That the Employer did forewarn employee of possible consequences of conduct;

7.6.2 That the Employer policy, rule, or order involved reasonably related to the orderly, efficient, or safe operation of the Employer;

7.6. 3 That before administering discipline, the Employer did make an effort to discover whether employee did, in fact, violate or disobey a Employer policy or rule;

7.6.4 That the Employer conducted its investigation objectively;

7.6.5 That, in the investigation, the Employer did obtain evidence or proof that the employee violated such Employer policy or rule;

7.6.6 That the Employer applied its rules, orders, and penalties without discrimination under the circumstances; and

7.6.7 That the degree of discipline was reasonably related to the seriousness of the offense and/or the employee's record.

ARTICLE 8 – SENIORITY

8.1 DEFINITIONS

Bargaining Unit Seniority: the total length of continuous calendar-based service with the Employer and in the bargaining unit.

Employer Seniority: the total length of continuous calendar-based service with the Employer.

Classification Seniority: the total length of continuous calendar-based service within a position and employment type represented by the bargaining unit.

Department Seniority: Seniority for the purpose of intra-departmental promotion and transfer shall consist of continuous calendar-based service of the employee with the department.

Seniority shall be established upon appointment to a regular or temporary, full-time or part-time budgeted position within the bargaining unit.

Including vacation and sick leave however, seniority shall not be accrued while on a leave of absence without pay for thirty (30) continuous days or more. The appointment date shall be adjusted for leaves of absence without pay except when such leaves are the result of on-the-job injury, during the period of disability associated with pregnancy, or military leave. For these exceptions, the appointment date shall not be adjusted for periods up to six (6) months. No seniority shall be established while an employee is employed in a seasonal or on-call position.

Other Definitions:

8.1.1 Application of Seniority
How an employee's years of continuous service are utilized to determine their respective rights in regard to postings, promotions, reassignment, transfer, layoff, or recall.

8.1.2 Continuous Service
Means uninterrupted employment with the Employer subject to the following provisions:

1. Continuous calendar-based service shall include uninterrupted employment.

2. Continuous service is terminated by resignation, termination, retirement, layoff or failure to respond to two offers of recall to former or comparable employment.

8.1.3 Layoff

A layoff is identified as the anticipated and on-going or prolonged reduction in the number of full-time equivalent (FTE) positions or in the number of partial FTEs within the Employer or within a job classification covered by this Agreement. A reduction in force in classification may occur for reasons of lack of funds, lack of work, efficiency or reorganization. Reductions in force are identified by classification within the affected department.

8.1.4 Affected Group / Employees

An Affected Group would be any job classification that is subject to a layoff. An Affected Employee would be the least senior employee(s) within an affected job classification which are subject to lay-off or reduction in force and have certain rights as a result.

8.1.5 Layoff Alternatives

A number of alternatives exist for affected employees including:

1. Assume - a vacant position
2. Bump - displacing a less senior employee
3. Recall - accepting unemployment and the option of future recall

8.1.6 Bumping

The displacement of a less senior regular employee by another regular employee with more seniority as defined by this Article.

8.2 APPLICATION OF SENIORITY

In the event of reassignment, transfer, layoff, or recall, seniority shall be the determining factor where employees are equally qualified to do the job.

Seniority shall be applied in the following manner:

8.2.1 Postings / promotions

In regard to job postings, promotion and reassignment, “qualifications” and/or “ability” will be the primary consideration, with seniority determinative where employees are equally qualified, consistent with Article *7*. Qualifications will include the minimum qualifications of education, training and experience as set forth in the job description, as well as the job performance, ability, employment record and contribution to the needs of the department.

8.2.2 Layoffs

Total classification seniority shall determine who is to be laid off within the selected classification (affected group). The least senior regular employee(s) within the classification shall be the affected employee(s). In the event of two employees having the same classification seniority, bargaining unit seniority shall be determinative. In the event of two employees having the same bargaining unit seniority, Employer seniority shall be determinative.

8.2.3 Bumping

As to bumping, the employee’s “competence” and the ability to adequately perform the unique functions of the job assignment will be the primary consideration, applied in accordance with seniority. Competence / Ability to adequately perform will be defined as

the immediate, clear and full performance on the job, with a minimal period of orientation and no material reduction in the efficiency of the operation or services, as determined by the Employer.

8.2.4 Recall
Seniority shall be determinative in the identification of which employee is to be recalled, when there are more than one who is qualified and/or have previously performed a position. In the event that an employee is being recalled to a new position, the employee's qualification and the ability to adequately perform the unique functions of the job assignment will be the primary consideration, applied in accordance with seniority, consistent with Article 8.2.3.

8.3 PROBATIONARY PERIOD
Upon successful completion of the probationary period, the Employer seniority of the employee shall be established as the initial date of hire including the service during the probationary period. Department seniority shall then be based on continuous service with the department.

8.4 LOSS OF SENIORITY
An employee will lose seniority rights by and/or upon:

8.4.1 Resignation.

8.4.2 Discharge.

8.4.3 Retirement.

8.4.4 Layoff / Recall list of more than fourteen (14) consecutive months.

8.4.5 Failure to respond to two offers of recall to former or comparable employment.

Employees who are re-employed following the loss of their seniority, shall be deemed a newly-hired employee for all purposes under this Agreement, except as provided in the following: if an employee is laid off or resigns in good standing after working at least twelve (12) consecutive months, and is thereafter re-employed within twelve (12) months (or fourteen (14) months in the event of recall), the employee will, upon successful completion of the probationary period, regain the seniority that they had as of the effective date that the employee resigned.

8.5 LAYOFFS
A layoff is identified as the anticipated and on-going or prolonged reduction in the number of full-time equivalent (FTE) positions or in the number of partial FTEs within the Employer or within a job classification covered by this Agreement. A reduction in force in classification may occur for reasons of lack of funds, lack of work, efficiency or reorganization. Reductions in force are identified by classification within the affected department.

Total Classification seniority shall determine who is to be laid off within the selected classification. Bumping rights are determined by bargaining unit seniority, consistent with Article 8.2.

For purposes of this article, layoff is further identified as any reduction in hours which results in a regular position being less than their budgeted FTE.

8.6 NOTICE

The Union shall be notified of all proposed layoffs and of positions to which laid off employees may be eligible to bump through the attachment of a current seniority list.

Employees affected / being laid off shall be given written notice of such layoff thirty (30) calendar days prior to the layoff if possible. In no event shall written notice of layoff be less than ten (10) working days. If the employer does not provide ten (10) working days written notice, the employer shall compensate the employee at his or her normal rate of pay for the time between the last day of work and ten (10) working days from the date the employee receives the notice of layoff, in addition to any other compensation due the employee.

The employee shall inform the Employer within five (5) working days of the receipt of the notice of layoff of their intention to exercise bumping rights. When all bumping rights have been acted upon, or when someone has chosen not to act on their bumping right, the employee least senior or the employee choosing not to bump shall be the person laid off. Only one thirty (30) day notice of layoff is required, irrespective of the number of bumps.

An employee desiring to exercise bumping rights must do so by delivering written notice to the Employer within five (5) working days of receipt of notice of layoff. The written notice must state the proposed position to be bumped and contain a statement of the employee's qualifications for that position. Within five (5) working days of receipt of the employee's notice to exercise the bumping rights, the Employer shall communicate the decision to the employee as to whether the employee meets the qualifications for the position the employee has chosen to bump.

8.7 MEETING WITH UNION

The Union shall also be notified in writing of any reduction in hours proposed by the Employer, including the purpose, scope, and duration of the proposed reduction.

Upon the Union's request, the Employer and the Union shall meet promptly during the first two (2) weeks of the notice period identified in Article 8.6 to discuss the reasons and the time-lines for the layoff and to review any suggestions concerning possible alternatives to layoff. Union concerns shall be considered by the Employer prior to implementation of any reduction in hours. This procedure shall not preclude the Employer from providing notice to employees or requesting volunteers to take leaves of absence without pay, provided the Employer notifies the Union of the proposed request.

8.8 AFFECTED GROUP

The following procedure shall apply to any layoff:

8.8.1 Affected employees

The Employer shall first determine by job classification the number of employees or FTEs to be affected by the layoff. The employee(s) holding such FTEs, which are subject to layoff, shall be the "affected employee(s)."

The least senior employee within the affected job classification shall be selected for layoff, consistent with Article 8.2.2. The exception would be only when the Employer determines that the position requires unique qualifications and abilities necessary to perform the specialized and required functions of that position, which would then become an overriding factor.

In cases where seniority within a job classification is equal, bargaining unit seniority will be the determining factor. In the event this is also equal, Employer seniority will control. If all of the seniorities are equal, then Management shall make the final decision based on performance and job skills.

8.8.2 Volunteers
Simultaneous with implementing the provisions of the layoff procedure, the Employer may first seek, by a five (5) working day posting process, volunteers for layoff or voluntary resignation from among those employees who work within the same job classification as the affected employees. If there are more volunteers than affected employees, volunteers will be chosen by bargaining unit seniority. Employees who volunteer for layoff may opt for recall rights as described in this article at the time of layoff.

If there are no or insufficient volunteers within the affected job classification, the remaining affected employees who have received notice must choose promptly (within five (5) full working days of receipt of the Notice) among the layoff options set forth in Article 8.13.

8.8.3 Probationary Employees
If the number of volunteers is not sufficient to meet the announced number of necessary layoffs, and if the affected employee is an initial probationary employee, then that employee shall be laid off and are ineligible to select among layoff options.

8.9 VACANT POSITIONS
Positions will be filled in accordance with Article 8.2 and other sections of this Article.

Within the bargaining unit and the department, affected employees and employees on the recall list shall be given first opportunity for vacant bargaining unit positions for which they are qualified prior to outside hiring by the Employer, consistent with Article 8.13a. Within other departments affected employees will be given consideration for vacant positions for which they are qualified.

8.10 SENIORITY LIST
The Employer shall update the seniority list and provide it to the Union annually, consistent with Article 3.3. If a layoff is announced, a current ranked seniority list including job classifications, names, job locations, and FTE or hours per week shall be provided to the Union and posted in the affected department.

8.11 ORDER OF LAYOFF
The least senior employee (by classification seniority) within the affected job classification and affected department shall be selected for layoff. No regular employee shall be laid off while another employee in the same classification within the department is employed on a probationary, extra help or temporary basis, unless specialized skills are required to fill the position that are not

possessed by the regular staff member. This provision shall apply only to the classification where the initial layoff occurs and not to the classification into which laid off employees have bumped.

8.12 COMPARABLE EMPLOYMENT

For purposes of this Article, "comparable employment," "comparable position" or vacancy shall be defined to include a position which has the same salary pay range and, additionally, the educational and experience qualifications, FTE and work-week are substantially similar.

8.13 LAYOFF OPTIONS

Affected employees who have completed their probationary period shall have the following options:

8.13.1 Assume a Vacant Position

On a bargaining unit seniority basis, to assume a vacant position in the same department and bargaining unit, for which they are qualified. On a bargaining unit seniority basis, the employee shall also be considered for available job openings within the Employer for which the employee is qualified.

When a regular full-time or part-time employee is being laid off the Employer may offer a temporary position if one is available and the employee has the ability to perform the work. Laid off employees who accept these assignments will be provided the benefits and provisions of the temporary assignment. Employee(s) accepting these assignments will be subject to recall.

8.13.2 Bump

Laid off employees, including bumped employees, shall be allowed to bump less senior employees (by bargaining unit seniority) within their department in lower classifications or in classifications which the employees previously held and are still competent to perform the work of the classification. The employee may bump to other departments only within their current classification or if they previously held the position and are still competent to perform the duties.

Part-time regular employees shall have the option of remaining in the reduced position (if above the 20 hour threshold) or bumping to a lower classification, if competent as defined in Article 8.2.3. Competent shall mean having demonstrated skills and required experience to perform the job; and in case of disputes, the final decision shall be made by the Employer.

An employee who has bumped shall move to the highest step of the new range that does not exceed their current salary.

If there is no employee in the next lower classification who is less senior than the person scheduled for layoff, that person may look progressively to the next lower classification for such bumping rights.

The employee who is bumped by the affected employee shall have the same rights under this Article.

8.13.3 Recall
If the affected employee elects not to take a vacant position, elects not to bump or cannot immediately and adequately perform the functions of the job assignment in assuming a vacant or bumped position, then that employee will be placed on the recall list and will be eligible for recall under Article 8.15.

Nothing contained in this layoff section shall be construed to require the Employer to modify its position and classification structure in order to accommodate bumping or other re-employment rights.

Salary placement rules shall apply to recall to regular positions and to employees who have bumped. Employees bumping to another position shall retain their old anniversary date for purposes of step increases. Persons recalled to the same salary range shall be placed in their former step and time in step. The salary for temporary and regular with end date employment shall be determined by the Employer.

8.14 REDUCTION HOURS / FTE
An employee subject to an involuntary reduction in their FTE may elect to accept the reduction, may bump and/or may elect to be placed on recall in accordance with Article 8.13. If the reduction results in hours less than their budgeted FTE, it will be considered a layoff and the employee shall have the right to bump or recall list.

8.15 RECALL
An employee who has been laid off shall be entitled to recall rights for a period of fourteen (14) months from the effective date of their layoff. If a vacancy occurs in a position, employees on the recall list shall be notified of such vacancies at the employee's address on file with the Human Resource Department. The vacancy will be filled, in accordance with seniority, among current employees and those on the recall list. If employees on the recall list elect not to accept two (2) offers to return to work in the former or a comparable position or fail to respond within seven (7) consecutive days of the offer of recall, they shall be considered to have terminated or abandoned their right to re-employment and relinquished all recall rights. If employees on the recall list elect not to accept an offer of a non-comparable position, they may retain their recall rights for the balance of their recall period.

As long as any employee remains on the recall list the Employer shall not newly employ by hiring persons into the affected bargaining unit classification(s), within their department, until all qualified employees holding recall rights to that affected classification have been offered recall.

In other represented departments, as long as any employee remains on the recall list the Employer shall first post internally a vacancy of the affected employee’s same classification to assure that the affected employee, together with other current employees are given opportunity for consideration for the vacancy. The employer then reserves the right to post externally if, at the sole discretion of the employer, a current employee does not best fit the needs of the vacancy.

It shall be the responsibility of the affected employee to provide the Employer with their current mailing address and telephone number.

A copy of the recall list shall be provided to the Union, upon request.

A person on the recall list who is re-employed in a regular position with the Employer shall serve a probationary period of three (3) months. The probationary period may be extended up to an additional three (3) months if the Employer states reasons in writing to the employee at the end of the first three (3) months. An employee who does not successfully complete the probationary period shall return to the recall list and shall remain on the recall list for the portion of their fourteen (14) months remaining at the time of re-hire.

There shall be no probationary requirement for persons returning to their former position if the initial probationary period has been completed.

Employees shall not lose seniority as a result of layoff for a period of up to fourteen (14) months; provided, however, that no benefits shall be accrued during the period of layoff, or during the time of temporary employment.

8.16 VACATION & LEAVE CASH OUTS / PAY

Any regular employee who is laid off or terminated shall be cashed out for any unused vacation benefits or comp time with their final paycheck, to the extent of established maximums (per other Articles of this Agreement).

Sick leave balances at the date of layoff shall be restored upon recall with the Employer if the person is recalled into a regular position from the recall list. No sick leave shall accrue during the period of layoff. If a person on the recall list is employed in a temporary position employment, the person may accrue sick leave at the same rate that would apply if it were a regular position. Only sick leave accrued during temporary employment may be used during temporary employment. Sick leave accrued during temporary employment may be added to any existing sick leave balance if the person is hired into a regular position from the recall list.

8.17 UNEMPLOYMENT CLAIMS

If laid off employees apply for unemployment compensation benefits, the Employer will not contest the claim and will confirm that the employee was laid off.

ARTICLE 9 – WAGES

9.1 WAGE SCHEDULE.

The monthly salaries for employees and classifications covered by this Agreement are located in Appendix A. The salary schedule reflects both the COLA and market adjustments agreed to by the parties for 2006.

Should it become necessary to establish a new job classification within the bargaining unit during the life of this Agreement, the Employer may designate a job classification title and salary for the classification. The salary for any new classification within the bargaining unit shall be subject to negotiations, consistent with Article 2.2.

9.1.1 COLA Adjustments

9.1.1.1 Effective January 01, 2006, the monthly rates of pay shall be increased by ninety percent (90%) of the percentage increase in the Seattle-Tacoma-Bremerton Area Consumer Price Index – first half average (no minimum and no maximum). The Index used shall be the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W). This results in an application to the salary schedule of 2.58 % (two and fifty-eight one-hundredths percent).

9.1.1.2 Effective January 01, 2007, the monthly rates of pay shall be increased by ninety percent (90%) of the percentage increase in the Seattle-Tacoma-Bremerton Area Consumer Price Index from June 2005 to June 2006 (no minimum and no maximum). The Index used shall be CPI-W. This results in an application to the salary schedule of 4.16 % (four and sixteen one-hundredths percent).

9.1.1.3 Effective January 01, 2008, the monthly rates of pay shall be increased by ninety-five percent (95%) of the percentage increase in the Seattle-Tacoma-Bremerton Area Consumer Price Index from June 2006 to June 2007 (no minimum and no maximum). The Index used shall be CPI-W.

For all retroactive amounts, the Employer shall, within thirty days of signature of this Agreement, make all appropriate salary adjustments for the next regular pay period.

9.2 HIRE-IN RATES

New regular employees shall normally be placed at Step A of the appropriate salary range.

9.3 SHIFT DIFFERENTIAL

Shift differential is not applicable to this bargaining unit.

ARTICLE 10 – OTHER COMPENSATION

10.1 STANDBY PAY

Employees assigned to emergency standby duty during their time off shall be paid 15 percent of their regular straight-time hourly rate for each hour of standby. Employees assigned to standby on paid holidays specified in Article 11 shall be paid 25 percent of their regular straight-time hourly rate for each hour of standby.

Employees not on standby shall receive a minimum of two (2) hours of pay when called back to work by the employee's supervisor to handle a matter that requires immediate attention. Employees on standby shall also receive a minimum of two (2) hours of pay when required to physically return to the worksite to handle a matter that requires immediate attention. Employees on standby that are required to provide telephonic or computer remote services shall receive the greater of a minimum of one (1) hour of pay or the time actually worked. Other hours actually worked during the standby period are tracked in 15 minute increments. Employees will not receive the minimum of one (1) hour of pay for time worked that is considered de minimus (less than 7.5 minutes).

10.2 CALL-BACK PAY

All employees will respond to emergency call-outs unless extenuating circumstances such as illness or other incapacitation prevent the employee from responding.

Full-time employees who are called back to work after leaving the job site shall receive a minimum of two (2) hours' pay at the overtime rate. When an employee is called out between shifts, the time worked between shifts shall be paid at the rate of one and one-half (1½) times the regular rate. After working the call out shift, the employee may have the option of working the next regularly scheduled shift, provided the supervisor and the employee feel the employee can carry out the duties of the position safely. When the employee does continue working, the time worked on the next regularly scheduled shift shall be compensated at the normal straight time rate.

During periods of emergency, changes of shift can be made with eight (8) hours' notice, provided the employee has eight (8) hours off between the two (2) shifts.

This provision shall apply to employees who are required to attend Employer scheduled meetings on their regularly scheduled day(s) off.

Part time employees who are called back to work after leaving the job site shall receive a minimum of two (2) hours' pay at the appropriate rate of pay.

10.3 WORK IN A HIGHER CLASSIFICATION

Employees assigned by their Department Director or the City Manager to assume the full range of responsibilities of a higher level position in a temporary capacity for at least 10 working days shall receive Temporary Assignment Pay commencing from the first such day worked. Pay shall be at the "A" step of the higher pay range, or at the lowest step which gives the employee a 5 percent pay increase, whichever is greater.

Out of Class Pay shall be awarded due to a position vacancy created by separation from Employer employment, extended illness, injury, or maternity leave of the incumbent. Management retains the right to determine whether or not to fill vacant positions with temporary appointments.

10.4 MILEAGE REIMBURSEMENT

All bargaining unit employees who are required to use their own vehicles for Employer business shall be reimbursed at the mileage rate set by the current policy for all miles driven on such business.

10.5 FOOTWEAR ALLOWANCE

The Employer shall distribute to each regular, full-time employee required to wear WISHA approved footwear (currently the classifications of Inspectors and Code Enforcement Officers), a footwear allowance in the amount of two hundred dollars ($200.00) per year to be received on the first payday of September of each year. New employees shall not be eligible for receipt of this benefit until completion of their probation period nor shall they receive more than one (1) allowance per calendar year.

Employee uniforms purchased through an advance or reimbursement that can be worn as street clothing shall be taxable income to the employee in accordance with the Internal Revenue Service rules.

10.6 LONGEVITY

All employees who have completed 13 continuous years of service to the Employer will receive a flat rate of $50.00 per month and will not be affected by the COLA.

Effective upon ratification of the Agreement, the above sentence will be amended to recognize long-term service and longevity will be added for all employees who have completed continuous years of service based on the chart below:

$ 50.00 total per month at the start of the 12th year of service
$100.00 total per month at the start of the 17th year of service
$150.00 total per month at the start of the 22nd year of service

This will be a flat rate and will not be affected by the COLA.

ARTICLE 11 - HOLIDAYS

11.1 HOLIDAYS

Benefited full-time employees shall be granted the following holidays and such other days as the City Council may fix without a reduction in pay:

Holiday	Observed
New Year's Day	January 1st
Martin Luther King, Jr. Birthday	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11th
Thanksgiving Day	4th Thursday in November
The Day after Thanksgiving Day	4th Friday in November
½ Day Christmas Eve	Last regular work day before Christmas Day
Christmas Day	December 25th
½ Day New Year's Eve	Last regular work day before New Year's Day
Floating Holiday	Employee’s Choice
Community Service Day	Employee’s Choice

11.1.1 In selecting the Floating Holiday, the employee’s choice will be granted, provided that prior approval is given by the immediate supervisor or Department Director, and provided that the particular day off selected by the employee does not prevent a department or division thereof from providing efficient public service. The Floating Holiday must be taken during the calendar year or entitlement to the day will be forfeited.

11.1.2 An employee must be employed in a regular or temporary position for six (6) consecutive months in order to be eligible for his or her floating holiday.

11.1.3 The above Community Service Day shall be available to employees effective April 1, 2007. Utilization of the Community Service Day shall be for purposes of participation and volunteering for legitimate non-profit organizations, community service organizations or public agencies. Authorization and scheduling shall be in accordance with the same procedures as a Floating Holiday.

11.2 RELIGIOUS HOLIDAYS

Employees may also take other religious holidays off with their supervisor's approval, with or without pay, through utilization of vacation or comp time or by making alternative work schedule arrangements. Such requests shall not be unreasonably denied.

11.3 HOLIDAY OBSERVANCE

Any regular holiday which falls on a Saturday shall be observed on the preceding Friday and any regular holiday which falls on a Sunday shall be observed on the following Monday.

For those employees on a 4/10 work schedule or other alternate schedule, when one of the listed holidays falls on one of the employee's regularly scheduled days off, the holiday shall be observed on a day mutually agreeable to the employee and the Employer within the same workweek.

The holidays listed above represent specific events as indicated. Should the dates for any such holiday be changed by the Legislature or the Governor or the State of Washington, said holiday shall be observed on the date established by the change and not the date set forth above.

11.4 HOLIDAY ON DAY OFF

Benefited employees shall receive eight (8) hours' holiday benefit pay and time-off for each holiday listed in Article 11.1 – Holidays, pro-rated to their FTE.

11.5 HOLIDAY COMPENSATION

Benefited employees shall be paid no more than eight (8) hours of holiday benefit pay for that day regardless of their work individual schedule.

Should any work be performed by an employee on a holiday at the approval and/or direction of their supervisor they shall be paid for time worked and overtime may result if, consistent with Article 6.4, it results in over forty (40) hours worked for the workweek. No employee shall be called on a holiday for less than four (4) hours, except those personnel serving Standby Duty.

ARTICLE 12 - VACATION

12.1 VACATION ACCRUAL

Full-time employees shall accrue vacation leave at the rate of one twelfth of annual vacation per month of service, based on the first pay period beginning the following schedule:

Years of Employment	Annual Vacation
1st - 4th years	104 hours
5th -7th years	128 hours
8th -10th years	136 hours
11th -13th years	144 hours
14th - 16th years	160 hours
17th - 19th years	176 hours
20th year and thereafter	192 hours

Accrual of vacation shall commence on the first pay period after hire date unless the hire date is on the first working day of the month; then accrual begins on that date of hire. Vacation leave shall not accrue during any leave without pay.

Vacation leave shall not be accumulated in excess of two hundred eighty (280) hours within a calendar year without the express prior written authorization of the City Manager or his or her designee. No more than two hundred and forty (240) hours may be carried over from one calendar year to the next, except as provided in Article 12.1.1.

12.1.1 Requests to the City Manager or designee for exceptions shall be for a specific number of hours to be used for a specific purpose and to be taken by a specific date. Generally, the basis for requesting an exception would be that the employee requested to utilize the leave and their service and work requirements precluded the Employer from granting the leave at that time. Accrued unused vacation leave shall not, under any circumstance, exceed three hundred twenty (320) hours.

12.1.2 Any vacation leave accrued in excess of the above referenced maximums shall be forfeited and shall not form the basis of any severance pay or additional compensation. Upon termination of employment, no payment for vacation accumulation shall exceed two hundred forty (240) hours.

Earned vacation leave may be taken at any time during a period of illness after expiration of sick leave. Taking leave without pay in any month shall result in pro-ration of vacation accruals for that month, calculated upon actual hours worked as a percentage of the total hours of the pay period.

12.2 VACATION SCHEDULING

Upon completion of six (6) months' continuous service in a regular position, an employee shall be eligible for paid vacation. An employee's request for vacation leave will be granted, provided that prior approval is given by the employer and provided that leave requested does not prevent a department or division thereof, from providing efficient public service.

Employees shall have the option of using compensatory time or vacation leave for approved paid time off.

12.3 VACATION PAY

Vacation pay shall be the amount that the employee would have earned if the employee had worked their regular position during the vacation period.

If an authorized holiday occurs within an employee's vacation period, that day will be paid as a holiday and not deducted from the employee's vacation accruals. Employees cannot receive vacation, sick leave or holiday pay simultaneously for the same days.

12.4 VACATION UPON TERMINATION

Upon separation from Employer employment, employees who have six (6) or more consecutive months of employment shall receive pay in lieu of unused earned vacation leave, except as established in Article 8.5 of this Agreement. In no case shall an employee receive pay in lieu of unused vacation leave prior to separation from Employer employment, unless approved by City Manager or his or her designee.

Employees shall provide at least ten (10) working days written notice of their effective resignation date. The time limit of the resignation may be waived at the discretion of the Director. Pay in lieu of unused vacation shall be forfeited if ten (10) working days written notice is not provided or waived.

ARTICLE 13 - SICK LEAVE

13.1 SICK LEAVE ACCRUAL

Full-time employees' sick leave with pay shall accrue at the rate of eight (8) hours of leave for each full calendar month of the employee's service. Accrual of sick leave shall commence on the first pay period after hire date unless the hire date is on the first working day of the month; then accrual begins on that date of hire. Any such leave accrued in any one year shall be accumulative for succeeding years to a maximum of nine hundred sixty (960) working hours.

Sick leave once accrued shall be available for use by employee.

Unused sick leave may be accumulated from year to year to a maximum of nine hundred and sixty (960) hours, but may not be taken or used for any reason other than those specified in Article 13.2.1 of this Agreement. The Employer shall not compensate any employee upon termination or at any other time for unused accrued sick leave by payment of money or compensating time off, except as provided in this section.

Taking leave without pay in any month shall result in pro-ration of sick leave accruals for that month, calculated upon actual hours worked as a percentage of the total hours of the pay period.

13.2 SICK LEAVE USAGE

Employees are expected to be on the job unless excused by Supervisor or Department Director because of illness. The Employer may make periodic reviews of individual attendance records. Excessive absenteeism or use of sick leave for purposes other than those provided for in this Agreement may result in disciplinary action or termination of the employee.

> 13.2.1 Sick leave shall be granted for the following reasons: Personal illness or physical incapacity which renders the employee unable to perform the duties of his or her position, care for or serious illness of immediate family, medical or dental appointments or as otherwise required by law or this agreement.

13.2.2 Employees who appear to be using excessive amount of sick leave may be required to submit a statement from a professional health care provider certifying the illness. A statement from the health care provider may also be required for certifying the date on which the employee is able to return to work and his or her ability to perform the required duties.

13.2.3 Use of accrued sick leave is contingent upon the employee or someone on his or her behalf notifying his or her immediate supervisor of the reason for absence prior to or within one hour of the regular start time each day. In cases of hospitalization or extended illness, daily notice is not required, provided that the employee's supervisor is kept informed of the expected duration of absence and the date of return. For scheduled medical appointments or when sick leave use can be anticipated, the employee will give advance notice of not less than one week to his or her immediate supervisor, unless there are extenuating circumstances.

13.3 SHARED LEAVE

The Employer may permit an employee to receive vacation consistent with the then current Shared Leave policy.

13.4 COORDINATION - WORKER'S COMPENSATION

In the event an employee shall be entitled to benefits or payments under any program of disability insurance furnished by the Employer, Worker's Compensation Act or similar legislation by the State of Washington or other governmental unit, the Employer shall pay to the employee only the difference between the benefits and payments received under such insurance or act by such employee and the regular rate of compensation that he/she would have received from the Employer if able to work. In such event, the number of hours deducted from the employee's total accrued sick leave shall be the hourly equivalent of the Employer's payment. The foregoing payment or contribution by the employer shall be limited to the period of time that such employee has accumulated sick leave credits as herein above specified.

13.5 FAMILY MEMBER

Sick leave may be utilized as above for illness in the immediate family requiring the employee's attendance.

ARTICLE 14 – LEAVES OF ABSENCE

14.1 IN GENERAL

Leaves of absence requests shall not be unreasonably denied. All leaves are to be requested in writing as far in advance as possible.

As appropriate for the type of leave requested, paid leave accruals will be utilized prior to unpaid leave, unless otherwise provided for in this Agreement.

Leave does not accrue nor may it be used until the first day of the pay period in which it is earned (no "negative" leave use during the period in which it is earned).

14.2 JURY DUTY / COURT

An employee, who is required to serve on a jury or as a result of official Employer duties is required to appear before a court, legislative committee or quasi-judicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay less any amount received for such duty.

14.3 MILITARY LEAVE

All regular employees shall be allowed military leave as required by RCW 38.40.060 and as interpreted by the Court. This provides for fifteen (15) working days of military leave per year (October 1 through September 30).

14.4 BEREAVEMENT

Upon notification, a Department Director will grant an employee bereavement leave with pay in the event of death in the immediate family of the employee. The maximum number of working days leave shall be five (5) per year. This leave is not cumulative from year to year.

14.5 MAINTENANCE OF SENIORITY

The Employer shall adjust the employee's anniversary date to reflect any period of unpaid leave of thirty (30) continuous days or more. Seniority shall continue to accrue and the employee's anniversary date shall not be adjusted for periods of legally protected leave, such as FMLA or military leave.

14.6 LEAVE WITHOUT PAY

As appropriate for the type of leave requested, paid leave accruals will be utilized prior to unpaid leave.

If authorized by the Employer or for periods required by law, regular employees may take up to six (6) months leave without pay. Leaves of fifteen (15) work days or less can be authorized by the Department Director. Leaves in excess of fifteen (15) days require authorization by the City Manager. Such leaves shall not constitute a break in service but no benefits shall accrue during the leave. Upon expiration of the leave, the employee shall be reinstated in the position held at the time the leave was granted and shall resume accrual of benefits at the same rate at which he/she accrued them prior to the leave.

14.7 FAMILY LEAVE – FMLA

Under the terms of the Family and Medical Leave Act of 1993 (FMLA) and the state law, upon the completion of one (1) year of employment, any employee who has worked at least 1250 hours during the prior twelve (12) months shall be entitled to up to twelve (12) weeks of leave per rolling year for the birth, adoption or placement of a foster child; to care for a spouse or immediate family member with a serious health condition; or when the employee is unable to work due to a serious health condition. For purposes of this Article, the definition of "immediate family" will be found in Article 1.

The Employer shall maintain the employee's health benefits during this leave. If the employee fails to return from leave for any reason other than the medical condition initially qualifying for the FMLA absence, the Employer may recover from the employee the insurance premiums paid during any period of unpaid leave.

If a leave qualifies under both federal and state law, the leave shall run concurrently. Ordinarily, the employee must provide thirty (30) days written advance notice to the Employer when the leave is foreseeable. The employee should report qualifying events as soon as known and practicable.

The combination of FMLA and other types of leave(s) is not precluded and, in fact, leave utilizations are to be concurrent, with the intent that appropriate paid accruals are to be utilized first, consistent with other Articles of this Agreement. The Employee may elect to retain up to forty (40) hours of sick leave and up to forty (40) hours of vacation (prorated by their FTE) for use upon return to work, consistent with the process identified in the personnel policy. Upon the employee's election, any accrued comp time may be utilized prior to any period of unpaid leave.

The Employer will grant leave consistent with state and federal law. Family leave shall be consistent with the FMLA and the adopted conditions and provisions of the state and federal law and are not intended to expand upon the rights thus set forth.

14.8 MATERNITY LEAVE

Consistent with WAC 162-30-020, the Employer will grant a leave of absence for a period of temporary disability because of pregnancy or childbirth. This may be in addition to the leave entitlements of FMLA.

This leave provides female employees with the right to a leave of absence equivalent to the disability phase of pregnancy and childbirth. There is no eligibility requirement, however the Employer has no obligation to pay for health insurance benefits while on this leave (unless utilized concurrent with FMLA).

Leave for temporary disability due to pregnancy or childbirth will be medically verifiable. There is no limit to the length of the disability phase, except for the right for medical verification and the right of second opinion at the employer's expense. At the end of the disability leave, the employee is entitled to return to the same job or a similar job of at least the same pay. Employees must use their accrued vacation and sick leave, if any, during the leave period and, at their election, any accrued comp time, consistent with the retention provision as provided in Article 14.7. Once this paid leave is exhausted, the employee's leave may be switched over to unpaid leave.

14.9 INCLEMENT WEATHER

Employee rights and responsibilities during severe weather and emergency or disaster conditions are covered by the current Inclement Weather Policy of the Employer. The goal shall be to continue to provide essential Employer services, consistent with public and employee safety and emergency operations priorities.

ARTICLE 15 – HEALTH & WELFARE

15.1 MAINTENANCE OF BENEFITS

Medical and Dental Insurance - The Employer may self-insure medical and/or dental insurance coverage or select a new medical and/or dental insurance plan and shall make every possible effort to maintain substantially equivalent benefits. The Employer and the Union shall meet to explore alternative insurance coverage prior to selecting any new medical and/or dental insurance plan in

order to maintain substantially equivalent benefits at a reasonable cost. The Employer recognizes its responsibility to bargain with the union the impact of those decisions.

The Union shall take part in and have an appointed representative on the Health and Welfare Benefits Committee. The purpose of the Committee is to monitor and evaluate the benefits costs and the plan designs. Among the items to be considered would be identification of options for retiree medical participation. The Benefit Committee representative shall have no authority to negotiate on behalf of the Union any changes to be scheduled or content of benefit plans, any such changes shall be governed in accordance with Article 15.1 of this Agreement.

Participation in benefits shall be consistent with Article 5.2 of this Agreement and the trusts and Plans described below.

15.2 HEALTH AND LIFE INSURANCE

Medical Insurance - Effective January 1, 2006, the Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of employee coverage and one hundred percent (100%) of the premium necessary for the purchase of dependent coverage under the Association of Washington Cities Regence Medical Plan B or Group Health Plan 2 for each employee of the bargaining unit.

Dental and Vision - Effective January 1, 2006, the Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of employee coverage and one hundred percent (100%) of the premium necessary for the purchase of dependent coverage under the Association of Washington Cities.

Life Insurance - the Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of employee term life insurance coverage that has a policy value of two (2) times the annual base rate of pay of the employee. The employee is responsible for any taxes associated with this benefit.

15.2.1 Part-time regular employees shall receive medical, dental and vision benefits, in accordance with Article 5.2

15.2.2 The employee shall pay, by way of payroll deduction, any and all premiums above the maximum paid by the Employer.

15.2.3 If an employee is on leave without pay in excess of eight (8) hours in a calendar month, the health insurance benefits for the employee and his or her dependents shall be pro-rated.

15.3 FLEXIBLE SPENDING ACCOUNT - FSA

The Employer participates in a special program under the provisions of IRS Section 125. Employees may voluntarily elect to participate in the reimbursement program to pay medical or dependent care expenses with pre-tax dollars. The Employer makes no contribution, makes no assurance of ongoing participation and assumes no liability for claims or benefits.

15.4 RETIREMENT
Pensions for employees and contributions to pension funds will be governed by the Washington State statutes in relation thereto in existence during the contract period.

ARTICLE 16 - TRAINING

16.1 TRAINING
Approval for attendance at training, the hours intended to be compensated and the reimbursement for travel and expenses shall be established by the supervisor prior to the training, consistent with the current policy.

16.2 TRAINING REIMBURSEMENT
Compensation associated with training or representation of the Employer on official business shall be consistent with the current policy and the Fair Labor Standards Act (FLSA) and WAC 296-128-500.

ARTICLE 17 – LABOR / MANAGEMENT COMMITTEES

17.1 PURPOSE OF COMMITTEE
The Employer and the Union agree that a need exists for closer cooperation between labor and management, and that from time to time suggestions and issues of a general nature affecting the Union and the Employer need consideration.

The Labor / Management Committee shall have no collective bargaining authority and understandings reached by the parties will be supported by the parties, but shall not alter or modify any provisions of the collective bargaining agreement.

Upon request by either party, the parties have agreed to participate in quarterly labor-management meetings to discuss matters of mutual concern. It is expected that, unless otherwise agreed, such meetings will occur during normal business hours. Not less than one (1) week before a meeting is scheduled, each party will advise the other of matters which the party wishes to discuss. Unless otherwise agreed, the agenda will be limited to such matters.

The above provision does not preclude and in fact encourages the parties to also meet informally and expeditiously on an as needed basis on matters of mutual concern.

Benefits Committee - The Union will designate a participant on the benefits committee to provide assistance on review, analysis, development of options, and input on future benefits provided for its membership by the Employer. This committee will be chaired by Human Resources staff. Meetings will be scheduled during regular work hours.

Policy Work Groups - The Union will designate a participant to the Policy Committee, to provide assistance on review, analysis, input and development of citywide policies. Each Union representative will provide feedback to the committee on behalf of their bargaining unit regarding the development of these policies. This committee will be chaired by Human Resources. The

Policy Committee will not negotiate on behalf of the Union regarding policies that would impact wages, hours and working conditions.

17.2 COMPOSITION OF COMMITTEE

The Labor Management Committee meetings will include a minimum of three (3) representatives of the employer and a minimum of three (3) representatives appointed by Local #1837, unless otherwise mutually agreed upon. Said committee shall attempt to meet for the purpose of discussing and facilitating the resolution of issues which may arise between the parties other than those for which another procedure is provided by law or other provisions of this Agreement.

17.3 COMPENSATION

All meeting time spent by members of the joint Labor-Management Committee will be considered time worked if during duty hours and will be paid at the appropriate regular rate of pay.

ARTICLE 18 – HEALTH & SAFETY

18.1 SAFE WORKPLACE

The Employer is responsible for maintaining a safe and healthful workplace. The Employer shall comply with all federal, state, and local laws applicable to the safety and health of its employees.

Employees shall not be required to perform work if they have a reasonable basis for believing the assignment would constitute a danger to their health and safety. The employee shall immediately contact a supervisor who shall make a determination with regard to safety. Upon the supervisor's review and liability, the employee will perform the work but may refer the matter to the safety committee or risk management.

All on-the-job injuries, no matter how slight, must be reported. Employees must immediately notify their supervisor if they are unable to work because of a work-related injury or illness.

18.2 HEALTH & SAFETY PLAN

The Employer shall develop and follow written policies and procedures to deal with on-the-job safety and shall conduct an ongoing site specific safety and security plans in conformance with state and federal laws.

18.3 DRUG FREE WORKPLACE

The Drug Free Workplace Act of 1988 for federal contractors and grant recipients requires that employers will provide a drug free workplace. This policy strictly prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace.

Fitness For Duty – If a supervisor or manager reasonably suspects, through observation, that an employee may be under any influence of, or impaired by, a substance, the employee shall be removed from duty immediately and undergo substance testing for the suspected substance. Except in emergency situations, the supervisor or manager shall consult with another supervisor, manager or representative of Human Resources to ensure that adequate grounds for reasonable suspicion exist. The consulted supervisor, manager or representative of Human Resources shall

also personally observe the employee before the employee is required to test for the presence of that substance. At this time the employee will also be notified of his or her Weingarten rights.

Employees removed from duty under such circumstances who test positive shall be required to meet with the Employer's Substance Abuse Professional (SAP) and shall only be allowed to return to work, if at all, in accordance with the return to work provisions of the Employer's substance abuse policy.

18.4 WORK PLACE VIOLENCE

The Employer is committed to employee health and safety. Workplace violence, including threats of violence by or against a City employee, will not be tolerated and should be immediately reported whether or not physical injury occurs.

ARTICLE 19 - GRIEVANCE PROCEDURE

19.1 GRIEVANCE DEFINED

A "Grievance" means a claim or dispute by an employee with respect to the interpretation or application of the provisions of this Agreement. All grievance time frames shall be held in abeyance when the parties have mutually agreed. Mediation may be considered at any step in the grievance procedure.

19.2 GRIEVANCE PROCEDURE

In the event of a grievance, the following procedure shall be used:

Step 1 – An employee and the Union representing the employee must present a grievance in writing within ten (10) working days of its alleged occurrence to the employee's Department Director for which the infraction applies, with a copy to Human Resources. The Department Director shall respond in writing to the grievance within ten (10) working days after it is presented to him or her. The grievance must be signed by the employee and must state the issue, the section of this Agreement violated, facts giving rise to the grievance and the remedy sought.

If a grievance is not presented within the time limits set forth above, it shall be considered waived.

Step 2 - If the employee is not satisfied with the solution of the Department Director, the grievance, in writing, together with all pertinent materials may be presented to the City Manager, or designee by the employee and the Union representing the employee within five (5) working days after receiving the Department Director's response. The City Manager or designee shall consult with the Union to try to resolve the grievance and shall respond in writing within twenty (20) working days after it is presented to him or her.

Fact Finding - If requested by either party during step 1 or step 2, the Human Resources Director or designee shall schedule a fact-finding meeting with the parties to the grievance in order to clarify, between the parties, facts related to the grievance. Fact finding shall be completed within twenty (20) working days of the request. The respondent time period shall begin upon conclusion of fact finding. If grievance proceeds to the next step, the "finding of fact report" shall be forwarded to the City Manager or designee.

Step 3 – If the grievance is not satisfactorily resolved by the City Manager or his/ her designee and the Union, the Human Resources Director and the Union Staff Representative will meet for purposes of resolution of the grievance or to acknowledge that mutually agreeable resolution is not possible. If so, within ten (10) working days following the response and acknowledgement, the grievance may be referred to an arbitrator in accordance with Article 21.1.7. Employee grievances must first have approval by the Union officers prior to being referred to an arbiter.

Step 4 / Arbitration – If agreement cannot be reached as to the arbiter, the parties shall jointly request the Public Employment Relations Commission to provide a panel of seven arbitrators from which the parties may select one. The representatives of the Employer and the Union shall alternately eliminate the name of one person from the list until only one name remains. The person whose name is not eliminated shall be the arbiter. It shall be the function of the arbiter to hold a hearing at which the parties may submit their cases concerning the grievance. The arbiter shall render his or her decision based on the alleged violation of the provision(s) of this Agreement within thirty (30) days after such hearing. The decision shall be final and binding upon both parties to the agreements, provided the decision does not involve action by either party which is beyond its jurisdiction. The expenses of the arbiter shall be shared equally by the Employer and the Union. Each party shall be responsible for compensating its own witnesses and representatives, not to include witnesses that are members of the bargaining unit. The arbitrator shall consider and decide upon only the specific issue(s) submitted in writing by the Employer and the Union, and shall have no authority to make a decision on any other issue not so submitted.

When agreed upon by both parties, outside consultant services shall not be utilized during arbitration meetings.

19.3 UNION / EMPLOYER GRIEVANCE

Either the Union or the Employer may initiate a grievance at Step 2 if the grievance is submitted in writing within ten (10) business days from the date the Employer / employees became aware or reasonably should have known that the grievance existed. The Employer may not grieve the acts of individual employees, but rather, only orchestrated acts or actions of authorized representatives believed to be in conflict with this Agreement. An Employer grievance will not be subject to Arbitration and may only go to mediation upon mutual agreement.

The Union may initiate a Grievance at Step 2 anytime that it involves a group of employees from different departments. Such grievances may be referred to mediation services by mutual agreement prior to Arbitration.

19.4 SCHEDULE OF MEETINGS

Upon request, and without unnecessary delay, a steward's immediate supervisor or designee shall allow the steward during normal work hours without loss of pay, reasonable time to:

19.4.1 Investigate any grievance or dispute so that same can be properly presented in accordance with the grievance procedure.

19.4.2 Attend meetings with the Director or other Employer representatives when such meetings are necessary to adjust grievances or disputes. Meetings with designated personnel will be by appointment and held without delay when possible.

19.4.3 Confer with a staff representative of the Union and/or employees on Employer premises, at such time and places as may be authorized by the Director or designee in advance of the intended meetings.

For the purposes of this Article and Article 4.3, obtaining coverage to insure minimum staffing levels shall not be considered an unnecessary delay. The Employer shall not be obligated to provide coverage immediately if the use of overtime is the only means of providing that coverage.

ARTICLE 20 - NO STRIKE / NO LOCKOUT

20.1 NO STRIKE / NO LOCKOUT

The Union agrees that there shall be no strikes, slow-downs, or stoppage of work, or any interference with the efficient operation of the department. Any such action shall be subject to disciplinary action, including termination and replacement of the involved employees. The Employer shall not lockout any employee during the life of this Agreement.

ARTICLE 21 – MANAGEMENT RIGHTS AND RESPONSIBILITIES

21.1 MANAGEMENT RIGHTS AND RESPONSIBILITIES

The Union recognizes the prerogative of the Employer to operate and manage its affairs in all respects in accordance with its responsibilities, and the powers and authority which the Employer possesses.

The Employer has the authority to adopt rules for the operation of the department and conduct of its employees, provided such rules are not in conflict with the provisions of this Agreement, or with applicable law. The Union shall be given an appropriate amount of time to review and request bargaining, as they determine needed, on proposed rules and policies, which are mandatory subjects of bargaining.

The Employer has the right to schedule overtime work as required in a manner most advantageous to the Employer and consistent with the requirement of municipal employment and the public interest.

The Employer has the right to assign work and determine the duties of employees; to schedule hours of work, to determine the number of personnel to be assigned at any time, to determine new work methods, to contract out bargaining unit work, for goods and services (provided that the Employer agrees to meet and confer with the Union regarding the impact of the decision), to perform all other functions not expressly limited by this Agreement.

Incidental duties connected with responsibilities enumerated in the job descriptions are not always specifically described. Nevertheless, it is intended that all such duties shall be performed by the employee.

The Employer reserves the right to discipline or discharge in good faith for cause.

The Employer reserves the right to lay-off or reduce normal work hours on a temporary or permanent basis for lack of work, funds, or other legitimate reasons including the occurrence of conditions beyond the control of the Employer or where such continuation of work is determined by the Employer to be wasteful and unproductive.

ARTICLE 22 - GENERAL PROVISIONS

22.1 SAVINGS CLAUSE

If any provision of this Agreement shall be held invalid by operation of law or any tribunal of competent jurisdiction, or if compliance or enforcement of any provision shall be restrained by such tribunal pending final determination as to its validity, the remainder of this Agreement shall not be held invalid and shall remain in full force and effect. Upon the request of one party to the other, the parties shall enter into immediate collective bargaining negotiations for the purpose of arriving at a mutually satisfactory replacement of such invalid provision.

Any and all prior agreements, practices, policies, rules, and regulations regarding terms and conditions of employment to the extent inconsistent with the provisions of this Agreement are hereby superseded.

ARTICLE 23 – ENTIRE AGREEMENT

23.1 DURATION CLAUSE

The Agreement shall become effective on January 1, 2006, and remain in full force and effect through December 31, 2008.

Upon mutual written agreement of the parties, the provisions of this Agreement may be modified from time to time by written supplemental agreement. In the event either party wishes to pursue such modification, that party shall give notice of the offer to negotiate a modification. The other party is free to accept or reject the offer to negotiate a modification at its discretion no later than five (5) working days after receipt of the offer, which time period may be extended upon mutual written agreement of the parties. If the parties are agreeable to negotiations, they will meet within ten (10) workings days to discuss ground rules, time frames and interests. Negotiations shall be concluded within the time frame agreed upon by both parties unless extended by mutual agreement. Otherwise, the proposed modification shall be deemed rejected.

If either party wishes to amend or extend the Agreement upon its expiration, notice of such intent must be given no earlier than one hundred and twenty (120) calendar days and no later than sixty (60) calendar days prior to the expiration of the Agreement. The Employer will maintain the status quo with respect to the matters covered by this Agreement during negotiations for a new agreement, following the procedures and time-lines of RCW 41.56.

23.2 ENTIRE AGREEMENT

The agreement expressed herein in writing constitutes the entire agreement between the parties, and there shall be no amendments except in writing and with agreement of both parties.

SIGNATURES

CITY OF KIRKLAND

By: _____
David Ramsay, City Manager

WASHINGTON STATE COUNCIL OF COUNTY AND CITY EMPLOYEES, COUNCIL 2, OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO

By: _____
Bill Keenan, Council 2

By: _____
Susan Greene, President, Local # 1837

Attachment 2

AFSCME Salary Schedule: January 1, 2006 — Addendum A

Market Adjustments (to within 1%) & 2.58% COLA

Non-Exempt Classifications	Dept	Monthly Salary					Hourly Rate				
		Step A	Step B	Step C	Step D	Step E	Step A	Step B	Step C	Step D	Step E
		0-6 mo	7-12 mo	13-24 mo	25-36 mo	37+mo	0-6 mo	7-12 mo	13-24 mo	25-36 mo	37+mo
ACCOUNTING SUPPORT ASSOC IV - PAYABLES	F&A	$ 3,512	$ 3,616	$ 3,719	$ 3,925	$ 4,132	$ 20.26	$ 20.86	$ 21.46	$ 22.64	$ 23.84
ACCOUNTING SUPPORT ASSOC IV - PAYROLL	F&A	$ 3,512	$ 3,616	$ 3,719	$ 3,925	$ 4,132	$ 20.26	$ 20.86	$ 21.46	$ 22.64	$ 23.84
ACCOUNTING SUPPORT ASSOC IV - PW	PW	$ 3,512	$ 3,616	$ 3,719	$ 3,925	$ 4,132	$ 20.26	$ 20.86	$ 21.46	$ 22.64	$ 23.84
ACCOUNTING SUPPORT ASSOC IV - TREASURY	F&A	$ 3,512	$ 3,616	$ 3,719	$ 3,925	$ 4,132	$ 20.26	$ 20.86	$ 21.46	$ 22.64	$ 23.84
ACCOUNTING SUPPORT ASSOC III	F&A	$ 3,016	$ 3,105	$ 3,193	$ 3,371	$ 3,548	$ 17.40	$ 17.91	$ 18.42	$ 19.45	$ 20.47
ADMINISTRATIVE ASSISTANT - CMO	F&A	$ 3,839	$ 3,952	$ 4,064	$ 4,290	$ 4,516	$ 22.15	$ 22.80	$ 23.45	$ 24.75	$ 26.05
ADMINISTRATIVE ASSISTANT - FINANCE	F&A	$ 3,839	$ 3,952	$ 4,064	$ 4,290	$ 4,516	$ 22.15	$ 22.80	$ 23.45	$ 24.75	$ 26.05
ADMINISTRATIVE ASSISTANT - FIRE/BUILDING	F&B	$ 3,839	$ 3,952	$ 4,064	$ 4,290	$ 4,516	$ 22.15	$ 22.80	$ 23.45	$ 24.75	$ 26.05
ADMINISTRATIVE ASSISTANT - IT	IT	$ 3,839	$ 3,952	$ 4,064	$ 4,290	$ 4,516	$ 22.15	$ 22.80	$ 23.45	$ 24.75	$ 26.05
ADMINISTRATIVE ASSISTANT - PW	PW	$ 3,839	$ 3,952	$ 4,064	$ 4,290	$ 4,516	$ 22.15	$ 22.80	$ 23.45	$ 24.75	$ 26.05
APPLICATIONS ANALYST	IT	$ 4,799	$ 4,940	$ 5,081	$ 5,364	$ 5,646	$ 27.69	$ 28.50	$ 29.31	$ 30.95	$ 32.57
BUILDING INSPECTOR	F&B	$ 4,349	$ 4,477	$ 4,605	$ 4,861	$ 5,117	$ 25.09	$ 25.83	$ 26.57	$ 28.04	$ 29.52
BUYER	F&A	$ 3,941	$ 4,057	$ 4,172	$ 4,404	$ 4,636	$ 22.74	$ 23.41	$ 24.07	$ 25.41	$ 26.75
CITY CLERK ASSISTANT	F&A	$ 3,026	$ 3,115	$ 3,204	$ 3,382	$ 3,560	$ 17.46	$ 17.97	$ 18.48	$ 19.51	$ 20.54
CODE ENFORCEMENT OFFICER	PCD	$ 4,936	$ 5,081	$ 5,226	$ 5,517	$ 5,807	$ 28.48	$ 29.31	$ 30.15	$ 31.83	$ 33.50
COMMUNITY CENTER PROGRAM ASST	PCS	$ 3,329	$ 3,427	$ 3,525	$ 3,721	$ 3,917	$ 19.21	$ 19.77	$ 20.34	$ 21.47	$ 22.60
COMMUNITY EDUCATION INFO SPEC	F&B	$ 4,516	$ 4,649	$ 4,782	$ 5,047	$ 5,313	$ 26.05	$ 26.82	$ 27.59	$ 29.12	$ 30.65
CONSTRUCTION INSPECTOR	PW	$ 4,355	$ 4,483	$ 4,611	$ 4,867	$ 5,123	$ 25.13	$ 25.86	$ 26.60	$ 28.08	$ 29.56
CUSTOMER ACCOUNTS ASSOCIATE - BUSINESS LIC	F&A	$ 3,319	$ 3,417	$ 3,515	$ 3,710	$ 3,905	$ 19.15	$ 19.71	$ 20.28	$ 21.40	$ 22.53
CUSTOMER ACCOUNTS ASSOCIATE - CASHIER	F&A	$ 3,233	$ 3,328	$ 3,423	$ 3,613	$ 3,803	$ 18.65	$ 19.20	$ 19.75	$ 20.84	$ 21.94
CUSTOMER ACCOUNTS ASSOCIATE - UTILITY BILLING	F&A	$ 3,233	$ 3,328	$ 3,423	$ 3,613	$ 3,803	$ 18.65	$ 19.20	$ 19.75	$ 20.84	$ 21.94
CUSTOMER ACCOUNTS LEAD	F&A	$ 3,652	$ 3,759	$ 3,866	$ 4,081	$ 4,296	$ 21.07	$ 21.69	$ 22.30	$ 23.54	$ 24.78
DESKTOP PUBLISHING SPECIALIST	IT	$ 3,452	$ 3,553	$ 3,655	$ 3,858	$ 4,061	$ 19.92	$ 20.50	$ 21.09	$ 22.26	$ 23.43
DESKTOP SYSTEMS COORDINATOR	IT	$ 4,605	$ 4,741	$ 4,876	$ 5,147	$ 5,418	$ 26.57	$ 27.35	$ 28.13	$ 29.69	$ 31.26
ELECTRICAL/BUILDING INSPECTOR	F&B	$ 4,566	$ 4,701	$ 4,835	$ 5,103	$ 5,372	$ 26.34	$ 27.12	$ 27.89	$ 29.44	$ 30.99
GIS ANALYST - PW	PW	$ 4,412	$ 4,542	$ 4,672	$ 4,931	$ 5,191	$ 25.45	$ 26.20	$ 26.95	$ 28.45	$ 29.95
GIS ANALYST - IT	IT	$ 4,412	$ 4,542	$ 4,672	$ 4,931	$ 5,191	$ 25.45	$ 26.20	$ 26.95	$ 28.45	$ 29.95
HELP DESK TECHNICIAN	IT	$ 3,972	$ 4,089	$ 4,206	$ 4,439	$ 4,673	$ 22.92	$ 23.59	$ 24.27	$ 25.61	$ 26.96
JUDICIAL SUPPORT ASSOCIATE I	CM	$ 2,820	$ 2,903	$ 2,986	$ 3,152	$ 3,318	$ 16.27	$ 16.75	$ 17.23	$ 18.18	$ 19.14
JUDICIAL SUPPORT ASSOCIATE II	CM	$ 3,141	$ 3,233	$ 3,326	$ 3,510	$ 3,695	$ 18.12	$ 18.65	$ 19.19	$ 20.25	$ 21.32
MAIL CLERK	F&A	$ 2,593	$ 2,669	$ 2,745	$ 2,898	$ 3,050	$ 14.96	$ 15.40	$ 15.84	$ 16.72	$ 17.60
NETWORK ADMINISTRATOR	IT	$ 5,342	$ 5,499	$ 5,657	$ 5,971	$ 6,285	$ 30.82	$ 31.73	$ 32.64	$ 34.45	$ 36.26
OFFICE TECHNICIAN - F&B	F&B	$ 2,967	$ 3,054	$ 3,141	$ 3,316	$ 3,490	$ 17.12	$ 17.62	$ 18.12	$ 19.13	$ 20.13
OFFICE TECHNICIAN - PCD	PCD	$ 2,967	$ 3,054	$ 3,141	$ 3,316	$ 3,490	$ 17.12	$ 17.62	$ 18.12	$ 19.13	$ 20.13
OFFICE TECHNICIAN - PW/FLEET	PW	$ 2,967	$ 3,054	$ 3,141	$ 3,316	$ 3,490	$ 17.12	$ 17.62	$ 18.12	$ 19.13	$ 20.13
PARK PROJECT COORDINATOR	PCS	$ 4,302	$ 4,428	$ 4,555	$ 4,808	$ 5,061	$ 24.82	$ 25.55	$ 26.28	$ 27.74	$ 29.20
PARKS ACCOUNTS ASSOCIATE	PCS	$ 3,277	$ 3,373	$ 3,470	$ 3,662	$ 3,855	$ 18.91	$ 19.46	$ 20.02	$ 21.13	$ 22.24
PARKS ADMINISTRATIVE ASSISTANT	PCS	$ 3,839	$ 3,952	$ 4,064	$ 4,290	$ 4,516	$ 22.15	$ 22.80	$ 23.45	$ 24.75	$ 26.05

AFSCME Salary Schedule: January 1, 2006

Addendum A

Market Adjustments (to within 1%) & 2.58% COLA

Non-Exempt Classifications	Dept	Monthly Salary					Hourly Rate				
		Step A	Step B	Step C	Step D	Step E	Step A	Step B	Step C	Step D	Step E
		0-6 mo	7-12 mo	13-24 mo	25-36 mo	37+mo	0-6 mo	7-12 mo	13-24 mo	25-36 mo	37+mo
PARKS COORDINATOR	PCS	$ 4,029	$ 4,148	$ 4,266	$ 4,503	$ 4,740	$ 23.24	$ 23.93	$ 24.61	$ 25.98	$ 27.35
PAYROLL SYSTEMS COORDINATOR	F&A	$ 4,026	$ 4,145	$ 4,263	$ 4,500	$ 4,737	$ 23.23	$ 23.91	$ 24.59	$ 25.96	$ 27.33
PERMIT TECHNICIAN	F&B	$ 3,642	$ 3,749	$ 3,857	$ 4,071	$ 4,285	$ 21.01	$ 21.63	$ 22.25	$ 23.49	$ 24.72
PERMIT TECHNICIAN	PW	$ 3,642	$ 3,749	$ 3,857	$ 4,071	$ 4,285	$ 21.01	$ 21.63	$ 22.25	$ 23.49	$ 24.72
PLANNING INFORMATION SPECIALIST	PCD	$ 4,000	$ 4,118	$ 4,235	$ 4,471	$ 4,706	$ 23.08	$ 23.76	$ 24.43	$ 25.79	$ 27.15
PLANS EXAMINER I	F&B	$ 4,349	$ 4,477	$ 4,605	$ 4,861	$ 5,117	$ 25.09	$ 25.83	$ 26.57	$ 28.04	$ 29.52
PLANS EXAMINER II	F&B	$ 4,754	$ 4,894	$ 5,034	$ 5,313	$ 5,593	$ 27.43	$ 28.23	$ 29.04	$ 30.65	$ 32.27
PROBATION ASSISTANT	CM	$ 3,233	$ 3,329	$ 3,424	$ 3,614	$ 3,804	$ 18.65	$ 19.21	$ 19.75	$ 20.85	$ 21.95
PROBATION OFFICER	CM	$ 4,171	$ 4,294	$ 4,416	$ 4,662	$ 4,907	$ 24.06	$ 24.77	$ 25.48	$ 26.90	$ 28.31
PROGRAM ASSISTANT	PCS	$ 3,329	$ 3,427	$ 3,525	$ 3,721	$ 3,917	$ 19.21	$ 19.77	$ 20.34	$ 21.47	$ 22.60
PURCHASING AGENT	F&A	$ 4,916	$ 5,060	$ 5,205	$ 5,494	$ 5,783	$ 28.36	$ 29.19	$ 30.03	$ 31.70	$ 33.36
PW OFFICE SPECIALIST	PW	$ 3,142	$ 3,235	$ 3,327	$ 3,512	$ 3,697	$ 18.13	$ 18.66	$ 19.19	$ 20.26	$ 21.33
RECEPTIONIST/ADMIN CLERK	F&A	$ 2,683	$ 2,762	$ 2,841	$ 2,999	$ 3,157	$ 15.48	$ 15.93	$ 16.39	$ 17.30	$ 18.21
RECEPTIONIST/ADMIN CLERK	PCD	$ 2,683	$ 2,762	$ 2,841	$ 2,999	$ 3,157	$ 15.48	$ 15.93	$ 16.39	$ 17.30	$ 18.21
RECORDS MANAGEMENT SPECIALIST	F&A	$ 3,185	$ 3,279	$ 3,372	$ 3,560	$ 3,747	$ 18.38	$ 18.92	$ 19.45	$ 20.54	$ 21.62
RECREATION COORDINATOR	PCS	$ 4,268	$ 4,393	$ 4,519	$ 4,770	$ 5,021	$ 24.62	$ 25.34	$ 26.07	$ 27.52	$ 28.97
RECREATION SYSTEMS ADMINISTRATOR	PCS	$ 3,506	$ 3,609	$ 3,713	$ 3,919	$ 4,125	$ 20.23	$ 20.82	$ 21.42	$ 22.61	$ 23.80
SENIOR ACCOUNTING ASSOCIATE	F&A	$ 3,805	$ 3,917	$ 4,029	$ 4,253	$ 4,477	$ 21.95	$ 22.60	$ 23.24	$ 24.54	$ 25.83
SENIOR CENTER PROGRAM ASSIST	PCS	$ 3,329	$ 3,427	$ 3,525	$ 3,721	$ 3,917	$ 19.21	$ 19.77	$ 20.34	$ 21.47	$ 22.60
SENIOR CONSTRUCTION INSPECTOR	PW	$ 4,845	$ 4,988	$ 5,130	$ 5,415	$ 5,700	$ 27.95	$ 28.78	$ 29.60	$ 31.24	$ 32.88
SENIOR DESIGN SPECIALIST	IT	$ 3,900	$ 4,015	$ 4,129	$ 4,359	$ 4,588	$ 22.50	$ 23.16	$ 23.82	$ 25.15	$ 26.47
SENIOR DEVELOPMENT PLANS EXAMINER	PW	$ 4,905	$ 5,049	$ 5,193	$ 5,482	$ 5,770	$ 28.30	$ 29.13	$ 29.96	$ 31.63	$ 33.29
SENIOR PW ACCOUNTANT	PW	$ 4,854	$ 4,996	$ 5,139	$ 5,425	$ 5,710	$ 28.00	$ 28.82	$ 29.65	$ 31.30	$ 32.94
SYSTEM ADMINISTRATOR	IT	$ 5,902	$ 6,075	$ 6,249	$ 6,596	$ 6,943	$ 34.05	$ 35.05	$ 36.05	$ 38.05	$ 40.06
UTILITY DATA ENTRY CLERK	PW	$ 2,816	$ 2,899	$ 2,982	$ 3,147	$ 3,313	$ 16.25	$ 16.73	$ 17.20	$ 18.16	$ 19.11
VAN DRIVER	PCS	$ 2,764	$ 2,846	$ 2,927	$ 3,089	$ 3,252	$ 15.95	$ 16.42	$ 16.89	$ 17.82	$ 18.76
WEB MASTER	IT	$ 5,611	$ 5,776	$ 5,941	$ 6,271	$ 6,601	$ 32.37	$ 33.32	$ 34.28	$ 36.18	$ 38.08
WEB PRODUCTION ASSISTANT	IT	$ 3,760	$ 3,870	$ 3,981	$ 4,202	$ 4,423	$ 21.69	$ 22.33	$ 22.97	$ 24.24	$ 25.52
YOUTH SERVICES COORDINATOR	PCS	$ 4,098	$ 4,218	$ 4,339	$ 4,580	$ 4,821	$ 23.64	$ 24.33	$ 25.03	$ 26.42	$ 27.81

AFSCME Salary Schedule: January 1, 2006 — Addendum A

Market Adjustments (to within 1%) & 2.58% COLA

Exempt Classifications	Dept	Monthly Salary					Hourly Rate				
		Step A	Step B	Step C	Step D	Step E	Step A	Step B	Step C	Step D	Step E
		0-6 mo	7-12 mo	13-24 mo	25-36 mo	37+mo	0-6 mo	7-12 mo	13-24 mo	25-36 mo	37+mo
ASSOCIATE PLANNER	PCD	$ 4,767	$ 4,907	$ 5,047	$ 5,328	$ 5,608	$ 27.50	$ 28.31	$ 29.12	$ 30.74	$ 32.35
BUDGET ANALYST	F&A	$ 4,468	$ 4,600	$ 4,731	$ 4,994	$ 5,257	$ 25.78	$ 26.54	$ 27.29	$ 28.81	$ 30.33
BUSINESS ANALYST	F&A	$ 4,468	$ 4,600	$ 4,731	$ 4,994	$ 5,257	$ 25.78	$ 26.54	$ 27.29	$ 28.81	$ 30.33
DEVELOPMENT ENGINEER	PW	$ 5,159	$ 5,310	$ 5,462	$ 5,766	$ 6,069	$ 29.76	$ 30.63	$ 31.51	$ 33.27	$ 35.01
DEVELOPMENT ENGINEERING ANALYST	PW	$ 4,621	$ 4,757	$ 4,893	$ 5,165	$ 5,437	$ 26.66	$ 27.44	$ 28.23	$ 29.80	$ 31.37
HUMAN SERVICES COORDINATOR	PCS	$ 4,844	$ 4,987	$ 5,129	$ 5,414	$ 5,699	$ 27.95	$ 28.77	$ 29.59	$ 31.23	$ 32.88
MANAGEMENT ANALYST	PW	$ 4,709	$ 4,848	$ 4,986	$ 5,263	$ 5,540	$ 27.17	$ 27.97	$ 28.77	$ 30.36	$ 31.96
NEIGHBORHOOD SERVICES COORD	CM	$ 4,723	$ 4,862	$ 5,000	$ 5,278	$ 5,556	$ 27.25	$ 28.05	$ 28.85	$ 30.45	$ 32.05
PARKING COORDINATOR	PW	$ 5,137	$ 5,288	$ 5,439	$ 5,741	$ 6,043	$ 29.64	$ 30.51	$ 31.38	$ 33.12	$ 34.86
PLANNER	PCD	$ 4,466	$ 4,597	$ 4,729	$ 4,991	$ 5,254	$ 25.77	$ 26.52	$ 27.28	$ 28.79	$ 30.31
PLANS EXAMINER III	F&B	$ 5,461	$ 5,622	$ 5,783	$ 6,104	$ 6,425	$ 31.51	$ 32.43	$ 33.36	$ 35.22	$ 37.07
PROJECT ENGINEER	PW	$ 5,461	$ 5,622	$ 5,783	$ 6,104	$ 6,425	$ 31.51	$ 32.43	$ 33.36	$ 35.22	$ 37.07
SENIOR ACCOUNTANT	F&A	$ 4,924	$ 5,069	$ 5,214	$ 5,503	$ 5,793	$ 28.41	$ 29.24	$ 30.08	$ 31.75	$ 33.42
SENIOR DEVELOPMENT ENGINEER	PW	$ 6,040	$ 6,218	$ 6,395	$ 6,751	$ 7,106	$ 34.85	$ 35.87	$ 36.89	$ 38.95	$ 41.00
SENIOR OPERATIONS & FINANCE ANALYST	PW	$ 4,924	$ 5,069	$ 5,214	$ 5,503	$ 5,793	$ 28.41	$ 29.24	$ 30.08	$ 31.75	$ 33.42
SENIOR PLANNER	PCD	$ 5,276	$ 5,431	$ 5,586	$ 5,897	$ 6,207	$ 30.44	$ 31.33	$ 32.23	$ 34.02	$ 35.81
SENIOR SURFACE WATER ENGINEER	PW	$ 6,040	$ 6,218	$ 6,395	$ 6,751	$ 7,106	$ 34.85	$ 35.87	$ 36.89	$ 38.95	$ 41.00
SOLID WASTE COORDINATOR	PW	$ 4,785	$ 4,925	$ 5,066	$ 5,348	$ 5,629	$ 27.61	$ 28.41	$ 29.23	$ 30.85	$ 32.48
SPECIAL PROJECTS COORDINATOR	CM	$ 4,871	$ 5,014	$ 5,157	$ 5,444	$ 5,730	$ 28.10	$ 28.93	$ 29.75	$ 31.41	$ 33.06
SURFACE WATER SYSTEMS ENGINEER	PW	$ 4,839	$ 4,981	$ 5,124	$ 5,408	$ 5,693	$ 27.92	$ 28.74	$ 29.56	$ 31.20	$ 32.84
SURFACE WATER UTILITY ENGINEER	PW	$ 5,159	$ 5,310	$ 5,462	$ 5,766	$ 6,069	$ 29.76	$ 30.63	$ 31.51	$ 33.27	$ 35.01
TRAFFIC CONTROL COORDINATOR	PW	$ 5,137	$ 5,288	$ 5,439	$ 5,741	$ 6,043	$ 29.64	$ 30.51	$ 31.38	$ 33.12	$ 34.86
TRANSPORTATION ENGINEER	PW	$ 5,407	$ 5,566	$ 5,725	$ 6,043	$ 6,361	$ 31.19	$ 32.11	$ 33.03	$ 34.86	$ 36.70

CITY OF KIRKLAND

123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189 (425) 587-3249

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
MEMORANDUM

To: David Ramsay, City Manager

From: Dorian Collins, AICP, Senior Planner

Date: January 25, 2006-

Subject: ARCH 2007 WORK PROGRAM AND BUDGET, File MIS07-00001

RECOMMENDATION

Staff recommends that the City Council, by motion, approve the 2007 ARCH Work Program and Budget.

BACKGROUND DISCUSSION

The ARCH Executive Board has reviewed and approved the 2007 Work Program and Budget. Pursuant to the ARCH Interlocal Agreement, these are being forwarded to the member Councils for their review and approval (see Attachments 1 and 2).

This year, ARCH will continue to assist the City of Kirkland with follow-up tasks related to the recommendations. This will include ways to encourage affordable housing as part of market rate housing development, assistance with preparation of permanent innovative housing regulations, preserving existing affordable housing and exploring the feasibility of mixed use transit oriented development at Park and Ride facilities. A complete list of activities to be undertaken by ARCH in 2007 is contained in Attachment 1. In addition to the tasks listed in Attachment 1, ARCH staff have agreed to assist with the discussion of housing issues at the Council's retreat in March.

The proposed 2007 budget for ARCH, which totals $441,043, is itemized in Attachment 2. A comparison with the 2006 budget is provided. Resource distribution by the various ARCH member cities is also included. Kirkland's share increased from $50,425 to $53,198 an increase of $2,773 in cash contributions. The percentage increase in contributions for the City of Kirkland is 5.50% and is consistent with increases requested of most member jurisdictions. The contribution of $53,198 for the ARCH Administrative Budget was approved as part of the City's budget for 2007.

cc: MIS07-00001
Arthur Sullivan, ARCH, 16225 NE 87th Street, Suite A-3, Redmond, WA 98052

12/06

ARCH WORK PROGRAM: 2007

I. PROJECT ASSISTANCE

A. Oversight of Local Monetary Assistance

ARCH Trust Fund. Review applications and make recommendations for requests of local monetary funds through the ARCH Housing Trust Fund process. Includes helping to coordinate the application process and use of funds for various programs. Also assist with preparing contracts for awarded projects and do quarterly progress reports on funded projects.

Objective: Allocation of $1,000,000 or more through the ARCH Housing Trust Fund Process.

Funding commitments to create or preserve a minimum of 75 units.

For the 'Parity Program', provide updated annual information to members, and achieve the base line goal for levels of direct assistance.

Provide a variety of types of affordable housing as specified in the ARCH Trust Fund Criteria.

For projects requesting Bellevue funds, provide housing which is consistent with the priorities set by the Bellevue Council in 1998.

Explore and evaluate the feasibility of a dedicated funding source.

Evaluation of ARCH Trust Fund. As part of the larger ARCH Housing Strategy Program work, complete evaluation of Trust Fund in terms of maximizing local objectives, and if necessary, consider changes to the Trust Fund to respond to local conditions and address local needs.

Objective: Develop a sustainable strategy for the HTF to meet increasing project costs and the reduction of federal housing funds. Look for strategies that leverage local housing dollars.

Centralized Trust Fund Account. Initiate a centralized trust fund that will consolidate all affordable housing trust fund monies in a single account and allow loan repayments to revolve back into affordable housing.

Funded Projects Follow-up. Monitor progress of funded projects and assist local staff with contracting and distributing funds, and ongoing monitoring of loans.

King County / State Funding Programs Review and provide input to other funders for Eastside projects that apply for County (HOF, RAHP, HOME, etc) and State (Tax Credit, DCTED) funds. Includes providing input to the King County Home Consortium on behalf of participating Eastside jurisdictions. Participate in the 3-year evaluation of the RAHP program.

Objective: In consultation with County, local staff and housing providers, seek to have funds allocated on a countywide basis by the County and State allocated proportionately throughout the County including the ARCH Sphere of Influence.

B. Special Projects This includes a range of activities where ARCH staff assist local staff with specific projects. Activities can range from feasibility analysis, assisting with requests for proposals, to preparation of legal documents (e.g. contracts, covenants). Following is a list of several specific projects that are already underway. One of ARCH's priorities is to be available to assist cities as they assess other potential special projects that arise.

Surplus Property. . Assist as needed member cities evaluation of potentially surplus public property for suitability of affordable housing. One potential use of surplus property is for the HomeChoice Way ownership initiative.

Objective: Identify one or more specific sites on the eastside to be made available for housing.

Preserving HUD Financed Housing ARCH will continue to monitor and actively pursue efforts to directly assist developments in order to preserve existing HUD assisted affordable housing.

Objective: . Preserve existing federally assisted affordable housing in East King County and prevent from converting to market rate housing

Solicit support from federal legislators to maintain funding for Section 8 and other HUD housing programs.

Metro Park n' Ride/Transit Sites. ARCH staff will continue to work with local staff on exploring the feasibility of pursuing housing projects on Park n' Ride or transit oriented lots. Sites in Redmond, Kenmore, Bellevue and Kirkland are communities with specific sites that will, or may be, be evaluated in 2007. As needed ARCH staff will assist City, County and transit staff with feasibility analysis, and if applicable, project development.

Objective: Assist Redmond and Kenmore with administering affordability requirements associated with their downtown Park n Ride sites.

To assist Kirkland in exploring the feasibility of mixed use transit oriented development housing at Kirkland's Park and Ride Facilities.

Issaquah Master Planned Development Sites. Both the Issaquah Highlands and Talus master planned developments (MPD) include 'land set-aside' parcels that are reserved for the development of affordable housing for a specified period of time. ARCH will work with City staff to identify developers of the land 'set-aside' parcels and assist as needed with specific aspects of these parcels. including negotiate and track covenants and resale restrictions to guarantee long term affordability.

Objective: To assist as needed with privately developed portion of the affordable housing required in Talus, and begin work on a second set aside parcel in Issaquah Highlands with the negotiation and tracking of covenants and resale restrictions to guarantee long term affordability.

Eastside Homebuyer Assistance Program. In late 2005 the House Key Plus ARCH down payment assistance program was launched with funding from many East King County cities, King County and the Washington Housing Commission and in 2006 a second round of funding was received from the same initial funders. In 2007, the goal is to award essentially all the funds received in both the first and second round of funding. In addition there will be an assessment of the effectiveness of the program, and if there should be any modifications to the program.

Objective Allocate all funds set-aside for the down payment program and assess long term viability and potential modifications to the program.

If deemed successful, seek additional funding to extend the program.

Reserve Fund Innovative Program. In the past, ARCH has used its reserve funds to provide unsecured predevelopment loans for innovative projects being sponsored by communities (e.g. Greenbrier (Woodinville), Coast Guard Site). ARCH will work with local staff and the broader community to identify other potential new innovative projects.

Objective: On an as needed basis, assist members with doing feasibility, community outreach and other predevelopment activity on specific sites or programs to assess their potential to provide affordable housing.

II. HOUSING POLICY PLANNING

A. Local Planning Activities

ARCH Housing Strategy Program. As follow up to an evaluation of the ARCH Housing Trust Fund and a strategic planning meeting by the Executive Board and Planning Directors in 2006, ARCH will undertake an effort involving council members to develop a more comprehensive list of priority housing strategies for members of ARCH. This will also include developing a set of 'best practices' for increasing awareness of housing issues in East King County. This process will be supported by a grant from DCTED, and will include participation from community stakeholders.

Objective: Provide opportunity for elected officials to actively participate in the development, adoption, and implementation of joint priority housing strategies mutually agreeable to ARCH members..

Legislative Items

a) State property tax exemption program Revisions to existing legislation (RCW 84.14) that allows a ten-year exemption for multifamily housing in mixed use areas could increase the effectiveness of this program in East King County cities. ARCH is exploring two changes: 1) to reduce the minimum city size that can use this program (currently 30,000); and 2) allow cities to offer partial exemptions. ARCH staff will work with local and State officials to propose legislative changes to RCW 84.14.

b) Governor's Affordable Housing Task Force. The Governor's Affordable Housing Task

Force forwarded a report to the Governor recommending a variety of potential actions to encourage increased housing affordability. This could lead to legislative proposals in the upcoming session, in areas such as infrastructure financing and local planning efforts. Staff will track such efforts and report back to the Executive Board and members of ARCH on such efforts.

c.) Legislative Forum. At the AWC legislative conference in 2006, ARCH hosted a work session with local city and state officials to discuss housing legislation relevant to East King County communities. ARCH will work with AWC to host a similar meeting during the 2007 AWC legislative conference.

d.) Federal Funding Support. (See Special Project, Preserving HUD Financed Housing

Housing Background Information. Historically, ARCH has provided a range of housing and demographic information for its members. On an annual basis, ARCH will continue to provide updated housing data information as available. Consider updating and expanding ARCH website to allow members easier access to ARCH studies, background reports and demographic data .

Objective:

Continue to keep member jurisdictions and the broader community aware of local housing conditions as input for jurisdictions to evaluate current and future efforts to meet local housing objectives.

ADU Community Outreach. Several years ago, ARCH took the initial steps to develop a marketing and technical assistance program for Accessory Dwelling Units (ADU). The goal for the upcoming year is to broaden the scope of the program by using information from the ADU demonstration project, and working with the County to develop a ADU loan program to increase ADU opportunities for lower income and/or disabled persons. In addition, as needed, ARCH staff will assist local staff with assessing and modifying existing local ADU regulations.

Objective Increase general community awareness of ADU's and provide basic information to help those interested in creating an ADU.

Local Code Updates**:** ARCH jurisdictions are updating land use, zoning and other codes in order to implement policies identified in their Comprehensive Plans. ARCH staff will continue to assist local staffs in these efforts. Following are specifically identified areas that ARCH will assist local staff with accomplishing.

Objective: Assist local staff with completion of the following updates of local codes and specific plans:

Bellevue

Assist City staff as needed with Bellevue's planning initiatives that emerge from the update of the Housing Element. (e.g. updates to ADU regulations, more innovative forms of housing.)

Assist City staff with researching potential incentives to encourage work force housing in the Downtown, including potential public funding sources such as the

10 year property tax exemption allowed under RCW 84.14.

As part of the larger ARCH Implementation Strategy work, re-assess Bellevue Housing Trust Fund guidelines to ensure they are consistent with community needs and priorities.

Explore regulatory and non-regulatory approaches to improve compatibility of single family infill development, major remodels and SF conditional uses. (Is this an ARCH item?)

Survey housing conditions and develop strategies to encourage the maintenance and updating of the city's older housing stock.

Assist City staff to evaluate long term options for the Landmark property which was purchased in 2002 by the King County Housing Authority.

Bothell

Assist City staff preparing a Housing Strategy Plan and implementation of initial strategies .

Assist City staff and Planning Commission with update to the Downtown Plan, specifically providing assistance on components related to housing and affordable housing. This will include ARCH staff participating in the Downtown Resources Group and the Housing/Affordable Housing Round Table.

Clyde Hill

Assist City staff with a general review of housing regulations.

Assist City with rental of City’s affordable rental unit.

Issaquah

Assistance is anticipated for the following projects:

Talus: Assist in administering the first group of the Phase II affordable rental and owner units.

Issaquah Highlands: Monitor the implementation of the Issaquah Highlands affordable housing development agreement. This includes monitoring annual progress toward achieving affordability goals and providing information to developers on details about how the program is implemented.

Assist City staff incorporate affordable housing incentives into both the Gilman subarea plan and the Olde Town Design Standards.

Evaluate providing waivers from school impact fees during the City’s annual update of the school impact fee ordinance.

Kenmore

Downtown Site. Assist staff with review of proposal by the selected developer

of the Downtown site, and assist with implementing the affordability requirements for the site.

Downtown Plan /LakePointe: As needed, work with City staff to implement the requirement to provide affordable units in the downtown area and/or the LakePointe master planned development.

Housing Regulations: Assist city staff with their update of its zoning and subdivision codes as they relate to housing and housing affordability.

Kirkland

Assist City staff with follow-up work related to the recommendations of the Housing Task Force. This could include:

- Evaluating regulations to encourage affordable housing as part of market rate housing development, especially in the downtown area;
- Analyzing the outcome of the innovative housing demonstration projects and preparing permanent innovative housing regulations,
- Preserving existing affordable housing;
- Exploring the feasibility of mixed use transit oriented development housing at Kirkland's Park and Ride Facilities;
- Developing regulations for duplexes and triplexes that fit in single-family zones; and
- Using a small surplus city property for innovative housing (e.g. cottages).

Assist City staff with housing issues as part of neighborhood plan updates.

Mercer Is.

Assist staff and council with updates to the City's incentive programs to include affordable housing within new developments, particularly in the Town center. .

Assist City Staff and Planning Commission with updating the Housing Strategy Plan, and with initial implementation of high priority strategies.

Newcastle

Assist City staff with implementation of high priority strategies from their Housing Strategy Program.

Assist City staff in reviewing development agreements for any project that would include an affordable housing requirement, including those related to the Community Business Center.

Redmond

Help with update of housing regulations related to the update in the Housing Element of the Comprehensive Plan that are part an overall housing initiative, that will result in the development of a package of policy and regulatory reforms to help increase the supply and diversity of new housing.

Continue to assist with negotiating, and administering the provision of affordable housing in developments required to provide affordable housing units pursuant to

city regulations.

Help with the development of an incentive package to encourage affordable housing. May include help with convening a panel of builders and developers to speak to the Planning Commission.

Assist in making ADU presentation to Grass Lawn Neighborhood Association pursuant to Neighborhood Plan policy.

Assist in implementing and analyzing the outcome of an innovative housing ordinance and pilot program and preparing regulatory amendments to allow innovative styles or housing products that are deemed appropriate in Redmond.

Woodinville

Continue work to assist City staff and Planning Commission with ways to encourage housing in the Downtown/Little Bear Creek Master Plan area.

Sammamish

The City has completed its Housing Plan as part of adopting its first Comprehensive Plan and is now working on a number of related initiatives . ARCH staff will assist City staff on several of these efforts including:

- Assist with background research and community process associated with housing components of the Town Center plan.
- Assist with evaluating and potentially implementing a demonstration program for innovative forms of housing.
- Assist with initial implementation of high priority strategies identified in the Housing Strategy Plan. These may include items such as evaluating existing regulations and efforts to encourage Accessory Dwelling Units, regulatory incentives to include affordable units within private developments, innovative housing demonstration program.

King County See Regional/Planning Activities below.

Complete standard covenants, and monitor the implementation of the Northridge/Blakely Ridge affordable housing development agreement. This includes monitoring annual progress toward achieving affordability goals; and providing information to developers on details about how the program is implemented.

General Assistance**.** In the past, there have been numerous situations where member staffs have had requests for support on issues not explicitly listed in the Work Program. Requests range from technical clarifications, to assisting with negotiating agreements for specific development proposals, to more substantial assistance on unforeseen work. ARCH sees this as a valuable service to its members and will continue to accommodate such requests to the extent they do not jeopardize active work program items.

B. Regional/Countywide Planning Activities

Affordable Housing Tracking System. The Growth Management Act/Countywide Affordable Housing Policies call for jurisdictions to track the development/preservation of housing affordable to low and moderate income families. This work is being coordinated through the Benchmarks Task Force. ARCH staff will continue to assist cities and the County with collecting data needed for Benchmarks.

Objective: Collection and analysis of data as specified in Benchmark Task Force report.

Maintain an eastside housing database for storing benchmark and related housing data. The database should allow the creation of standardized reports, yet be flexible enough to also meet the individual reporting needs of members. This database will be updated to include permit data and funding activities from 2006.

County-Wide Housing Committees. Support local staff by providing staff support as needed to 'regional'/statewide working groups/committees, and disseminating key information back to local staffs. Groups include the Growth Management Planning Council (GMPC), the McKinney review team, and DCTED Housing Trust Fund Policy Advisory Team.

Committee to End Homelessness (CEH). Anticipated work of the CEH in the coming year include: evaluating ways to more effectively use existing resources, including more coordinated allocation of resources; and initiating several specific proposals for East King County. A primary role ARCH staff have provided is to help coordinate having an ongoing dialogue and planning effort within East King County of cities, agencies and providers to better coordinate local efforts to tie into the work of CEH.

Objective: Keep member jurisdictions informed of significant regional issues and pending legislation that could affect providing housing in East King County.

Ensure that perspectives of communities in East King County are addressed in regional housing activities, including the Committee to End Homelessness.

Have one or more specific local programs initiated as part of the 10 Year Plan to End Homelessness.

III. HOUSING PROGRAM IMPLEMENTATION

Monitoring Affordable Rental Housing. Administer ongoing compliance of affordability requirements. This primarily includes affordable rental housing created through l direct assistance (e.g. Trust Fund allocation, land donations) from member jurisdictions, and occasionally through land use incentives. Some Trust Fund projects also require monitoring of project cash flow related to loans made by jurisdictions to projects. Other public funders are becoming increasingly interested in monitoring efforts, and are exploring ways to cooperate with one another with monitoring.

Objective: Ensure projects are in compliance with affordability requirements which involves collecting annual reports from projects, screening information for compliance, and preparing

summary reports for local staffs. To the extent possible this work shall:

- Minimize efforts by both owners and public jurisdictions;
- Coordinate ARCH's monitoring efforts with efforts by other funding sources such as using shared monitoring reports;
- Utilize similar documents and methods for monitoring developments throughout East King County.
- Ensure accurate records for affordable ownership units, including audit units for owner occupancy and proper recording of necessary documentation.
- Establish working relationship with other public organizations that can help assess how well properties are maintained and operated (e.g. code compliance, police, and schools).

Monitoring Affordable Ownership Housing. As more price restricted homes are created and given changes in lending practices the past few years, monitoring of affordable ownership housing created through local land use regulations is becoming of increased importance. In 2006, several issues emerged related to the long term implementation of affordable housing covenants (e.g. owners over borrowing on homes). Several actions were taken in 2006 to address these issues. In 2007, the goal is to complete revisions to the ownership covenants in order to better insure long term affordability of ownership units.

Objective: Oversee resale of affordable ownership homes.

Complete revisions to the affordability covenant and administrative procedures to better protect against potential loss of long term affordability

Mailing List of Low/Moderate Income Households Maintain a list of families potentially interested in affordable housing (both rental and ownership) created through the efforts of the participating jurisdictions.

Objective:.Maintain lists of affordable housing in East King County, and making that available as needed to people looking for affordable housing.

Maximize use of the ARCH web site to assist persons looking for affordable housing.

Relocation Plans. Assist as necessary with preparing relocation plans and coordinate monitoring procedures for developments required to prepare relocation plans pursuant to local or state funding requirements.

Objective: Maximize efforts to ensure that existing households are not unreasonably displaced as a result of the financing or development of new or existing housing.

IV. SUPPORT/EDUCATION/ADMINISTRATIVE ACTIVITIES

Education/Outreach. Education efforts should include 'Big Picture' subject matters and, in some cases, tie into efforts related to public outreach/input on regional housing issues. However, much of ARCH's outreach/education work will occur through work with individual members on

local housing efforts. Potential outreach tools include the ARCH video, a display board, a portfolio of successful projects, ARCH brochure, and housing tours.

Objective: With the assistance of the broader community and based on the outcome of the Housing Strategy Program (see planning section), develop education tools to inform councils, staffs and the broader community of current housing conditions, and of successful efforts achieved in recent years.

ARCH Web site. Currently this site is primarily geared to those utilizing programs administered through ARCH (e.g. listing of available rental and ownership affordable units, application for Trust Fund, consumer information on Accessory Dwelling Units, linkages to other housing related services in the community). There is some information on the site related to local housing issues and efforts, and it is hoped that this will be expanded in the coming year through materials developed as part of ARCH's grant from the Innovations in American Government Award, as well as potentially ideas coming out of the Housing Strategy Program.

Objective: Maintain the ARCH web site and complete the community outreach portion.

Make presentations, including housing tours, to at least 10 community organizations.

Media coverage on at least six topics related to affordable housing in East King County related to work done by Cities/ARCH and articles in local city newsletters.

Advice to Interested Groups. Provide short-term technical assistance to community groups, churches and developers interested in community housing efforts. Meet with groups and provide suggestions on ways they could become more involved.

Objective: Increase awareness of existing funding programs (e.g. rental rehab) by potential users.

Increase opportunities of private developers and Realtors working in partnership with local communities on innovative/affordable housing.

Administrative Procedures. Prepare quarterly budget performance and work program progress reports. Prepare the Annual Budget and Work Program. Staff the Executive and Citizen Advisory Boards.

Objective: Maintain a cost effective administrative budget for ARCH, and keep expenses within budget. Administrative costs should be equitably allocated among ARCH's members.

Maintain membership on the ARCH Citizen Advisory Board that includes broad geographic representation and wide range of housing and community perspectives.

2007 ARCH Administrative Budget

12/12/2006

I. ANNUAL OPERATING EXPENSES

Item		2006 Budget		2007 Budget		Change Budget	Percent Change
Staffing							
Housing Mgr	$	95,244	$	98,326	$	3,082	3%
Benefits	$	21,360	$	24,693	$	3,333	16%
Housing Planner I	$	70,698	$	73,625	$	2,927	4%
Benefits	$	18,656	$	21,188	$	2,532	14%
Housing Planner II	$	57,809	$	59,399	$	1,590	3%
Benefits	$	17,347	$	19,233	$	1,886	11%
Clerk I	$	44,094	$	49,206	$	5,112	12%
Benefits	$	15,846	$	17,833	$	1,987	13%
Clerk II	$	21,190	$	20,846	$	(344)	-2%
Benefits	$	12,847	$	13,936	$	1,089	8%
Sub-total	$	375,091	$	398,286	$	23,195	6%
Rent	$	11,120	$	11,222	$	102	1%
Utlities		Incl^		Incl^		Incl^	Incl^
Telephone	$	2,575	$	2,575	$	-	0%
Operating							
Travel/Training	$	2,000	$	2,000	$	-	0%
Auto Mileage	$	2,225	$	2,500	$	275	12%
Copier Costs	$	2,090	$	2,500	$	410	20%
Office Supplies	$	2,029	$	2,000	$	(29)	-1%
Office Equipment Service	$	4,400	$	4,000	$	(400)	-9%
Fax/Postage	$	2,334	$	2,000	$	(334)	-14%
Periodical/Membership	$	3,450	$	3,450	$	-	0%
Misc. (e.g. events,etc.)	$	2,000	$	1,840	$	(160)	-8%
Insurance	$	5,800	$	5,800	$	-	0%
Equipment Replacement	$	2,870	$	2,870	$	-	0%
Sub-total	$	29,198	$	28,960	$	(238)	-1%
TOTAL	$	417,984	$	441,043	$	23,059	5.52%

* Actual salary increases based on Bellevue's approved Cost of Living Adjustment

II. ARCH ADMINISTRATIVE BUDGET: 2007 IN-KIND CONTRIBUTIONS

			Value of In-King Contributions		
Salary	Annual Cost		Bellevue	King County	Required Cash
Sub-total	$	398,286	$ 123,019		$ 275,266.84
Rent at Family Resource Cent	$	11,222			$ 11,222.27
Utilities		Incl^			
Telephone	$	2,575			$ 2,575.00
Travel/Training	$	2,000			$ 2,000.00
Auto Mileage	$	2,500			$ 2,500.00
Copier Costs	$	2,500			$ 2,500.00
Office Supplies	$	2,000			$ 2,000.00
Office Equipment	$	4,000			$ 4,000.00
Fax/Postage	$	2,000			$ 2,000.00
Periodical/Membership	$	3,450			$ 3,450.00
Misc.	$	1,840			$ 1,840.00
Insurance	$	5,800			$ 5,800.00
Equipment Fund	$	2,870			$ 2,870.00
Sub-total	$	28,960			$ 28,960.00
TOTAL	$	441,043	$ 123,019		$ 318,024.11

III. ARCH ADMINISTRATIVE BUDGET: RESOURCE DISTRIBUTION

A. Cash Contributions	2006	2007	Change	Percent Change
Bothell	$ 33,064.00	$ 34,882.52	$ 1,818.52	5.50%
Issaquah	$ 12,400.00	$ 13,082.00	$ 682.00	5.50%
King County	$ 42,795.00	$ 45,148.73	$ 2,353.73	5.50%
Kirkland	$ 50,425.00	$ 53,198.38	$ 2,773.38	5.50%
Mercer Island	$ 25,211.00	$ 26,597.61	$ 1,386.61	5.50%
Newcastle	$ 8,403.00	$ 8,865.17	$ 462.17	5.50%
Redmond	$ 50,425.00	$ 53,198.38	$ 2,773.38	5.50%
Woodinville	$ 10,038.00	$ 10,590.09	$ 552.09	5.50%
Beaux Arts Village	$ 1,324.00	$ 1,396.82	$ 72.82	5.50%
Clyde Hill	$ 2,244.00	$ 2,367.42	$ 123.42	5.50%
Hunts Point	$ 1,324.00	$ 1,396.82	$ 72.82	5.50%
Medina	$ 2,244.00	$ 2,367.42	$ 123.42	5.50%
Yarrow Point	$ 1,324.00	$ 1,396.82	$ 72.82	5.50%
Sammamish	$ 38,968.00	$ 41,111.24	$ 2,143.24	5.50%
Kenmore	$ 21,256.00	$ 22,425.08	$ 1,169.08	5.50%
TOTAL	$ 301,445.00	$ 318,024.48	$ 16,579.48	

B. In-Kind Contributions	2006	2007	Change	Percent Change
Bellevue	$ 116,603.00	$ 123,018.77	$ 6,415.77	5.50%
TOTAL	$ 116,603.00	$ 123,018.77	$ 6,415.77	

C. Total Contributions

Bellevue	$ 116,603.00	$ 123,018.77	$ 6,415.77	5.50%
Bothell	$ 33,064.00	$ 34,882.52	$ 1,818.52	5.50%
Issaquah	$ 12,400.00	$ 13,082.00	$ 682.00	5.50%
King County	$ 42,795.00	$ 45,148.73	$ 2,353.73	5.50%
Kirkland	$ 50,425.00	$ 53,198.38	$ 2,773.38	5.50%
Mercer Island	$ 25,211.00	$ 26,597.61	$ 1,386.61	5.50%
Newcastle	$ 8,403.00	$ 8,865.17	$ 462.17	5.50%
Redmond	$ 50,425.00	$ 53,198.38	$ 2,773.38	5.50%
Woodinville	$ 10,038.00	$ 10,590.09	$ 552.09	5.50%
Beaux Arts Village	$ 1,324.00	$ 1,396.82	$ 72.82	5.50%
Clyde Hill	$ 2,244.00	$ 2,367.42	$ 123.42	5.50%
Hunts Point	$ 1,324.00	$ 1,396.82	$ 72.82	5.50%
Medina	$ 2,244.00	$ 2,367.42	$ 123.42	5.50%
Yarrow Point	$ 1,324.00	$ 1,396.82	$ 72.82	5.50%
Sammamish	$ 38,968.00	$ 41,111.24	$ 2,143.24	5.50%
Kenmore	$ 21,256.00	$ 22,425.08	$ 1,169.08	5.50%
TOTAL	$ 418,048.00	$ 441,043.24	$ 22,995.24	5.50%
TOTAL COSTS	$ 417,984.00	$ 441,042.88	$ 23,058.88	5.52%
BALANCE	$ 64.00	$ 0		

CITY OF KIRKLAND

123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189 (425) 587-3249

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
MEMORANDUM

To: David Ramsay, City Manager

From: Dorian Collins, AICP, Senior Planner

Date: January 25, 2007

Subject: ARCH HOUSING TRUST FUND RECOMMENDATION FOR SPRING 2007, File MIS07-00001

RECOMMENDATION

Staff recommends that the City Council adopt a motion to approve the recommendations and conditions of approval of the ARCH Executive Board for the Fall 2006 Housing Trust Fund to allocate $36,592 to the St. Andrew's Housing Group (SAHG) – 280 Clark project. The second request is from ARCH, which seeks authority to use existing unspent housing funds on a short term, as needed basis for First Right of Refusal Purchase Authority.

BACKGROUND DISCUSSION

SAHG- 280 Clark

As in previous funding rounds, general funds set aside by the Council for low and moderate income housing development projects are administered through the ARCH Housing Trust Fund application process. The ARCH Executive Board has recommended that $36,592 previously allocated from the Kirkland general fund to the ARCH Housing Trust Fund, be awarded to St. Andrews Housing Group (SAHG). They would use the funds for permanent acquisition and consultant costs associated with the acquisition and rehabilitation of the existing 30-unit 280 Clark Street housing project

ARCH-First Right of Refusal Purchase Authority

ARCH is seeking authority from Council to use unspent City Housing Funds, either alone or in combination with other City's Housing Trust Funds, to preserve the affordability of price restricted ownership housing units that are in default of their resale covenants. The intent would be to use Housing Funds to purchase a price restricted ownership unit in default of its covenant, get it ready for resale to a qualified buyer, and then return the proceeds of the resale to the Housing Funds.

A summary of the Executive Board recommendations for these two items is included as Attachment 1 to this memorandum. Additional information regarding the proposed projects can be provided at the February 6th City Council meeting, if desired.

cc: MIS07-00001
Arthur Sullivan, ARCH, 16225 NE 87th Street, Suite A-3, Redmond, WA 98052

TO: City of Bellevue Council Members
City of Kirkland Council Members
City of Mercer Island Council Members
City of Kenmore Council Members
City of Issaquah Council Members

FROM: Ben Yazici, Chair and ARCH Executive Board

DATE: December 15, 2006

RE: Fall 2006 Housing Trust Fund (HTF) Recommendation

The ARCH Executive Board has completed its review of two of the three applications applicable to the Fall funding round of the 2006 Housing Trust Fund. The recommendations total $355,000 of local funding as summarized in the attached table, Proposed Funding Sources. The actual amount will depend on final action by the City Councils.

Following is a summary of the applications, our recommendation and rationale, and recommended contract conditions. Also enclosed is an economic summary for the project seeking funding, leveraging chart, project summary table, and a summary of funded projects to date.

ATTACHMENT 1, Part 1
HTF MIS07-00001

1. St. Andrew's Housing Group (SAHG)--280 Clark

Funding Request: $ 450,000 (Contingent Loan)

8 Units of Project Based Section 8

CAB Recommendation: $ 355,000

8 Units of Project Based Section 8

See attached Funding Chart for distribution of funds

Project Summary

The 280 Clark project is a 30-unit existing housing project located on a 1.83 acre site, located on the southern edge of the downtown area of the City of Issaquah. 280 Clark St was a 'market rate' development that St Andrews bought at the same time they bought Mine Hill, a 28 unit Section 8 preservation project. As part of this purchase, the project also contains an adjacent parcel, approximately a half acre in size, which is currently developed with a duplex. The applicant proposes to tear down the duplex and construct 8 new units of housing and community space/offices that would serve both the Clark Street and Mine Street properties.. Within these 38 units, the applicant proposes to include 8 units of housing for homeless families.

The existing 280 Clark complex consists of five, two-story garden style buildings. The units are all two bedroom units with 18 units having one bath and 12 having 2 baths. The property was built between 1984-1986. The property has surface parking, with some carports.

For the existing units, the proposal is to have three affordability levels:

30%-- 7 units. (these are proposed as homeless units)

50%-- 19 units. (6 of these are proposed as project based section 8, and mgr unit included)

60%-- 4 units.

The proposed new construction of 8 units would be all three bedroom units, and also have three affordability levels;

30%-- 1 unit. (proposed as a homeless unit)

50%-- 2 units. (these are proposed as project based section 8)

60%-- 5 units.

For any units serving the homeless, Hopelink will provide services to the homeless tenants, as well as continuing case management for those transitional tenants who transition into permanent housing at 280 Clark. Services will be provide on site, to the extent space is available, and off site for other services. Hopelink will coordinate with other agencies for off site services, such as Seattle Mental Health for mental health services.

Funding Rationale:

The Executive Board supported redevelopment of the existing portion of this application, but did not support funding the new construction element, for the following reasons:

Supportive rationale for the rehab of the existing 30 unit project is as follows:

- Preserves Permanent housing for low and moderate income tenants.
- Strong leverage of other public funding.
- Location convenient to downtown Issaquah and to public transit.
- Project is adjacent to another applicant owned property and could lead to long term cost efficiencies between the two projects.

Non Supportive rationale for the new construction element of the project is as follows:

- The Executive Board finds that as proposed, the construction cost for the new units is very high. The applicant did not adequately justify the increased cost level, even after accounting for the proposed community spaces. Also, since the property is owned by St Andrews, it is not critical to proceed with the new units at this time, and they could still be pursued at a later date if not done now. The Executive Board does not object to the concept of adding additional units and some community space to the project, and would be willing to consider an application in the future for new units that is responsive to the issues they raised.

Conditions:

1. Funds shall be used by Saint Andrew's Housing Group ('Agency') towards permanent acquisition expenses for the Project, as approved by City Staff. Except, if CDBG funds are used in the Project, these shall not be used for acquisition, but may be used for other eligible Project expenses. Funds may not be used for any other purpose unless City Staff have given written authorization for the alternate use.

2. Prior to the release of the funding commitment proposed for development of the property, the Agency shall submit documentation of the commitment of all proposed public and private funds needed to complete the project. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify City Staff, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to City Staff's review and approval.

3. The funding commitment shall continue for eighteen (18) months from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to City staff no later than sixty (60) days prior to the expiration date. City staff will consider an extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion.

4. Funds will be in the form of a contingent loan. Loan terms will account for various factors, including loan terms from other fund sources and available cash flow. Final loan terms shall be determined prior to release of funds and must be approved by City Staff. Based on the preliminary development budget, it is anticipated that loan payments will be based on a set repayment schedule, and begin in the year after repayment of the deferred developer fee (in year 8). The terms will also include a provision for the Applicant to request a deferment of a payment if certain conditions are met (e.g. low cash flow due to unexpected costs). Any requested deferment of loan payment is subject to approval by City Staff, and any deferred payment would be repaid from future cash flow or at the end of the amortization period.

5. Until such time as the deferred developer fee is fully repaid, all cash flow after payment of operating expenses and debt service, shall be used to repay the deferred developer fee, the Investor Management Fee, or the Company Management Fee.

6. A covenant is recorded ensuring affordability for at least 50 years, with affordability as shown in the following table. Affordability levels will be defined using the requirements for tax credits, and utility costs will be based on King County Housing Authority allowances, unless otherwise approved by City Staff.

Median Income Level	2 bed	Total
Low Income * 31-50%	26	26
Moderate Income 51-60%	3	3
Managers Unit (unrestricted)	1	1
Total	30	30

- *8 of these may be Section 8 units.
- The manager's unit will not be income restricted

7. The Agency may use up to eight (8) units to serve the homeless, so long as necessary services funding is in place and City staff has reviewed and approved the Agency's proposed services plan and budget.

8. Prior to release of funds, the Agency shall submit evidence of site control..

9. Prior to release of funds, the Agency shall provide a revised project implementation timeline, development budget and operating budget based upon more complete cost estimates and actual funding commitments, which must be approved by City Staff. If the Agency is unable to adhere to the timeline and/or budgets, City Staff must be immediately notified and a new timeline and/or budgets shall be submitted by the Agency for the City Staff's approval. The City shall not unreasonably withhold its approval to a revised timeline and/or budgets, so long as such new timeline and/or budgets does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the timeline and budgets, either original or as amended, may result in withdrawal of the City's commitment of funds.

10. Prior to release of funds, submit a property management plan which will address: tenant selection procedures, management procedures to address tenant needs, services provided for or required of tenants, a short and long term strategy for covering operating expenses. Establish a resident council, resident feedback meetings, suggestion box, or other system, to allow residents to have input into issues affecting the premises and management of the property. It shall also include a summary of ARCH's affordability requirements, a strategy for the use of the ARCH mailing list in the leasing of the units, as well as to include the ARCH annual monitoring procedure requirements. The management plan must be approved by City Staff to insure compliance with the funding conditions.

11. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements.

12. Maintain documentation of all necessary licenses, land use approvals and permits.

13. Submit monitoring reports quarterly through completion of the project, and annually thereafter. Submit a final budget upon project completion. If applicable, submit initial tenant information as required by the City.

2. A Regional Coalition for Housing (ARCH) –First Right of Refusal Purchase Authority

Funding Request: $ N/A….Seeking Authority to use existing unspent Housing Funds on a short term basis (less than 6 months) on an as needed basis

Ex. BD Recommendation: Approve with conditions

Project Summary:

ARCH is proposing the use of Housing Trust Funds to purchase price restricted affordable ownership units that are in default of the restrictive covenant for the property.

ARCH monitors price restricted ownership units for a number of members of ARCH. Currently there are over 250 homes with resale restrictions, and a significant number of additional homes expected in the next few years. These homes typically are affordable to households at 80% of median income, with some affordable at 100% of median income. In the past year there have been several scenarios that have lead to a default in the covenant recorded against the sale of these units. Examples of default scenarios include:

- The owner's mortgage is in foreclosure;
- The owner no longer lives in the unit as a primary residence.

While the covenant provides options for default scenarios, one potential action for preserving the home as an affordable unit is to purchase the home and then resell it to another qualified buyer. It is difficult to predetermine when default situations will occur, and in the case of a lender foreclosure, it can require quick action by a City in order to preserve the home's long term affordability. Reasons for seeking this preauthorization is there could be timing factors in receiving city approval of use of funds, or funds may not be readily available in the community a home is located. Typically these homes have affordable prices up to the low $200,000's, with some homes up to about $250,000.

The intent of this proposal would be to authorize the ARCH Executive Board, after pursuing other available options, if necessary purchase an affordable home with existing trust funds (either unused, or committed/but not expected to be used by the agency for up to 6 months), make it ready for sale (as necessary) and sell the home to a qualified household. A new resale covenant would be recorded at time of resale. The proceeds from the sale would then be returned to the City/Cities from which it came. In some circumstances it is possible that all the expenses associated with purchasing and reselling a home (e.g. paying existing mortgage/deferred mortgage payments, foreclosure administrative fees, resale costs) could exceed the amount of resale proceeds. In such circumstances, it is proposed that the Executive Board would have the authority to

approve modifying the affordability level of the home, or subsidizing the sale of a home in order to address a short fall of funds.

Funding Rationale:

The Executive Board discussed this project and noted the following rationale that makes the requested authority desirable, subject to clarification on the issue of foreclosures and bankruptcies:

- Preserves units threatened with loss of affordability.
- Potentially provides a faster purchase time in response to ownership home covenant default scenarios.
- If necessary, multiple cities funds would be available as a source of funding .
- There would be legal review by City Attorneys on each individual home where purchase is being considered. This would include legal evaluation of the impact bankruptcy or other proceedings related to a foreclosure could impact the City being able to recover their funds and resell the property.

Conditions:

1. Funds through this authority shall be used for costs associated with the purchase, repair and selling of price restricted homes, where a default has occurred on their covenant and resale agreement. Funds may not be used for any other purpose. .

2. Funds available under this authority shall be all City funds reserved for the ARCH Housing Trust Fund, including those funds which are already committed to a project, but for which such funds will not be needed prior to the time a home can be purchased and resold through this authority.

3. This authorization shall be approved by member city councils with funding reservations to the ARCH Housing Trust Fund. Once approved, the ARCH Executive Board must approve any expenditures under this authorization, which approval process shall include evaluating alternative methods for curing a default that do not require direct expenditure of local funds.

4. Any funds made available will be secured in a form approved by the ARCH Executive Board. (e.g. Deed of Trust recorded against the home).

5. At the time of resale closing, a new covenant and resale agreement shall be recorded, The affordability level for the new resale covenant shall be the same as provided within the covenant that secured the home at the time of purchase by the City(ies) unless otherwise approved by the ARCH Executive Board.

6. Proceeds from the resale of a home purchased under this authority will be used to reimburse the City(ies) that provided funding for the purchase of the home.

7. In the event there will not be sufficient proceeds from sale proceeds at the current affordable price to fully reimburse costs, the ARCH Executive Board will have the authority to either modify the targeted affordability level, or subsidize a portion of the city(ies) funds made available in order preserve long term affordability of the home.

ECONOMIC SUMMARY: 280 CLARK STREET APARTMENTS

1. Applicant/Description: SAHG/ Acquisition-rehab of 30 units and new construction of 8 units of permanent rental housing for very low, low and moderate income individuals and families (includes a managers unit and may include 8 units of homeless housing).

2. Project Location: 280 SW Clark Street, Issaquah, Wa.

3. Financing Information: BASED ON APPLICATION

Funding Source	Funding Amount	Commitment
ARCH	$ 450,000	Applied for Fall 2006
King County	$ 975,000	Applied for Fall 2006
State	$ 975,000	Applied for Fall 2006
LIHTC	$ 2,095,381	Apply January 2007
Tax Exempt Bonds	$ 2,450,000	Apply February 2007
Deferred Developer Fee	$ 270,243	Proposed
Cash Flow/reserve	$ 209,000	Proposed
Sound Families	$ 160,000	Applied for Fall 2006
TOTAL	$ 7,584,624	

4. Development Budget:

ITEM	TOTAL	PER UNIT	HTF
Acquisition	$ 3,130,587	$ 82,384	$ 214,592
Construction	$ 2,477,193	$ 65,189	
Design	$ 214,325	$ 5,640	$ 169,535
Developer Fee	$ 650,000	$ 17,105	
Other Consultants	$ 187,160	$ 4,925	$ 44,790
Finance Fees (includes Tax Credits)	$ 358,689	$ 9,439	
Permits/Fees	$ 78,758	$ 2,073	
Reserves	$ 282,348	$ 7,430	
Relocation	$ 150,000	$ 3,947	$ 21,083
Insurance	$ 33,813	$ 890	
Other	$ 21,751	$ 2,151	
TOTAL	$ 7,584,624	$ 201,174	$ 450,000

5. Debt Service Coverage: 1.26 ratio on the bonds. 1.00 ratio on all debt service. City loans will

provide for repayment over a set number of years at fixed % interest and deferral if for certain reasons.

6. Security for City Funds:

- A recorded covenant to ensure affordability and use for targeted population for at least 50 years.
- A promissory note secured by a deed of trust. The promissory note will require repayment of the entire loan amount upon non-compliance with any of the conditions of loan approval.

ARCH HOUSING TRUST FUND, FALL 2006

Leveraging Funds - - Based on Executive Board's Recommendation

	SAHG--280 Clark Street		ARCH- 1sr Right Purchase Authority		TOTAL
ARCH	$355,000	5%	$0	#DIV/0!	$355,000
Committed					
Local Public					
King County					
HOF/Challenge					
HOME					
CDBG					
HOPWA					
KC TOTAL	$975,000	13%	$0	#DIV/0!	$975,000
WA HAP	$975,000	13%	$0	#DIV/0!	$975,000
Federal/HUD					
Section 811					
McKinney					
FEDERAL TOTAL					
Tax Credits	$2,095,381	28%	$0	#DIV/0!	$2,095,381
Federal Home Bank					
Bonds	$2,450,000	33%			$2,450,000
Bank Loans	$0	0%	$0	#DIV/0!	$0
Private	$479,243	6%	$0	#DIV/0!	$479,243
Other	$160,000	2%	$0	#DIV/0!	$160,000
TOTAL COST	$7,489,624	100%	$0	#DIV/0!	$7,489,624

ATTACHMENT 1, Part 3

ARCH HOUSING TRUST FUND (HTF) RECOMMENDATION
FALL 2006

Applicant	Housing Type	# of units/ bdrms	Income served	Project Location	Duration of benefit	Total cost per unit	HTF cost per aff. unit	Funds Requested (Grant/Loan)	Funding Recommendation
St Andrew's Housing Group 280 Clark	(Acquisition/ Rehab)	30 units Family Rental	26 @ 50% 3 @ 60% (1 mgr unit) unrestricted	280 SW Clark St. Issaquah	50 years	$ 199,595 total $179,110 30 unit/ rehab) $$283,912 8 units/ new	$12,241 (based on 29 aff. Units)	$450,000 (Loan) 8 PB Section 8	$355,000 8 PB Section 8
ARCH First Right of Refusal Purchase Authority	Ownership Units only	N/A	N/A	East King County	On-going	Maximum of $330,000 per home	N/A	Uses existing ARCH HTF funds	Authority to use HTF Funds

FALL 2006 HOUSING TRUST FUND: PROPOSED FUNDING SCOURCES

	PROJECT		
SOURCE		St Andrews 280 Clark St	Preserving Restricted Owner Units
Request		$ 450,000	NA
CAB Recommnedation		$ 355,000	NA
Sub-Regional CDBG		$ 235,408	
Bellevue			
CDBG			
General Fund		$ 40,000	
Issaquah		$ 5,000	
Kirkland			
General Fund		$ 36,592	
Mercer Is.			
General Fund		$ 13,000	
Redmond			
General Fund			
Newcastle			
General Fund			
Kenmore			
General Fund		$ 25,000	
Woodinville			
General Fund			
Clyde Hill			
General Fund		$ -	
Medina			
General Fund		$ -	
Hunts Point			
General Fund			
TOTAL		$ 355,000	
CDBG		$ 235,408	
General Fund		$ 119,592	

ARCH: EAST KING COUNTY TRUST FUND SUMMARY

LIST OF PROJECTS FUNDED (1993 - Fall 2005)

Project	Location	Owner	# Units/Beds	Funding	% of Total Allocation	Distribution Target
1. Family Housing						
Andrews Heights Apartments	Bellevue	St. Andrews	24	$400,000		
Garden Grove Apartments	Bellevue	DASH	18	$180,000		
Overlake Townhomes	Bellevue	Habitat of EKC	10	$120,000		
Glendale Apartments	Bellevue	DASH	82	$300,000		
Wildwood Apartments	Bellevue	DASH	36	$270,000		
Somerset Gardents (Kona)	Bellevue	KC Housing Authority	198	$700,000		
Pacific Inn	Bellevue *	Pacific Inn Assoc.	118	$600,000		
Eastwood Square	Bellevue	Park Villa LLC	48	$600,000		
Chalet Apts	Bellevue	St Andrews	14	$163,333		
YWCA Family Apartments	K.C. (Bellevue Sphere)	YWCA	12	$100,000		
Highland Gardens (Klahanie)	K.C. (Issaquah Sphere)	St. Andrews	54	$291,281		
Crestline Apartments	K.C. (Kirkland Sphere)	Shelter Resources	22	$195,000		
Parkway Apartments	Redmond	KC Housing Authority	41	$100,000		
Habitat - Patterson	Redmond	Habitat of EKC	24	$446,629		
Avon Villa Mobile Home Park	Redmond **	MHCP	93	$525,000		
Terrace Hills	Redmond	St. Andrews	18	$442,000		
Village at Overlake Station	Redmond	KC Housing Authority	308	$1,645,375		
Summerwood	Redmond	DASH	166	$1,198,034		
Habitat - Bothell Site	Bothell	Habitat of EKC	8	$170,000		
Habitat - Newcastle Site	Newcastle **	Habitat of EKC	12	$240,837		
Talus Property	Issaquah ***	St. Andrews	40	$1,063,718		
Mine Hill	Issaquah	St. Andrews	28	$450,000		
Issaquah Highlands Property	Issaquah ***	SAHG/SRI	45	$569,430		
Greenbrier Family Apts	Woodinville **	DASH	50	$286,892		
Plum Court	Kirkland	DASH	61 /66	$1,000,000		
Kenmore Court	Kenmore	LIHI	33	$350,000		
ADU Loan Program	Various		6 est	$70,000		
Homeowner Downpayment Loan	Various	KC/WSHFC/ARCH	35 est	$215,000		
SUB-TOTAL			**1604**	**$12,692,530**	58.4%	(56%)
2. Senior Housing						
Cambridge Court	Bellevue	Resurrection Housing	20	$160,000		
Ashwood Court	Bellevue *	DASH/Shelter Resources	50	$1,070,000		
Evergreen Court (Assisted Living)	Bellevue	DASH/Shelter Resources	64 /84	$1,280,000		
Vasa Creek	K.C. (Bellevue Sphere)	Shelter Resources	50	$190,000		
Riverside Landing	Bothell **	Shelter Resources	50	$225,000		
Kirkland Plaza	Kirkland	St. Andrews	24	$610,000		
Heron Landing	Kenmore	DASH/Shelter Resources	50	$65,000		
Ellsworth House Apts	Mercer Island	St. Andrews	59	$900,000		
Greenbrier Sr Apts	Woodinville **	DASH/Shelter Resources	50	$131,192		
SUB-TOTAL			**417**	**$4,631,192**	21.3%	(19%)
3. Homeless/Transitional Housing						
Hopelink Place	Bellevue **	Hopelink	20	$500,000		
Chalet	Bellevue	St Andrews	4	$46,667		
Kensington Square	Bellevue	Housing at Crossroads	6	$150,000		
Dixie Price Transitional Housing	Redmond	Hopelink	4	$71,750		
Avondale Park	Redmond	Springboard (EHA)	18	$280,000		
Avondale Park Redevelopment	Redmond **	Springboard (EHA)	60	$1,502,469		
Petter Court	Kirkland	KITH	4	$100,000		
Talus Property	Issaquah ***	St. Andrews	10	$265,930		
Issaquah Highlands Property	Issaquah ***	SAHG/SRI	5	$70,000		
SUB-TOTAL			**113**	**$2,986,815**	13.7%	(13%)
4. Special Needs Housing						
My Friends Place	Uninc. KC	EDVP	6 Beds	$65,000		
Stillwater	Redmond	Eastside Mental Health	19 Beds	$187,787		
Foster Care Home	Kirkland	Friends of Youth	4 Beds	$35,000		
DD Group Home	Redmond/TBD	Community Living	5 Beds	$111,261		
United Cerebral Palsy	Bellevue/Redmond	UCP	9 Beds	$25,000		
DD Group Home	Bellevue	Residence East	5 Beds	$40,000		
AIDS Housing	Bellvue/Kirkland	Aids Housing of WA.	10 Units	$130,000		
Harrington House	Bellevue	AHA/CCS	8 Beds	$290,209		
DD Group Home	Bellevue	Community Living	5 Beds	$21,000		
Parkview DD Condos III	Bellevue	Parkview	4	$200,000		
IERR DD Home	Issaquah	IERR	6 Beds	$50,209		
Foster Care Home	Bothell	FOY	4 Beds	$50,000		
Oxford House	Bothell	Oxford/Compass Ctr.	8 Beds	$80,000		
Parkview DD Homes VI	Bellevue/Bothell	Parkview	6 Beds	$150,000		
SUB-TOTAL			**99 Beds/Units**	**$1,435,466**	6.6%	(12%)
TOTAL			**2233**	**$21,746,003**	**100.0%**	

* Funded through Bellevue Downtown Program

** Also, includes in-kind contributions (e.g. land, fee waivers, infrastructure improvements)

*** Amount of Fee Waiver still to be determined

ATTACHMENT 1, Part 6

CITY OF KIRKLAND
Development Services
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsey, City Manger

From: Tom Phillips, Building Services Manager

Date: December 20, 2006

Subject: AN ORDINANCE TO AMEND TITLE 21 OF THE KIRKLAND MUNICIPAL CODE BY PROVIDING THAT ADMINISTRATIVE APPEALS OF FIRE AND BUILDING DEPARTMENT DECISIONS BE HEARD BY THE CITY OF KIRKLAND HEARING EXAMINER INSTEAD OF THE BOARD OF APPEALS

RECOMMENDATION

It is recommended that the City Council adopt the attached Ordinance that amends the administrative appeal process of Title 21 of the Kirkland Municipal Code.

BACKGROUND AND DISCUSSION

Currently, decisions made by the building official or the fire chief can be appealed to the Board of Appeals. The Board of Appeals is made up of five volunteers who are appointed by the City Manager to serve a four year term. There have only been a few appeal requests over the last 10 years because most code issues can be resolved in more timely ways, such as requesting an interpretation from the International Code Council. Most of the activity concerning the Board of Appeals is related to appointing and re-appointing members. Staff is recommending replacing the Board of Appeals with the Hearing Examiner for the following reasons:

1. The Hearing Examiner is already established and ongoing. We would not need to keep appointing and re-appointing members.
2. Most appeals are not related to technical code issues; rather they are related to work without permit or substandard housing issues.
3. The Hearing Examiner process is already being used by the Planning Department, so there would be greater consistency for appeals within the City. Often, construction related violations are both building code violations and zoning code violations. For example, an illegal addition built into a sensitive area would be a building code violation and a zoning code violation which might result in a Stop Work Order. Currently, if the builder or owner wanted to appeal the Stop Work Order, two appeals would be required; one to the Board of Appeals for the building code appeal and one to the hearing Examiner for the zoning code appeal. Under this proposal, only one appeal would be required.
4. Since the Board of Appeals members are volunteers, appeal meetings can be difficult to schedule due to conflicts with their regular jobs. The Hearing Examiner is a paid position which includes back up assistance.

Staff has spoken with the members of the Board of Appeals and they concur with the decision to move the appeal process to the Hearing Examiner and improve efficiency for all involved. We will be recognizing the members of the board for their past commitment and volunteering to serve on the Board of Appeals.

ORDINANCE NO. 4083

AN ORDINANCE OF THE CITY OF KIRKLAND DISSOLVING THE BUILDING BOARD OF APPEALS AND PROVIDING THAT ADMINISTRATIVE APPEALS OF FIRE AND BUILDING DEPARTMENT DECISIONS SHALL BE HEARD BY THE CITY OF KIRKLAND HEARING EXAMINER.

The City Council of the City of Kirkland do ordain as follows:

Section 1. The City of Kirkland Building Board of Appeals is hereby dissolved as of the effective date of this Ordinance.

Section 2. Section 21.06.170 of the Kirkland Municipal Code is hereby amended to read as follows:

21.06.170 Liability.

The building official ~~member of the board of appeals~~ or employee charged with the enforcement of this chapter and the technical codes, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Section 3. Sections 21.06.570 through 21.06.585 of the Kirkland Municipal Code are hereby repealed.

Section 4. A new Section 21.06.570 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.570 Appeals to Hearing Examiner.

Appeals of orders, decisions and determinations of the building official shall be heard and decided by the City of Kirkland Hearing Examiner. To the extent the codes adopted by reference in this Title refer to a "board of appeals" or a "building board of appeals," those references shall be deemed to refer to the City of Kirkland Hearing Examiner.

Section 5. A new Section 21.06.572 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.572 Limitations on Appeals.

An appeal under this chapter shall be based on a claim that this code or the technical codes have been incorrectly interpreted, that the provisions of this code or the technical codes do not apply or that an equally good or better form of construction, method of protection or safety is proposed.

Section 6. A new Section 21.06.574 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.574 When to Appeal and Appeal Fee.

An appellant shall file a written appeal of the order, decision or determination of the building official with the Kirkland Fire and Building Department within 30 days of the date of the decision of the building official. The written appeal shall include a clear reference to the matter being appealed and a statement of the specific elements of the building official's order, decision or determination disputed by the appellant. There shall not be an appeal fee for appeals of stop work orders or code enforcement orders. For all other matters, the appeal fee shall be $125 and shall accompany the written appeal. Failure to timely file the appeal or pay the appeal fee shall result in dismissal of the appeal.

Section 7. A new Section 21.06.576 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.576 Contents of Notice of Appeal.

The appeal shall contain a clear reference to the matter being appealed and a statement of the specific elements of the building official's order, decision or determination disputed by the appellant.

Section 8. A new Section 21.06.578 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.578 Notice of the Appeal Hearing.

(a) The building official shall prepare a notice of the appeal hearing containing the following:
(1) the file number and a brief description of the matter being appealed;
(2) a statement of the scope of the appeal including a summary of the elements of the building official's order, decision or determination that are contested in the appeal;
(3) the time and place of the hearing on appeal before the hearing examiner; and
(4) a statement of who may participate in the appeal.

(b) At least 14 days before the hearing on the appeal, the building official shall send a copy of the notice of appeal hearing to each person who has appealed the building official's order, decision or determination.

Section 9. A new Section 21.06.580 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.580 Participation in the Appeal.

Only those persons who have appealed the building official's order, decision or determination may participate in the appeal. Appellants may participate on either or both of the following ways:
(1) by submitting written comments or testimony to the Hearing Examiner prior to the commencement of the hearing; or
(2) by appearing in person, or through a representative, at the hearing. The Hearing Examiner may reasonably limit the extent of oral testimony or oral argument to facilitate the orderly and timely conduct of the hearing.

Section 10. A new Section 21.06.582 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.582 Scope of Appeal.

The appeal will be an open record appeal hearing. The scope of the appeal is limited to the specific elements of the building official's order, decision or determination disputed by the appellant and the Hearing Examiner shall only consider comments, testimony and arguments on these specific elements.

Section 11. A new Section 21.06.584 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.584 Record of Appeal Hearing.

The City shall make an electronic sound recording of the hearing.

Section 12. A new Section 21.06.586 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.586 Decision on the Appeal.

The Hearing Examiner shall consider all information and material within the scope of the appeal submitted by persons entitled to participate in the appeal. Based on the Hearing Examiner's findings and conclusions, the Hearing Examiner may affirm, reverse or modify the order, decision or determination being appealed. The Hearing Examiner shall issue his or her decision within 15 days of the appeal hearing. Within four business days after it is issued, the Hearing Examiner's decision shall be mailed to the applicant and to each person who has requested notice of the decision. The decision by the Hearing Examiner is the final decision of the City.

Section 13. A new Section 21.06.588 of the Kirkland Municipal Code is hereby adopted to read as follows:

21.06.588 Judicial Review.

Any judicial appeal of the Hearing Examiner's decision shall be reviewed in King County Superior Court pursuant to RCW 36.70C, the Land Use Petition Act ("LUPA"). The Land Use Petition must be filed within 21 calendar days of the issuance of the Hearing Examiner's decision.

Section 14. Section 21.20.035 of the Kirkland Municipal Code is hereby amended to read as follows:

21.20.035 IFC Section 108 amended.

Section 108 of the International Fire Code is amended to read as follows:

> Section 108. Appeals. Whenever the Fire Chief disapproves an application or refuses to grant a permit, or when it is claimed that the provisions of the International Fire Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief to the City of Kirkland Hearing Examiner ~~Building Code Board of Appeals~~, within thirty days from the date of the decision appealed.

Section 15. Section 21.33.025 of the Kirkland Municipal Code is hereby amended to read as follows:

21.33.025 Appeals.

Appeals from any ruling made under this chapter may be made to the City of Kirkland Hearing Examiner ~~building code board of appeal~~. Procedural rules concerning appeals shall be as provided in KMC Chapter 21.06 ~~the building code~~.

Section 16. Section 21.40.040 of the Kirkland Municipal Code is hereby amended to read as follows:

21.40.040 Requirements—Satisfactory alternate.

Notwithstanding any precise requirements of this chapter, the building official may approve alternate methods of protection and construction and maintenance of swimming pools, provided such alternate methods meet the same essential safety requirements of this chapter, and it can be demonstrated that such alternate methods are better suited because of peculiar or unusual circumstances and that it is not practical to meet the precise requirements of this chapter. Any person who seeks to obtain approval of any such alternate and who is denied approval by the building official may appeal his decision to the City of Kirkland Hearing Examiner ~~building code board of appeals~~ by filing a notice of appeal with the Department of Fire and Building within 30 days ~~city clerk~~ stating the grounds for the appeal and requesting a hearing to review the decision by the building official.

Section 17. If any provision of this ordinance 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 18. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2007.

Signed in authentication thereof this _____ day of _____, 2007.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4083

AN ORDINANCE OF THE CITY OF KIRKLAND DISSOLVING THE BUILDING BOARD OF APPEALS AND PROVIDING THAT ADMINISTRATIVE APPEALS OF FIRE AND BUILDING DEPARTMENT DECISIONS SHALL BE HEARD BY THE CITY OF KIRKLAND HEARING EXAMINER.

SECTION 1. Dissolves the Building Board of Appeals.

SECTION 2. Amends Section 21.06.170 of the Kirkland Municipal Code relating liability of building officials and employees.

SECTION 3. Repeals Sections 21.06.570 through 21.06.585 of the Kirkland Municipal Code.

SECTIONS 4-13. Add new sections to the Kirkland Municipal Code (Sections 21.06.570 through 21.06.588) relating to the hearing of administrative appeals of decisions of the building official.

SECTION 14. Amends Section 21.20.035 of the Kirkland Municipal Code relating to administrative appeals under the International Fire Code.

SECTION 15. Amends Section 21.33.025 of the Kirkland Municipal Code relating to administrative appeals of fire extinguishing system decisions.

SECTION 16. Amends Section 21.40.040 of the Kirkland Municipal Code relating to administrative appeals of swimming pool decisions.

SECTION 17. Provides a severability clause for the ordinance.

SECTION 18. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

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 _____, 2007.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
City Clerk

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225

MEMORANDUM

To: David Ramsay, City Manager

From: Teresa J. Swan, Senior Planner
Paul Stewart, AICP, Deputy Planning Director

Date: January 25, 2007

Subject: ADOPTION OF THE 2006 COMPREHENSIVE PLAN AMENDMENTS AND RELATED ZONING MAP AMENDMENTS FOR THE MARK TWAIN PARK LAND EXCHANGE, FILE ZON06-00009

I. RECOMMENDATION:

Review and adopt the two enclosed ordinances to approve the City initiated 2006 Comprehensive Plan amendments and related Zoning Map changes for the Mark Twain Park land exchange. The amendments are minor housekeeping changes.

II. BACKGROUND DISCUSSION:

On May 2, 2006, the City Council authorized the City Manager and the Parks and Community Services Director to proceed with the necessary process for the proposed land exchange of a portion of Mark Twain Park for an equal portion of property from the property owner to the south at 10522-130th Ave NE (see Enclosures 1 and 2). In addition, the City would convey a 20-foot wide strip from the city park property for vehicular access easement that would be dedicated in the future as right-of-way as part of the subdivision of the single–family property to the south. The subdivision will provide a 40 foot wide right-of-way that will be part of the planned future extension of NE 105th Street between 130th Ave NE and 132nd Ave NE. (see Enclosure 3 which is the option selected by City Council).

The land exchange is beneficial to the city in that it would provide a more useable park area along the south property line of the park. A square or rectangular shaped park is superior to a park boundary with an irregular shape.

The land exchange will occur with a lot line adjustment. On December 8, 2006, the proposed lot line adjustment was submitted to the City for review (File LLA06-00023). The owner of the single-family property plans to subdivide the property once the lot line adjustment is recorded and the City has made the changes to the land use designation and zoning.

For the land exchange to be finalized, the Comprehensive Plan and the Zoning Map need to be amended to change the land use designation and zoning for the single-family property and the park property to be

conveyed. The portion of the park property to be conveyed would be designated and rezoned as low density single-family at RSX 7.2 and the portion of the single-family property to be conveyed would be zoned as Park/Open Space (P) (see Enclosures 4 and 5). These amendments were not included in the list of amendments that the Planning Commission and the City Council considered with the annual Comprehensive Plan amendments and related Zoning Map changes in 2006.

Under state law, the Comprehensive Plan may only be amended once a year. However, since the amendments are minor in scope and housekeeping in nature, the City decided that it would be appropriate to extend the 2006 Comprehensive Plan Amendments through February 2007 to include the amendments for the Mark Twain Park land exchange. On December 12, 2006, the City Council approved Ordinance 4079 amending the Comprehensive Plan and Ordinance 4080 amending the Zoning Map. Both ordinances included a clause stating that the 2006 Comprehensive Plan Amendment process would be extended through February 2007 to make amendments necessary for the Mark Twain Park land exchange (see Enclosures 6 and 7). Several times in the past the City Council has extended the annual amendments to the Comprehensive Plan for various reasons. The State has been notified of the additional amendments.

III. PUBLIC PROCESS:

The amendments followed the Process IV procedures as established in the Zoning Code for amendments to the Comprehensive Plan and Zoning Map. Public notice of the Planning Commission's hearing was provided pursuant to state law requirements. Two public notice signs were installed on and near Mark Twain Park and public notice was mailed to the adjacent property owners. In addition, notice was provided in the local newspaper, to the North Rose Hill Neighborhood Association and to the State Department of Trade and Community Development.

The Planning Commission held a public hearing on January 25, 2007. One public comment letter was submitted from the adjacent neighbors to the west in favor of the land exchange and the amendments (see Enclosure 8). No one spoke at the public hearing. The Planning Commission recommends approval of the amendments (see Enclosure 9).

IV. CITY-INITIATED AMENDMENTS:

Below is a list of the proposed amendments contained in the enclosed ordinances (the maps are attached to the ordinances amending the Comprehensive Plan and Zoning Map):

- Figure LU-1 Land Use Map
- Figure PR-1 Kirkland Parks
- Figure NRH-2 North Rose Hill Sensitive Areas
- Figure NRH-3 North Rose Hill Seismic Areas
- Figure NRH-4 North Rose Hill Land Use Map
- Figure NRH-5 North Rose Hill Street Classification Map
- Figure NRH-6 North Rose Hill Street Connection Plan

- Figure NRH-9 North Rose Hill Park and Open Space

In addition, the Zoning Map would be revised to reflect the rezones.

V. ENVIRONMENTAL REVIEW:

On December 4, 2006, the City issued an EIS Addendum to fulfill the environmental review requirements for the additional 2006 Comprehensive Plan Amendments and associated Zoning Map changes. The impacts of the proposal are within the range of impacts disclosed and evaluated in the *2004 City of Kirkland Draft and Final Comprehensive Plan EIS* (see Enclosure 10).

Enclosures:

1 – Vicinity map of land exchange

2 – Proposed lot line adjustment

3 – Road dedications and future road extension (Option 2 selected by the City Council on 5/2/06)

4 - Land Use Map change

5 – Zoning Map change

6 - Ordinances 4079 with provision to extend the 2006 Comprehensive Plan Amendment process for the amendments to the Comprehensive Plan for the Mark Twain Park land use exchange

7 – Ordinance 4080 with provision to extend the 2006 Comprehensive Plan Amendment process for the amendments to the Zoning Map for the Mark Twain Park land use exchange

8 – Comment letter

9 – Planning Commission recommendation dated January 25, 2007

10 – EIS Addendum

cc: Jag Basra, PO Box 981, Kirkland, WA 98083

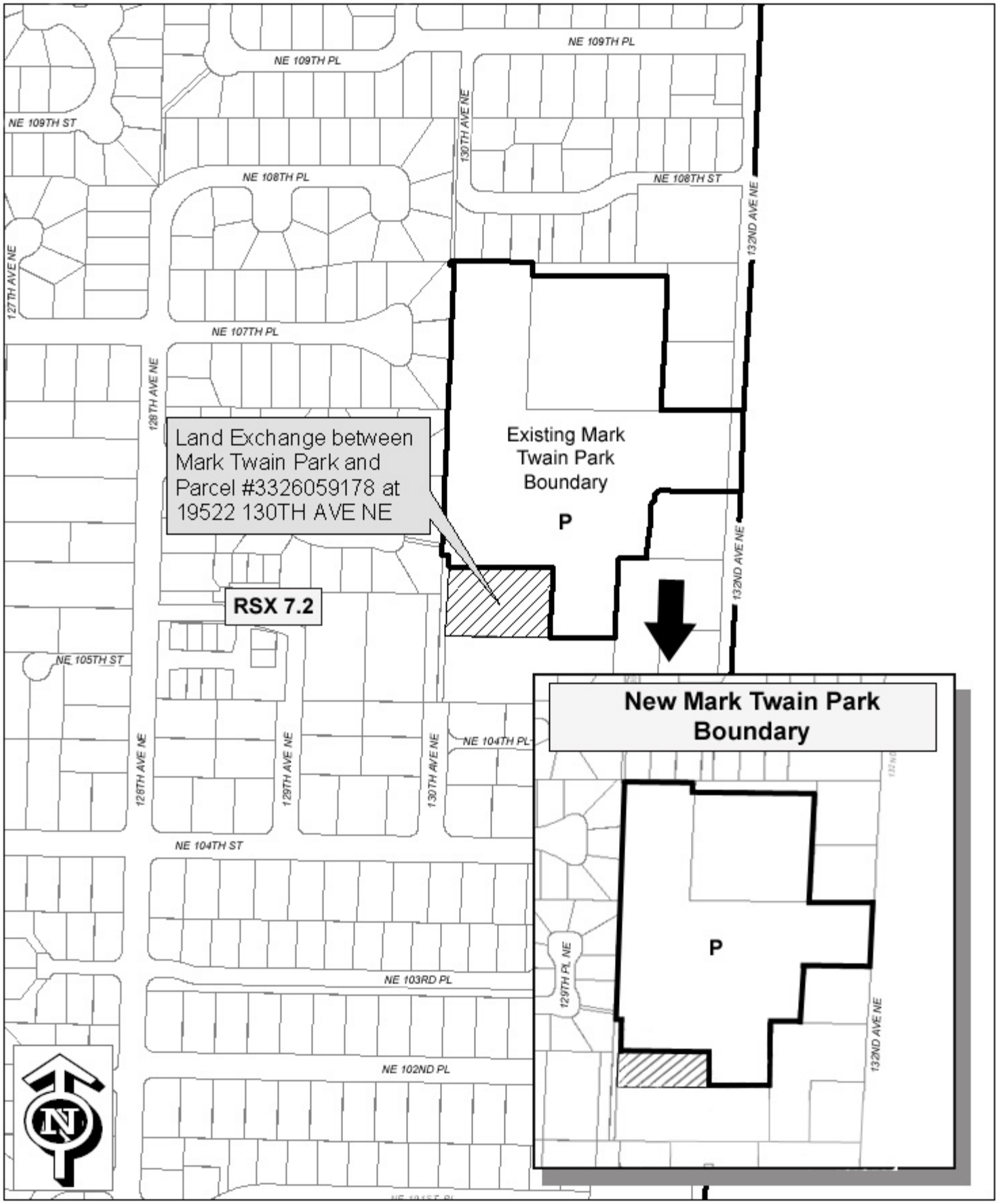
Richard and Christina Gerchwiler, 10600-129th Place NE, Kirkland, WA 98033

Jennifer Schroder, Parks and Community Services Director

Rob Jammerman, Public Works Development Manager

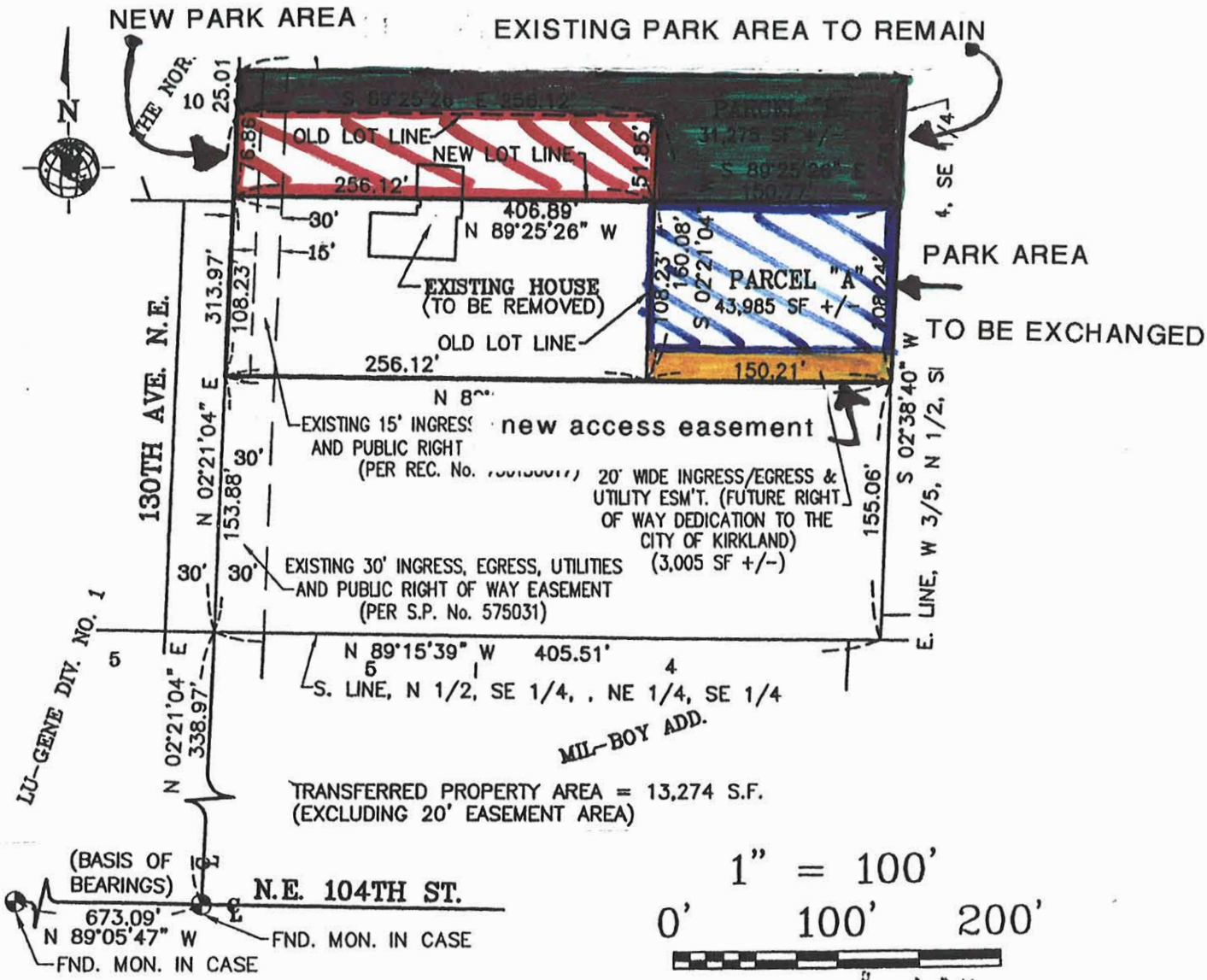
File ZON06-00009

Comprehensive Plan and Zoning Map Amendments for the Mark Twain Park Land Exchange



Enclosure 1
Zon06-00009

MARK TWAIN LAND EXCHANGE



Land Surveyor's Certificate:

This Lot Line Alteration correctly represents a survey made by me or under my direction in conformance with the requirements of appropriate state and county statute and ordinance.

12/14/2006
Date

Signed

Certificate No.: 21464

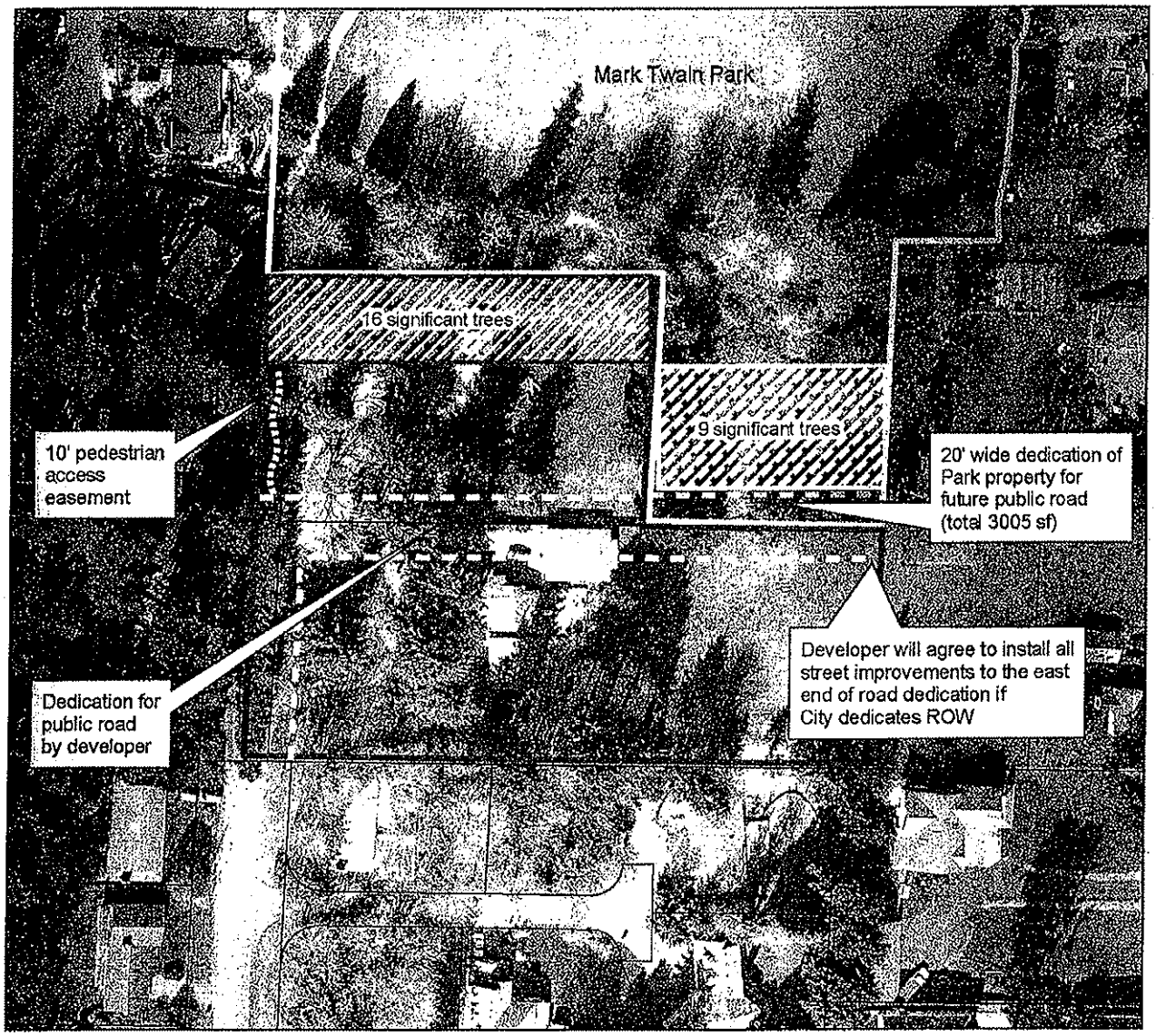
RODNEY G. HANSEN
STATE OF WASHINGTON
21464
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES 1/31/08 12/14/06

Page 2 of ____

ENCLOSURE 2
ZON06-00009

Attachment 4

Option 2

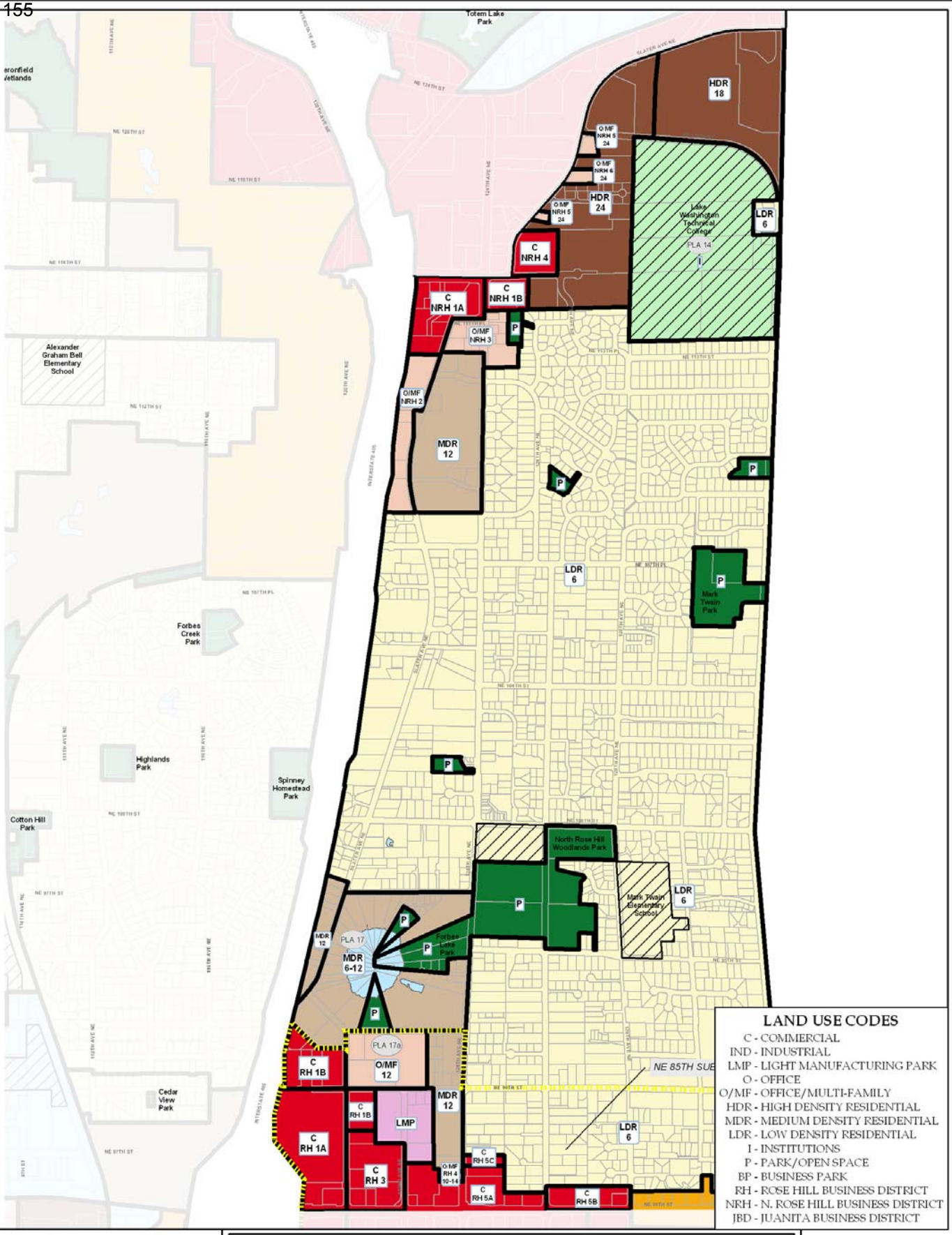


Mark Twain Park Property
Park Road Dedication
Developer Property
Developer Road Dedication

Park property (13274 sq ft) swap for Developer property (13274 sq ft)

ENCLOSURE 3

ZON06-00009



LAND USE CODES

C - COMMERCIAL
IND - INDUSTRIAL
LMP - LIGHT MANUFACTURING PARK
O - OFFICE
O/MF - OFFICE/MULTI-FAMILY
HDR - HIGH DENSITY RESIDENTIAL
MDR - MEDIUM DENSITY RESIDENTIAL
LDR - LOW DENSITY RESIDENTIAL
I - INSTITUTIONS
P - PARK/OPEN SPACE
BP - BUSINESS PARK
RH - ROSE HILL BUSINESS DISTRICT
NRH - N. ROSE HILL BUSINESS DISTRICT
JBD - JUANITA BUSINESS DISTRICT

North Rose Hill Neighborhood

Land Use Map

ORDINANCE NO. 4079
ADOPTED by the Kirkland City Council
December 12, 2006

LAND USE BOUNDARIES
PARCEL BOUNDARIES
SUBAREA BOUNDARY
PLA PLANNED AREA NUMBER
TOTEM CENTER
LDR 5* — LAND USE CODE / DENSITY (UNITS/ACRE)
PUBLIC FACILITIES

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
** INDICATES CLUSTERED LOW DENSITY*

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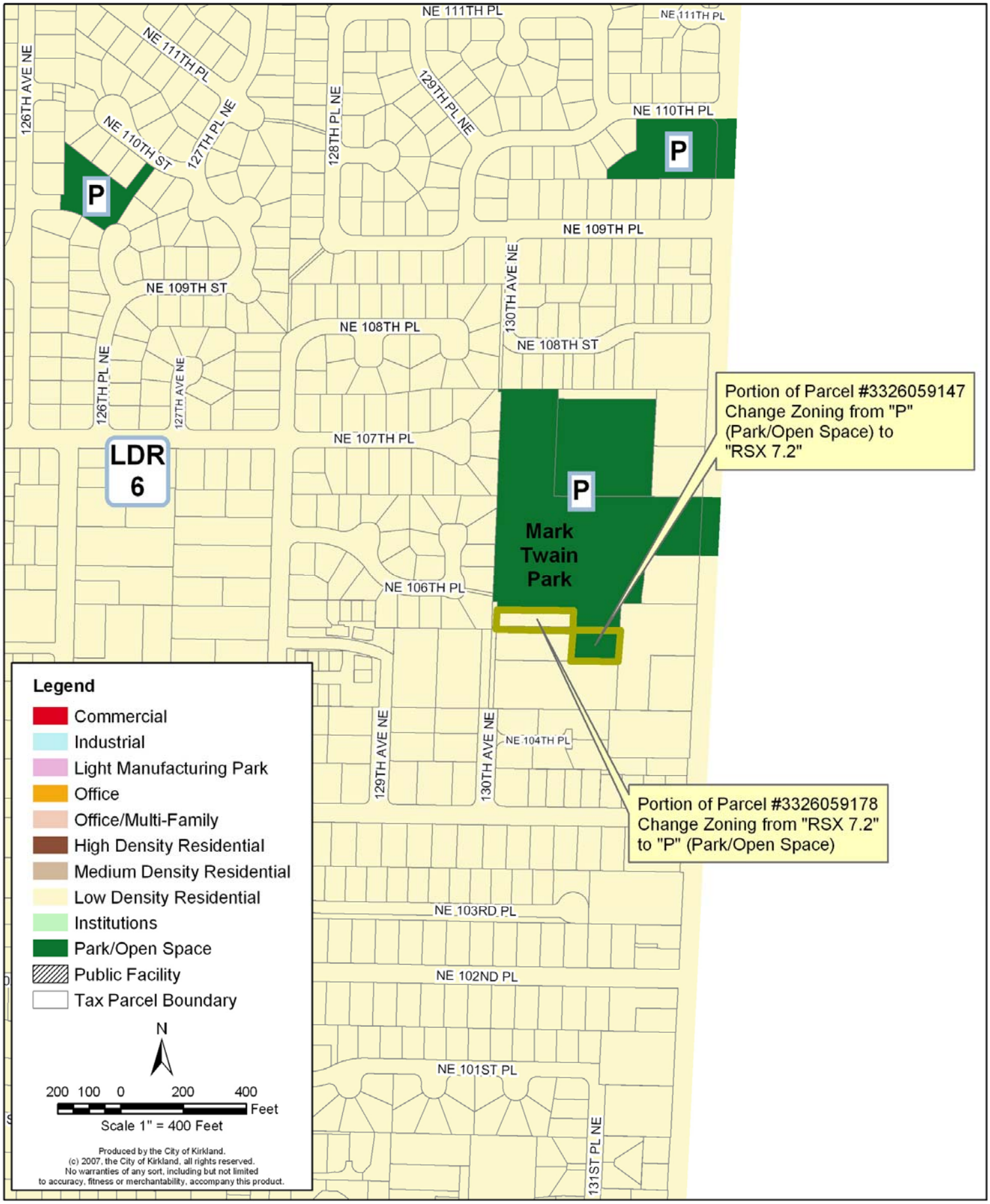
No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

N
S
0 250 500
Feet

Exhibit A
North Rose Hill Neighborhood
Zoning Map Change



ORDINANCE NO. 4079

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN (ORDINANCE 3481 AS AMENDED) AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, FILES NO. ZON06-00009 AND ZON06-00018, AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.215, mandates that the City of Kirkland review, and if needed, revise its Comprehensive Plan pursuant to RCW 36.70A.130; and

WHEREAS, the City Council has received recommendations from the Kirkland Planning Commission and the Houghton Community Council to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481 as amended, all as set forth in those certain reports and recommendations of the Planning Commission and of the Houghton Community Council both dated November 16, 2006, and bearing Kirkland Department of Planning and Community Development Files No. ZON06-00009 AND ZON06-00018; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held a public hearings on August 24, 2006 and on October 26, 2006, on the amendment proposals; and

WHEREAS, prior to making said recommendation the Houghton Community Council, following notice thereof as required by RCW 35A.63.070, held a courtesy hearing on October 23, 2006, on the amendment proposals; and

WHEREAS, as part of the 2006 Comprehensive Plan revision process, the City Council will take final action no later than February 20, 2007, on amendments needed for the proposed land exchange between Mark Twain Park and Parcel No 3326059178 at 10522-130th Ave NE to change the land use designations of park use and low density residential use; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendations a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600(4); and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the reports and recommendations of the Planning Commission and the Houghton Community Council; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Text Amended: The Comprehensive Plan, Ordinance 3481, as amended, is amended by this reference and as set forth in Attachment A

ORDINANCE NO. 4080

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING MAP (ORDINANCE 3710 AS AMENDED) TO CONFORM TO THE COMPREHENSIVE PLAN AND TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, FILES NO. ZON06-00009 AND ZON06-00018, AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.215, mandates that the City of Kirkland review, and if needed, revise its official Zoning Map pursuant to RCW 36.70A.130; and

WHEREAS, the Zoning Map implements the Comprehensive Plan (Ordinance 3481 as amended); and

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend a portion of the City of Kirkland Zoning Map, Ordinance 3710, as set forth in that certain report and recommendation of the Planning Commission and of the Houghton Community Council both dated November 16, 2006 and bearing Kirkland Department of Planning and Community Development Files No. ZON06-00009 and ZON06-00018; and

WHEREAS, prior to making the recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, held a public hearing on October 26, 2006, on the amendment proposal; and

WHEREAS, prior to making the recommendation, the Houghton Community Council, following notice thereof as required by RCW 35A.63.070, held a courtesy hearing on October 23, 2006, on the amendment proposal; and

WHEREAS, the City Council will take final action no later than February 20, 2007, on amendments to the Kirkland Zoning Map needed for the proposed land exchange between Mark Twain Park and Parcel No 3326059178 at 10522-130th Ave NE to change the zoning for park use and low density residential use; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendations a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600(4); 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 Commission and the Houghton Community Council; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Map Amended: The official City of Kirkland Zoning Map as adopted by Ordinance 3710 is amended in accordance with Exhibits A, B and C attached to this ordinance.

Richard and Christina Gerschwiler
10600 129th PL NE
Kirkland, WA 98033
425-889-9801
cgerschwiler@hotmail.com

RECEIVED
JAN -5 2007
_____ AM _____ PM
PLANNING DEPARTMENT
BY_____

January 4, 2007

Teresa Swan
Senior Planner
Planning and Community Development Dept.
123-5th Avenue
Kirkland, WA 98033

Re: Support of Pending Land Exchange at Mark Twain Park
and Request for Notification if Opposition Occurs

Dear Teresa,

Per our phone conversation yesterday, Jan. 3, regarding the land exchange between a portion of the south boundary of Mark Twain Park and the single family lot at 10522 - 130th Ave NE, we are writing you to document our tremendous support of this trade.

We are the single family residence at 10600 129th PL NE, which property runs along the south boundary of the park where the change will occur. Please notify us if for any reason this exchange is disputed (i.e. strong opposition by another neighbor) so we may take appropriate action to make our support heard.

On another note, when the exchange happens, we would like to request that the very large maple tree located in the new park land (just on the other side of our fence and the path) not be affected by any landscaping you may do. It is a beautiful tree and we would be devastated if anything were to happen to it.

Thank you so much for your time and consideration. It was a pleasure talking with you.

Regards,

Richard and Christina Gerschwiler

ENCLOSURE 8
ZON06-00009

CITY OF KIRKLAND
123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189, (425) 587-3225

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT MEMORANDUM

To: City Council

From: Planning Commission
Janet Pruitt, Chair

Date: January 25, 2007

Subject: RECOMMENDATION ON THE 2006 COMPREHENSIVE PLAN AMENDMENTS AND RELATED ZONING MAP AMENDMENTS FOR THE MARK TWAIN PARK LAND EXCHANGE, FILE ZON06-00009

I. INTRODUCTION

We are pleased to forward our recommendation on the 2006 Comprehensive Plan amendments and related Zoning Map changes for the Mark Twain Park land exchange. These amendments are minor housekeeping amendments to allow the land exchange to move forward with a lot line adjustment between the park and the single-family property to the south at 10522-130th Ave NE. A small portion of park property would be changed from Park/Open Space (P) to low density single-family at RSX 7.2 and a small portion of single-family property would be changed from low density single-family at RSX 7.2 to Park/Open Space (P).

These amendments were not included in the list of 2006 amendments that the Planning Commission considered at its hearing in October 2006 and that the City Council adopted by ordinance in December 2006 for the annual amendments to the Comprehensive Plan. For the Mark Twain Park land exchange amendments, we held a public hearing on January 25, 2007. One public comment letter was submitted from the adjacent neighbors to the west in favor of the land exchange and the amendments. No one spoke at the public hearing.

II. RECOMMENDATION ON THE AMENDMENTS

We recommend approval of the additional City-initiated 2006 Comprehensive Plan amendments and related Zoning Map changes as listed below (see the amendments attached to the ordinances amending the Comprehensive Plan and Zoning Map).

The following Comprehensive Plan maps need amending to reflect the revised land use designations for the two areas of land and the new park boundary:

- Figure LU-1 Land Use Map
- Figure PR-1 Kirkland Parks
- Figure NRH-2 North Rose Hill Sensitive Areas

- Figure NRH-3 North Rose Hill Seismic Areas
- Figure NRH-4 North Rose Hill Land Use Map
- Figure NRH-5 North Rose Hill Street Classification Map
- Figure NRH-6 North Rose Hill Street Connection Plan
- Figure NRH-9 North Rose Hill Park and Open Space

In addition, the Zoning Map would be revised to reflect the rezones.

Fact Sheet

Action Sponsor and Lead Agency	City of Kirkland Department of Planning and Community Development
Proposed Action	Legislative adoption of **additional minor housekeeping amendments for the 2006 Comprehensive Plan Amendments and related Zoning Map changes,** pursuant to Chapter 160 KZC (Process IV).
Responsible Official	_____ **Eric R. Shields, AICP** **Planning Director**
Contact Person	Teresa Swan, Senior Planner, City of Kirkland (425) 587-3258 or at tswan@ci.kirkland.wa.us.
Required Approvals	Adoption by Kirkland City Council
Location of Background Data	File ZON06-00009 (2006 CPA) City of Kirkland Department of Planning and Community Development 123 Fifth Avenue Kirkland, WA 98033
Date of Issuance	_____

City of Kirkland

Additional Housekeeping Amendment to the City of Kirkland 2006 Comprehensive Plan and Zoning Map Amendments,

EIS Addendum dated December 4, 2006

File No. ZON06-00009

I. Background

The City of Kirkland proposes to **amend the Comprehensive Plan and Zoning Map**. The amendment will be reviewed using the Chapter 160 KZC, Process IV with adoption by City Council.

This Environmental Impact Statement (EIS) Addendum is intended to fulfill the environmental requirements pursuant to the State Environmental Policy Act (SEPA) for the proposed Zoning Code amendment.

On August 31, 2006, the City issued an EIS Addendum for the 2006 Comprehensive Plan and related Zoning Map amendments. The City has additional minor housekeeping amendments to consider as part of the 2006 Comprehensive Plan and related Zoning Map amendment project.

II. EIS Addendum

According to the SEPA Rules, an EIS addendum provides additional analysis and/or information about a proposal or alternatives where their significant environmental impacts have been disclosed and identified in a previous environmental document (WAC 197-11-600(2)). An addendum is appropriate when the impacts of the new proposal are the same general types as those identified in the prior document, and when the new analysis does not substantially change the analysis of significant impacts and alternatives in the prior environmental document (WAC 197-11-600(4)(c), -625 and –706).

The City published the *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-year Update*. This EIS addressed the 2004 Comprehensive Plan, Zoning Code and Zoning Map updates required by the Washington State Growth Management Act (GMA). Elements of the environment addressed in this EIS include population and employment growth, earth resources, air quality, water resources, plants and animals, energy, environmental health (noise, hazardous materials), land use, socioeconomics, aesthetics, parks/recreation, transportation, and public services/utilities.

This addendum to the *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-year Update* is being issued pursuant to WAC 197-11-625 to meet the City's SEPA responsibilities. The EIS evaluated plan alternatives and impacts that encompass the same general policy direction, land use pattern, and environmental impacts that are

expected to be associated with the proposed **additional housekeeping amendments as part the 2006 Comprehensive Plan and Zoning Map Amendments** discussed herein. While the specific location, precise magnitude, or timing of some impacts may vary from those estimated in the *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-year Update*, they are still within the range of what was evaluated and disclosed there. No new significant impacts have been identified.

III. Non-Project Action

Decisions on the adoption or amendment of zoning ordinances are referred to in the SEPA rules as "non-project actions" (WAC 197-11-704(2)(b)). The purpose of an EIS in analyzing a non-project action is to help the public and decision-makers identify and evaluate the environmental effects of alternative policies, implementation approaches, and similar choices related to future growth. While plans and regulations do not directly result in alteration of the physical environment, they do provide a framework within which future growth and development – and resulting environmental impacts – will occur. Both the adoption of the Comprehensive Plan evaluated in the *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-year Update* and eventual action on the **amendments to the Comprehensive Plan and Zoning Map** are "non-project actions".

IV. Environmental Analysis

The *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-year Update* evaluated the environmental impacts associated with adoption of proposed policies and land use designations. The plan's policies are intended to accomplish responsibilities mandated by the Washington State Growth Management Act (GMA), and to mitigate the impacts of future growth. In general, environmental impacts associated with the proposed 2006 Comprehensive Plan Amendments and relating Zoning Code Amendments are similar in magnitude to the potential impacts disclosed in the *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-year Update*. As this proposal is consistent with the policies and designations of the Comprehensive Plan and the environmental impacts disclosed in the *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-year Update*, no additional or new significant impacts beyond those identified in the EIS for the Comprehensive Plan are anticipated.

V. Description of the Proposed Amendments to the Comprehensive Plan and Zoning Map, including the Daniels Private Amendment Request Study Area

The City is in the process of executing a land exchange between a portion of the southern boundary of Mark Twain Park (3326059147 at 10625 132nd Ave NE) and a single-family parcel to the south (parcel 3326059178 at 10522 130th Ave NE). The additional housekeeping amendment involves an equal portion of park property to be redesignated and rezoned from Park Use to Single Family Residential Use and an equal portion of single family property to be redesignated and rezoned from Single Family Use to Park Use. No additional traffic or other impacts have been identified due to the amendments (see attached maps).

VI. Public Involvement

For the additional housekeeping amendment for the 2006 Comprehensive Plan Amendments, the Planning Commission will hold a public hearing on January 11, 2007 and the City Council will hold a public meeting to take final action on February 6, 2007.

Public notice of the public hearings and meetings is being provided in accordance with State law. All dates are subject to change.

VII. Conclusion

This EIS Addendum fulfills the environmental review requirements for the proposed **amendments to the Comprehensive Plan and Zoning Map**. The impacts of the proposal are within the range of impacts disclosed and evaluated in the *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-year Update*; no new significant impacts have been identified. Therefore, issuance of this EIS Addendum is the appropriate course of action.

Attachment:

Amendments to the city-wide Land Use Map, the North Rose Hill Sub-area Land Use Map, the Park System Map and the Zoning Map

cc: Dept of Ecology, CTED and File No. ZON06-00009

ORDINANCE NO. 4084

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN (ORDINANCE 3481 AS AMENDED) AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, FILE NO. ZON06-00009, AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.215, mandates that the City of Kirkland review, and if needed, revise its Comprehensive Plan pursuant to RCW 36.70A.130; and

WHEREAS, the City Council included a clause in Ordinance 4079 adopted on December 12, 2006, to extend the 2006 Comprehensive Plan process to no later than February 20, 2007, to consider minor housekeeping amendments to the Comprehensive Plan needed to change the land use designations of park use and low density residential use for the proposed land exchange between Mark Twain Park and Parcel No 3326059178 at 10522-130th Ave NE; and

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated January 25, 2007, and bearing Kirkland Department of Planning and Community Development File No. ZON06-00009; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held a public hearing on January 25, 2007, on the amendment proposals; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendations a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600(4); 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 Commission; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Text Amended: The Comprehensive Plan, Ordinance 3481, as amended, is amended by this reference and as set forth in Attachment A.

Section 2. Severability: 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. Effective Date: This ordinance shall be in full force and effect five days from and after its passage by the 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 4. Ordinance Copy: 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 6th day of February, 2007.

SIGNED IN AUTHENTICATION THEREOF this 6th day of February, 2007.

_____
Mayor

Attest:

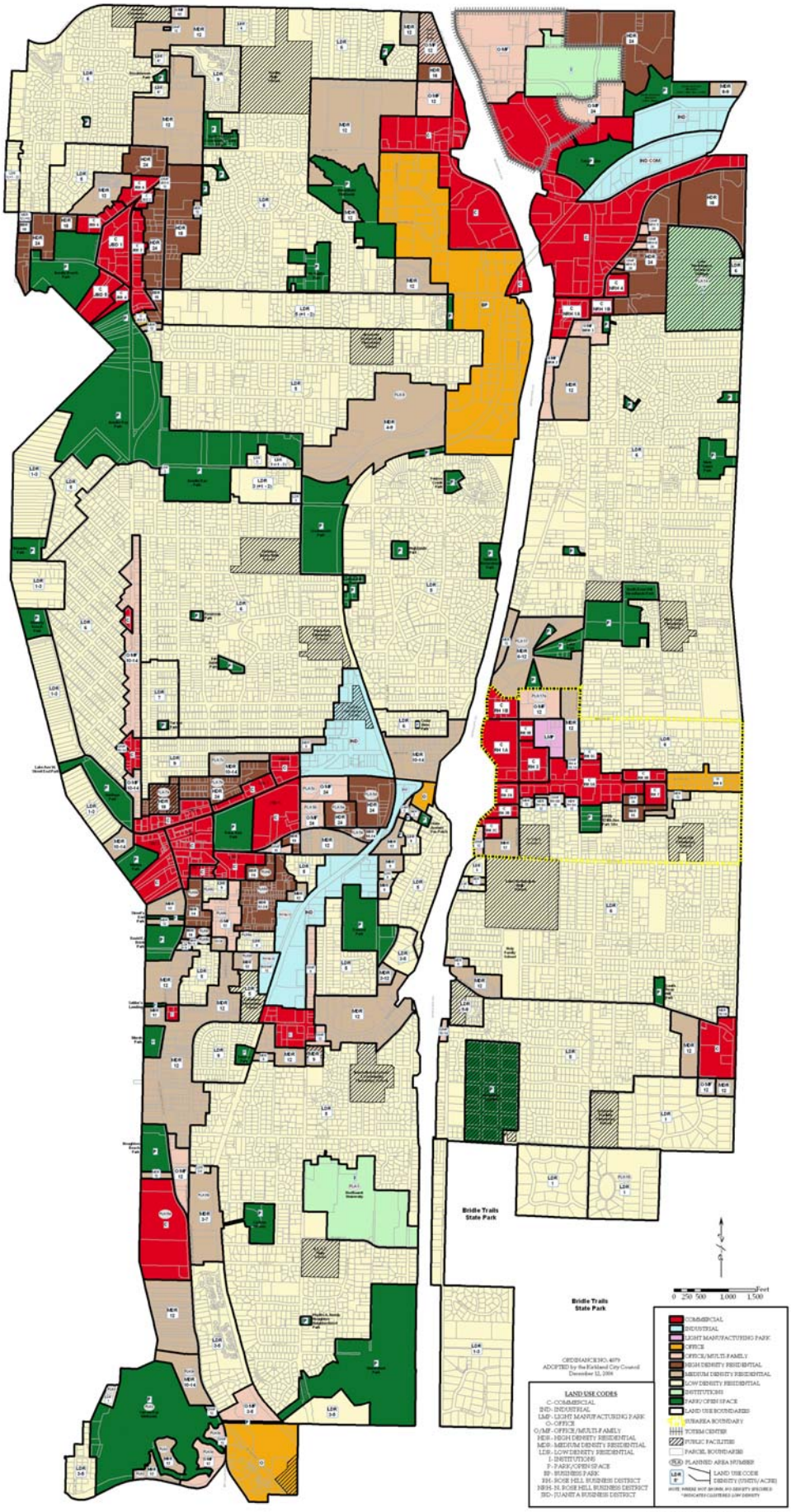
_____
City Clerk

Approved as to Form:

_____
City Attorney

CITY OF KIRKLAND COMPREHENSIVE LAND USE MAP

Department of Planning and Community Development



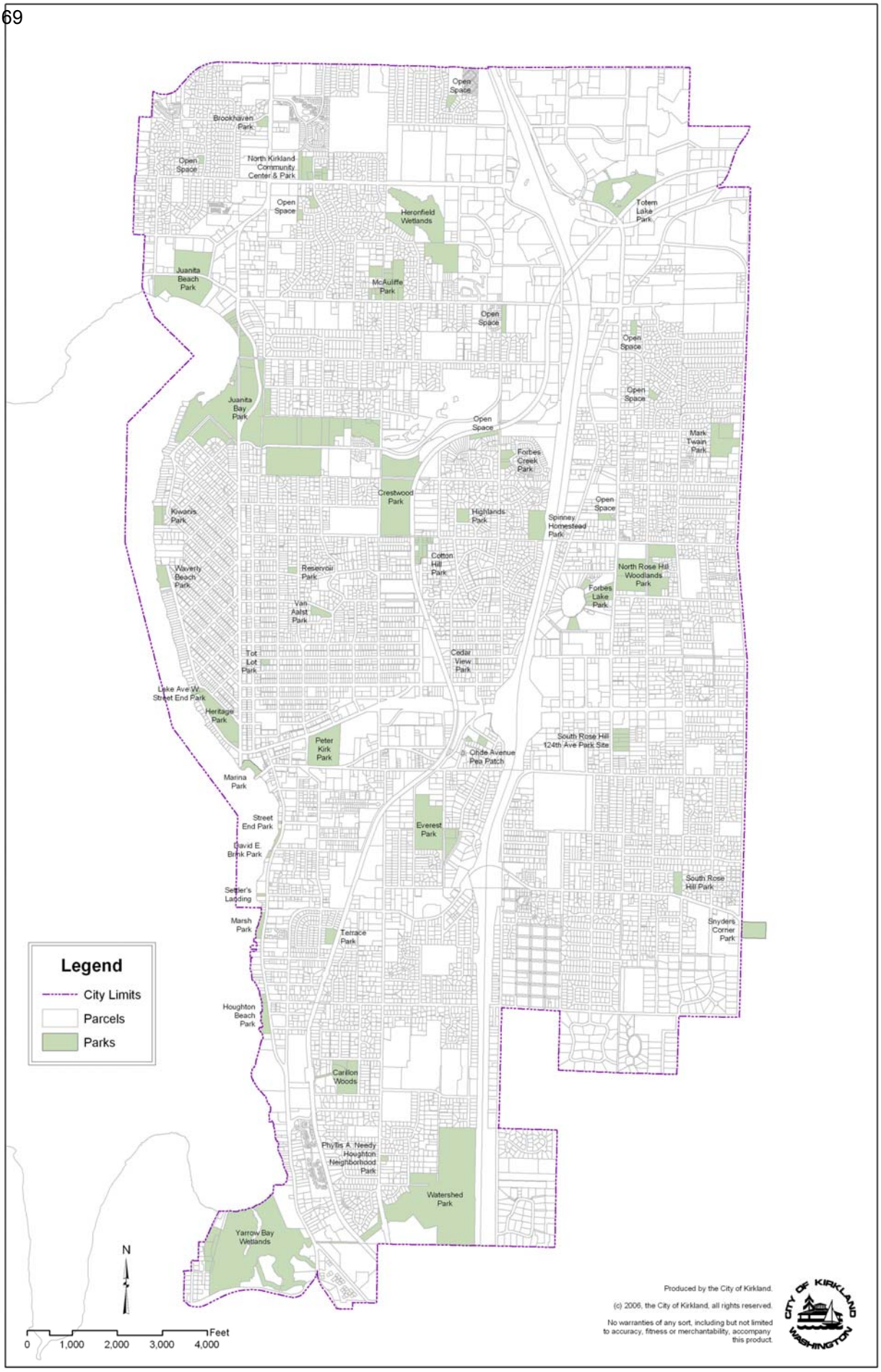


Figure PR-1: Kirkland Parks

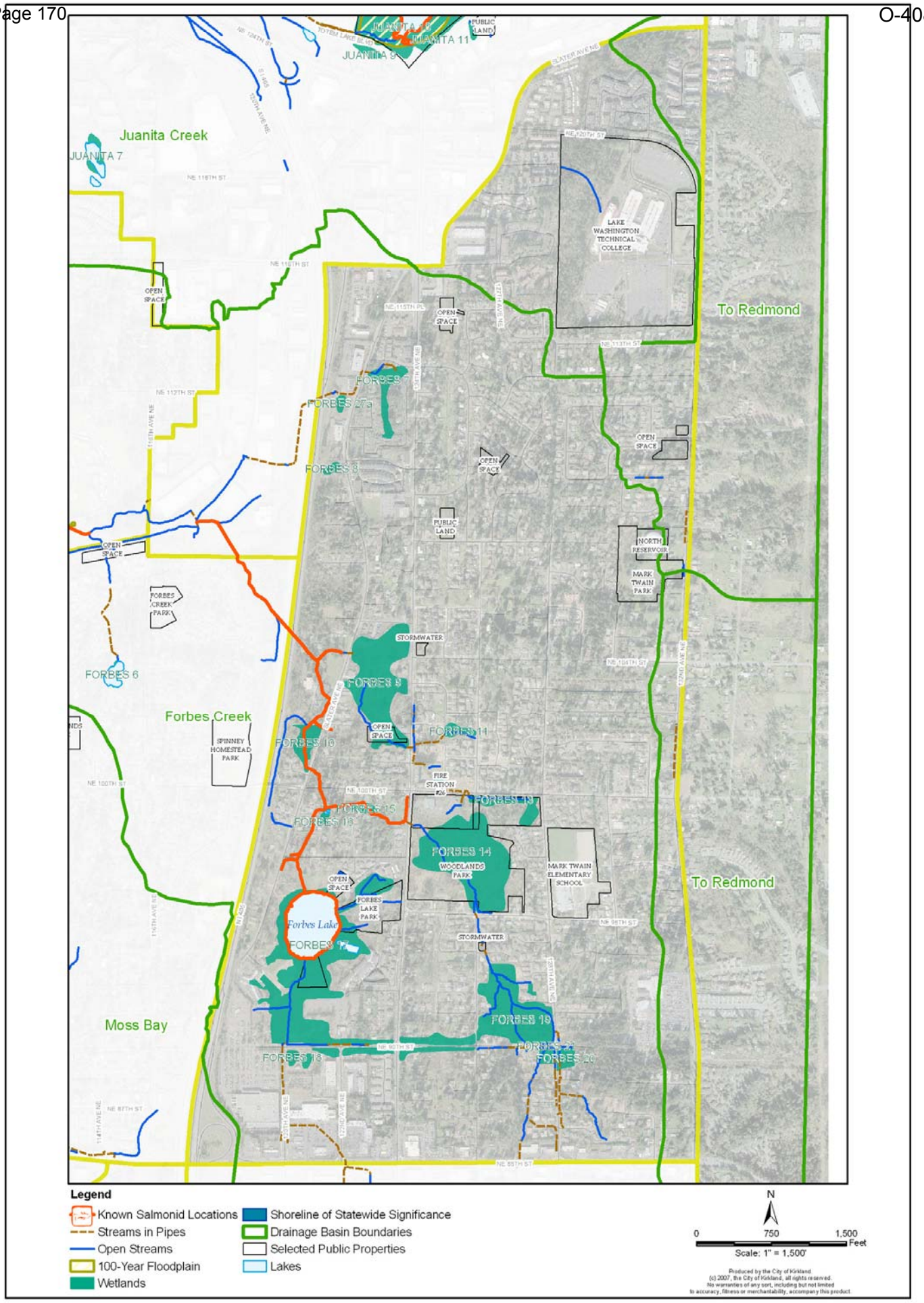


Figure NRH-2: North Rose Hill Sensitive Areas

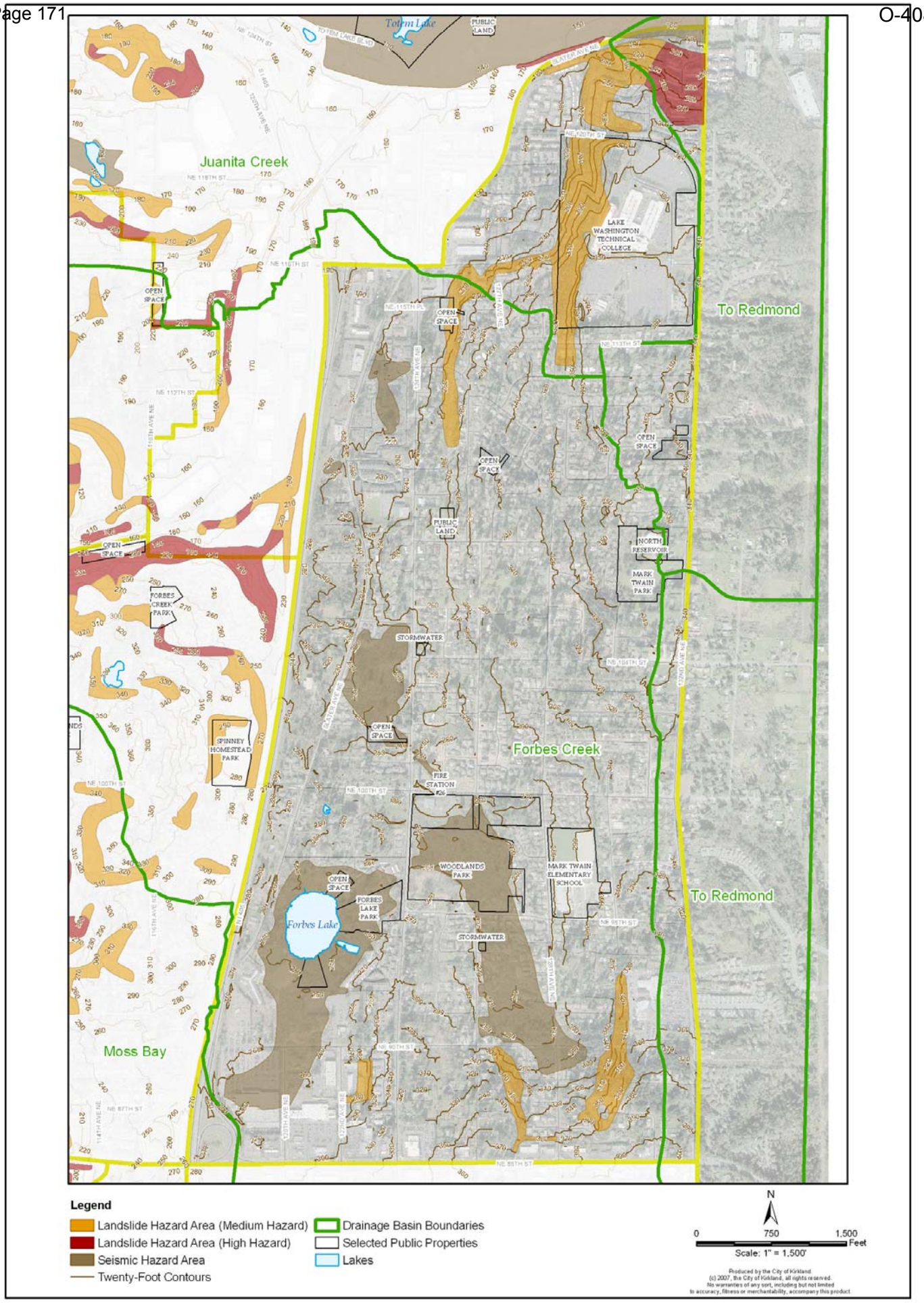
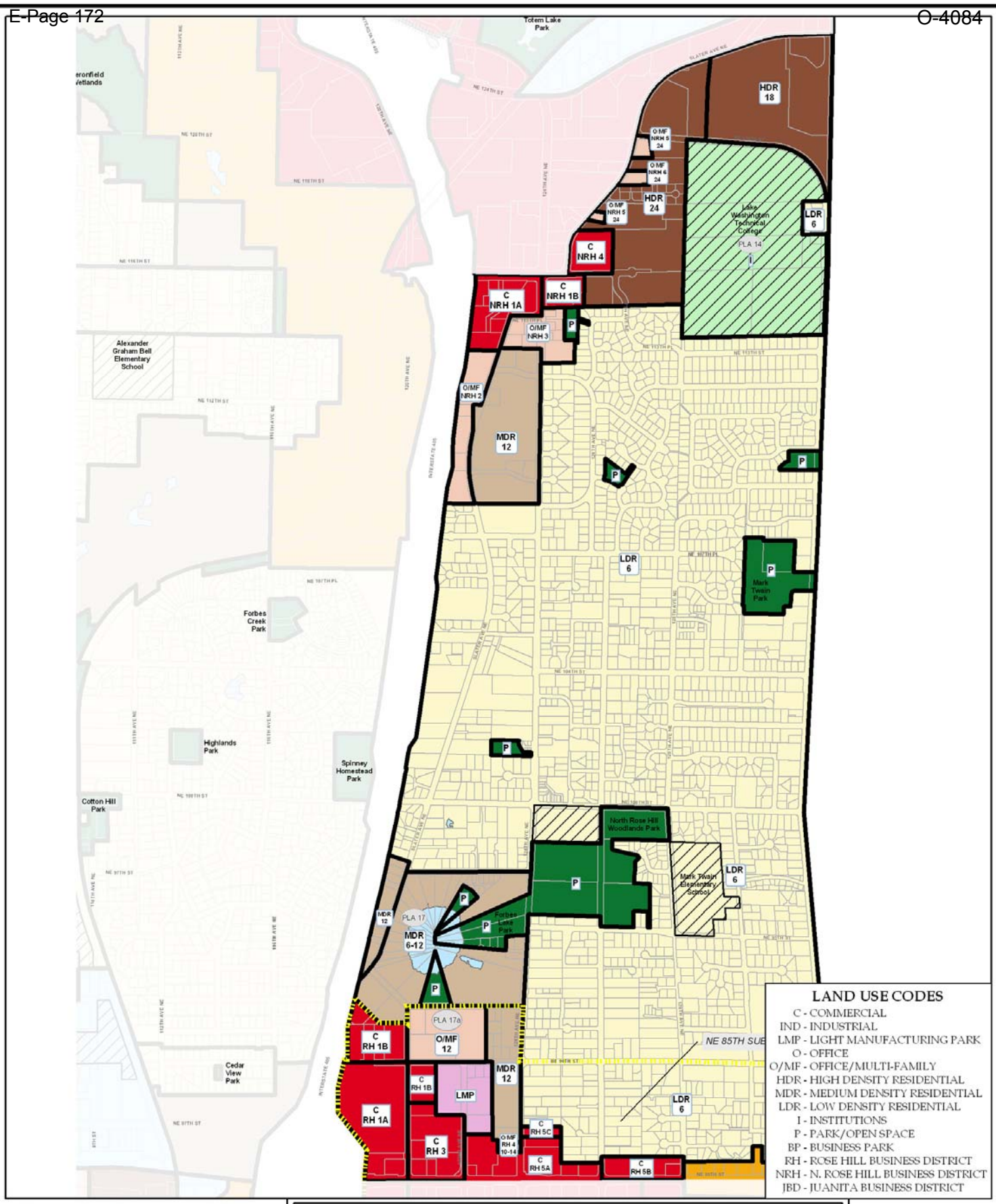


Figure NRH-3: North Rose Hill Seismic and Landslide Hazards



North Rose Hill Neighborhood

Land Use Map

ORDINANCE NO. 4079
ADOPTED by the Kirkland City Council
December 12, 2006

LAND USE BOUNDARIES
PARCEL BOUNDARIES
SUBAREA BOUNDARY
PLA PLANNED AREA NUMBER
TOTEM CENTER
LDR 5* LAND USE CODE / DENSITY (UNITS/ACRE)
PUBLIC FACILITIES

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
** INDICATES CLUSTERED LOW DENSITY*

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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

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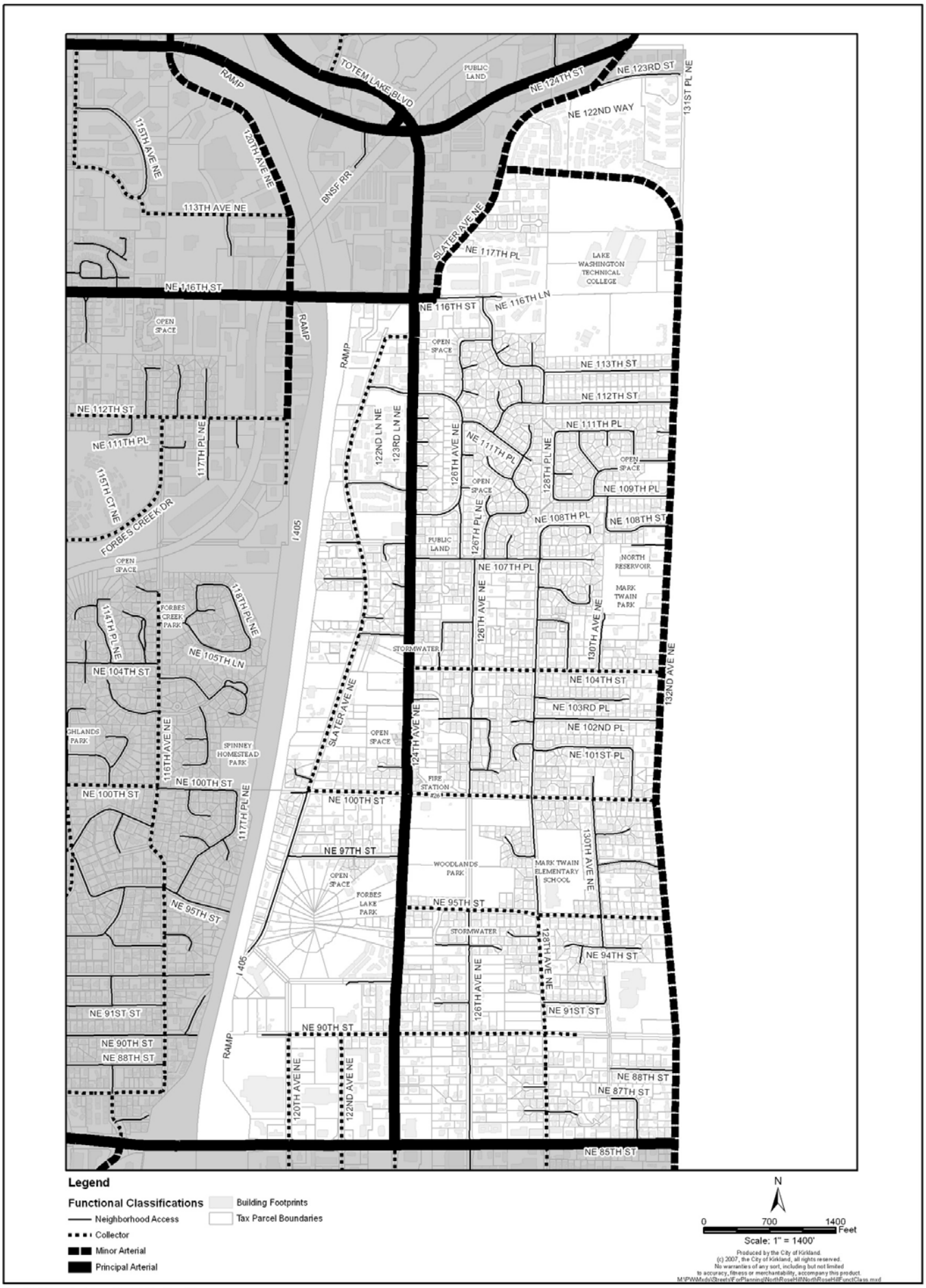
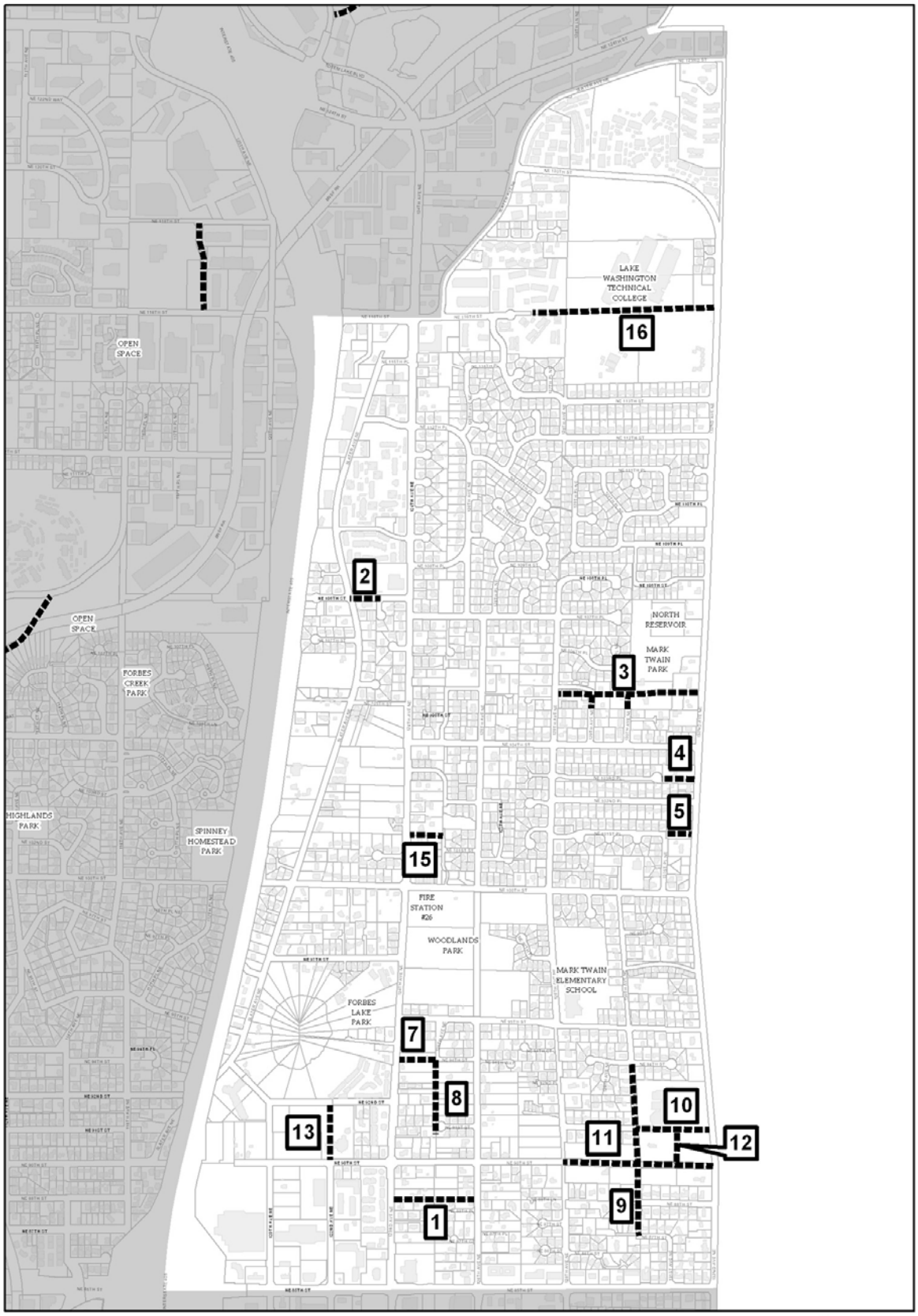


City of Kirkland Noth Rose Hill Neighborhood Plan
1/3/2007 Draft

Figure NRH-5: North Rose Hill Street Classifications



Legend

- Potential Street Connections
- Building Footprints
- Tax Parcel Boundaries

N

0 700 1400 Feet

Scale: 1" = 1400'

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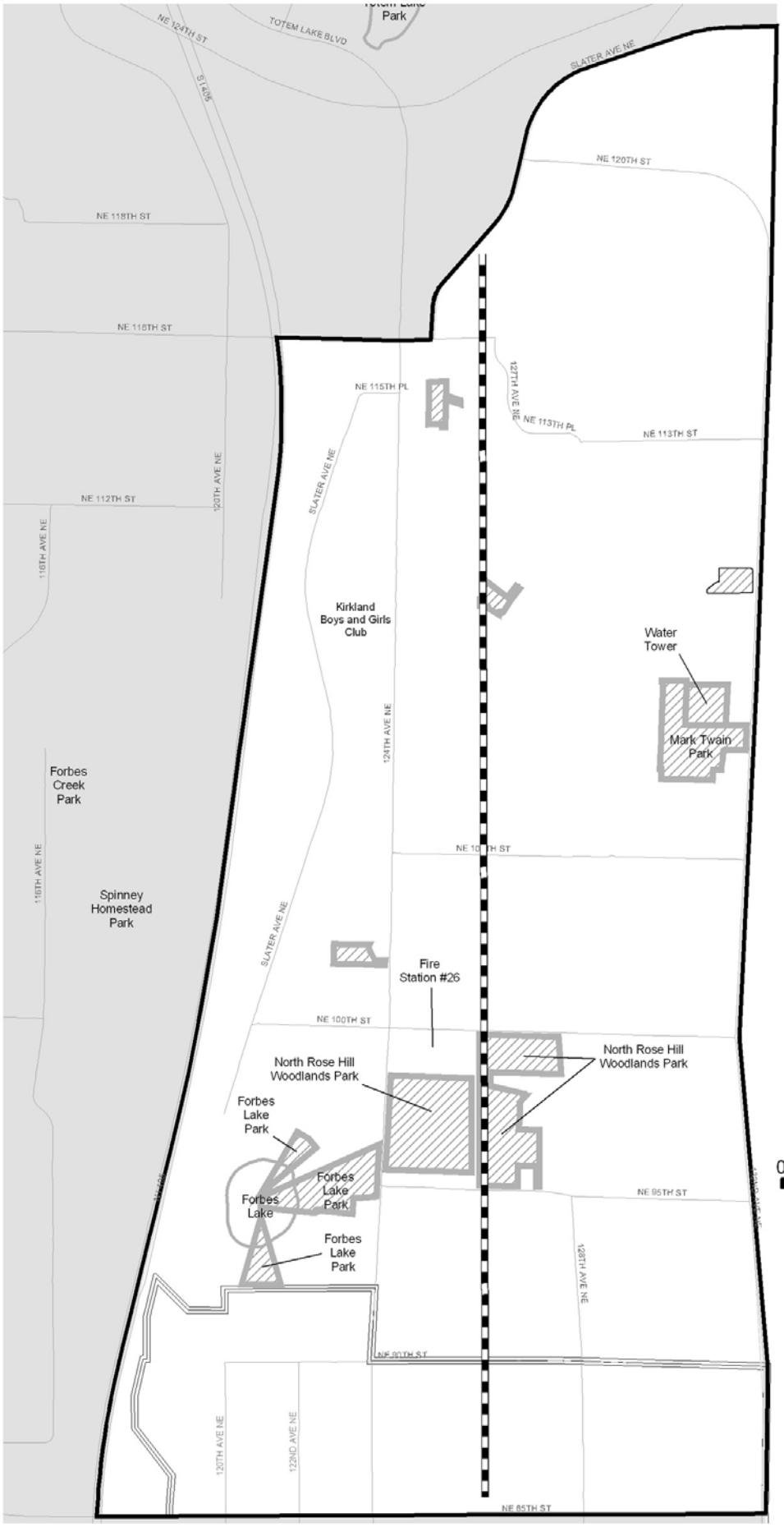
No warranties of any sort, including but not limited
to accuracy, fitness or merchantability, accompany this product.

City of Kirkland North Rose Hill Neighborhood Plan
1/3/2007 Draft

Figure NRH-6: North Rose Hill Street Connection Plan

North Rose Hill Neighborhood

Parks and Open Space



Parks/Open Space

City Owned Property

Seattle City Light Powerline Easement Trail

NE 85th Subarea Boundary

N

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0 600 1,200 2,400

Feet

PUBLICATION SUMMARY
OF ORDINANCE NO. 4084

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN (ORDINANCE 3481 AS AMENDED) AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, FILE NO. ZON06-00009

Section 1. Amends the Comprehensive Plan as set forth in Attachment A.

Section 2. Provides a severability clause for the ordinance.

Section 3. Authorizes publication of the ordinance by summary, approval of the summary by the City Council pursuant to Kirkland Municipal Code 1.08.017, and establishes the effective date as five days after publication of summary.

Section 4. Provides that the City Clerk shall forward a certified copy of the ordinance to the 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 regular meeting on the 6th day of February, 2007.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
City Clerk

ORDINANCE NO. 4085

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING MAP (ORDINANCE 3710 AS AMENDED) TO CONFORM TO THE COMPREHENSIVE PLAN AND TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, FILE NO. ZON06-00009 AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.215, mandates that the City of Kirkland review, and if needed, revise its official Zoning Map pursuant to RCW 36.70A.130; and

WHEREAS, the Zoning Map implements the Comprehensive Plan (Ordinance 3481 as amended); and

WHEREAS, the City Council included a clause in Ordinance 4080 adopted on December 12, 2006, to consider amendments to the Kirkland Zoning Map no later than February 20, 2007, as part of the 2006 Comprehensive Plan process, to consider needed to changes in zoning for park use and low density residential use for the proposed land exchange between Mark Twain Park and Parcel No 3326059178 at 10522-130th Ave NE; and

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend a portion of the City of Kirkland Zoning Map, Ordinance 3710, as set forth in that certain report and recommendation of the Planning Commission dated January 25, 2007, and bearing Kirkland Department of Planning and Community Development File No. ZON06-00009; and

WHEREAS, prior to making the recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, held a public hearing on January 25, 2007, on the amendment proposal; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendations a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600(4); 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 Commission; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Map Amended: The official City of Kirkland Zoning Map as adopted by Ordinance 3710 is amended in accordance with Exhibits A attached to this ordinance.

Section 2. Official Map Change: The Director of the Department of Planning and Community Development is directed to amend the official City of Kirkland Zoning Map to conform with this ordinance, indicating thereon the date of the ordinance passage.

Section 3. Severability: 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 4. Effective Date: This ordinance shall be in full force and effect five days from and after its passage by the 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. Ordinance Copy: 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 6th day of February, 2007.

SIGNED IN AUTHENTICATION THEREOF this 6th day of February, 2007.

_____
Mayor

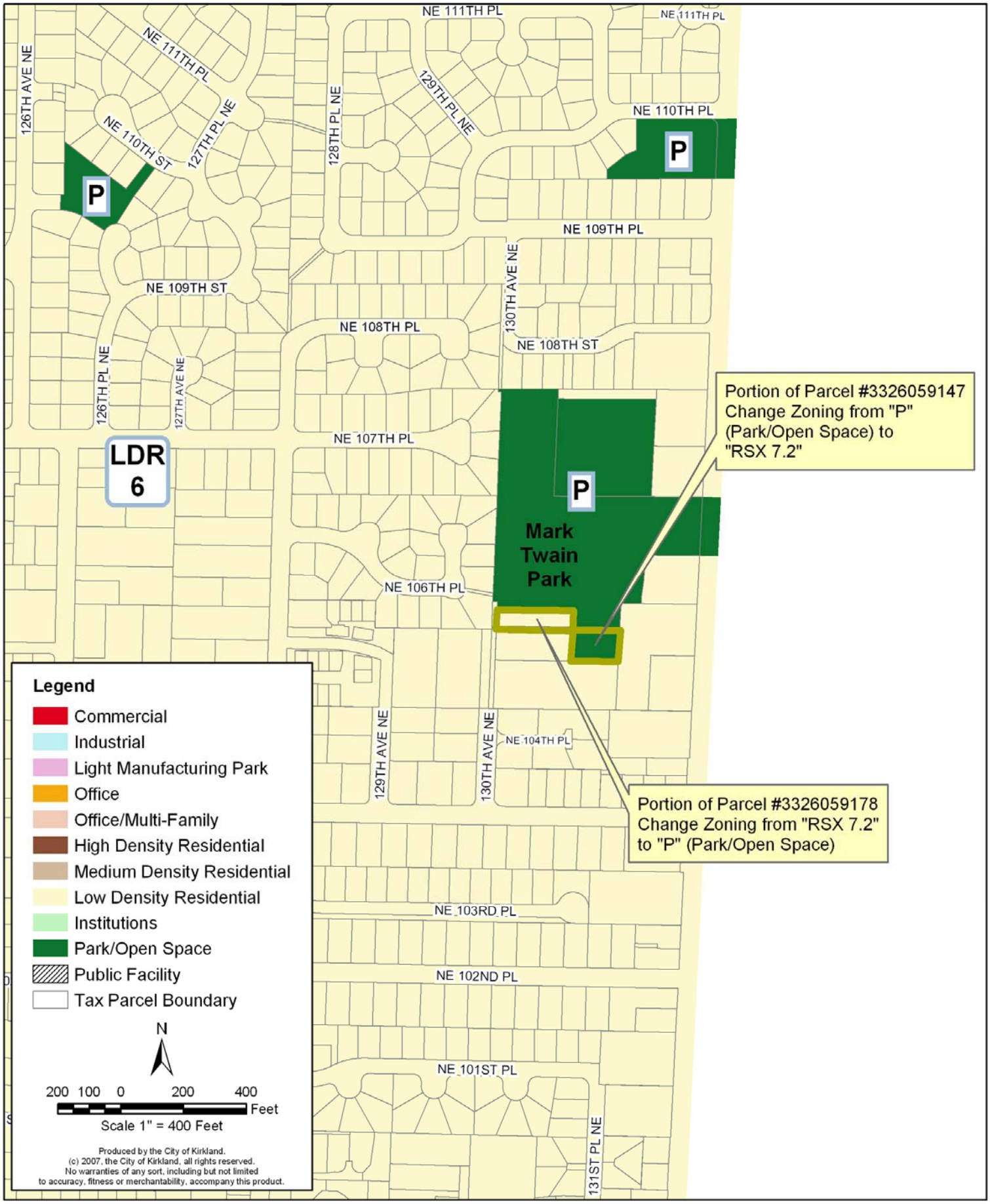
Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

Exhibit A
North Rose Hill Neighborhood
Zoning Map Change



PUBLICATION SUMMARY
OF ORDINANCE NO. 4085

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING MAP (ORDINANCE 3710 AS AMENDED) TO CONFORM TO THE COMPREHENSIVE PLAN AND TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, FILE NO. ZON06-00009.

Section 1. Amends the Kirkland Zoning Map as set forth in Exhibit A.

Section 2. Directs the Director of Planning and Community Development to amend the official Zoning Map.

Section 3. Addresses severability.

Section 4. Authorizes publication of the ordinance by summary, approval of the summary by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as five days after publication of said summary.

Section 5. Directs the City Clerk, to certify and forward a complete certified copy of this ordinance to the 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 in open meeting on the 6th day of February, 2007.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
City Clerk

CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Jennifer Schroder, Director

Date: January 23, 2007

Subject: Yarrow Bay Wetlands Acquisition – Irvin Property

RECOMMENDATION: Authorize the City Manager to proceed with the acquisition of the Irvin property in the amount of $300,000.00.

BACKGROUND DISCUSSION:
Mr. Phillip Irvin notified the City that he would sell four parcels he owns that are contiguous to Yarrow Bay Wetland Park for $300,000.00. The four parcels are located at the SE corner of NE 38th Street and 97th Avenue in Kirkland. The four lots reflect .86 acres (37,363 s.f.).

With Council's approval, staff obtained an appraisal of the properties from Allen Brackett Shedd, Real Estate Appraisers and Consultants. The price for the four parcels is within the amount appraised for the property. Mr. Irvin has signed a Purchase & Sale Agreement for this property, thus accepting the City's offer to buy.

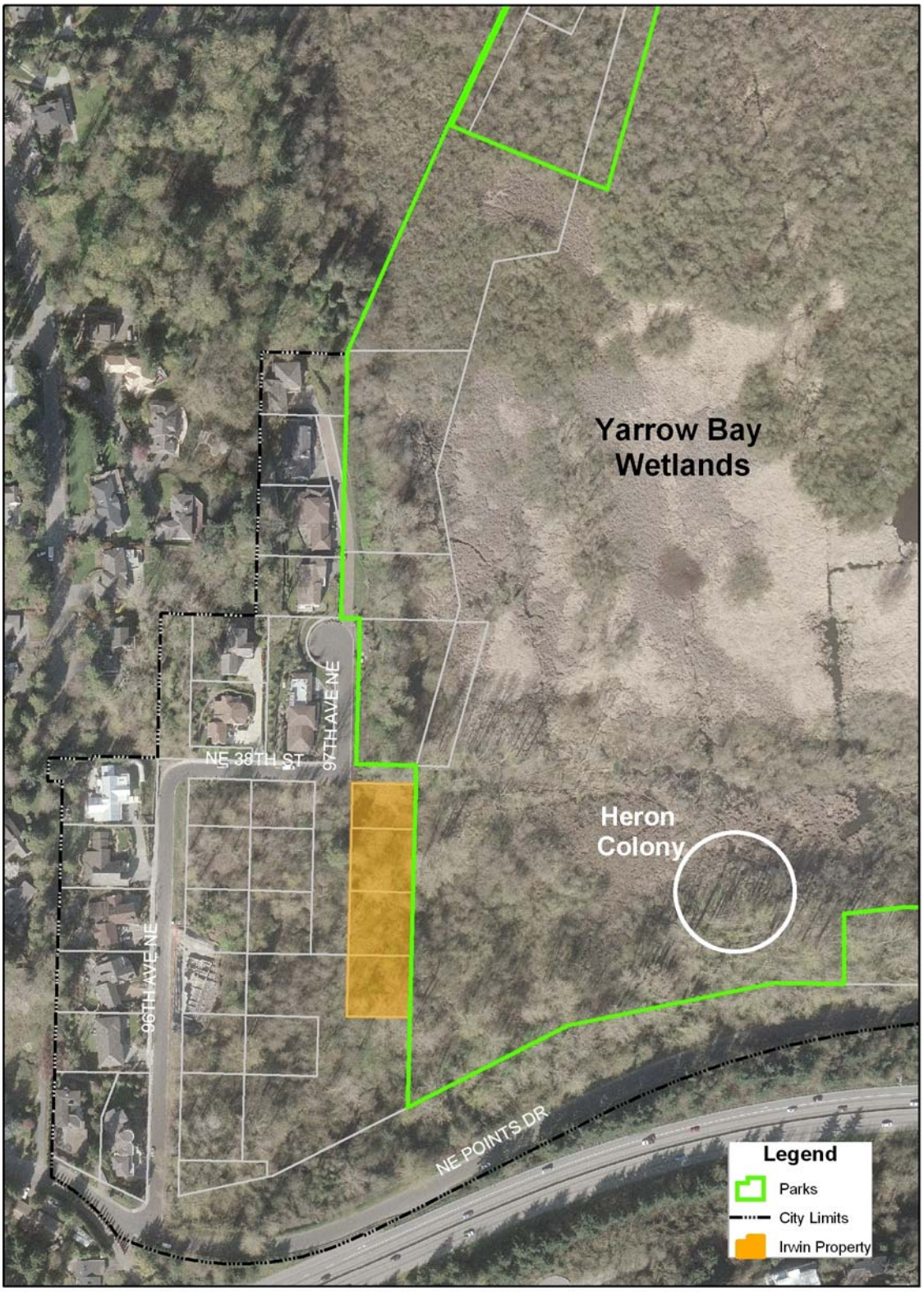
Yarrow Bay Wetlands is home to eagles, heron and other wildlife. The Irvin property includes a gallery of large Black Cottonwood trees that provide nesting for species requiring extensive habitat and isolation. According to Don Norman, Wetland Biologist, a mature Cottonwood gallery in wetlands is a habitat that is extremely rare on Lake Washington, and is suitable for nesting by species such as bald eagle, red-tailed hawk, Cooper's hawk, great horned owl, and pileated woodpecker.

Acquisition of these parcels is consistent with the Comprehensive Park, Open Space and Recreation Plan to provide unique natural resources and protection of critical urban wildlife habitat for its citizens.

Source of funds
The Parks C.I.P. has two funding sources which are listed in priority: 1) Land Acquisition Opportunity Fund CIP project of $64,160 and 2) REET 1 reserve of $235,840.00.

Additionally, this project will make a competitive application for the 2008 Conservation Futures Grant program. Applications are due April, 2007 and require a 50% match. Acquisition projects have up to two years to submit for funding retroactively.

Yarrow Bay Wetlands
Irwin Property



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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

0 100 200 300 400 500 Feet

N

FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Jennifer Schroder, Parks & Community Svcs Director

Description of Request

Request for funding of $300,000 for the purchase of the Irvin property in the Yarrow Bay Wetlands area. The four parcels that have been offered for purchase to the City are contiguous to the City's Yarrow Bay Wetland Park and are home to many species of birds and to cottonwood trees and other vegetation that are important habitat for the wildlife.

Funding for the project is recommended to come from 2 sources - the remaining balance of $64,160 from the Land Acquisition Opportunity Fund CIP project and $235,840 from the REET 1 Reserve.

Legality/City Policy Basis

Fiscal Impact

One-time use of the remaining balance of $64,160 from the Land Acquisition Opportunity Fund CIP project. This project is able to fully fund this request.
One-time use of $235,840 from the REET 1 Reserve. The reserve is able to fully fund this request.

Recommended Funding Source(s)

	Description	2008 Est End Balance	Prior Auth. 2007-08 Uses	Prior Auth. 2007-08 Additions	Amount This Request	Revised 2008 End Balance	2008 Target
Reserve	Land Acquisition Opp. Fund Project	64,160	0	0	64,160	0	0
	REET 1 Reserve	6,673,678	0	0	235,840	6,437,838	1,435,000
Revenue/ Exp Savings							
Other Source							

Other Information

Prepared By	Sandi Hines, Financial Planning Manager	Date	January 24, 2007

CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tim Llewellyn, Fleet Supervisor
Daryl Grigsby, Public Works Director

Date: January 12, 2007

Subject: SURPLUS EQUIPMENT RENTAL VEHICLES/EQUIPMENT FOR SALE

RECOMMENDATION**:**

It is recommended that the City Council approve the surplus of the Equipment Rental vehicles/equipment listed below:

POLICY IMPLICATIONS:

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.

BACKGROUND DISCUSSION:

The following equipment has been replaced by new equipment, and if approved for surplusing, will be sold in accordance with purchasing guidelines at public auction or to public agencies.

Fleet #	Year	Make	VIN/Serial Number	License #	Mileage
C03-06	2003	Ford Crown Victoria	2FAFP71W73X141354	35074D	83,750
F102	1999	Ford Taurus LX	1FAFP52U7XG247025	26137D	31,453
F103	1999	Ford Taurus LX	1FAFP52U9XG247026	15219D	27,692
F402	1982	Ford Air-Light-Power Truck	1FDWR74N8CVA17338	05362D	57,751
PU-32	1998	Ford Ranger	1FTZR15U0WPB16264	23998D	69,787
TL-14	1988	Vermeer Chipper	1VRC1413SJ1000596	07205D	2.037 hrs

For clarification purposes, C03-06 was a former Police Patrol vehicle which was transferred to Crime Prevention after achieving its original anticipated useful life of 2.5 years.

F102 and F103 were Fire vehicles, principally assigned to Fire Prevention and the Deputy Fire Chief (Administration/Emergency Management). Both vehicles achieved their anticipated useful life of 8 years.

F402 was the Fire Air-Light-Power vehicle, principally assigned to Fire Operations. F402 was retained 7 years beyond its anticipated useful life of 18 years.

PU-32 was the Public Works Water meter reader vehicle. It was retained 1 year beyond its original anticipated useful life of 8 years.

TL-14 was a brush chipper. It was retained 7 years beyond its anticipated useful life of 12 years.

The City's Equipment Rental Replacement Schedule is used as a guideline for vehicle replacement and amortization of equipment. Fleet Management staff evaluates each vehicle and determines the actual replacement date according to vehicle condition.

Depending upon operational needs, some of the above vehicles may be retained through the summer of 2007, for seasonal use prior to being sold at auction in the Fall of 2007.

Cc: John Hopfauf, Street Manager

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

To: David Ramsay, City Manager

From: Eric Shields, Planning Director

Date: January 25, 2007

Subject: EXTENDING THE EFFECTIVE DATE OF NEW FAR REGULATIONS; FILE NO. ZON05-00019

RECOMMENDATION:

Consider whether to extend the effective date of Ordinance 4065 which established new FAR regulations. If the Council would like to extend the date, it may do so by adopting the attached ordinance.

BACKGROUND DISCUSSION:

On November 8, 2006, the City Council adopted Ordinance 4065 which amended zoning regulations governing floor area ratios for single family houses. The effective date of the ordinance was January 15, 2007.

At the January 16, 2007 Council meeting, Loree Nelson and Drew Robertson spoke to the Council about the difficulty they have had in meeting the deadline for submitting a complete building permit application in order to be vested under the previous FAR regulations. They stated that they have been designing a house for many months and have spent a great deal of money in preparing preliminary plans. They talked with City officials several times, but were not informed that revisions to FAR regulations were being considered. They found out about the new regulations at a "pre-submittal" meeting only two weeks before the vesting deadline. At that date, there was insufficient time to prepare the remaining application materials. Ms. Nelson and Mr. Robertson requested that the Council extend the deadline for submitting a complete building permit application in order to allow them adequate time to complete their plans.

The Planning Department did a number of things to get the word out about the new FAR regulations, including: posting information on our Web site during the deliberation process and after ordinance adoption; meeting with and mailing information to previous permit applicants; notifying and meeting with neighborhood associations; and preparing an article in the Kirkland Courier. Also, the effective date of the ordinance was delayed for two months after adoption to allow additional time for applicants to vest under the old regulations.

Following the January 16, 2007 Council Meeting, I advised Mr. Robertson that he was mistaken with regard to his complaint that the staff planner assigned to review his

preliminary plans was aware of the FAR problem and waited to inform him. Although the plans were submitted well in advance of the pre-submittal meeting, the planner did not have an opportunity to review the plans and identify the problem until the day before the meeting. Mr. Robertson indicated to me that it would take a minimum of one month to prepare the necessary application materials.

The attached ordinance amends the effective date of Ordinance 4065, changing it from January 15 to March 10. This would allow complete applications to be submitted by the end of the day on Friday March 9, which is a little over four weeks after the February 6 Council meeting. The decision to extend the effective date is discretionary. The Council may adopt the attached ordinance if it believes that more time should be provided to prospective applicants to vest under the previous FAR regulations.

Attachments: Ordinance 4065

Cc: Loree Nelson
Drew Robertson

Es: CC Memo RE Extending Effective Date of FAR Regulations 1-23-07

ORDINANCE 4065

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING TITLE 23 (THE KIRKLAND ZONING CODE) OF THE KIRKLAND MUNICIPAL CODE; AMENDING CERTAIN PROVISIONS RELATING TO FLOOR AREA RATIOS (F.A.R.) FOR DETACHED DWELLING UNITS IN LOW DENSITY RESIDENTIAL ZONES, AND FOR ALLOWABLE STRUCTURES AND IMPROVEMENTS IN REQUIRED YARDS, AND AMENDING PORTIONS OF CHAPTER 15 KZC (SINGLE-FAMILY RESIDENTIAL (RS) ZONES), CHAPTER 17 KZC (SINGLE-FAMILY RESIDENTIAL ANNEXATION (RSX) ZONES), AND CHAPTER 115 KZC (MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS) (FILE NO. ZON05-00019).

WHEREAS, the City Council has received from the Kirkland Planning Director a recommendation to amend certain portions of the Kirkland Zoning Code, Ordinance 3719 as amended (Title 23 of the Kirkland Municipal Code), relating to Floor Area Ratios (F.A.R.) for detached dwelling units in low density residential zones, and also relating to allowable structures and improvements in required yards, and bearing Kirkland Department of Planning and Community Development File No. ZON05-00019; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, this action is exempt from the concurrency management process; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on June 8, 2006 and July 13, 2006, held a public hearing on the proposal and considered the comments received at the hearings; and

WHEREAS, pursuant to the State Environmental Policy Act, there has accompanied the proposal and recommendation through the entire consideration process a Determination of Nonsignificance (DNS), including supporting environmental documents, issued by the Responsible Official on May 19, 2006, pursuant to WAC 197-11-340 and WAC 197-11-390; and

WHEREAS, an appeal of said DNS was received on June 2, 2006; and

WHEREAS, on November 8, 2006 the City Council held a hearing on the DNS appeal and considered all information and material within the scope of the appeal, and at the conclusion of said hearing the City Council affirmed the issuance of the DNS; 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 Commission;

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

Section 1. KZC 15.10.010, Special Regulation No. 2 is hereby amended to read as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
   a. In RS 35 zones, F.A.R. is 20 percent of lot size.
   b. In RS 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RS 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RS 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RS 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the following criteria are met:
      i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4 feet vertical: 12 feet horizontal; and
      ii. A setback of at least 7.5 feet is provided along each side yard.

   This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.

   See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

Section 2. KZC 17.10.010, Special Regulation No. 2 is hereby amended to read as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
   a. In RSX 35 zones, F.A.R. is 20 percent of lot size.
   b. In RSX 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RSX 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RSX 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RSX 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the following criteria are met:
      i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4 feet vertical: 12 feet horizontal; and
      ii. A setback of at least 7.5 feet is provided along each side yard.

   See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

Section 3. KZC 115.42 is hereby amended to read as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.
   b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23);
   c. On lots less than 8,500 square feet, the first 500 square feet of an Accessory Dwelling Unit or garage contained in an Aaccessory structures, when such accessory structure is located more than 20 feet from and behind the main structure (see KZC 115.30 for additional information on the required distance between structures).
   d. On lots 8,500 square feet or greater, the first 800 square feet of an Accessory Dwelling Unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure (see KZC 115.30 for additional information on the required distance between structures).
   ~~d~~ e. Uncovered and covered decks, porches, and walkways.
2. Floor area with a ceiling height greater than 16 feet shall be calculated as follows:
   a. The first 100 square feet of such floor area, in aggregate, shall be calculated only once toward allowable F.A.R.;
   b. Floor area in excess of the first 100 square feet shall be calculated at twice the actual floor area toward allowable F.A.R.

~~2~~ 3. *This section is not effective within the disapproval jurisdiction of the Houghton Community Council.*

Section 4. KZC 115.115.3 is hereby amended to read as follows:

3. Structures and Improvements – No improvement or structure may be in a required yard except as follows:

   a. – c. No change.

   d. Chimneys, bay windows, greenhouse windows, eaves, cornices, awnings, and canopies may extend up to 18 inches into any required yard. Eaves on bay windows may extend an additional 18 inches beyond the bay window. The total horizontal dimension of the elements that extend into a required yard, excluding eaves and cornices, may not exceed 25 percent of the length of the façade of the structure. Except for properties located within the disapproval jurisdiction of the Houghton Community Council, chimneys, bay windows, greenhouse windows, cornices, awnings, and/or canopies may not extend closer than 4 feet to any property line. See Plate 10.

   e. – o. No change.

Section 5. 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 6. 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, but in no event sooner than sixty (60) days from and after its passage by the Kirkland City Council and publication, or on January 15, 2007, whichever is later, as provided in Section 7.

Section 7. Except as provided in Section 6, this ordinance shall be in full force and effect sixty (60) days from and after its passage by the Kirkland City Council and publication, or on January 15, 2007, whichever is later, pursuant to Section 1.08.017 Kirkland Municipal Code, 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 8. 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 regular, open meeting this 8th day of November, 2006.

SIGNED IN AUTHENTICATION thereof this 8th day of November, 2006.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

ORDINANCE NO. 4086

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING AND LAND USE AND AMENDING SECTION 7 OF ORDINANCE NO.4065 RELATING TO THE FLOOR AREA RATIOS (F.A.R.) TO CHANGE THE EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, on November 8, 2006, the City Council passed Ordinance 4056 with a deferred effective date of January 15, 2007, and

WHEREAS, the City Council wishes to amend the effective date of Ordinance 4065 to March 10, 2007;

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

Section 1. Section 7 of Ordinance No. 4065 is hereby amended to read as follows:

> Section 7. Except as provided in Section 6, this ordinance shall be in full force and effect on March 10, 2007.

Section 2. 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 _____, 2007.

Signed in authentication thereof this _____ day of _____, 2007.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

Council Meeting: 02/06/2007
Agenda: Unfinished Business
Item #: 11. a.

CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Elaine Borjeson, Solid Waste Coordinator
Erin Leonhart, Public Works Facilities and Operations Administrative Manager
Daryl Grigsby, Public Works Director

Date: January 25, 2007

Subject: REGIONAL SOLID WASTE UPDATE

RECOMMENDATION

Staff requests that Council provide direction to Councilmember Greenway, the City's Representative on the Metropolitan Solid Waste Management Advisory Committee (MSWMAC), regarding the proposed recommendations and future work program contained in the Governance Report (Attachment 1) and the scope of work outlined in the Comparative Evaluation of Waste Export and Conversion Technologies Disposal Options (Attachment 2).

BACKGROUND

Governance Report: Proposed Recommendations and Future Work Program: The Governance Report (the Report) is the last remaining work product required by King County Ordinance 14971 which set up the process and timeline for the recently submitted Solid Waste Transfer and Waste Export System Plan currently pending review by the Regional Policy Committee (RPC) and the King County Council. The Report was prepared by the Interjurisdictional Technical Staff Group (ITSG) in consultation with MSWMAC. The ITSG is a group of city and County staff that began meeting in early 2004 as the result of a series of controversial solid waste management decisions that were made by the County. The current role of the ITSG is to be a working staff group dedicated to solid waste issues and to assisting MSWMAC.

The Report outlines four issues and recommendations to the County Council for the future of solid waste planning, policy and management. The issues are:

- Whether or not to replace the Solid Waste Interlocal Forum (SWIF) currently represented by the RPC
- The lack of a dispute resolution process in the Solid Waste Interlocal Agreements between the cities and the County
- Developing detailed financial policies for forecasting, financing, rate setting and grant programs, and
- Outlining host city mitigation standards

The Report also outlines issues relating to the term and possibility of re-opening the Interlocal Agreements which are currently in effect until 2028. Recommendations contained in the Report may require revisions to the King County Comprehensive Solid Waste Management Plan, King County Code, the Interlocal Agreements or state law.

Comparative Evaluation of Waste Export and Conversion Technologies Disposal Options: MSWMAC is working with the Solid Waste Division (Division) on updating the 2001 King County Comprehensive Solid Waste Management Plan which will include an evaluation of how to handle the County's solid waste when the Cedar Hills Regional Landfill reaches permitted capacity around 2016. At that time, solid waste will need to be exported or handled by a conversion technology facility. For this evaluation, conversion technologies are defined as conventional waste incineration with energy recovery as well as thermal gasification, bio-refining, plasma arc, anaerobic digestion that produces energy source byproducts, and composting.

The 2007 King County Budget contained a proviso requiring the analysis of conversion technologies for handling solid waste. The scope of work outlined in the Comparative Evaluation of Waste Export and Conversion Technologies Disposal Options (the Evaluation) will identify potential benefits and impacts of waste export and commercially proven conversion technologies that operate on a scale similar to King County's projected waste stream. The Evaluation will compare the estimated range of costs, energy consumption and generation, and environmental impacts of waste export and conversion technologies. It will also assess the potential impact on recycling programs. The Evaluation will also review the need for planned transfer station system improvements and transportation requirements. The analysis is currently underway, and an initial draft summarizing the findings of the Evaluation will be submitted to the Division by the end of the second quarter of 2007.

Attachments: 1 – Governance Report: Proposed Recommendations and Future Work Program
2 – Comparative Evaluation of Waste Export and Conversion Technologies Disposal Options

DRAFT

INTERJURISDICTIONAL TECHNICAL STAFF GROUP

GOVERNANCE REPORT: PROPOSED RECOMMENDATIONS AND FUTURE WORK PROGRAM

January 12, 2007

EXECUTIVE SUMMARY

The purpose of this document, required by King County Ordinance 14971, is to report on the progress to date of the Interjurisdictional Technical Staff Group (ITSG) and Metropolitan Solid Waste Management Advisory Committee (MSWMAC) on what is generally referred to as "governance issues." This report is the last work product required to fulfill the directives outlined in Ordinance 14971. Based on policy direction provided by the King County Council, additional work will be needed to fully develop the recommendations outlined in the report.

ITSG and MSWMAC, working in collaboration with the Solid Waste Division, have produced four iterative planning reports that were approved by the Regional Policy Committee (RPC) and adopted by the County Council. These reports culminated in the recent submittal of the *Solid Waste Transfer and Waste Export System Plan,* now pending review by the RPC and the County Council.

This report presents the following four primary issues and recommendations to the County Council that will help guide the future of regional solid waste planning, policy, and management:

1. Solid Waste Interlocal Forum

Issue: Several options were examined to determine how best to maintain an interlocal forum for providing policy input and ensuring city participation and input in the regional solid waste system early in the planning stages. In addition to engaging the cities, which have signed Interlocal Agreements with the county, the forum was originally intended to represent the interests of customers in the unincorporated areas.

Recommendation: This report recommends formally replacing the existing Solid Waste Interlocal Forum, which is currently represented by the RPC of the County Council, with MSWMAC. The RPC would continue to maintain its role as the policy review body for solid waste issues. It is recommended that the interests of the unincorporated areas be represented on the Solid Waste Advisory Committee (SWAC), which currently works closely with MSWMAC.

2. Dispute Resolution Process

Issue: No formal method for resolving disputes between one or more cities and the county is currently provided for in the Interlocal Agreements or the Solid Waste Interlocal Forum.

Recommendation: This report outlines several potential dispute resolution options tailored to the various types of disputes that might arise between multiple cities or host cities and the county.

3. Framework for Developing Financial Policies

Issue: The *2001 Comprehensive Solid Waste Management Plan* contains eight adopted financial policies, which are very broad in nature. The cities are interested in working with the division to develop more detailed policies.

Recommendation: This report recommends four major categories in which more specific financial policies would be developed: 1) financial forecasting and budgets, 2) debt financing and borrowing, 3) rates, and 4) grant programs.

4. Host City Mitigation

Issue: There are positive and negative impacts to cities that host transfer stations. The impacts can be service related, such as convenience or value to surrounding residents and businesses; physical, such as increased litter, traffic, or noise; and financial, such as potential lost tax revenues to the cities. ITSG developed several mitigation options for consideration.

Recommendation: This report recommends continuing mitigation at host city transfer stations, developing mitigation policies, and further considering the establishment of a host city fee.

The report also identifies other issues for further study and discussion, including the term of the Interlocal Agreement and re-opener of the Interlocal Agreement.

Each of the recommendations presented in this report will require guidance or approval from the County Council. In many cases, the recommendations may require some combination of measures to implement, such as the revision or creation of solid waste policies, revisions to county code, updates to the comprehensive solid waste management plan, amendments to contractual documents (such as the ILAs), or a revision to state law.

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ACRONYMS

B&O	Business & Occupation Tax
Division	King County Solid Waste Division
ILA	Interlocal Agreement
ITSG	Interjurisdictional Technical Staff Group
MSWMAC	Metropolitan Solid Waste Management Advisory Group
RPC	King County Regional Policy Committee
SWAC	Solid Waste Advisory Group
SWIF	Solid Waste Interlocal Forum
UAC	Unincorporated Area Council

INTRODUCTION

As required by King County Ordinance 14971, since 2004 the Metropolitan Solid Waste Management Advisory Committee (MSWMAC), the Interjurisdictional Technical Staff Group (ITSG), the Solid Waste Advisory Committee (SWAC), the King County Solid Waste Division, and King County Council staff have been collaborating on solid waste planning and policy issues. Initial efforts, as required by the ordinance, focused on the upgrade and modernization of solid waste transfer facilities and system planning for waste disposal once the Cedar Hills Regional Landfill closes. To date, the group has produced four iterative planning reports that culminated in the recent submittal of the *Solid Waste Transfer and Waste Export System Plan,* now pending review by the Regional Policy Committee (RPC) and County Council.

The purpose of the current document, also required by Ordinance 14971, is to report on the progress of ITSG and MSWMAC to date on what is generally referred to as "governance issues." The intent of the report is two-fold: 1) to suggest conceptual solutions for the tasks identified in Section 2.D.2 of Ordinance 14971 and 2) to address outstanding governance policy issues between the cities and the county.

This report was prepared by ITSG with input and approval from MSWMAC. SWAC has been apprised of the issues and recommendations in the report and will continue to be involved in this work.

Section 2.D.2 of Ordinance 14971 assigned ITSG with providing a report that accomplishes the following:

> *2. The interjurisdictional technical staff group report shall address at least the following issues:*
>
> *a. potential modification or replacement of the solid waste interlocal forum, to identify membership, decision-making responsibilities and scope of duties;*
>
> *b. identification of dispute resolution options;*
>
> *c. development of a framework for financial policies and host city mitigation, including compensation agreements;*
>
> *d. evaluation of the impact of the proposed waste export system plan on each of the provisions of the solid waste interlocal agreement between King County and cities; and*
>
> *e. identification of potential amendments to the solid waste interlocal agreement.*

Per the ordinance, ITSG reviewed four key issues, and the report provides the following information for each issue: 1) description and background, 2) the analysis of options completed, in progress, or planned, 3) the proposed conceptual recommendation(s) for

resolving the issue, subject to input from ITSG, MSWMAC, SWAC, and the county, and 4) identified steps for follow up and implementation.

The four key issues ITSG reviewed are summarized as follows:

1. Solid Waste Interlocal Forum: In the late 1980s, cities that were part of the county's solid waste system entered into Interlocal Agreements (ILAs) with the county. A Solid Waste Interlocal Forum (SWIF) was created to represent the various parties to the ILAs in solid waste planning. In 1993, with the merger of Metro and King County, the responsibilities of the SWIF were transferred to the RPC of the County Council. This transition gave RPC additional responsibility to function as the SWIF on solid waste management issues.

Over time, RPC's responsibilities have covered a wide range of critical regional services, and the committee has had limited time to focus on the development of solid waste issues and policy in the planning stages. In addition, the membership of RPC includes the City of Seattle, which is not a part of the county's solid waste system. Also, while the cities have four seats on the RPC, the establishment of MSWMAC created a dedicated forum for all the cities with ILAs to collaborate with the county in detail on issues of solid waste planning and policy. This focused participation has enhanced the solid waste planning process for both the cities and the county.

This report discusses whether the responsibilities of the SWIF should reside within the RPC or become part of another forum. Of the options considered in this report, ITSG recommends that MSWMAC take over the responsibilities of the SWIF, and that RPC continue in its role of reviewing and recommending to the County Council approval of regional solid waste policies and plans.

2. Dispute Resolution Process: Currently, no process for dispute resolution is provided for in the ILAs or with the SWIF. In the event that issues cannot be resolved through the collaborative decision-making process, a formal method for resolving disputes between one or more cities and the county must be established.

The potential dispute resolution options outlined in this report are tailored to the various types of disputes that might arise between multiple cities or host cities and the county.

3. Framework for Developing Financial Policies: The current financial policies for the Solid Waste Division are very broad in nature. The cities are interested in working with the division to develop more detailed financial policies, perhaps using the policies of other agencies as a model. Four major categories have been identified in which more specific financial policies would be developed: 1) financial forecasting and budgets, 2) debt financing and borrowing, 3) rates, and 4) grant programs.

This report includes the division's current financial policies and recommends areas in which more specific policies could be developed.

4. Host City Mitigation: There are positive and negative impacts to cities that host transfer stations. The impacts can be service related, such as convenience or value to surrounding residents and businesses; physical, such as increased litter, traffic, or noise; and financial, such as potential lost tax revenues to the cities. While the county routinely provides mitigation at new and existing transfer stations, such as roadway improvements, litter pickup, sound walls, the addition of sidewalks, and landscaping, to name a few, the host cities are interested in exploring other forms of compensation, including monetary payments, to ensure that hosting a facility is equitable to the city and the ratepayers of King County.

This report recommends studying the various impacts and benefits to host cities, the potential types of mitigation, and their impacts on the regional system and the ratepayer. The report also proposes a modification to state law to allow the Business & Occupation taxes the Solid Waste Division currently pays to the state to be paid to the host cities instead.

In addition to the four key issues that have been addressed in this report, the following issues identified in Ordinance 14971 will be addressed through future work by ITSG, MSWMAC, and the county:

Section 2d: evaluation of the impact of the proposed waste export system plan on each of the provisions of the solid waste interlocal agreement between King County and cities

These evaluations will be conducted during the update of the *2001 Comprehensive Solid Waste Management Plan*, which is expected to be completed in 2008.

Section 2e: identification of potential amendments to the solid waste interlocal agreement

Potential amendments to the solid waste ILAs between the county and the cities are addressed under *Next Steps* for each of the issues discussed in this report. Amendments to the ILAs or new legislation may be necessary in order to implement some of the report recommendations.

This report is the last work product required to fulfill the directives outlined in Ordinance 14971. Based on direction provided from the County Council, additional work will be needed to fully develop the recommendations in the report. The *Other Issues* section of the report presents several outstanding issues that either require additional analysis or have already been resolved.

Additional work on governance issues will continue in 2007 following the direction provided by the County Council. The appropriate mechanism(s) for implementing recommendations will be developed. These mechanisms could include the revision or creation of solid waste policies, revisions to county code, updates to the comprehensive solid waste management plan, amendments to contractual documents (such as the ILAs), or a revision to state law.

BACKGROUND

Since the late 1980s, cities participating in the county's solid waste management system have been operating under ILAs (sample ILA contained in **Appendix X**). The term of the ILAs extends through mid-2028. The ILAs set forth the provisions under which the county provides solid waste management services for waste generated and collected within the cities. They outline the county's responsibilities in the operation of transfer, processing, and disposal facilities, as well as providing waste reduction and recycling services and programs, in cooperation with the cities.

In the early 2000s, the county made a number of decisions to which the cities objected, including requiring the division to pay rent to the county's current expense fund for use of the Cedar Hills landfill property and purchasing the Harbor Island site for a potential intermodal facility in the future. The cities were concerned about their lack of early involvement in the planning and decision-making on these issues of regional significance. In addition, there was no process for dispute resolution through the ILAs or the SWIF. As a result, in 2003 several cities exercised the re-opener clause provided for in the ILAs to initiate conversations with the county about their concerns. To articulate their issues, the cities convened a staff work group and developed the *Cities' Principles for Solid Waste Interlocal Agreement Negotiations* in April 2004 (**Appendix X**).

The cities used those principles as the basis for dialog with the Solid Waste Division and County Council staff. These discussions contributed to the development of King County Ordinance 14971 (July 2004). The ordinance directed the county to establish an advisory committee for city input into solid waste planning and to facilitate the resolution of issues. Participation on the advisory committee – MSWMAC – was open to any city with a signed ILA with the county. The ordinance also formalized the city and county staff working group that had already begun meeting. The group was renamed ITSG and tasked with assisting MSWMAC in its first year of operation, and possibly beyond, and producing this governance report.

Since the groups formed and began meeting with Solid Waste Division and County Council staff, significant strides have been made in building a new foundation of trust and cooperation between the cities and the county. The process has helped the groups work together to resolve solid waste planning issues in an atmosphere of consensus-building and to develop the reports required by Ordinance 14971. Along with SWAC, ITSG and MSWMAC will continue to work with division staff and the County Council in developing the next update of the comprehensive solid waste management plan, expected to be completed in 2008.

In addition, ITSG will continue working with the division and County Council on the governance issues outlined in this report. The resolution of these issues will help guide the cities and the county as we move forward with the planning and implementation of many significant changes in the solid waste system.

SOLID WASTE INTERLOCAL FORUM

Issue

Three agreements created the foundation for the working relationship between the individual cities and the county in planning for and managing the regional solid waste system. Below is a description of the history and nature of each agreement, followed by a discussion of specific issues and recommendations for the structure of the interlocal forum in the future.

Solid Waste Interlocal Agreement: The earliest and most fundamental of the agreements are the individual ILAs. In the late 1980s, each city that was part of the county's solid waste system signed an ILA with the county that designated the roles and responsibilities of each entity in solid waste planning, collection, and disposal, as well as waste reduction and recycling (sample agreement provided in **Appendix X**). The term of these agreements extends through mid-2028.

Forum Interlocal Agreement: This agreement established the Solid Waste Interlocal Forum (SWIF) and the composition of its membership in 1989. The purpose of SWIF is to provide a venue for parties to the ILAs to participate in resolving issues and contributing policy input on the region's solid waste system. In the original agreement (**Appendix X**), the membership of the interlocal forum is defined as "… representatives of unincorporated King County designated by the King County Council, representatives of the City of Seattle designated by the City of Seattle, and representatives of other incorporated cities and towns-within King County that are signatories to the Forum Interlocal Agreement." Since the ILAs were originally signed, the City of Seattle has withdrawn from the county's regional solid waste system, choosing to operate its own solid waste management system. The city continues to be a member of RPC, which functions as SWIF.

In the original Forum Interlocal Agreement, SWIF's responsibilities are defined as follows:

- Advise the King County Council, the King County Executive and other jurisdictions as appropriate, on all policy aspects of solid waste management and planning.
- Consult with and advise the King County Solid Waste Division on technical issues related to solid waste management and planning.
- Review and comment on alternatives and recommendations for the King County comprehensive solid waste management plan and facilitate a review and/or approval of the plan by each jurisdiction.
- Review subsequent proposed interlocal agreements between King County and Cities for planning, waste recycling and reduction, and waste stream control.
- Review and comment on disposal rate proposals.
- Review and comment on status reports on waste stream reduction, recycling,

energy/resource recovery, and solid waste operations with interjurisdictional impact.

- Promote information exchange and interaction between waste generators, local government with collection authority, recyclers, and County-planned and operated disposal systems.
- Provide coordination opportunities between the King County Solid Waste Division, Cities, private operators, and recyclers.
- Aid Cities in recognizing municipal solid waste responsibilities, including collection and recycling, and effectively carrying out those responsibilities.

Addendum to Solid Waste Interlocal Agreement and Forum Interlocal Agreement: In 1993, with the merger of Metro and King County, the responsibilities of the SWIF were transferred to the RPC. The change was implemented through an addendum to the ILAs (**Appendix X**). While the addendum transferred the additional responsibilities listed above to the RPC, there were no rule changes or bylaws adopted by the RPC or the County Council proposing how these additional SWIF responsibilities would be carried out. In addition, representation on the SWIF mirrored the membership of the RPC, comprising four representatives from the suburban cities, six members from the County Council (most of whom represent unincorporated areas in their districts), and two members from the City of Seattle, which is not a part of the county's solid waste system.

Although the RPC meets regularly, the committee has convened infrequently as the SWIF and has not had the dedicated time to focus on solid waste planning at the development stages. This is primarily due to the broad purview of the RPC, which meets monthly to evaluate policies of regional significance in the critical areas of public health, human services, housing, criminal justice, jails and district court services, and others.

In response to the cities' concerns about regional solid waste issues, ITSG and MSWMAC were formed to provide a dedicated forum. Thus far, ITSG and MSWMAC have established regular meeting schedules with the county, created bylaws for MSWMAC, and completed a considerable body of work, including collaboration with the Solid Waste Division and SWAC on four analytical planning (or milestone) reports that led to the *Solid Waste Transfer and Waste Export System Plan* submitted to the County Council in September 2006.

Due to the successful working relationship the current process has fostered between the cities and the county, ITSG, MSWMAC, and the county are interested in its continuance. There are several issues to consider, however, in further refining MSWMAC's role in relation to other forums. The first issue is to determine whether the SWIF should be modified or replaced by MSWMAC. The second is to consider how to include the planning and policy interests of the unincorporated areas of the county, some of which are currently represented by the six Unincorporated Area Councils (UACs).

Analysis

There have been some recent changes in the regional solid waste system, and will be significant changes in the future when the Cedar Hills Regional Landfill closes and the county implements alternate methods of waste disposal. Because these future changes will affect solid waste services, and may require the construction or siting of new facilities, an interlocal forum is essential to regional planning, policy discussions, and consensus-building on issues of importance to the cities, the county, and the region as a whole.

Four options were identified for defining the role of the cities in solid waste management. The choice of any one of the options presented below will require discussions and agreement with the county, RPC, and SWAC. There will also need to be discussions with the UACs to determine their interest in participating in the early stages of regional planning.

Based on this preliminary analysis, Option 2 below – which recommends designating MSWMAC as the SWIF – is the preferred option. All of the options preserve RPC's role as the policy body for reviewing and approving solid waste policies and plans and MSWMAC's role in working with the county in the early stages of solid waste planning and policy development. Each option includes a recommendation for, or the status of, representation of unincorporated areas.

1. ***CURRENT STATUS – Retain the RPC as the Solid Waste Interlocal Forum; maintain MSWMAC as a separate advisory committee***

   This option would retain RPC in the dual role of regional committee and SWIF. While this option would not require any changes in current legislation, it would also not address RPC's ability to actively participate as the SWIF or resolve issues raised about city representation on the committee.

   King County Council members currently represent the unincorporated areas on the SWIF.

2. ***PREFERRED OPTION – Designate MSWMAC as the SWIF; retain RPC as the policy body***

   Under this option, MSWMAC would become the designated replacement for the SWIF. MSWMAC has become a functional and viable advisory committee in regional solid waste planning efforts, and its membership is open to all cities who are party to the ILAs. It has allowed broad participation and more robust discussions of solid waste issues. Under this scenario, both MSWMAC and SWAC would maintain their separate but complementary roles in addressing solid waste planning and policy development. The focus of RPC's role on policy issues would be enhanced. This model has proven successful in working through solid waste issues in the last few years. Further examination would be required to determine the best way to implement this option – through comprehensive plan amendments, adoption of legislation, or an addendum to the ILAs.

As discussed later in this section, under this option ITSG and MSWMAC recommend adding representation from the UACs to the membership of SWAC to better represent the interests of the unincorporated areas.

3. Replace SWIF with some other representative group, such as SWAC

SWAC was created by state law (RCW 70.95.165) to represent the interests of local elected officials, the waste management industry, public interest groups, and citizens of the county on issues of solid waste management.

SWAC has been operating in an advisory capacity since 1985. While SWAC has been a resoundingly successful forum for advising the county on solid waste issues from a broad range of stakeholder perspectives, it does not specifically address issues of governance between the cities and the county. In the last few years, SWAC has worked in concert with MSWMAC to advise the county in solid waste planning from their unique perspectives. Selection of this option would not replace the function of MSWMAC in providing each city with a signed ILA with a voice in future solid waste planning.

SWAC includes citizens from unincorporated areas in its membership; however, King County Code does not require formal representation from Unincorporated Area Councils on SWAC.

4. Sunset the SWIF as a formal body; preserve RPC as the policy body and MSWMAC as the advisory body to the county on issues of solid waste planning

SWIF's work is currently being carried out primarily by ITSG and MSWMAC with oversight from the RPC. SWIF does not address critical issues such as dispute resolution, periodic updating of service contracts, host city issues, and other concerns. Having an established contractual interlocal forum provides a venue to discuss conflicts, policies, changing conditions, service needs, and other issues related to solid waste management.

ITSG and MSWMAC recommend adding representation from the UACs to the membership of SWAC to better represent the interests of the unincorporated areas.

Representation of Unincorporated Area Councils in Solid Waste Planning

Approximately 29 percent of the population served by the county's solid waste system resides in unincorporated areas. The unincorporated area of the county has declined significantly in the last 10 years and will continue to decline as areas become cities through annexation or incorporation. However, as a significant segment of the current county population, their interests and needs should be represented in solid waste planning and policy development.

The unincorporated areas are not party to the ILAs; therefore, they are not currently represented on MSWMAC. They are represented on RPC by County Council members when the committee deliberates on regional solid waste issues. In the process of defining where the responsibilities of the SWIF should lie, unincorporated area representation should be considered.

Many citizens of the unincorporated areas of King County are represented by one of six distinct Unincorporated Area Councils (UACs), defined primarily by geographic area:

- **Four Creeks Unincorporated Area Council** (representing the area between Renton, Newcastle, Issaquah, and Maple Valley)
- **Greater Maple Valley Area Council** (representing the communities of Hobart, Ravensdale, Francis, and River Heights)
- **North Highline Unincorporated Area Council** (representing the area bounded by Seattle, Burien, SeaTac, and Tukwila, including White Center)
- **Upper Bear Creek Community Council** (representing the area near Woodinville/Cottage Lake)
- **Vashon-Maury Island Community Council**
- **West Hill Community Council, Inc.** (representing the area bordered by Seattle, Tukwila, and Renton)

These UACs are staffed by the county. Individual UACs typically meet monthly, with a quarterly meeting of all the UACs to discuss issues of common interest. Depending on the agenda items, individuals from various departments of the county are invited to attend. Each year, the UACs report on their area's issues of concern in a forum hosted by the King County Executive. The Solid Waste Division periodically attends UAC meetings to present and discuss solid waste issues, through processes such as the development of the comprehensive solid waste management plan.

Recommendation

ITSG and MSWMAC recommend Option 2, which designates MSWMAC as the SWIF. Under this recommendation, solid waste policies and plans would continue to be subject to review and approval by RPC, while SWAC and MSWMAC would continue to collaborate on solid waste policy and planning in the development stages. Helping to create a nexus between SWAC and MSWMAC, there are currently members who participate on both committees.

ITSG and MSWMAC also recommend that unincorporated areas be more fully represented on SWAC. King County Council members on the RPC would continue to represent the unincorporated areas when RPC deliberates on regional solid waste issues.

Next Steps

Before proposed recommendations on these issues can be implemented, they must be approved by the King County Council. If the County Council agrees with this recommendation, legislation would be developed to designate MSWMAC as SWIF, and

an addendum to the ILAs would be required. Once a recommendation on the SWIF is selected, the county will confirm that the UACs are interested in participating on SWAC to represent their interests.

DISPUTE RESOLUTION PROCESS

Issue and Analysis

Currently, there is no dispute resolution process provided for in the ILAs between the cities and the county. In a process that involves the collaboration of stakeholders with unique perspectives or roles in the solid waste management system, issues may arise that require the resolution of disputes.

This section outlines potential options for dispute resolution, depending on the type of disagreement and the parties involved. What follows are several potential options, with examples of what might trigger one process over another. It must be noted that none of the proposed options precludes any party from taking legal action to resolve a dispute.

Nature of Dispute and Potential Resolution Options

Disagreement about operating impacts between one or more cities and the county: Most disputes will be resolved by cooperative communication between the parties involved. For example, operating impacts of a station, such as litter, noise, traffic impacts, or similar events, may be resolved between the division and the host city. The parties or MSWMAC may also seek to resolve a dispute through discussions.

Dispute between a host city and the county: If agreement cannot be reached through cooperative communication – even with involvement by top-level officials of the different jurisdictions – the parties may choose to use an independent third-party mediator to resolve a dispute between the county and a host city with an operating transfer station. Disputes requiring this type of action would most likely involve issues related to impacts on a host city from transfer station operations. The process for selection and payment of a mediator is yet to be determined. As the parties begin to consider the use of an independent third-party mediator, MSWMAC will be notified of the dispute and may choose to discuss the issue. Similarly, MSWMAC would be notified at the conclusion of the mediation process, or when the host city(ies) and the county reach an agreement.

Dispute between two or more cities and the county: Disputes could arise between two or more cities and the county over a complex technical issue or policy, such as the interpretation of an existing policy or lack of a specific policy. MSWMAC may develop a recommendation that changes or creates a policy, which would be forwarded to the County for review and adoption.

If MSWMAC determines that independent expertise is required for resolution of an issue, a third-party review process could be initiated, if the cities and the county agree. Additional discussion will be required to determine whether this is a feasible option, because the process can be time-consuming and costly. In particular, ITSG, MSWMAC, and the county will need to clarify the rules

regarding this option, such as selection of the reviewer, source of funding, and conditions for invoking an independent third-party review.

Dispute between potential host city and county – facility siting and permitting issues: The *Solid Waste Facility Siting Plan*, Appendix C of the transfer and waste export system plan, outlines the agreed-upon siting process for facilities, as endorsed by ITSG, MSWMAC, and the county. In addition, each city has its individual land use code and permitting process. If a disagreement occurs between a host city or potential host city and the county in the interpretation of a siting or permitting process, an appeals process can be initiated in accordance with city land use development and zoning codes and consistent with the state's Growth Management Act.

Next Steps

As these options are further clarified, more specific guidelines will be developed to address the following:

- Specific issues that would initiate each resolution process
- A process to determine whether and when to use a third-party mediator, and a process for mediator selection
- A process to determine whether and when third-party review would be warranted
- The funding source(s) for dispute resolution if a third-party mediator or third-party review are implemented

FRAMEWORK FOR DEVELOPING FINANCIAL POLICIES

Issue

The *2001 Comprehensive Solid Waste Management Plan* contains eight adopted financial policies, as follows:

FIN-1. The county shall maintain, conduct, operate and account for the disposal of solid waste as a utility of the county. The solid waste system shall be a self-supporting utility financed primarily through fees for disposal.

FIN-2. The county shall charge garbage disposal fees directly to users of the solid waste disposal system to pay for solid waste services.

FIN-3. The county shall maintain a rate structure based on tonnage, recognizing that the structure does not provide a self-hauler subsidy, unless the executive demonstrates that a different rate structure would benefit the system as a whole.

FIN-4. The county should keep garbage disposal fees as low as possible and should manage the solid waste system to keep rate increases as low as possible while meeting the costs of managing the system and providing service to solid waste customers.

FIN-5. The county should provide technical assistance to the cities in developing collection contracts and grants.

FIN-6. The county should develop and implement a grant program for the cities that will consolidate grant programs and contracts wherever possible. The county should provide technical assistance to aid the cities in identifying, applying for and administering grants.

FIN-7. The county should provide opportunities to expand the role of cities in developing and reviewing regional solid waste policies and rates by establishing a Solid Waste Policy Work Group to work in conjunction with the Solid Waste Advisory Committee to make recommendations regarding system operations to the King County executive. As part of these recommendations, the executive shall evaluate the costs and benefits of alternative rate structures on individual customer classes.

FIN-8. The county is committed to working with the cities that are impacted by transfer stations to explore funding to mitigate potential impacts from these facilities. Any statutorily authorized host fees should be in amounts directly attributable to the solid waste facility provided that the cities can establish that the fee is reasonably necessary to mitigate for impacts of the solid waste facility as required in state law.

There are a number of issues that are not covered by the current financial policies that could be further developed in adopted financial policies. This work would involve the refinement of existing policies or potential new policies in the following areas:

- Financial forecast and budget
- Debt financing and borrowing
- Rates
- Grant programs, such as recycling grants

Appendix X contains potential policies for consideration that were developed for the county's Wastewater Treatment Division of the Department of Natural Resources and Parks.

Analysis

The Solid Waste Division intends to look at current policies in relation to those adopted by other regional utilities to develop a more comprehensive set of financial policies that will guide the future of solid waste facilities, programs, and services. The policies in **Appendix X** provide a starting point for future discussions.

Recommendation

ITSG and MSWMAC recommend developing a set of proposed financial policies in time for incorporation in the next comprehensive solid waste management plan. The plan is expected to be completed in 2008. As the division begins to examine alternatives for financing upcoming capital projects, future policies will need to consider the affects of the financing method used, i.e., specific types of bonds will require certain covenants.

Next Steps

The first step will be for ITSG, MSWMAC, SWAC, and the Solid Waste Division to develop comprehensive financial policies for the division. These newly proposed policies would be forwarded to the County for review and adoption.

HOST CITY MITIGATION

Issue

The construction and operation of solid waste transfer stations has both positive and negative impacts in local communities. The impacts can be service related, such as convenience or value to surrounding residents, businesses, and commercial haulers; physical, such as increased litter, traffic, or noise; and financial, such as potential lost tax revenues to the cities.

The benefits must be balanced with the impacts on the host cities. The *Analysis* section that follows discusses some of the factors that must be considered and options available to the cities for additional mitigation measures, including monetary compensation for the loss of tax revenues. The cost of additional host city mitigation would ultimately be borne by the ratepayer, so options need to balance the measurable impacts and benefits to the host city with the regional equity of additional mitigation.

Analysis

In general, geographically dispersed transfer stations in the solid waste system provide a regional benefit to the county's ratepayers. With eight transfer stations and two rural drop boxes in King County, the Solid Waste Division operates a well-dispersed network of facilities that decreases travel time to the stations and increases disposal efficiency by consolidating solid waste loads for transport to the landfill. The stations also make disposal and recycling services available to nearby residents and businesses who self haul. In the broader scheme, the regional network helps reduce the overall travel time and costs for commercial collection trucks, resulting in lower fees for solid waste collection services for county ratepayers.

As mentioned earlier, there are physical impacts to cities that host transfer stations, including increases in road wear, traffic, litter, and noise. To a significant degree, these physical impacts are already being mitigated for by the Solid Waste Division. In accordance with state law and county code, the Solid Waste Division performs a wide range of mitigation activities in the operation and construction of facilities to minimize physical impacts on the host cities. These mitigation measures include, but are not limited to, the enclosure of new facilities to contain noise, dust, and odor; incorporation of buffer zones at new facilities; roadway improvements, as necessary; routine litter pickup; and landscaping (more detailed list provided in **Appendix X**). The division also works with cities on specific issues of concern that may warrant additional measures to lessen the impacts of a facility on the community.

Recognizing the impacts to host cities, the division recently submitted a rate study to the County Council that proposes an increase in the solid waste tipping fee beginning in 2008, which includes $0.75 per ton for host city mitigation. It is yet to be determined how these mitigation funds will be allocated.

In addition to physical impacts, there are also financial impacts to the host cities. For example, county-owned solid waste facilities located in a city are not subject to that city's

property tax or Business & Occupation (B&O) tax. This translates to a potential loss in tax revenue that might otherwise be collected from a private business or industrial tenant.

While the Solid Waste Division employs a wide range of mitigation measures for the operation and siting of facilities, the division does not have specific policies in place to guide the establishment of mitigation agreements for host communities.

ITSG has developed the following options for consideration.

1. ***Continue to work with the Solid Waste Division to provide mitigation at host city transfer stations***

   These mitigation measures primarily address the physical and regional impacts of the transfer station, including road and traffic modifications, landscaping, litter control, and similar measures.

2. ***Develop mitigation policies based on similar policies developed for other utilities, such as the county's Wastewater Treatment Division***

   ITSG has looked at comparable policies for host community mitigation developed for the Wastewater Treatment Division and would like to consider developing similar policies for the Solid Waste Division. Examples of wastewater policies are provided in **Appendix X**. These and other comparable policies need to be explored more fully.

3. ***Establish a host city fee (would require a change in state law)***

   This option would provide host cities with a per ton fee to mitigate for ongoing impacts to the community and to compensate for potential lost tax revenues. King County currently pays nearly $1,250,000 in B&O taxes annually to the State of Washington for transfer station operations (which represents approximately $1.25 per ton). One example of how to fund a host city fee would be to redirect these B&O tax revenues to host communities. Once a new regional policy was adopted, state law would have to be changed to allow for redirection of the tax revenues.

   The state law that would need to be amended to allow the B&O tax to be redirected to the host cities is as follows:

RCW 36.58.080
County solid waste facilities — Exempt from municipal taxes — Charges to mitigate impacts — Negotiation and arbitration.

County-owned solid waste facilities shall not be subject to any tax or excise imposed by any city or town. Cities or towns may charge counties to mitigate impacts directly attributable to the solid waste facility: PROVIDED, That any city or town establishes that such charges are reasonably necessary to mitigate such impacts and that revenue generated from such charges is expended only to mitigate such impacts. Impacts resulting from commercial and residential solid waste collection within any city or town shall not be considered to be

directly attributable to the solid waste facility. In the event that no agreement can be reached between the city or town and the county following a reasonable period of good faith negotiations, including mediation where appropriate, the matter shall be resolved by a board of arbitrators, to be convened at the request of either party, such board of arbitrators to consist of a representative from the city or town involved, a representative of the county, and a third representative to be appointed by the other two representatives. If no agreement can be reached with regard to said third representative, the third representative shall be appointed by a judge of the superior court of the county of the jurisdiction owning the solid waste facility. The determination by the board of arbitrators of the sum to be paid by the county shall be binding on all parties. Each party shall pay the costs of their individual representatives on the board of arbitrators and they shall pay one-half of the cost of the third representative.

[1983 c 171 § 1; 1982 c 175 § 8.]

Notes: Severability -- 1982 c 175: See note following RCW 36.58.100.

Recommendation

ITSG and MSWMAC recommend continuing to work with the division to provide mitigation at host city transfer stations (Option 1), development of mitigation policies (Option 2), and further consideration of the establishment of a host city fee (Option3). These latter two options will provide the division and the host communities with the flexibility to establish an equitable mitigation package, recognizing that impacts might be caused by the development of large light-industrial facilities, operation of the regional utility, or loss of use caused by taking large properties off of city tax rolls. The cost of additional host city mitigation would ultimately be borne by the ratepayer, so options need to balance the measurable impacts and benefits to the host city with the regional equity of additional mitigation.

ITSG and MSWMAC recommend developing a set of proposed mitigation policies in time for incorporation in the next comprehensive solid waste management plan. The plan is expected to be completed in 2008. Additional analysis and discussion about the establishment of a host city fee will occur, with a recommendation on this mitigation option and development of a policy providing for a host city fee, if this option is recommended for implementation.

Next Steps

The first step will be for ITSG, MSWMAC, SWAC, and the Solid Waste Division to develop policies for host city mitigation. These newly proposed policies would be forwarded to the County for review and adoption.

OTHER ISSUES

In 2004, cities identified preliminary solid waste issues they wanted to address with King County in a document titled *Cities' Principles for Solid Waste Interlocal Agreement Negotiations – April 2004* (**Appendix X**). Meetings that occurred with staff from cities, the Solid Waste Division, the King County Executive's Office, and King County Council after the development of this document resulted in the development and subsequent adoption of Ordinance 14971.

In the course of examining the governance issues outlined in *Cities' Principles for Solid Waste Interlocal Agreement Negotiations – April 2004* and Ordinance 14971, a few additional issues have been identified. These issues either require additional analysis and discussion or have already been resolved.

The additional issues are as follows:

Should a mechanism be established to allow the cities to initiate amendments to the comprehensive solid waste management plan in between formal plan updates?

Through the collaborative process currently in place with the county, the cities, and other stakeholders, the need for a mechanism to allow cities to initiate amendments to the comprehensive solid waste management plan in between formal updates has been addressed. Technical and policy issues are discussed with cities and stakeholders early in the planning and development of division planning reports, with the opportunity for input in solid waste planning work.

Should the term of the ILAs be extended to take advantage of reduced borrowing rates to finance the modernization of the solid waste system?

The current term of the ILAs extends through 2028. The benefits of the solid waste system improvements currently underway will extend beyond the term of the current ILAs. Historically, the division has not entered into bond commitments that extend beyond the term of the ILAs. If the ILA term were extended, longer-term, lower-rate bonds could be used to finance system improvements, thereby reducing the impact on the current ratepayers – recognizing it would also extend the duration of the impact on future ratepayers.

Should a broader re-opener clause be provided for in the ILAs and what would be appropriate triggers for a re-opener?

The current ILAs include a provision allowing for limited review and renegotiation of the agreement. This provision provides that either party may request review and/or renegotiation during the six-month period immediately preceding the fifth anniversary of the effective date of this agreement and during the six-month period immediately preceding each succeeding fifth year anniversary thereafter. Review and/or renegotiation shall not include the issues of system rates and charges, waste stream control, or diversion, unless agreed upon by both parties.

The parties would need to discuss the benefits and drawbacks of establishing a broader re-opener clause, including the triggers for exercising a re-opener.

CONCLUSION

This report is the last work product required to fulfill the directives outlined in Ordinance 14971. This section summarizes the issues, recommendations, and next steps presented throughout the report. Based on direction provided from the King County Council, additional work will be needed to fully develop and implement the recommendations.

1. Solid Waste Interlocal Forum

Issue: Several options were examined to determine how best to maintain an interlocal forum for providing policy input and ensuring city participation and input in the regional solid waste system early in the planning stages.

Recommendation: This report recommends formally replacing the existing SWIF, currently represented by the RPC, with MSWMAC. It is recommended that the interests of the unincorporated areas be represented on SWAC.

Next Steps: If the County Council agrees with this recommendation, legislation would be developed to designate MSWMAC as SWIF, and an addendum to the ILAs would be required. The county will confirm that the UACs are interested in participating on SWAC to represent their interests.

2. Dispute Resolution Process

Issue: No formal method for resolving disputes between one or more cities and the county is currently provided for in the Interlocal Agreements or the Solid Waste Interlocal Forum.

Recommendation: This report outlines several dispute resolution options tailored to the various types of disputes that might arise between multiple cities or host cities and the county.

Next Steps: More specific guidelines will be developed to address the following:

- Specific issues that would initiate each resolution process
- A process to determine whether and when to use a third-party mediator, and a process for mediator selection
- A process to determine whether and when third-party review would be warranted
- The funding source(s) for dispute resolution if a third-party mediator or third-party review are adopted

3. Framework for Developing Financial Policies

Issue: The cities are interested in working with the division to develop more detailed financial policies than those contained in the *2001 Comprehensive Solid Waste Management Plan.*

Recommendation: The report identifies four major categories in which more specific financial policies would be developed: 1) financial forecasting and budgets, 2) debt financing and borrowing, 3) rates, and 4) grant programs.

Next Steps: ITSG, MSWMAC, SWAC, and the Solid Waste Division will develop comprehensive financial policies that will be forwarded to the County for review and adoption.

4. Host City Mitigation

Issue: There are positive and negative impacts to cities that host transfer stations. The impacts can be service related, such as convenience or value to surrounding residents and businesses; physical, such as increased litter, traffic, or noise; and financial, such as potential lost tax revenues to the cities.

Recommendation: ITSG recommends continuing to work with the division to provide mitigation at host city transfer stations, development of mitigation policies, and further consideration of the establishment of a host city fee. These options and their impacts on the regional system and the ratepayer will be considered.

Next Steps: ITSG, MSWMAC, SWAC, and the Solid Waste Division will develop host city mitigation policies that will be forwarded to the County for review and adoption. Additional analysis and discussion about the establishment of a host city fee will occur, with a recommendation on this mitigation option and development of a policy providing for a host city fee, if this option is recommended for implementation.

Other Issues

ITSG and MSWMAC will continue to discuss the other issues identified throughout this report.

Each of the recommendations presented in this report will require guidance or approval from the County Council. In many cases, the recommendations may require some combination of measures to implement, such as the revision or creation of solid waste policies, revisions to county code, updates to the comprehensive solid waste management plan, amendments to contractual documents (such as the ILAs), or a revision to state law.

King County Solid Waste Division

COMPARATIVE EVALUATION OF WASTE EXPORT AND CONVERSION TECHNOLOGIES DISPOSAL OPTIONS

SCOPE OF WORK

Consultant:	R.W. Beck, Inc
Subconsultants:	Mainline Management Inc. Geomatrix Consultants, Inc. Sound Resource Management Group, Inc. Herrera Environmental Consultants
SWD Project Manager:	Morgan John

Objective

The consultant will identify potential benefits and impacts of waste export and alternative disposal technologies that recover energy from garbage as disposal options for the King County Solid Waste Division (the Division). The consultant will summarize their findings in a report an initial draft of which will be provided to the Division staff by April 16, 2007 in accordance with the attached project schedule which assumes a notice to proceed is issued on December 18, 2006.

Background

The Division is updating the 2001 Comprehensive Solid Waste Management Plan (Plan), which will include an evaluation of future solid waste disposal options. Options for future disposal include export of the county's waste to an out-of-county regional landfill or development of an alternative waste management system that would recover energy or other useful product from waste (e.g., a waste-to-energy facility, a compost facility, etc). The Cedar Hills Regional Landfill is expected to reach capacity around 2016, after which point, the Division will need to have in place another system for final disposal of the county's solid waste. Division staff and other interested parties in King County are currently planning for the transition from in-county landfilling to an alternative disposal option. The waste disposal evaluation covered by this work order will provide information for the update to the Plan.

For purposes of this study, the term Conversion Technologies is understood to include conventional waste incineration with energy recovery facilities plus other technologies such as thermal gasification, bio-refining, plasma arc, and anaerobic digestion that produce energy source byproducts and other conversion technologies such as composting. Facilities which employ Conversion Technology will be referred to herein as Conversion Facilities. However, this study will look primarily at those Conversion Technologies that have been constructed and successfully operated (i.e. commercially proven) in the United States at a scale similar to King County's projected waste stream. Reference information will also be included for commercially proven Conversion Technologies at a similar scale outside the United States.

Commercially Proven means at a capacity capable in one or more plants of processing the County's projected waste composition and volumes.

Conversion Facility means any facility that utilizes one of the technologies being considered in this study.

Description of Tasks/Services

This work order authorizes consultant work to be conducted as described below. The Division may determine that additional assistance ("Additional Work") is required to expand upon or more thoroughly complete the tasks described below. Additional Work will be authorized in separate work orders or as an amendment to this work order.

Task 1- Project Management

Consultant will set up and administer Work Order No. 6 including communications, management of the consultant team and coordination of the work with the Division.

Assumptions:
The level of effort required for Task 1 services is directly proportional to the duration of the task. For budget purposes, it has been assumed that the duration of Task 1 will be 11.5 months as shown in the schedule attached to and part of this scope of work.

Deliverables:
Monthly reports and itemized invoices

Meetings:
Consultant will meet in person and/or by phone with the Division not less frequently than weekly throughout the course of the work to coordinate the Consultant's work with work the Division may be doing to support the study and to keep the Division fully informed of the progress of the work.

Task 2 – Meet with County to Discuss/Review Project Scope

Consultant will meet with The Division staff to discuss/review The Division's proposed project scope. Consultant will develop a schedule, to be approved by The Division staff, for completion of this scope. This evaluation is to include but may not be limited to the scope discussed below.

If the Division requires the execution of any Additional Work, such services will be authorized by the Division in a separate work order or as an amendment to this work order.

Deliverables:
Draft Scope of Services to be provided via one hard copy and one electronic copy.

Task 3 – Revise Project Scope

Following a meeting with the Division, Consultant will revise the Scope of Services and estimated cost to reflect changes requested by the Division. The Consultant will participate in a briefing of the Metropolitan Solid Waste Management Advisory Committee (MSWMAC) and the Solid Waste Advisory Committee (SWAC) to explain the scope of services being undertaken.

Deliverables:
Final Scope of Services to be provided via one hard copy and one electronic copy.

Meetings:
Three scope and budget review meetings
Two briefing meetings, for the MSWMAC and SWAC, if requested

Task 4 – Undertake Research and Analysis Required to Compare Disposal for Waste Export with Conversion Technologies

The purpose of Task 4 is to: (1) identify the types of alternative Conversion Technologies, their range of estimated costs, operating characteristics, their commercial application as defined herein, and the supporting transfer station/transportation infrastructure that will be required for each of the alternative Conversion Technologies; and (2) develop information regarding the waste export option. The review will identify the ability of the Conversion Technologies to process a waste stream similar in size and composition to King County's and to compare the estimated range of costs, energy consumption and generation, and environmental considerations of such Conversion Technologies with those of a waste export system.

4.1 **Type and Quantity of Acceptable Waste**. Consultant will submit a data request to the County for information which the County is likely to possess. Based on data to be provided by the Division, the Consultant will identify what components and percent of the municipal solid waste (MSW) from the County would likely be "unacceptable waste" at various types of Conversion Facilities. Components of the waste stream likely to be identified as Unacceptable Waste would include construction and demolition (C&D) material, asbestos, household hazardous waste, yard waste, auto fluff, sludges, hospital waste and any other material which is difficult to handle or could result in problems with either air emissions or environmental permit requirements.

Assumptions:
The Division will be able to provide Consultant with a waste characterization study that allows the Consultant to identify MSW that is likely to be Unacceptable for processing at Conversion Facilities. If such study is not available, Consultant may have to utilize national averages.

Input from County:
Waste Characterization Study
Data on types and quantities of waste that Consultant will identify as Unacceptable Waste

Deliverables:
A summary discussion that identifies quantity of waste that could be processed at various types of Conversion Facilities and quantity of Unacceptable Waste that must be disposed by some other means.

Schedule:
Three weeks to complete analysis following County's issuance of the notice to proceed with the work.

Meetings:
Conference call to discuss planning assumptions on waste composition.

4.2 **Conversion Technology Review and Selection**. The Consultant will review recent publications and available information which identify various Conversion Technologies including, but not limited to: waste-to-ethanol, plastics to oil, pyrolysis systems that convert waste to a fuel gas in the absence of oxygen, gasification systems that convert solid waste to a fuel gas with the use of some oxygen, plasma systems that use plasma torches to convert solid waste to a fuel gas, aerobic MSW composting, anaerobic digestion, mass burn combustion waste-to-energy (WTE) and refuse-derived fuel ("RDF") combustion waste-to-energy. Following the compilation of the list of Conversion Technologies and available data regarding their commercial application, the Consultant will confer with the Division to discuss criteria to be applied regarding the Conversion Technologies which are to actually be reviewed by the Consultant. Among the criteria to be discussed are the following: (1) previously demonstrated capability of the technology, over a minimum three year period, to process the approximate quantities and composition of waste being managed by the County at the Cedar Hills Regional Landfill; (2) demonstrated capability to produce energy or another byproduct for which there is a proven market and which can be sold in the quantities which the facility will produce; (3) demonstrated capability of the technology, over a minimum three year period, to operate within the permit requirements that will be imposed by the State; and (4) demonstrated capability, over a minimum three year period, to produce a residue product which can be disposed of or reused in accordance with State solid waste handling permit requirements. Based upon the criteria ultimately selected by the Division, the Consultant will provide information on Conversion Technologies which meet such criteria including where the technology has previously been installed, how it is reported to have operated, and the types and quantities of products that have been recovered.

In addition, the Consultant will provide a written evaluation in the report (Task 5) of those Conversion Technologies that were researched but are either still at a developmental stage and not considered commercially applicable at this time, or are Conversion Technologies that have been commercially proven outside the United States at a scale suitable for the waste quantities being managed by the County at the Cedar Hills Regional Landfill. The evaluation will include available information about the function of each particular Conversion Technology, the reported state of their development, their feed-stocks, their reported operational history including plant availability, information regarding the process byproducts and their uses, and contact information. As part of this evaluation, the Consultant will participate in a study trip to review the Thermal Recycling technology in use at the MVR Facility in Hamburg, Germany. The summary information shall be of adequate detail so that the Division will be able to check in and monitor the development progress and/or on going operation of identified Conversion Technologies over time. It is possible that the County may decide to have one of more of the commercially proven Conversion Technologies from outside the United States added to the comparison of disposal options. Additional budget will be required if the Conversion Technologies included in the comparison are increased over the assumed two technologies.

The Consultant will also present a discussion in the report (Task 5) of additional criteria the County will want to consider if it is determined that the County wishes to proceed with the procurement of a Conversion Technology. Such criteria include, but are not limited to, the following: (1) previously demonstrated capability of the particular operator, over a minimum three year period, to operate the technology at the proposed operating level required to process the County's waste; (2) the presence in the United States of personnel who will design, construct, operate and maintain the facility; (3) the presence in the United States of the capability to manufacture and/or supply all required replacement parts that are peculiar to that particular technology; (4) demonstrated capability to obtain and maintain performance and payment bonds; and (5) creditworthiness of the proposed vendors to provide meaningful financial guarantees to the County.

The discussion is intended to provide information so that the County can eventually make decisions about the level of technical, financial, and environmental risks it is willing to take based upon the Conversion Technologies.

Assumptions:
Information will be available regarding the actual operating results of the Conversion Technologies being considered. There will be two Conversion Technologies to be further reviewed which have been commercially demonstrated at the size required to meet the County's waste disposal requirements.

Input from County:
None required.

Deliverables:
A summary paper that discusses: (1) the Conversion Technologies; (2) the criteria that were used in determining whether they should be included for further review and consideration; and (3) the historical operating characteristics and data of the different Conversion Technologies.

Schedule:
Five weeks to complete the review and prepare the written summary.

Meetings:
A conference call will be held at the completion of the review to discuss the Conversion Technologies that were eliminated from further consideration, and the reasons for such eliminations.

4.3 **Annual Availability of Conversion Facilities.** The Consultant will develop information regarding the expected annual availability of commercially applicable Conversion Facilities by contacting the operators of commercially applicable Conversion Facilities identified in Subtask 4.2; The Consultant will also review historical operating data the Consultant has previously developed. The annual availability information will be used as part of Subtask 4.5 to identify the size and number of Conversion Facilities required to dispose all of the processible MSW generated in the County. In addition, the Consultant will contact State regulators in Washington and Oregon to determine if regulatory requirements have impacted the operating availability of Conversion Facilities located in those states.

The Consultant will review historical operating data at commercially applicable Conversion Facilities for the purpose of identifying the major causes of unscheduled downtime and the impact on annual availability.

Assumptions:
Operators or regulators of Conversion Facilities will provide recent operating data regarding plant availability and reasons for scheduled and unscheduled outages. For budget purposes, it has been assumed that the availability data will be collected for two conversion technologies.

Input from County:
Nothing anticipated being required.

Deliverables:
A summary paper that identifies expected average annual plant availability and includes a discussion of the major reasons for scheduled and unscheduled downtime.

Schedule:
Two weeks to complete review and prepare summary paper.

Meetings:
None anticipated.

4.4 **Potential Impact on Recycling Programs.** The Consultant will undertake a review and develop a discussion which considers the potential impact on the County's recycling goals and strategies with the implementation of identified commercially applicable Conversion Technologies; or, a Waste Export option. The Consultant will review information and data provided by the Division regarding the County's current recycling programs, as well as its goals, and targeted materials for the future including the following:

1. Current and projected amount of material recycled expressed as both a percent of the generated waste and the tons of material recycled.

2. Targeted materials for the future

3. Current and projected types and quantities of recycled material by category (i.e., glass, plastics, metals, paper, cardboard, wood, yard waste etc.)

4. Current and projected level of participation – expressed as a percent of the residents and businesses participating in the program.

The Consultant will provide a written discussion in the report (Task 5) of the types of materials that can be recovered by Conversion Facilities. The types and quantities of materials will be impacted by the types of the various Conversion Technologies identified in this analysis – e.g. mass burn or refuse derived fuel (RDF). The Consultant will identify the types of materials that can be recovered from the various Conversion Facilities. As part of this task, the Consultant will contact the operator of the Spokane, Washington Conversion Facility to identify the quantity of recyclable materials by type and by weight that are recovered at their waste to energy plant; and to obtain information about their ability to market these recovered materials (by type) into the recycling market. The Consultant will obtain available information regarding market availability and revenue generated from the sale of recycled materials.

As part of the review, the Consultant will identify the types and quantities of materials that provide particularly beneficial fuel to Conversion Facilities (such as paper, cardboard, plastic, etc.), how much of that material is currently being removed from the waste stream through recycling, and the potential impact on the function of various types of Conversion Facilities if a significant additional portion of the materials beneficial to various Conversion Facilities were recycled. The Consultant will also identify potential limitations on recycling levels (financial or regulatory) that might result from any minimum waste quantity requirements/agreements instituted for conversion facilities.

Assumptions:
The operator of the Spokane Conversion Facility will share information regarding the market for post incineration ferrous metal. For budget purposes, it has been assumed that the analysis will cover two conversion technologies and a landfill option.

Input from County:
Information on current and projected recycling efforts in the County with all of the data discussed above.

Deliverables:
A written summary in the report that discusses: (1) the potential impact of various Conversion Facilities or Waste Export option on the current level of recycling, including any potential financial or regulatory limits on recycling levels that might be imposed to gain disposal access to, or assure the financing of, Conversion Facilities; (2) a discussion of the potential to recycle additional material under either of the two general waste management options being considered; and (3) identification of the potential impact on energy generation if significant additional portions of materials beneficial to various Conversion Technologies are recycled.

Schedule:
Five weeks to complete review and prepare written summary

Meetings:
One meeting required to discuss the results of the analysis conducted.

4.5 **Number and Size of Conversion Facilities and Waste Export Facilities.** Based on the results of Subtasks 4.1, 4.2, 4.3 and 4.4, and its experience with Conversion Facilities, Consultant will identify the size and the range of the number of Conversion Facilities, by technology type, required to dispose of the County's MSW. The analysis will include consideration of annual plant availability of the Conversion Facility, monthly fluctuations of the County's MSW, siting considerations in locating multiple facilities, the affects of achieving higher recycling rates over time (e.g. 50, 60 or 70% recycling rates), and the financial impacts of economies of scale.

The Consultant will undertake a similar review of the number and size of waste export facilities required for intermodal waste transport. The review of export facilities will include proximity to existing rail lines, the location of the County's existing transfer stations and candidate established landfill sites located outside the County.

In undertaking the review of the number of Conversion Facilities that may be required, the Consultant will provide a written discussion in the report (Task 5) regarding the County's need to give consideration to: (1) the quantity of Unacceptable Waste which may not be able to be converted and may have to be landfilled; (2) the amount and physical characteristics of any residue remaining after the conversion process; (3) the

percentage of time a Conversion Facility is available to operate during the year ("annual availability factor") after considering both scheduled and unscheduled downtime; (4) the need, if any, to provide backup disposal capacity in the event the Conversion Facility(ies) are not operating and for residuals; and (5) the relative financial and environmental risks of incorrect sizing (excess or inadequate capacity) and the flexibility of Conversion Facilities and waste export facilities to respond to changing trends or unanticipated fluctuations in disposal quantities or characteristics. The Consultant will also identify the amount of land typically required for each Conversion Facility and for the waste export option. The Consultant will provide an estimate of the range of the number of vehicles that would enter each site.

The Consultant will identify what combination of solid waste management facilities may be required for Conversion Technologies. For example, Conversion Technologies which generate energy will have Unacceptable Waste that can not be processed as well as residue ash, both of which may have to be landfilled. Similarly, municipal solid waste composting facilities will also have Unacceptable Waste that can not be processed and process residue, both of which will have to be landfilled. The Consultant will identify the total combination of facilities that are likely to be required for both waste export and Conversion Technologies.

Assumptions:
For this analysis, it is assumed that it is most practical to construct the minimum number of Conversion Facilities necessary to realize maximum economies of scale. However, land use concerns that may arise during implementation may make it necessary to construct a greater number of facilities. For budget purposes, it has been assumed that the analysis will cover two conversion technologies.

Input from County:
Current and projected solid waste generation on both an annual and monthly basis, including confidence bands for projections and historical comparison of twenty (or more)-year forecasts versus actual disposal tonnage paths for the twenty-year period. Identification of sources of MSW between residential commercial, industrial and C&D sources.

Deliverables:
A written summary that identifies the number and size of Conversion Facilities to be located in the County, as well as the combination of different solid waste management facilities that will be required.

Schedule:
Three weeks to complete review and prepare summary paper following completion of Subtask 4.1 through 4.4

Meetings:
A conference call to discuss the results presented in the summary paper.

4.6 **Percent of Waste that is Unacceptable at Conversion Facilities.** The Consultant will develop information regarding the percentage of MSW which is typically classified as Unacceptable Waste at Conversion Facilities both nationally and in the western part of the United States. For information regarding Conversion Facilities located in the western United States, the Consultant will contact the owner/operator of the following operating Conversion Facilities:

- Marion County, Oregon
- Spokane, Washington
- Stanislaus, California
- Long Beach, California

For national information, the Consultant will contact the owner/operator of the following operating Conversion Facilities:

- Norfolk, Virginia
- Kent County, Michigan
- Lancaster County, Pennsylvania
- Baltimore, Maryland
- Millbury, Massachusetts

If other Conversion Technologies are identified in Subtask 4.2 as being commercially proven, the Consultant will contact the owner/operator of up to four additional facilities in operation.

Assumptions:
For budget purposes, it has been assumed that the information on unacceptable waste will be developed for two conversion technologies.

Input from County:
None required

Deliverables:
The results of this task will be documented in the written summary prepared for task 4.3.

Schedule:
Three weeks to complete review following completion of Subtask 4.2.

Meetings:
No meeting required.

4.7 **Backup Disposal Capacity.** The Consultant will identify potential options for backup disposal capacity which will include, but not necessarily be limited to, the following:

- Constructing multiple Conversion Facilities
- Over sizing the Conversion Facilities so that in the event one Conversion Facility is not available, the other Conversion Facilities can dispose of all the County waste
- In-county disposal
- Long-haul transport for disposal outside the County

In discussing provisions for backup disposal capacity in the report (Task 5), the Consultant will consider the following:

- The number of Conversion Facilities to be constructed.
- Annual availability of Conversion Facilities.
- Short-term disposal options – County landfill, long-haul truck transfer.
- Assumptions regarding the period of time that one or more Conversion Facilities may not be available due to an extreme natural disaster such as an earthquake or some force majeure event.

The Consultant will identify how the owners/operators of existing Conversion Facilities provide backup disposal capacity when their Conversion Facilities are down for either scheduled or unscheduled maintenance.

Assumption:
The County will have no new landfill capacity located within the County other than what will be available at the Cedar Hills Landfill; and, the current landfill capacity at Cedar Hills will be depleted in approximately 10 to 15 years. For budget purposes, it has been assumed that the evaluation of backup capacity will be for two conversion technologies options.

Deliverables:
A written summary that identifies options for backup disposal capacity.

Schedule:
Four weeks to complete review and prepare written summary

Meetings:
No meeting required.

4.8 **Composition of Incinerator Ash or Other Residuals from Conversion Technologies.** The Consultant will review available studies to obtain information regarding the composition of incinerator ash or other residual materials generated by the identified commercially applicable Conversion Technologies. The Consultant will also contact the operators and regulators of existing Conversion Facilities to try and obtain copies of reports on residuals composition. The Consultant will review waste-to-energy facilities in the northwest, and other types of conversion facilities operating elsewhere in the country. The Consultant will discuss how the composition of the residual material will be impacted by the material included in the County's MSW, the type of conversion technology employed, the type of residual treatment system utilized, the type of air pollution control equipment employed, and in the case of waste-to-energy technologies, whether the fly ash and bottom ash are co-mingled.

The Consultant will also question the operators and regulators of identified commercially applicable Conversion Facilities as to whether there is currently, or there is likely to be in the near future, an established market for the residual materials from their respective Conversion Facilities. The markets to be discussed include the use of residue ash as daily landfill cover, as an aggregate in road construction, as an additive in the manufacturing of cement products or such other uses as may be identified during the review. The Consultant will also inquire as to the specific environmental standards that would have to be met in the State of Washington to allow residue ash to be used for beneficial purposes.

The Consultant will research how residual materials from various Conversion Facilities are typically disposed. The Consultant will contact regulators to determine what events or circumstances would cause them to classify residual materials as a hazardous waste. The Consultant will also research the testing protocol in the State of Washington as it relates to the protocol and frequency of testing residual materials, such as ash. The Consultant will discuss with DOE the limitations for commingling residual materials, municipal solid waste, and any other types of waste that require special handling at landfills.

Assumptions:
Studies will be available regarding ash composition that reflects the composition of the MSW generated within the County. For budget purposes, it has been assumed that the composition study will cover two conversion technologies.

Input from County:
None currently anticipated beyond the waste characterization study previously requested.

Deliverables:
The results of this research will be documented in a written summary.

Schedule:
Four weeks to complete review.

Meetings:
No meeting required.

4.9 **Current Classification of Residue Ash in Washington.** In connection with Subtask 4.8, the Consultant will also contact the State of Washington Department of Ecology (DOE) to obtain information on how incinerator ash from Conversion Facilities in Washington is currently classified by the State. Inquiries will be made as to whether incinerator ash can receive a beneficial use designation and if it can be used as a daily cover in a landfill. Inquiries will be made as to limitations the State may impose on materials that can be processed by Conversion Facilities due to concerns with the composition of residue ash. Inquiries will also be made to determine how current classification standards for ash may be applied to other types of residuals from other Conversion Technologies.

The Consultant will contact the operator of the Conversion Facility in Spokane to obtain information on how the incinerator ash from that facility is being managed. The Consultant will include a discussion of technologies and processes currently being used for the treatment of residue ash generated by Conversion Facilities.

Input from County:
None currently anticipated.

Deliverables:
The results of this research will be documented in the written summary prepared for Task 4.8.

Schedule:
Four weeks to complete review.

Meetings:
No meeting required.

4.10 **Estimate of Net Emissions**. The Consultant will develop an estimate of the potential net emissions, including greenhouse gases, of: (1) Conversion Facilities; and (2) waste export systems with and without landfill gas to energy capability. The analysis will include a comparison of emissions between the Conversion Facilities and waste export systems, a comparison of net emissions to Puget Sound Clean Air Agency standards, and a comparison of net emissions to the Kyoto Protocol greenhouse gasses reduction requirements.

The Consultant will contact the DOE, Oregon Department of Environmental Quality (DEQ), the Puget Sound Clean Air Agency, and any other appropriate local air quality agencies to identify the emissions that are currently monitored at the Conversion Facilities operating in Spokane and Marion County, at the regional landfills located in

Washington and Oregon, and that will require monitoring at any Conversion Facilities located in King County.

The emissions from a Conversion Facility to be evaluated will include, but not be limited to, greenhouse gasses, nitrous oxides, acid gasses, mercury, heavy metals, particulate, ozone, and other emissions of concern and interest to the regulatory agencies contacted. The Consultant will develop an estimate of the total annual volume of emissions from various types of Conversion Facilities as well as estimating annual environmental impact potentials based on rolling up the estimates for quantities of individual pollutants into environmental impact categories such as global warming, acidification, eutrophication, respiratory disease, human toxicity and ecological toxicity. . The discussion of air emissions from Conversion Facilities will include consideration of the fact that some percentage of the waste stream will be non-processible and residue material will likely be generated. Both of these materials will have to be exported outside the County for final disposal. The Consultant will discuss the potential future requirement for the County to monitor and evaluate annual environmental impact potentials.

The Consultant will also contact the DOE and DEQ to identify the air emissions that each state currently monitors from landfills, including greenhouse gasses. The Consultant will also discuss any plans the two states may have to regulate emissions from landfills and the types of emissions that may be monitored. The Consultant will develop a planning estimate of the total annual emissions from a landfill assumed to dispose of all of the waste from the County, as well as estimating annual environmental impact potentials based on rolling up the estimates for quantities of individual pollutants into environmental impact categories such as global warming, acidification, eutrophication, respiratory disease, human toxicity and ecological toxicity.

The Consultant will develop an estimate of total volumes and types of annual air emissions from rail haul operations based on the estimated quantity of fuel required to be used to transport the waste to an out-of-County location as well as estimating annual environmental impact potentials based on rolling up the estimates for quantities of individual pollutants into environmental impact categories such as global warming, acidification, eutrophication, respiratory disease, human toxicity and ecological toxicity.

The Consultant will prepare an estimate of the total emissions and emissions rolled up by environmental impact categories from all sources over a 20-year planning period for each of the two options under consideration, including a confidence range for such emissions due to fluctuations in waste quantity and/or composition, or due to regulatory/emissions technology changes. . For the export option, the estimate will include consideration of the number of miles traveled, the number of rail hauls required, and estimated emissions from a landfill that disposes of all of the County's waste.

The consultant will conduct an evaluation of the solid waste alternatives in terms of compliance with the Kyoto Protocol to the United Nations Framework Convention on Climate Change. Since the Kyoto Protocol was written to address nations, not individual

entities, such as the King County Solid Waste Division, the first step in the process will involve a meeting between the consultant and King County Solid Waste Division to determine how King County will define compliance with the Kyoto Protocol. A key element of this compliance is likely to be based on the U.S. target which was a 7% reduction in greenhouse gas emissions between the baseline period of 1990 and the projected five year average during 2008 through 2012, thus the consultant will need to estimate greenhouse gas emissions during the baseline period. Estimation of 2008 through 2012 average greenhouse gas emissions for each of the solid waste alternatives will also be performed, but it is recognized that some of the solid waste alternatives being considered would not be in place before 2012. The consultant will evaluate each option in terms of compliance with the Kyoto Protocol, but also examine each option in terms of its long-range greenhouse gas emissions.

The Consultant will also prepare a written discussion of whether the County will have to consider the potential impacts of the Conversion Technologies associated with having significant quantities of waste processed in a single area as compared to the potential for the dispersion of air emissions as waste travels via rail over a number of miles.

Assumptions:
The states of Washington and Oregon and local air quality agencies will have identified the emissions from Conversion Facilities and landfills that must be monitored. Data can be obtained regarding air emissions from railroad engines. For budget purposes, it has been assumed that the analysis will cover two conversion technologies and two landfill options.

Input from County:
The locations and the number of transfer stations for either the waste export or Conversion Technology options.

Deliverables:
An estimate of the total emissions and emissions, over a 20-year period, rolled up by environmental impact categories from the Conversion Facilities and from the waste export option, which will be analyzed with and without energy recovery.

Schedule:
Five weeks to complete review.

Meetings:
No meeting required.

4.11 **Estimated Capital and Operating Costs.** The Consultant will develop planning estimates of the range of total capital and annual operating and maintenance costs of: (1) Identified commercially applicable; and (2) waste export systems capable of managing the County's waste, the cost of transporting waste via rail from an intermodal yard, and the cost of disposal at an out-of-County landfill. The Consultant will contact

operators of landfills to obtain information regarding tipping fees that would be charged pursuant to a long-term contract. The Consultant will also contact certain of the landfills' current customers to obtain information on the tipping fees that public entities in the State of Washington and Oregon are currently paying for waste export and energy conversion.

Assumptions:
Private landfill operators will be willing to provide information regarding the tipping fee they would charge under the waste export option. For budget purposes, it has been assumed that the cost estimates will cover two conversion technologies and two landfill options.

Input from County:
Nothing

Deliverables:
A written summary which includes the range of construction cost estimates, construction schedule, financing assumptions, annual debt service requirements, and annual operating and maintenance expenses of both the Conversion Facilities and the waste export option.

Schedule:
Three weeks to complete review.

Meetings:
No meeting required.

4.12 **Projected Energy Revenues.** The Consultant will develop estimates of the amount of energy revenues that could be realized by the following options:

1. Conversion Facilities – the Consultant will develop an estimate of the net energy generation by identified commercially applicable Conversion Facilities.

2. Waste Export Option – the Consultant will develop an estimate of: (a) the amount of fuel that would be consumed by rail haul engines performing a long-haul transfer; and (b) the amount of energy that could be recovered from landfill gas generated by the decomposition of the County's disposed MSW over time.

The Consultant will also develop information regarding the long-term projected wholesale prices of electricity, natural gas and diesel fuel in the Northwest. The Consultant will review the availability and value of Renewable Energy Credits (RECs) in the State of Washington. Based on such prices and assumptions regarding the energy production capacity of Conversion Facilities and waste export landfills with landfill gas to energy capabilities, the Consultant will develop an estimate of the quantity of energy and revenues that could reasonably be expected to be generated by Conversion Facilities and by landfills with landfill gas recovery systems.

Assumptions:
The Consultant will be able to obtain information regarding fuel consumption by railroad engines performing long-haul. For budget purposes, it has been assumed that the estimates will cover two conversion technologies and two landfill options.

Input from County:
Data on the composition of the solid waste that will serve as the basis of estimating the quantity of landfill gas that could be generated from decomposition of the County's MSW.

Deliverables:
A written summary describing the amount of energy generated by the Conversion Facilities, the amount of fuel consumed by rail haul engines and the amount of landfill gas to be generated, as well as a confidence range for revenues.

Schedule:
Four weeks to complete review.

Meetings:
No meeting required.

4.13 **Transfer Station Collection/Transportation Infrastructure.** For each of the Conversion Facility disposal options under consideration, the Consultant will review the associated transfer station/transportation infrastructure requirements. The review will include an assessment of how the County's current and planned transfer station/transportation assets correlate and work with the Conversion Facilities.

Assumptions:
For purposes of the budget, it is assumed that there will be two Conversion Technology disposal options which require evaluation for determining the supporting transfer station/transportation infrastructure requirements.

Input from County:
Information regarding existing and planned transfer station/transportation infrastructure.

Deliverables:
A written summary describing the transfer station/transportation infrastructure requirements associated with each Conversion Facility disposal option under consideration.

Schedule:
Two weeks to complete the review.

Meetings:
No meeting required.

4.14 **Estimated Facility Siting and Permitting Costs.** The Consultant will develop estimates of the siting and permitting costs for the facilities that would be sited in or around King County for each of the Conversion Technology and Waste Export disposal options under consideration. This will include the Conversion Facilities and the intermodal facilities. In addition to costs, the time required to site and to obtain land use and development permits for the facilities will be estimated.

Assumptions:
For purposes of the budget, it is assumed that there will be two Conversion Technology disposal options with up to three separate Conversion Facilities per option and one waste export option with one intermodal facility. Estimates will not be based on specific geographic facility locations. Development permits are assumed to include clearing and grading permits, building permits, Department of Ecology/Health District solid waste facility operating permit, Department of Ecology NPDES Notice of Construction, and a Puget Sound Clean Air Agency Notice of Construction. It is assumed that a project specific Environmental Impact Statement will be required for each disposal option. Wetland, Hydraulic Project Approvals and other water and sensitive area permits will not be included in the time assessment since the need for these is very site specific.

Input from County:
None.

Deliverables:
A written summary describing the estimated cost and time requirements for siting and permitting new infrastructure associated with each Conversion Technology and the Waste Export disposal options under consideration.

Schedule:
Four weeks to complete the review.

Meetings:
No meeting required

Task 5 – Report Preparation

The Consultant will prepare an Initial Draft Report which summarizes the results of subtasks 4.1 through 4.14. The Consultant will meet with the Division to discuss the Initial Draft Report. Upon receipt of comments from the Division on the Initial Draft Report, the Consultant will incorporate such changes and prepare a Draft Report.

Following completion of the Initial Draft Report, the Consultant will submit a Draft Report for review by the solid waste advisory committee, advisory committees, and elected officials.

Assumptions:
The Division will require two weeks to review and comment on the Initial Draft Report.

Input from the Division:
Review comments on Initial Draft Report

Deliverables:
Initial Draft, Draft and Final Reports

Schedule:
Initial Draft Report five weeks following completion of Task 4.
Draft Report two weeks following receipt of comments from the Division on the Initial Draft Report.
Final Report two weeks following receipt of all comments from the County, advisory committees and elected officials on the Draft Report.

Meetings:
One review meeting for Initial Draft Report.
One review meeting for Draft Report.

Task 6 – Presentations

The Consultant will participate in presenting the results of the Final Report at the following meetings:

- Senior Management of the Solid Waste Division
- Intergovernmental Technical Staff Group
- Metropolitan Solid Waste Management Advisory Committee
- Solid Waste Advisory Committee
- Regional Policy Committee of the County Council
- Growth Management and Natural Resources Committee of the County Council
- County Council

The Consultant will work with the Division to develop presentation materials. Such materials may include, but not be limited to, stand-alone executive Summaries of the Report, Power Point presentations, handouts, and presentation boards.

Assumptions:
The number of presentations and the level of effort that may be required under this task are difficult to predict or estimate. Therefore a Budget Allowance of $12,500 is provided for this task.

Input from County
Review and Approval of all presentation materials prior to their dissemination.

Deliverables:
Presentation materials as required

Schedule:
To be determined

Meetings:
Up to three presentations and three preparation meetings

TASK 7 – ADDITIONAL UNPLANNED/CRITICAL WORK

The purpose of this task is to provide for other Consultant services which are unplanned, urgent and/or critical to maintaining the project schedule and progress of the work. The Consultant shall provide services only as specifically requested and directed.

Any work under this task requires specific prior written authorization from the Project Representative. Written authorization may be granted only after the Consultant submits both a written scope and budget for the work, which are then reviewed and specifically negotiated by the Project Representative.

Work may include but is not limited to the following:

- Evaluating additional forms or types of Conversion Technology beyond the number assumed in Task 4.2 through 4.14.
- Investigation and reporting on commercially proven Conversion Technologies in use outside the United States beyond the number assumed in Task 4.2

No initial budget allowance has been included for Task 7.

Assumptions, deliverables, schedule and meetings associated with Task 7 services will be determined when and if additional services are requested or determined necessary.

General Assumptions

The written summaries that will be developed for Tasks 4.1 through 4.14 will be submitted in draft format as each task is completed. It is expected that the County will review and provide one round of comments on each summary at the review phone calls and/or meetings noted under each task. The written summaries will then be finalized in accordance with the agreed comments and the revised summary papers will then be resubmitted as part of the report developed under Task 5.

Duration of Work

The work shall begin upon receipt of a notice to proceed with scoping from the County and be completed in accordance with the task and subtask schedule information set forth in the scope of work and as depicted on the attached schedule (Exhibit A) unless extended by the Division.

Amount authorized by this work order:	$ 399,883
Amount authorized by all previous work orders:	$ 450,098
Amount authorized by all work orders to date:	$ 849,981

_____	_____
Morgan John, KCSWD Project Manager	Karl R. Hufnagel, R.W. Beck, Inc.
Date: _____	Date: _____

Council Meeting: 02/06/2007
Agenda: Unfinished Business
Item #: 11. b.

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

To: David Ramsay, City Manager

From: Eric Shields, Planning Director

Date: January 22, 2007

Subject: RECOMMENDATION ON MISCELLANEOUS ZONING CODE AMENDMENTS, FILE NO. ZON05-00001

RECOMMENDATION:

1. Discuss the proposed reasonable use regulations contained in Ordinance No. 4072 and determine whether revisions are desired; and

2. Either:
   - Adopt Ordinance No. 4072; or
   - Direct changes to the ordinance for adoption at a subsequent meeting.

BACKGROUND DISCUSSION:

On November 21, 2006, January 2, 2007 and January 16, 2007 the City Council reviewed Ordinance No. 4072, which proposes a variety of amendments to the Kirkland Zoning Code. At the previous meetings, the City Council discussed and reached consensus on all but one of the issues – reasonable use regulations. The ordinance has been revised to incorporate changes directed by the Council thus far. The Council will continue its review of the ordinance, focusing on reasonable use regulations, on February 6.

REMAINING POLICY ISSUE - REASONABLE USE EXCEPTIONS.

Chapter 90 of the Zoning Code establishes regulations that limit development within drainage basins. Development is prohibited within wetlands and streams and within prescribed buffers adjacent to wetlands and streams (sensitive areas). Procedures are established for allowing a reduction in the size of buffers if specified criteria are met. However, the regulations limit the degree to which buffers may be reduced. On some properties, the regulations may have the effect of prohibiting any development whatsoever.

Courts have ruled that taking of private property occurs when a land use regulation restricts the landowner's rights to such an extent that the landowner is denied all- or nearly all- economically viable use of his or her property. In such a case, the municipality must pay "just compensation," usually the fair market value of the property. To avoid a constitutional challenge, Chapter 90 includes a provision that allows property

owners who are unable to develop under the normal regulations to propose a "reasonable use" of their property.

The City has approved five reasonable use applications since 1998. Each of the approved applications has allowed the construction of one single family home. The applications involved properties ranging in area from 15,585 to 35,000 sq. ft., while the approved site disturbance to wetlands and buffers ranged from 3,558 to 6200 sq. ft. per property. **A summary of the previously approved applications is attached. The summary highlights the area of site disturbance resulting from the approved applications as well as the maximum disturbance that would have been allowed under the proposed code amendment.**

Following the Council's consideration of two of the most recent reasonable use applications recommended by the Hearing Examiner, Council requested a review of the reasonable use process. Council and staff concluded that the existing regulations do not provide sufficient criteria to assure that a reasonable use application is kept to a minimum size and that impacts to sensitive areas are minimized. Staff looked at examples from other Washington cities and counties. Council may recall that in early July 2006, staff presented the Council with the highlights of some of the decisional criteria and requirements of approximately 25 other jurisdictions that were studied. At that time staff also presented the Council with proposed code amendments intended to address concerns with the existing regulations. There was considerable discussion with the Council after which staff retooled the proposed amendments and forwarded them to the Planning Commission for consideration. Ordinance 4072 reflects the amendments recommended by the Planning Commission.

Following are key provisions of the regulations:

- The purpose of a reasonable use exception is clarified.

- Applications are to be reviewed using Process IIA (Hearing Examiner decision) unless they involve no more than 3000 square feet of site disturbance and do not encroach into the sensitive area, in which case Process I (Planning Director decision) will be used. This is intended as an encouragement to minimize the area of disturbance.

- Specific submittal requirements are established.

- Decisional criteria are expanded to assure that the impact to wetlands and streams are minimized.

- Criteria are included to limit the extent of site disturbance. For properties less than 6000 sq. ft. in area, up to 50% of the site area may be disturbed. Properties

between 6000 and 30,000 sq. ft. may disturb up to 3000 sq. ft. Properties exceeding 30,000 sq. ft. may disturb up to 10% of the property. These size limitations can be exceeded if the applicant demonstrates unique circumstances. The City may further restrict the area of disturbance if necessary to meet other criteria. **An attached hypothetical site plan sketch indicates how a site could be developed with a 3000 sq. ft. site disturbance.**

- A reduction in required yards and a maximum five feet increase in building height are allowed to reduce sensitive area impact.

- Lapse of approval regulations are established that void an approved application if a complete building permit application is not submitted within one year; provided that an additional one year extension is allowed.

Note: The following two minor revisions have been made to the reasonable use regulations within Ordinance N. 4072 since the last version reviewed by the Council:

- **In section 90.140.5.c: "driveways" has been added to the list of land alterations that are limited.**
- **In Section 90.140.8.c: "KAC" 150.135 has been corrected to read: "KZC" 150.135.**

EFFECTIVE DATE OF ORDINANCE:

Due to the range and number of amendments contained in Ordinance No. 4072, Staff will need to prepare or revise public information materials and application forms to be consistent with the amendments. Therefore, Ordinance No. 4072 is written to become effective thirty (30) days after its passage and publication, rather than the standard five (5) days. **In light of issues that recently arose with recent revisions to Floor Area Ratio regulations, the Council may wish to extend the effective date further in the future.**

Attachments:

1. Previously Approved Reasonable Use Applications
2. Hypothetical Reasonable Use

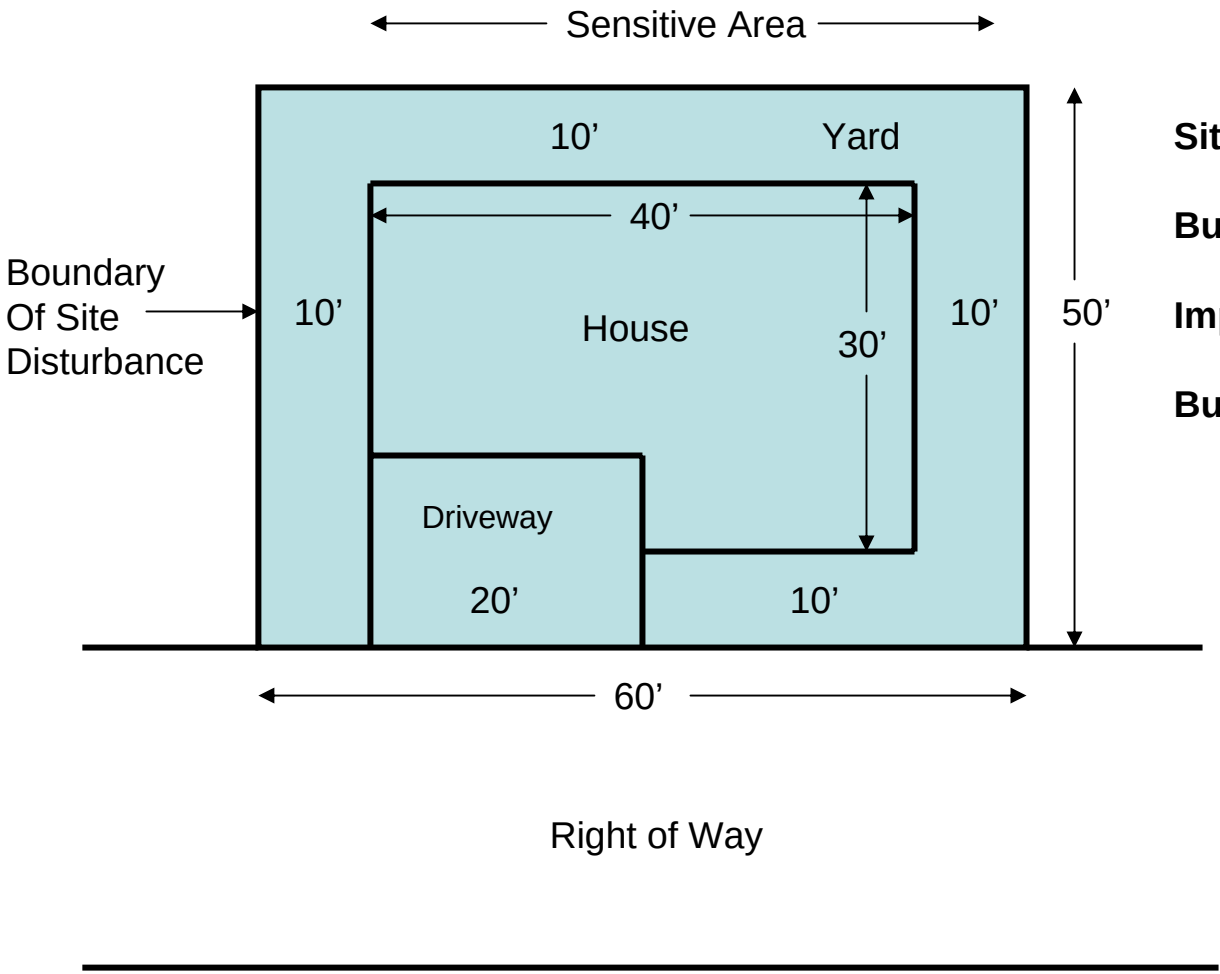
Previously Approved Reasonable Use Applications

Aspects of Development	Approved Applications				
	Rosinski (2005)	Schneider (2005)	Hindle (2005)	Network (1998)	Anderton (1998)
Site size (sq. ft.)	15,585	35,000	27,547	35,000	21,521
House Size (sq. ft.)	3,045	2,681	5,056	2,400	2,150
Area Impacted	100% Wetland Buffer	100% Wetland Buffer	100% Wetland Buffer	50% Wetland 50% Buffer	80% Wetland 20% Buffer
Area of Site Disturbance (sq. ft.)	3,558	5,623	5,000	6,200	4,300
% of Site Impacted	22.8%	16.1%	18.2%	17.7%	20.0%
Maximum Disturbance Under Proposed Amendment (sq. ft.)*	3,000	3,500	3,000	3,500	3,000
Maximum % of Site Impacted	19.2%	10.0%	10.9%	10.0%	13.8%

***These size limitations may be exceeded if the applicant demonstrates unique circumstances.

ATTACHMENT 1

Hypothetical Reasonable Use



Site Disturbance = 3000 sq. ft.

Building Footprint = 1000 sq. ft.

Impervious Area = 1400 sq. ft.

Building Floor Area = 2000 sq. ft. +/-

ORDINANCE NO. 4072

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING TITLE 23 OF THE KIRKLAND MUNICIPAL CODE; AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE): CHAPTER 5 – DEFINITIONS; CHAPTER 15 – RS ZONES; CHAPTER 17 – RSX ZONES; CHAPTER 20 – RM ZONES; CHAPTER 25 – PR ZONES; CHAPTER 27 – PO ZONES; CHAPTER 30 – WD ZONES; CHAPTER 35 – FC ZONES; CHAPER 40 – BN ZONES; CHAPTER 45 – BC ZONES; CHAPTER 47 – BCX ZONES; CHAPTER 50 – CBD ZONES; CHAPTER 52 – JBD ZONES; CHAPTER 53 – RH ZONES; CHAPTER 54 – NRH ZONES; CHAPTER 55 – TL ZONES; CHAPTER 60 – PLA ZONES; CHAPTER 90 – DRAINAGE BASINS; CHAPTER 105 – PARKING AND PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS; CHAPTER 110 – REQUIRED PUBLIC IMPROVEMENTS; CHAPTER 115 – MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS; CHAPTER 120 – VARIANCES; CHAPTER 130 – REZONES; CHAPTER 135 – ZONING CODE AMENDMENTS; CHAPTER 140 – AMENDMENTS TO THE COMPREHENSIVE PLAN; CHAPTER 145 – PROCESS I; CHAPTER 150 – PROCESS IIA; CHAPTER 152 – PROCESS IIB; CHAPTER 155 – PROCESS III; CHAPTER 160 – PROCESS IV; CHAPTER 161 – PROCESS IVA; CHAPTER 170 – ENFORCEMENT; AND CHAPTER 180 - PLATES (FILE NO. ZON05-00001); AND ALSO REPEALING ORDINANCE NO. 4064 REGARDING OPTIONS FOR MEETING PARKING OBLIGATIONS IN CENTRAL BUSINESS DISTRICT ZONES 1, 2, AND 8 ("FEE-IN-LIEU").

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission and the Houghton Community Council to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719 as amended, all as set forth in certain reports and recommendations of the Planning Commission and the Houghton Community Council dated November 13, 2006 and bearing Kirkland Department of Planning and Community Development File No. ZON05-00001; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, this action is exempt from the concurrency management process; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on August 24, 2006 and October 26, 2006, held a public hearing on the amendment proposal and considered the comments received at the hearings; and

WHEREAS, prior to making said recommendation, the Houghton Community Council, following notice thereof as required by RCW 35A.63.070, on July 24, 2006, held a public hearing on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, pursuant to the State Environmental Policy Act, there has accompanied the proposal and recommendation through the entire consideration process an EIS Addendum (Addendum to the "City of Kirkland 2004 Draft and Final

Comprehensive Plan 10-Year Update EIS"), including supporting environmental documents, issued by the responsible official on July 26, 2006, pursuant to WAC 197-11-600(2), -600 (4)(c), -625, and -706; 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 Commission and the Houghton Community Council;

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

Section 1. Zoning text amended: The following specified sections of the text of Ordinance 3719, as amended, the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code) are amended to read as follows:

As set forth in Attachment A which by this reference is incorporated herein.

Section 2. Ordinance No. 4064 is hereby repealed.

Section 3. 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 4. 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 5. Except as provided in Section 4, this ordinance shall be in full force and effect thirty (30) days from and after its passage by the Kirkland City Council and publication, pursuant to Section 1.08.017 Kirkland Municipal Code, 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 6. 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 regular, open meeting this _____ day of _____, 2007.

SIGNED IN AUTHENTICATION thereof this _____ day of _____, 2007.

_____
Mayor

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

ATTACHMENT A

(Note: Italicized comments contained within parentheses that appear throughout this Attachment A are intended to be explanatory only. They are not intended to appear in the final codification of this Ordinance).

Chapter 5 – Definitions (Note: Only definitions for which changes are proposed are included below. All other definitions in Chapter 5 of the Kirkland Zoning Code remain unchanged).

5.10 Definitions

The following definitions apply throughout this code unless, from the context, another meaning is clearly intended:

.045 Average Building Elevation – The average elevation of the topography, prior to any development activity, at the center of all exterior walls of a building or structure, including decks and porches, unless the deck or porch has no walls at or below the deck level and no roof above the deck or porch, and including cantilevered portions of a building which enclose interior space. ~~When a building or structure contains townhouses or other attached, but otherwise independent building units, the average building elevation calculations are calculated separately for each unit.~~

~~Formula:~~
~~Average Building Elevation = (Mid-point Elevation) x (Length of Wall Segment) + (Mid-point Elevation) x (Length of Segment)~~
~~(Length of Segment) + (Length of Segment)~~

~~(See Plate 17)~~

(deleted text moved to new KZC 115.59)

.065 Average Parcel Width – The average of the distance from the north to the south property lines as measured along the high waterline and the front property line, or along the east and west property lines if the parcel does not abut the high waterline of Lake Washington.

.072 Bay Window – A projecting bay from an exterior wall of a structure that contains window glazing over at least ~~75~~ 50 percent of ~~the~~ any surface of the bay ~~lying parallel~~ that does not lie perpendicular to the exterior wall. The bay window may be directly supported by a foundation or it may be cantilevered out from an exterior wall.

.590 Office Use – A place of employment providing services other than production, distribution or sale or repair of goods or commodities. The following is a nonexclusive list of office uses: medical, dental or other health care; veterinary~~,~~; accounting~~,~~; architectural, engineering, consulting or other similar professional services; management, administrative, secretarial, marketing, advertising, personnel or other similar personnel services; sales offices where no inventories or goods are available on the premises~~,~~; real estate~~,~~; insurance~~,~~; travel agent,; brokerage; computer programming or consulting; data processing; technical, specialty, or professional schools~~,~~; or other similar services. The following uses are specifically excluded from the definition of office: banks, loan companies and similar financial institutions.

Chapter 15 – RS Zones

15.10.020 Church – Amend Special Regulation 1 in Use Zone Chart to read:

1. Minimum lot size ~~per dwelling unit~~ is as follows:
   a. – e. *(no change)*

15.10.030 School or Day-Care Center – Amend Special Regulation 1 in Use Zone Chart to read:

1. Minimum lot size ~~per dwelling unit~~ is as follows:
   a. – e. *(no change)*

Chapter 17 – RSX Zones

17.10.020 Church – Amend Special Regulation 2 in Use Zone Chart to read:

2. Minimum lot size ~~per dwelling unit~~ is as follows:
   a. – c. *(no change)*

17.10.030 School or Day-Care Center - Amend Special Regulation 2 in Use Zone Chart to read:

2. Minimum lot size ~~per dwelling unit~~ is as follows:
   a. – c. *(no change)*

Chapter 20 – RM Zones

20.10.010 Detached Dwelling Units: Add a new Special Regulation (X) in the Use Zone Chart to read:

X. If the property is in an RM 1.8, 2.4, or 3.6 zone and contains less than 5,000 sq. ft., each side yard may be 5'.

20.10.020 Detached, Attached, or Stacked Dwelling Units: Add a new Special Regulation (X) in the Use Zone Chart to read:

X. Development located in the RM 3.6 zone in North Rose Hill, lying between Slater Ave NE and 124th Ave NE, and NE 108th Pl (extended) and approximately NE 113th Pl (extended) shall comply with the following:
   a. Each development shall incorporate at least two acres; and
   b. Significant vegetation that provides protection from I-405 shall be retained to the maximum extent feasible.

20.10.030 Church – Amend Special Regulation 1 to read:

1. ~~Site must abut and be accessible from at least one roadway having at least two moving traffic lanes.~~ The property must be served by a collector or arterial street.

Chapter 47 – BCX Zones

47.10.060 Amend Special Regulation 1 as follows:

1. ~~This use specifically excludes vehicle or boat sales or vehicle or boat service or repair.~~ The sale, service and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers is not permitted. Motorcycle sales, service, or rental is permitted if conducted indoors.

Chapter 50 – CBD Zones – CBD 1 through 8

50.12.020 Amend Special Regulation 1 as follows:

1. The following uses are not permitted in this zone:
   a. Vehicle service stations.

b. ~~Vehicle and/or boat sale, repair, service or rental.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
c. Drive-in facilities and drive-through facilities.

50.17.010 Amend Special Regulation 2 as follows:

2. The following uses are not permitted in this zone:
a. Vehicle service stations.
b. ~~Vehicle and/or boat sale, repair, service or rental.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
c. Drive-in facilities and drive-through facilities.

50.27.040 Amend Special Regulation 1 as follows:

1. The following uses are not permitted in this zone:
a. Vehicle service stations.
b. ~~Vehicle and/or boat sale, repair, service, or rental.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
c. Fast food restaurants.
d. Drive-in facilities and drive-through facilities.

50.27.050, .060, .070, and .110 – Remove requirement for intervening street-level retail space in CBD 3 where the property does not front a designated Pedestrian-Oriented Street (see Attachment 1). (Codifies Interpretation No. 05-1).

50.32.040 Revise Special Regulation 1 as follows:

1. The following uses are not permitted in this zone:
a. Vehicle service stations.
b. ~~Vehicle and/or boat sale, repair, service or rental.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
c. Drive-in facilities and drive-through facilities.

50.37.050 Revise Special Regulation 1 as follows:

1. The following uses are not permitted in this zone:
a. Vehicle service stations.
b. ~~Vehicle or boat sale, repair, service, or rental.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.

50.42.030 Revise Special Regulation 2 as follows:

2. ~~Vehicle and/or boat sale, repair, service, and rental are not permitted in this zone.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers are not permitted. Motorcycle sales, service, or rental is permitted if conducted indoors.

50.47.060 Revise Special Regulation 3 as follows:

3. ~~Vehicle and boat sale, repair, service, and rental are not permitted in this zone.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers are not permitted. Motorcycle sales, service, or rental is permitted if conducted indoors.

50.52.050 Revise Special Regulation 2 as follows:

2. The following uses are not permitted in this zone:
   a. Vehicle service stations.
   b. ~~Vehicle sales, repair, service or rental.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
   c. Drive-in facilities and drive-through facilities.

50.52.070 Revise Special Regulation No. 6 to remove requirement for intervening street-level space in CBD 8 where the property does not front a designated Pedestrian-Oriented Street (see Attachment 2).

50.52.100 Revise Special Regulation No. 5 to include reference to frontage on Fourth Avenue (see Attachment 2).

50.52.110 Revise Special Regulation No. 2 to include reference to frontage on Fourth Avenue (see Attachment 2).

50.60 Special Parking Provisions in the CBD 1, 2, and 8 Zones

1. – 3. *(no change)*

4. Options for Meeting Parking Obligations

The applicant may meet his/her parking obligation, computed using subsection (2) of this section ~~and after reductions under subsection (3) of this section, in either or a combination of the following ways:~~ by providing the required number of parking stalls in the building or on the building site containing the primary use conducted on the subject property. The applicant may propose to meet all or a portion of the parking obligation by

~~a. By providing the required number of parking stalls in the building or on the building site containing the primary use conducted on the subject property.~~

~~b. By satisfying both subparagraphs herein:~~

~~1)~~ ~~P~~paying ~~$6,000~~ a fee-in-lieu of parking for each required parking stall or fraction of a stall into a special fund that will be used to provide and upgrade municipal off-street parking within the CBD, Planned Areas 6 or 7 Zones, or park/public use zones located adjacent to the CBD. The per-stall fee shall be $20,000 in 2006 dollars and shall be adjusted annually in November of each subsequent year based on the "Engineering News Record" Construction Cost Index 20-City average (ENR CCI) for November. The actual fee-in-lieu amount shall be established at the time of payment.

The City may consider the applicant's proposal and shall base its decision whether to grant approval on whether the City has current plans or programs in place to provide or upgrade municipal off-street parking within the CBD, Planned Area 6 or 7 Zones, or park-public use zones located adjacent to the CBD. Plans and programs shall

include Capital Improvement Program projects for future off-street parking. The City's decision will be made by the Planning Director as part of the permit process for the applicant's project. The director may approve the request, reject the request, or approve a lesser number of in-lieu parking stalls than requested.

~~2) Purchasing one annual parking permit for a municipal parking facility for each three parking spaces required for the use by this code. When this results in a fraction, the number shall be rounded up to the next whole number if the fraction is at least 0.66. The parking permit requirement shall be satisfied by obligating business occupants of the subject property to purchase such permits as part of the application for a business license or the annual renewal of a business license. A business owner may request that the number of annual permits required be reduced to no more than the number of workers at the business. The decision on a request for such reduction will be made in the same manner as provided in KZC 170.60 through 170.65. Any such reduction will be effective only for permits required for the future and only for the business for which the reduction was requested.~~

Chapter 53 – Rose Hill Zones – RH 5B, RH 7, and RH 8

53.54.040 Allow limited "fast food restaurants" in the RH 5B zone (see Attachment 3).

53.54.050 Revise Special Regulation 3 as follows:

3. For a retail establishment involving the sale, ~~lease, repair or~~ service, or rental of motor vehicles, sail boats, motor boats, or recreation trailers, ~~of automobiles, trucks, boats, motorcycles, recreation vehicles, heavy equipment, and similar vehicles,~~ the following shall apply:
   a. This use is not permitted in the RH 5B zone; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
   b. – d. *(no change)*

53.74.020 Revise Special Regulation 1 as follows:

1. The following uses are not permitted in this zone:
   a. – d. *(no change)*
   e. A retail establishment involving the sale, ~~lease,~~ service or rental of motor vehicles, sail boats, motor boats, recreation trailers, ~~repair of automobiles, trucks, boats motorcycles, recreation vehicles,~~ heavy equipment, and similar vehicles; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.

53.84.040 Revise Special Regulation 1 as follows:

1. The following uses are not permitted in this zone:
   a. – d. *(no change)*
   e. A retail establishment involving the sale, service or ~~repair~~ rental of motor vehicles, sail boats, motor boats, recreation trailers, ~~automobiles, trucks, boats, motorcycles, recreation vehicles,~~ heavy equipment and similar vehicles; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
   f. – g. *(no change)*

53.84.040 Add Special Regulation 4 to address accessory seating for delicatessen, bakery, or other similar use in the RH 8 zone (see Attachment 4).

Chapter 54 – NRH Zones – NRH 1A, 1B, and 3

54.06.060 Revise Special Regulation 1 as follows:

1. The following uses and activities are prohibited:
   a. ~~Vehicle or boat sales or rental facilities.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
   b. – d. *(no change)*

54.12.030 Revise Special Regulation 1 as follows:

1. The following sues and activities are prohibited:
   a. *(no change)*
   b. ~~Vehicle or boat sales or rental facilities;~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors;
   c. – e. *(no change)*

54.24.010 Detached, Attached or Stacked Dwelling units (Stand Alone or Mixed with Other Uses). Change "Landscape Category" from "D" to "B" when this use contains more than one detached dwelling unit (see Attachment 5).

Chapter 55 – Totem Lake Zones – TL 1A, 1B, 2, 8, 10A

55.09.030 Revise Special Regulation 3 as follows:

3. The following uses and activities are prohibited:
   a. ~~Vehicle and/or boat sales, repair, service or rental facilities.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
   b. – d. *(no change)*

55.13 GENERAL REGULATIONS

1. – 3. *(no change)*

4. The ability to accommodate new development in the TL ~~1A and~~ 1B zone~~s~~ is dependent upon the construction of ~~two~~ a new street~~s~~: NE 130th Place, between 120th Avenue NE and Totem Lake Boulevard NE, ~~and 119th Avenue NE, between NE 128th Street and NE 130th Place,~~ as shown on Plate 34. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which ~~these~~ this street~~s~~ in whole or in part extends, shall contribute to the creation of the street~~s~~ as follows:
   a. With all new development, the portions of the street~~s~~ crossing the subject property shall be dedicated as public right-of-way consistent with Plate 34; and
   b. With all new development exceeding 30 feet in height, the street~~s~~ shall be improved consistent with Plate 34.

   Minor deviations in the location, width and improvement of the street~~s~~ may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the street~~s~~.

55.15.020 Development Containing Both Office Use and Attached or Stacked Dwelling Units – Special Regulation No. 1:

1. The maximum floor area ratio (FAR) for this use is determined as follows: (% office use x 2) + (% residential use x 3) = FAR of each use allowed on the subject property. In addition, the following regulations apply to this use:

~~a. Where land dedication for 119th Avenue NE is not required pursuant to General Regulation 4, office use is limited to 0.5 FAR.~~

~~b. Where land dedication is required for the improvement of 119th Avenue NE, pursuant to General Regulation 4, office use may be increased according to the formula set forth in Special Regulation 1. Office use may not exceed 90 percent of the total FAR for the mixed use development. If the office use is proposed to be built prior to the residential use, the applicant may propose a phasing plan for the residential component to the Planning Department. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone.~~

a. The maximum Floor Area Ratio (FAR) for this use is 3.0, except as provided in paragraph b of this section. Office use shall not exceed 10% of the total gross floor area of all structures on the subject property.

~~c~~b. On parcels where land dedication is required pursuant to General Regulation 4, the maximum floor area ratio (FAR) may be increased by an additional ~~0.2 FAR of office use, or~~ 0.3 of residential use for each 10 percent or portion thereof of the subject property required to be dedicated.

55.21.010 Revise Special Regulation 6 as follows:

6. Motor ~~V~~vehicle, sail boat, motor boat, and recreational trailer sales are permitted only if they ~~vehicles~~ are displayed in an indoor showroom, and the showroom does not occupy more than 10,000 square feet.

55.57.040 Revise Special Regulation 1 as follows:

1. The following uses are not allowed: ~~Vehicle or boat sales or repair,~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers, vehicle service station, and storage services; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.

55.69.040 Revise Special Regulation 2 as follows:

2. The following uses and activities are prohibited:
   a. ~~Motorized vehicle and/or boat sales, repair, service or rental facilities.~~ The sale, service, and/or rental of motor vehicles, sail boats, motor boats, and recreational trailers are not permitted; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.
   b. – d. *(no change)*

Chapter 60 – Planned Areas

60.22.070 PLA 3A – Mini-School or Mini-Day-Care – Amend Minimum Lot Size in Use Zone Chart to read:

Must be part of a development with a site area of at least 15 acres ~~with 3,600 sq. ft. per unit~~.

60.185 PLA 17 - GENERAL REGULATIONS
The following regulations apply to all uses in this zone unless otherwise noted:
1. – 4. *(no change)*
5. May not use lands waterward of the ordinary high waterline to determine lot size or calculate allowable density.

Chapter 90 – Drainage Basins

Add the following to the Table of Contents for Chapter 90 – Drainage Basins:

90.170 Planning/Public Works Official Decisions – Lapse of Approval

90.60 Wetland Buffer Modification

1. Modification of Wetland Buffers when Wetland Is Also To be Modified – *(no change)*

2. Modification of Wetland Buffers when Wetland Is Not To Be Modified – *(no change)*

a. Types of Buffer Modifications – *(no change)*

1) *(no change)*

2) Buffers may be decreased through buffer enhancement. The applicant shall demonstrate that through enhancing the buffer (by removing invasive plants, planting native vegetation, installing habitat features such as downed logs or snags, or other means), the reduced buffer will function at a higher level than the existing standard buffer. At a minimum, a buffer enhancement plan shall provide the following: (a) a map locating the specific area of enhancement; (b) a planting plan that uses native species, including groundcover, shrubs, and trees; and (c) ~~provisions for monitoring and maintenance~~ a monitoring and maintenance program prepared by a qualified professional consistent with the standards specified in KZC 90.55.4. Buffers may not be reduced at any point by more than one-third of the standards in KZC 90.45(1).

b. Review Process and Decisional Criteria – *(no change)*

90.100 Stream Buffer Modification

1. Types of Buffer Modification – *(no change)*

a. *(no change)*

b. Buffers may be decreased through buffer enhancement. The applicant shall demonstrate that through enhancing the buffer (by removing invasive plants, planting native vegetation, installing habitat features such as downed logs or snags, or other means) the reduced buffer will function at a higher level than the standard existing buffer. A buffer enhancement plan shall at a minimum provide the following: (1) a map locating the specific area of enhancement; (2) a planting plan that uses native species, including groundcover, shrubs, and trees; and (3) ~~provisions for monitoring and maintenance~~ a monitoring and maintenance program prepared by a qualified professional consistent with the standards specified in KZC 90.55.4. Buffers may not be reduced at any point by more than one-third of the standards in KZC 90.90(1).

2. Review Process and Decisional Criteria – *(no change)*

90.140 Reasonable Use Exception

Delete entire existing text of 90.140 (retain section heading), and **replace** with the following:

1. Purpose of the Reasonable Use Exception. The purpose of the reasonable use exception is to:

a. Provide the City with a mechanism to approve limited use and disturbance of a sensitive area and sensitive area buffer when strict application of this chapter would deny all economically viable use of the property;

b. Establish guidelines and standards for the exercise of this authority adjusted to the specific conditions of each site; and

c. To protect public health, welfare and safety of the citizens of Kirkland.

2. "Reasonable Use" - is a legal concept that has been articulated by federal and state courts in regulatory takings cases. In a takings case, the decision-maker must balance the public benefit against the owner's interests by considering the nature of the harm the regulation is intended to prevent, the availability and effectiveness of alternative measures, and the economic loss borne by the owner. Public benefit factors include the seriousness of the harm to be prevented, the extent to which the land involved contributes to the harm, the degree to which the regulation solves the problem, and the feasibility of less oppressive solutions.

3. Reasonable Use Process. If the strict application of this chapter would preclude all reasonable use of a site, an owner of real property may apply for a reasonable use exception to this chapter. The application shall be considered under Process IIA of Chapter 150 KZC, provided that for a single-family development proposal which does not exceed a total of 3,000 square feet of site disturbance, and does not encroach into the sensitive area, but only the associated buffer, the application shall be considered pursuant to subsection 7 "Reasonable Use Process: Administrative Alternative" of this section.

4. Submittal Requirements. As part of the reasonable use request, in addition to submitting an application, the applicant shall submit a report prepared by a qualified professional and fund a review of this report by the City's qualified professional. The report shall include the following:

a. A determination and delineation of the sensitive area and sensitive area buffer containing all the information specified in KZC 90.40(3) for a wetland or based on the definitions contained in this chapter for a stream;

b. An analysis of whether any other reasonable use with less impact on the sensitive area and sensitive area buffer is possible;

c. Sensitive site design and construction staging of the proposal so that the development will have the least practicable impact on the sensitive area and sensitive area buffer;

d. A description of the area of the site which is within the sensitive area or within the set-backs or buffers required by this chapter;

e. A description of protective measures that will be undertaken such as siltation curtains, hay bales and other siltation prevention measures, and scheduling the construction activity to avoid interference with wildlife and fisheries rearing, nesting or spawning activities;

f. An analysis of the impact that the amount of development proposed would have on the sensitive area and the sensitive area buffer;

g. How the proposal minimizes to the greatest extent possible net loss of sensitive area functions;

h. Whether the improvement is located away from the sensitive area and the sensitive area buffer to the greatest extent possible; and

i. Such other information or studies as the Planning Official may reasonably require.

5. Decisional Criteria. The City shall grant applications for reasonable use exceptions only if all of the following criteria are met:

a. That no permitted type of land use for the property with less impact on the sensitive area and associated buffer is feasible and reasonable, which in a residential zone shall be one single-family dwelling and in a commercial or industrial zone shall be an office use;

b. That there is no feasible on-site alternative to the proposed activities, including reduction in size, density or intensity, phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning considerations, that would allow a reasonable economic use with less adverse impacts to the sensitive area and buffer;

c. Unless the applicant can demonstrate unique circumstances related to the subject property, the amount of site area that will be disturbed by structure placement or other land alteration, including but not limited to grading, utility installation, decks, driveways, paving, and landscaping, shall not exceed the following limits:

i. If the subject property contains 6,000 square feet of area or less, no more than 50% of the site may be disturbed.

ii. If the subject property contains more than 6,000 square feet but less than 30,000 square feet, no more than 3,000 square feet may be disturbed.

iii. For properties containing 30,000 square feet or more, the maximum allowable site disturbance shall be between 3,000 square feet and 10% of the lot area, to be determined by the City on a case-by-case basis.

iv. The amount of allowable disturbance shall be that which will have the least practicable impact on the sensitive area and the sensitive area buffer given the characteristics and context of the subject property, sensitive area, and buffer.

The applicant shall pay for a qualified professional to help with the City's determination of the appropriate limit for disturbance.

d. The proposal is compatible in design, scale and use with other legally-established development in the immediate vicinity of the subject property in the same zone and with similar site constraints;

e. The proposal utilizes to the maximum extent possible innovative construction, design, and development techniques, including pervious surfaces, which minimize to the greatest extent possible net loss of sensitive area functions and values;

f. The proposed development does not pose an unacceptable threat to the public health, safety, or welfare on or off the property; and

g. The proposal meets the mitigation, maintenance, and monitoring requirements of this chapter;

h. The inability to derive reasonable use is not the result of actions by the applicant after the effective date of this chapter or its predecessor; and

i. The granting of the exception will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures under similar circumstances.

6. Modifications and Conditions. The City may approve reduction in required yards or buffer setbacks and may allow the maximum height of structures to be increased up to five feet to reduce the impact on the sensitive area and sensitive area buffer. The City shall include in the written decision any conditions and restrictions that the City determines are necessary to eliminate or minimize any undesirable effects of approving the exception.

7. Reasonable Use Process: Administrative Alternative. If, in order to provide reasonable use of a site, the standards of this chapter need to be modified and the proposed improvement does not exceed a total of 3,000 square feet of site impact, including but not limited to structures, paved areas, landscaping, decks, utility installation, and grading, the Planning Director is authorized to approve a reasonable use exception subject to subsections 4 and 5 of this section and considered under Process I of Chapter 145 KZC. Administrative approval shall also be subject to the following limitations:

a. The required front yard may be reduced by up to 50% where the applicant demonstrates that the development cannot meet the City's code requirements without encroaching into the sensitive area buffer.

b. The encroachment of the proposed development shall only be into the sensitive area buffer, not the sensitive area.

8. Lapse of Approval.

a. The reasonable use exception approval expires and is void if the applicant fails to file a complete building permit application within one year of the final decision granting or approving the exception, unless the applicant has received an extension for the exception from the decision-maker 30 days prior to expiration. "Final decision" means the final decision of the Planning Director or City Council.

b. The applicant may apply for a one-time extension, of up to one year. The application must be submitted by letter to the Planning Official and, along with any other supplemental documentation, must demonstrate that the applicant is making substantial progress toward developing the subject property consistent with the approval and that circumstances beyond his/her control prevent compliance with the time limit under this section.

c. The lapse of approval period provided in this section is shorter than the lapse of approval period in KZC 150.135 generally applicable to Process IA approvals and this shorter period shall control for reasonable use exception approvals.

90.170 Planning/Public Works Official Decisions – Lapse of Approval

Planning or Public Works Official decisions authorized by this chapter shall be subject to the Lapse of Approval provisions of KZC 145.115.

Chapter 105 – Parking and Access

105.10 Vehicular Access Easement or Tract Standards

1. Roadway Widths – For vehicular access easements or tracts, minimum standards for widths are established as follows:

   a. When no Fire Department access road is required, and the access easement or tract will service one to four detached dwelling units or one to two duplex structures, the minimum standard is 16 feet of unobstructed pavement in a 21-foot-wide easement or tract; for easements or tracts less than 100 feet in length, the Public Works Department may reduce the standard to 10 feet of unobstructed pavement in a 15-foot-wide easement or tract if the easement or tract and abutting driveways are located to allow for safe ingress and egress.

      When an access road is required by the Fire Department, the following standards shall apply:

      1) The access road shall extend full width from the public right-of-way ~~to the front property line of the furthest lot, or~~ to the point at which the distance to the most distant point of the ~~rear setback~~ property line of the furthest lot is within 150 feet. Required pavement width shall be unobstructed;

      2) – 3) *(no change)*

   b. – d. *(no change)*

2. *(no change)*

105.47 Location of Parking Areas – Garages in Low Density Zones

Except for garages accessed from an alley, garages serving detached dwelling units in low density zones shall provide a minimum 20' X 20' parking pad between the garage and the access easement, tract, or right-of-way providing access to the garage. These dimensions may be reduced if the Planning Official or Public Works Official determines that the reduction will not:

1. Impede vehicular or pedestrian use of the easement, tract, or right-of-way by other users; and
2. Impede emergency vehicle movement through the easement, tract, or right-of-way.

Chapter 110 – Required Public Improvements

110.70 Modifications, Deferments and Waivers, and Construction-in-Lieu

1. – 4. *(no change)*

5. Waiver – The City may waive and not require or allow installations of a required improvement under the following circumstances:

   a. (no change)

b. If the project is for a single-family dwelling alteration that is less than $200,000 in value, based on building alteration costs in effect on January 1, 2006. This threshold shall be reviewed annually and adjusted by a percentage equal to the percentage of increase in building alteration costs, if any (see KZC 110.10(1)(d) for building alteration costs information); or

c. – e. (no change)

6. – 8. *(no change)*

Chapter 115 - Miscellaneous Standards

Table of Contents: Chapter 115 – Miscellaneous Use Development and Performance Standards

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115.15 Air Quality Regulations
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115.150 Vehicles – Size in Residential Zones Limited

115.07 Accessory Dwelling Units *(this section is moved from 115.65.5; changes are made as indicated below)* – One accessory dwelling unit (ADU) is permitted as subordinate to a single-family dwelling; provided, that the following criteria are met:

~~a.~~ 1. *(numbering change only)*

~~b.~~ 2. Owner Occupancy – One of the units must be ~~owner-occupied. Owner occupancy is defined as a person with an ownership interest in the property~~ the principal residence of the property owner(s).

~~c.~~ 3. *(numbering change only)*

~~d.~~ 4. Scale – 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.

Detached accessory dwelling units shall not exceed 800 square feet of gross floor area. The gross floor area shall not include area with less than five 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"), 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. An accessory dwelling unit will be considered to be "detached" from the principal unit if it has any of the following characteristics:

~~1) – 3)~~ a) – c) *(numbering changes only)*

~~e. – i.~~ 5. – 9. *(numbering changes only)*

~~j.~~ 10. Permitting

~~1) – 3)~~ a. – c. *(numbering changes only)*

~~4)~~ d. Appeals. An applicant may appeal to the Hearing Examiner ~~T~~the decision of the Planning Official in ~~approving or~~ denying a request to construct an accessory dwelling unit ~~may be appealed using the appeal provision, as applicable, of Process I, KZC 145.60 through 145.110.~~ A written notice of appeal shall be filed with the Planning Department within fourteen (14) calendar days of the date the Planning Official's decision was mailed or otherwise delivered to the applicant. The City shall give notice of the hearing to the applicant at least seventeen (17) calendar days prior to the hearing. The applicant shall have the burden of proving the Planning Official made an incorrect decision. Based on the Hearing Examiner's findings and conclusions, he or she may affirm, reverse, or modify the decision being appealed.

115.08 Accessory Structure (detached dwelling unit uses only) *(this section is moved from 115.65.3; changes are made as indicated below)* –

Structures, to be used as a tool shed, greenhouse, private garage, accessory dwelling unit, barns or similar use are permitted. The total size of all such structures may not exceed the gross floor area of 1,200 square feet plus 10 percent of the lot area that exceeds 7,200 square feet. The gross floor area shall not include area with less than five feet of ceiling height, as measured between the finished floor and the supporting members for the roof. The height (roof peak elevation) of an accessory structure may not exceed 15 feet above the existing height (roof peak elevation) of the primary residence or 25 feet above average

building elevation, whichever is less. An accessory structure which contains an accessory dwelling unit~~s~~ must also comply with ~~subsection (5) of this section~~ KZC 115.07.

115.20 Animals in Residential Zones

1. – 5. *(no change)*

Revise Chart pertaining to Large Domestic Animals, as follows:

Special Regulations:

1. – 5. (no change)

6. For residential lots in RS 35 and RSX 35 Zones within the Bridle Trails neighborhood north of Bridle Trails State Park or residential lots in PLA 16 which are not part of a recorded master plan, the required review process shall be "None", and the maximum number of adult animals and minimum lot size and setback regulations shall not apply. Instead, the following regulations shall apply:

~~b.~~ a. Up to two additional horses may be kept on a residential lot, providing that an additional 3,000 square feet of paddock area is available for each additional horse.

~~a.~~ b. Each residential lot must contain an area of at least 10,000 permeable square feet for the purpose of accommodating two horses, capable of being used for or easily converted to a paddock area and barn, having a minimum width of ~~20~~ 40 feet and configured in a contiguous and usable manner to accommodate the feed, storage, and manure pile. "Configured in a contiguous and usable manner" shall mean an area, uninterrupted by non-paddock area, having a shape as close to square or rectangular as possible. While the minimum width allowed is 40 feet, the majority of the area must have a width of at least 80 feet. The Planning Official is authorized to approve minor deviations from the required dimensions and/or shape of the paddock area due to pre-existing improvements and/or size, shape, or topography of the property.

c. ~~This~~ The area used or reserved for paddock area must be pervious and exclusive of any structures or improvements (except livestock barns) such as storage sheds, residential units, carports, decks, patios, swimming pools, ponds, sports courts, rockeries, or paving, but may contain easily removed features such as children's play equipment, landscaping, trellises, and flagpoles, as long as such features are not embedded in concrete or otherwise permanently-mounted. The area shall not be located over a septic tank, drain field, or reserve drain field. Paddock areas shall not be located on steep slopes (over 15 percent grade) or in areas regulated under KZC 90 Drainage Basins.

~~c.~~ d. Direct access to ~~this~~ the paddock area must be available to deliver feed and pick up manure from an alley, an easement, or an adjacent right-of-way across a side yard of the lot. The access route shall have a minimum unobstructed width of 15 feet and a grade no greater than 12 percent, except that the first 15 feet in back of the existing or future curb line the grade shall not exceed 6 percent. Any portion of an access route located within an adjacent equestrian trail easement shall not be paved, but may be surfaced with gravel up to 5/8" size.

~~d.~~ e. ~~Horse~~ The paddock area~~s~~ must be setback five feet from each property line which abuts a school use or a residential ~~use~~ zone other than RS 35, RSX 35, or PLA 16.

~~e.~~ f. ~~Required horse~~ The paddock area~~s~~ must be setback 10~~'~~ feet from habitable dwellings and 5 feet from significant improvements outside the paddock area, such as swimming pools, sports courts, decks, and patios. Livestock barns must be setback 40 feet from habitable dwellings.

~~f.~~ g. Livestock barns permitted within the designated paddock area may not exceed 1,200 square feet in footprint, excluding covered overhangs, and must be designed solely for housing of animals and storage of tack, feed, shavings, or ancillary equipment.

~~g.~~ h. Special Regulations 2, 3, and 4 also apply to ~~this area~~ these zones.

~~h.~~ i. Interpretations of the Zoning Code which directly or indirectly involve application of regulations about horse paddock areas shall be liberally construed in favor of an equestrian character for the neighborhood.

(Codifies Interpretation 05-2)

115.23 Common Recreational Space Requirements for Certain Residential Uses

(Note: This Section 115.23 does not create any new development regulations. Rather, it centralizes language from the zones listed below into one single location. Attachment 7 to this Attachment A shows the language deletion from each of these zones).

1. General – Residential developments identified herein by zone and use listing shall comply with the common recreational space requirements of this Section:

   a. RM Zone: "Detached, Attached, or Stacked Dwelling Units", KZC 20.10.020;
   b. PR Zone: "Detached, Attached or Stacked Dwelling Units", KZC 25.10.020;
   c. FC II Zone: "Detached, Attached or Stacked Dwelling Units", KZC 35.20.110; and "Development Containing Stacked dwelling Units and Office Uses", KZC 35.20.120;
   d. NRH 5 Zone: "Detached, Attached or Stacked Dwelling Units (Stand Alone or Mixed with Office Uses)", KZC 54.36.010;
   d. NRH 6 Zone: "Detached, Attached or Stacked Dwelling Units (Stand Alone or Mixed with Office Uses)", KZC 54.42.010;
   e. PLA 5A Zone: "Detached, Attached or Stacked Dwelling Units"; 60.32.020;
   f. PLA 5B Zone: "Detached, Attached or Stacked Dwelling Units"; 60.37.020; and 60.37.040 "Development Containing Stacked or Attached Dwelling Units and Office Uses";
   g. PLA 5C Zone: "Detached, Attached or Stacked Dwelling Units", KZC 60.42.020; and "Development Containing Stacked or Attached Dwelling Units and Office Uses", KZC 60.42.040;
   h. PLA 5D Zone: "Detached, Attached or Stacked Dwelling Units", KZC 60.47.020;
   i. PLA 5E Zone: "Detached, Attached or Stacked Dwelling Units", KZC 60.52.020;
   j. PLA 6A Zone: "Detached, Attached or Stacked Dwelling Units", KZC 60.57.020;
   k. PLA 6B Zone: "Detached, Attached or Stacked Dwelling Units", KZC 60.62.020; and "Development Containing Stacked or Attached Dwelling Units and Office Uses"; KZC 60,62.040;
   l. PLA 6D Zone: "Detached, Attached or Stacked Dwelling Units", KZC 60.72.020;
   m. PLA 6F Zone: "Detached, Attached or Stacked Dwelling Units", KZC 60.82.020;
   n. PLA 6G Zone: "Attached or Stacked Dwelling Units", KZC 60.87.130;
   o. PLA 6H Zone: "Detached, Attached, or Stacked Dwelling Units", KZC 60.92.020;
   p. PLA 6I Zone: "Detached, Attached, or Stacked Dwelling Units", KZC 60.97.020;

q. PLA 6J Zone: "Detached, Attached, or Stacked Dwelling Units", KZC 60.102.020;
r. PLA 6K Zone: "Detached, Attached, or Stacked Dwelling Units", KZC 60.107.020;
s. PLA 7A Zone: "Detached, Attached, or stacked Dwelling Units", KZC 60.112.020;
t. PLA 7B Zone: "Detached, Attached, or Stacked Dwelling Units", KZC 60.117.020;
u. PLA 7C Zone: "Detached, Attached, or Stacked Dwelling Units", KZC 60.122.020
v. PLA 13A Zone: "Detached, Attached or Stacked Dwelling Units", KZC 60.162.080; and "Development containing attached or stacked dwelling units and office uses", KZC 60.162.090;
w. PLA 13B Zone: "Detached, Attached or Stacked Dwelling Units", KZC 60.167.020; and "Development containing Attached or Stacked Dwelling Units and Office uses", KZC 60.167.040;
x. PLA 17 Zone: "Attached or Stacked Dwelling Units", KZC 60.187.020; and
y. PLA 17C Zone: "Attached or Stacked Dwelling Units", KZC 60.197.020.

2. If a proposed use or development activity identified in subsection (1) will contain four or more units, then it must contain at least 200 sq. ft. per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions:
   a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet.
   b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.
   c. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.

115.25 Development Activities and Heavy Equipment Operation – Limitations On

1. General *(no change)*

2. a. Exception – The Planning Official may grant written permission to engage in a development activity or to operate heavy equipment outside of the hours established by subsection (1) of this section if either:

   i. ~~this~~ The activity or operation will not ~~interfere with any residential use that is permitted in the zone in which it is located~~ impact any residential use; or

   ii. The permission will facilitate the construction of publicly-funded improvements that will serve the general population of the City of Kirkland and such permission is necessary to avoid undue delay of project completion and/or long-term inconvenience or disruption to the general public.

   b. *(no change)*

115.30 Distance Between Structures/Adjacency to Institutional Use

1. Distance Between Structures

a) Apply to: *(no change)*

b) General – For purposes of the regulation in this code regarding maximum horizontal façade for any use in any zone to which the maximum horizontal façade limitations apply, and F.A.R. calculation for detached dwelling units in low density residential zones only, two structures will be treated and considered as one structure if any elements of the structures, other than as specified in subsection (1)(c) of this section, are closer than 20 feet to each other. In addition, two structures connected by a breezeway or walkway will be regulated as one structure if any element of the breezeway or walkway is higher than ~~eight~~ ten feet above finished grade.

c) Exceptions

1) ~~Porches and similar e~~Elements of a structure no higher than 18 inches above finished grade may be closer than 20 feet to another structure.

2) Chimneys, ~~bays~~ bay windows, greenhouse windows, eaves, cornices, awnings, and canopies ~~and similar elements that customarily extend beyond the exterior walls of a structure may be no closer than 17 feet from another structure~~ may extend 18 inches from each structure toward the other.

3) Detached dwelling units approved and constructed as a "Detached, Attached, or Stacked Dwelling Unit" are excluded from horizontal façade regulations and may be located within 10 feet of one another.

4) Porches and stairs may extend 5 feet from each structure toward the other if:

a) The porch is no higher than one story and the finished floor of the porch is no more than four feet above finished grade;

b) Three sides of the porch are open;

c) No deck, balcony, or living area will be placed on the roof of the porch; and

d) The width of the porch will not exceed 50% of the façade to which it is attached.

d) Allowed exceptions to the above criteria are:

i) Solid walls or railings may extend up to 42 inches above the porch floor; and

ii) Eaves on the porch roof may extend an additional 18 inches beyond the porch.

2 Adjacency to Institutional Uses *(no change)*

115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:

   a. Attic area with less than five feet of ~~headroom~~ ceiling height, as measured between the finished floor and the supporting members for the roof.
   b. Floor area with a ceiling height~~, including the horizontal supporting members for the ceiling,~~ less than six feet above finished grade. The ceiling height will be measured to the top of the structural members for the floor above. The finished grade will be measured along the outside perimeter of the building (see Plate 23).
   c. – d. *(no change)*

2. *(no change)*

115.59 Height Regulations – Calculating Average Building Elevation (ABE)

1. General – ABE shall be calculated using the following formula:

   ABE = (Mid-point Elevation) x (Length of Wall Segment) +
   (Mid-point Elevation) x (Length of Segment) /
   (Length of Segment) + (Length of Segment)

   (See Plate 17) *(no change; only moved from definition – KZC 5.10.045)*

2. Attached but independent building units - When a building or structure contains townhouses or other attached, but otherwise independent building units, the ABE is calculated separately for each unit. *(no change; only moved from definition – KZC 5.10.045)*

115.60 Height Regulations – Exceptions

1. General *(no change)*

2. Exceptions

   a. Detached Dwelling Units

      1) – 3) *(no change)*

   b. Other Structures

      1) – 2) *(no change)*

      3) Skylights may exceed the height limit by a maximum of six inches.

   c. – d. *(no change)*

115.65 Home Occupations~~, Accessory Dwelling Units, and Other Accessory Components of Residential Uses~~

~~1. General – The regulations of this section apply to every residential use within the City.~~

~~2. Home Occupations~~

~~a.~~ 1. Purpose – The purpose of this section is to allow limited commercial ~~occupations~~ activity incidental to residential use~~s located in residences~~ of a dwelling unit while ~~guaranteeing~~ ensuring all residents freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential neighborhoods.

2. Applicability – Home occupations are allowed as an accessory use to the residential use of a single-family, multi-family, or accessory dwelling unit, subject to the requirements of this Chapter. A business license shall be required for all home occupations.

3. Residency – The location of the Home Occupation must be the principal residence of the person(s) conducting the Home Occupation.

~~b.~~ 4. ~~Home Occupation Regulations~~ Standards for Home Occupations – A home occupation may be conducted ~~subject to the following regulations~~ if it:

~~A home occupation is permitted if it:~~

~~1)~~ a. Is carried on ~~exclusively~~ by ~~family members who reside in~~ residents of the dwelling unit and, in addition, ~~not more than two additional people who are not residents of the dwelling~~ may involve no more than two other business participants visiting the dwelling unit (or, for properties that contain an accessory dwelling unit, visiting the property) per day. "Other business participants" shall include non-family employees and independent contractors.

~~2)~~ b. ~~Is conducted indoors and h~~Has no outside storage, ~~exterior indication, or outside activity,~~ including equipment stored on vehicles;

~~3)~~ c. Requires no alteration to the interior or exterior of the dwelling that changes its residential character;

~~4)~~ d. Does not ~~I~~involve~~s~~ activities, including but not limited to the use of heavy equipment, power tools, power sources, hazardous materials, or other equipment or materials, ~~which do not~~ that result in noise, vibration, smoke, dust, odors, heat, traffic, parking, or other conditions that exceed, in duration or intensity, such conditions normally produced by a residential use;

~~5)~~ e. Has, ~~no pickup or delivery by commercial vehicles; however, occasional~~ in addition to daily mail service, ~~and~~ no more than a combined total of three commercial and courier pick-ups and deliveries at the dwelling unit (or, for properties that contain an accessory dwelling unit, the property) per day, and no more than 10 such pick-ups and deliveries per week, ~~are permitted~~. Said pick-ups and deliveries shall occur between the hours of 8:00 a.m. and 6:00 p.m.;

~~6) Does not include the following businesses:~~

~~a) Motor vehicle-related businesses including but not limited to auto, truck, body work, detailing, painting, or taxicab, van shuttle, limousine, towing, or other transportation service or sales;~~

~~b) Repair or sales of large appliances or heavy equipment;~~

~~c) Welding;~~

~~d) Kennels or commercial stables;~~

~~e) Inventory storage of more than 1,200 cubic feet of materials;~~

~~f) Restaurants; and~~

~~g) Landscaping.~~

~~Office-only activities for the above uses may be allowed as home occupations; provided, all other requirements of this section are met;~~

f. Occupies no more than 500 square feet of floor area, including any space in an accessory structure;

~~7)~~ g. ~~Does not i~~Includes no more than ~~four~~ six ~~persons~~ clients/customers per day and no more than two ~~persons~~ clients/customers at any time visiting the ~~subject property~~ dwelling unit (or, for properties that contain an accessory dwelling unit, visiting the property) for goods or services. A family arriving in a single vehicle shall be considered one client. Client/~~C~~customer visits ~~or deliveries~~ to a home occupation shall be between the hours of 8:00 a.m. and 8:00 p.m. (not applicable to a bed and breakfast house);

~~8)~~ h. Operates no more than one vehicle, van, truck, or similar vehicle~~,~~. The vehicle shall not exceed~~ing~~ any of the following:

i. ~~a~~ A gross vehicle weight of 10,000 pounds;

ii. A height of nine feet; and/or

iii. A length of 22 feet,

The measurement of vehicle height and length shall include bumpers and any other elements that are required by federal or state law for the operation of the vehicle on public roads; and

~~9)~~ i. Has no ~~signs~~ exterior indication other than one building-mounted, non-illuminated sign with a maximum size of two square feet.

~~10)~~ j. For a bed and breakfast house, the following additional regulations apply in addition to those listed above:

a. – f. *(no change to standards; numbering changes only)*

~~c.~~ 5. A home occupation which does not meet one or more of the requirements of ~~subsection (2)(b) of this section~~ 115.65.4 ~~may be approved using Process IIA, described in Chapter 150 KZC, if it:~~ shall be reviewed under Process I, described in Chapter 145 of this Code; provided, that the notice of application required by KZC 145.22.1 shall be distributed pursuant to the provisions of KZC 150.22.2 (Process IIA). An application for a home occupation under this Section may be approved if the home occupation:

~~1)~~ a. Will not harm the character of the surrounding neighborhood;

~~2)~~ b. Will not include outdoor storage and/or operation of building materials, machinery, commercial vehicles, or tools, except if it meets the following criteria:

~~a~~ 1) Is appropriately screened from other properties;

~~b~~ 2) Does not emit noise, odor, or heat; and

~~c~~ 3) Does not create glare: and

~~3)~~ c. Does not create a condition which injures or endangers the comfort, repose, health or safety of persons on abutting properties or streets; and

~~4)~~ d. Will not generate excessive traffic or necessitate excessive parking; and

e. Will locate and screen any required or proposed site improvements in a manner that minimizes its view from surrounding properties or adjacent streets.

~~5)~~ f. For bed and breakfast houses, there will be a maximum of four guest rooms.

~~d. Licensing – A business license shall be required for all home occupations.~~

~~e.~~ 6. ~~Revocation of Home Occupation Permit~~ Enforcement – Upon determination that there has been a violation of any ~~decision criteria or condition of approval of a home occupation permit granted pursuant to subsection (2)(c) of this section, the Director of Planning and Community Development may revoke a home occupation permit~~ provision of this Section, the City may pursue code enforcement in accordance with ~~pursuant to~~ the provisions of Chapter 170 ~~KZC~~ of this Code, ~~Zoning~~ Code Enforcement.

~~3. Accessory Structure (detached dwelling unit uses only) -~~ *(this section has been moved to new section 115.07)*

~~4. Domestic Animals – Please see KZC 115.20, Animals in Residential Zones, for regulations for keeping animals in residential zones.~~

5. ~~Accessory Dwelling Units –~~ *(this section has been moved to new section 115.08)*

115.90 Calculating Lot Coverage

1. General *(no change)*

2. Exceptions

a. – b. *(no change)*

c. For detached dwelling units in low density zones and having a front yard, 10 feet of the width of a driveway, outside of the required front yard, serving a garage or carport, provided that:

1) The portion of the driveway excepted from lot coverage calculations shall not exceed 10 percent of the lot area; and

2) The portion of the driveway excepted is not located in an access easement.

d. – i. *(no change)*

115.95 Noise Regulations

1. Maximum Environmental Noise Levels – *(no change)*

2. Noise – Public Nuisance – Any noise which injures; endangers the comfort, repose, health or safety of persons; or in any way renders persons insecure in life, or in the use of property, is a violation of this code. The operation of power equipment, including but not limited to leaf blowers, shall be deemed a public nuisance if such operation occurs during the following hours: Before 8:00 a.m. or after 8:00 p.m. Monday through Friday, or before 9:00 a.m. or after 6:00 p.m. Saturday, Sunday, or the following holidays: New year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. *(codifies Interpretation 91-7)*

3. Bonds – *(no change)*

115.115 Required Yards

1. – 2. *(no change)*

3. Structures and Improvements – No improvement or structure may be in a required yard except as follows:

a. – l. *(no change)*

m. For uses ~~l~~in low density residential zones, and for residential uses in other zones, the applicant may request a modification to locate no more than one storage shed in a required yard~~, except~~ ; provided, that no storage sheds are allowed in a required front yard. The Planning Official may approve a modification if:

1) – 4) *(no change)*

n. In ~~low density~~ residential zones, covered entry porches on ~~detached~~ dwelling units may be located within 13 feet of the front property line if:

1) The porch is covered and no higher than one story and the finished floor of the porch is no more than four feet above finished grade.

2) Three sides of the porch are open;

3) The porch roof form is architecturally compatible with the roof form of the ~~main house~~ dwelling unit to which it is attached;

4) No deck, balcony, or living area ~~is permitted~~ is placed on the roof of the porch within the required front yard; ~~and~~

5) If on attached or stacked dwelling units, the width of the porch does not exceed 50% of the façade to which it is attached.

~~5~~ 6) Allowed exceptions to the above criteria are:

a) Solid walls or railings may extend up to 42 inches above the porch floor;

b) Eaves on the porch roof may extend an additional 18 inches into the required front yard;

c) Stairs may extend an additional five feet into the required front yard.

For the purpose of this section, covered parking areas or driveways shall not be considered an entry porch.

This subsection (KZC 115.115(3)(n)) is not effective within the disapproval jurisdiction of the Houghton Community Council)

o. In low density residential zones:

1) – 2) *(no change)*

3) ~~One story g~~Garages without alley access may be located within five feet of the rear property line, provided that:
   a) The portion of the structure that is located within the required rear yard is no taller than 15 feet above average building elevation; and
   b. The rear yard does not abut an access easement that is regulated as a rear property line.

p. HVAC equipment may be placed no closer than 5 feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to paragraph 3.m of this section or a garage approved pursuant to paragraph 3.o(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

4. *(no change)*

5. Driveways and Parking Areas – Driveways and parking areas are not allowed in required yards except as follows:

a. Detached Dwelling Units and Duplexes

1) General – Vehicles may be parked in the required front, rear, and north property line yards if parked on a driveway and/or parking area. For the purpose of this section, vehicles are limited to those devices or contrivances which can carry or convey persons or objects and which are equipped as required by federal or state law for operation on public roads. A driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall be separated from other hard-surfaced areas located in the required front yard by a landscape strip at least five feet in width. This landscape strip may be interrupted by a walkway or pavers providing a connection from the driveway to other hard-surface areas, as long as such walkway or pavers cover no more than 20 percent of the landscape strip. A driveway and/or parking area located in a required front yard shall not be closer than five feet to any side property line (see Plate 14); provided:

a) That where access to a legally established lot is provided by a panhandle or vehicle access easement measuring less than 20 feet in width, a driveway not exceeding 10 feet in width, generally centered in the panhandle or access easement, shall be permitted (see Plate 14A); and

b) That any driveway which generally parallels a right-of-way or easement road shall be set back at least five feet from the right-of-way or easement, except for a 20-foot wide section where the

driveway connects with the right-of-way or easement. Such driveway shall not have a width of more than 10 feet within the front or rear yard (see Plate 14B) and shall be separated from other hard-surfaced areas located in the front or rear yard by a landscape strip at least five feet in width. Where more than one driveway is permitted within a front or rear yard, those driveways shall be separated by a landscape strip at least five feet in width.

2) – 3) *(no change)*

b. – c. *(no change)*

d. Other Uses – Parking areas and driveways for uses other than those addressed in subsections (5)(a), (b), and (c) of this section may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than five feet to any property line. Where this provision conflicts with a regulation of a specific zone, the regulation of the specific zone shall govern.

e. – f. *(no change)*

115.120 Rooftop Appurtenances

1. – 4. *(no change)*

5. Optional Locations – As an option to placing appurtenances on the roof, appurtenances may be located as follows:

a. At or below grade, subject to the following:

1) – 2) *(no change)*

3) The appurtenances may be located in a required side or rear yard, if:

a) *(no change)*

b) The appurtenances are reviewed as part of a Process I, II, or III~~, or IV~~ zoning permit for the use or structure they will serve;

c) If the use or structure the appurtenance will serve does not require review through Process I, II, or III, the Planning Official may allow an appurtenance to be located in a required side or rear yard using the process described in Section 4.c. above. In such event, only the owners and residents of the property located immediately adjacent to the required yard in which the appurtenance is proposed to be located shall be provided notice; and

~~c) – e)~~ d) – f) *(numbering change only)*

4) *(no change)*

b. *(no change)*

115.142 Transit Shelters and Centers, Public

Public transit shelters and centers are allowed in all zones~~. Shelter height~~ , and shall not exceed 15 feet above average building elevation in low density zones.~~, and the use~~ The public transit shelters and centers must not unreasonably impede pedestrian movement or create traffic safety problems. Transit route and information signs and markers may be installed. One hundred percent lot coverage is allowed. There are no specific requirements for review process, minimum lot size, minimum required yards, landscaping, or parking for this use.

~~115.145 Trees – Certain Species Prohibited~~

~~The following types of trees may not be planted closer than the listed minimum planting distance to streets or sewers:~~

~~Trees~~	~~Minimum Planting Distance~~
~~1. Ailathus Altisinia (Tree of Heaven)~~	~~25'~~
~~2. Catalpa~~	~~25'~~
~~3. Cottonwood~~	~~40'~~
~~4. Juglamus Nigra (Black Walnut)~~	~~25'~~
~~5. Platanus (Plane, Sycamore)~~	~~40'~~
~~6. Populus (Poplars)~~	~~40'~~
~~7. Salix (Willows)~~	~~25'~~
~~8. Tilia Americana (Basswood)~~	~~25'~~
~~9. Ulmus (Elm)~~	~~40'~~

~~Any person violating this provision is responsible for any damage caused by the tree or trees.~~

Chapter 120 – Variances

120.12 Expansion or Modification of an Existing Structure

The following subsection is not effective within the disapproval jurisdiction of the Houghton Community Council.

If the expansion or modification of an existing structure requires a variance under this chapter, the Planning Director may approve such expansion or modification without requiring the variance process if all of the following criteria are met:

1. The request complies with the criteria in KZC 120.20; and

2. The gross floor area of the structure is expanded by less than five percent; and

3. The Planning Director determines that the change or alteration will not have significantly more or different impact on the surrounding area than does the present development.

An approval granted pursuant to this subsection shall be valid for a period of four years following the date of approval, during which time a complete building permit application for the expansion or modification shall be submitted to the City. Within six years following the date of approval granted pursuant to this subsection, the applicant shall substantially complete construction of the expansion or modification and any permit conditions applicable thereto, or the approval becomes null and void.

Chapter 130 - Rezones

130.70 Quasijudicial Project Rezones – Minor Modifications

Subsequent to the adoption of the resolution of intent to rezone, the applicant may apply for a minor modification to the site plan approved as part of that resolution. The Planning Official shall administratively review and decide upon an application for a minor modification. The City may approve a minor modification only if it finds that:

1. – 3. *(no change)*

4. The change will not result in any increase in height of any structure above any of the following:

   a. 10% above the originally-approved height;
   b. The Maximum Height of Structure of the underlying zone; or
   c. The maximum allowable height, if any, specified in the resolution of intent to rezone; and

5. *(no change)*

Chapter 135 – Zoning Code Amendments

135.30 ~~Emergency Zoning Code Amendment~~ Moratoria and Interim Land Use Regulations

1. General – ~~The City may initiate an emergency amendment to the Zoning Code. An emergency amendment is an amendment necessary for the immediate protection of public health, safety, property or peace.~~ Nothing shall prevent the City Council from establishing or extending development moratoria or interim land use regulations in accordance with the procedures set forth in RCW 35A.63.220 and RCW 36.70A.390, as those sections exist or may be hereafter amended or superseded.

2. ~~Process~~ Disapproval Jurisdiction -

   ~~a. The City Council shall hold a public hearing using the process described in KZC 160.40 for notice; KZC 160.45 for staff report; KZC 160.55, 160.65 and 160.70 for public hearing; and KZC 160.90 for publication and effect.~~

   ~~b. The Planning Official shall notify the Planning Commission in writing about the proposed emergency amendment at least 14 days before the public hearing. If the amendment is within the jurisdiction of the Houghton Community, the Houghton Community Council shall also be notified.~~

   ~~c. If the proposed amendment is within the jurisdiction of the Houghton Community Council, the Houghton Community Council shall hold a joint hearing with the City Council.~~

   ~~d. The City Council shall adopt an emergency plan amendment by an appropriate resolution or ordinance that includes a statement of the facts justifying the emergency.~~

   ~~e.~~ If the City Council ~~approves a resolution or ordinance, it is not~~ shall become ~~effective~~ establishes or extends a moratorium or interim land use regulations within the disapproval jurisdiction~~al area~~ of the Houghton Community Council, ~~until~~ that City Council action shall become effective only upon:

      ~~1)~~ a. ~~A~~ Approval by a majority of the entire membership of the Houghton Community Council. ~~votes to approve it;~~ Such approval shall be by resolution; or

~~2)~~ b. Failure of ~~T~~the Houghton Community Council ~~fails~~ to disapprove it, ~~by majority vote of the entire membership,~~ within ~~seven~~ 60 calendar days after City Council approves the resolution or ordinance establishing or extending the moratorium or interim land use regulations. The vote to disapprove the action must be approved by resolution by a majority of the entire membership of the Community Council.

Chapter 140 – Amendments to the Comprehensive Plan

140.35 Emergency Plan Amendment

1. *(no change)*

2. Process

a. – d. *(no change)*

e. If the City Council approves a resolution or ordinance, it ~~is not~~ shall become effective within the jurisdictional area of the Houghton Community Council ~~until~~ only upon:

1) ~~A~~ Approval by a majority of the entire membership of the Houghton Community Council. ~~votes to approve it;~~ Such approval shall be by resolution; or

2) Failure of ~~T~~the Houghton Community Council ~~fails~~ to disapprove the resolution ordinance ~~it, by majority vote of the entire membership,~~ within seven calendar days after ~~the~~ City Council approv~~es~~al ~~the resolution or ordinance.~~ The vote to disapprove the resolution or ordinance must be approved by resolution by a majority of the entire membership of the Community Council.

Chapter 145 - Process I

145.45 Planning Director's Decision

1. – 4. *(no change)*

5. Notice of Decision – Within four business days after the Planning Director's written decision is issued, the Planning Official shall mail a copy of the decision to the following persons:

a. – c. *(no change)*

In addition, within four ~~calendar~~ business days after the Planning Director's decision is issued, the Planning Official shall post a summary of the decision, along with a summary of any threshold determination under SEPA and the procedures for appealing the decision under this chapter, on the public notice sign erected under KZC 145.22(2)(b).

Chapter 150 – Process IIA

150.90 Participation in the Appeal

Only those persons entitled to appeal the decision under KZC 150.80(1) who file an appeal under KZC 150.80(2) may participate in the appeal; provided, that the applicant may submit a

written response to an appeal filed by an appellant, regardless of whether the applicant filed an appeal. These persons may participate in either or both of the following ways:

1. – 2. *(no change)*

Chapter 152 – Process IIB

152.30 Notice of Hearing

1. Contents - *(no change)*

2. Distribution – The Planning Official shall distribute this notice at least 14 calendar days before the public hearing as follows:

   a. A copy of the notice, or a summary thereof, including a vicinity map, will be sent to the owners of all property within 300 feet of any boundary of the subject property.

   b. A copy of the notice, or a summary thereof, including a vicinity map, will be sent to the residents of each piece of property adjacent to or directly across the street from the subject property.

   c. – e. *(no change)*

3. Combined Notice - *(no change)*

152.100 Action and Jurisdiction of the Houghton Community Council

1. (no change)

2. Disapproval Jurisdiction – If the City Council approves an application within the disapproval jurisdiction of the Houghton Community Council, that approval ~~is not~~ shall become effective ~~until~~ only upon:

   a. ~~A~~ Approval by a majority of the entire membership of the Houghton Community Council. ~~vote by resolution to approve it;~~ Such approval shall be by resolution; or

   b. Failure of ~~T~~the Houghton Community Council ~~fails~~ to disapprove ~~it~~ the application within 60 calendar days after City Council adopts the ordinance or resolution granting the application. The vote to disapprove the application must be approved by resolution by a majority of the entire membership of the Community Council.

Chapter 155 – Process III

155.100 Action and Jurisdiction of the Houghton Community Council

1. *(no change)*

2. Disapproval Jurisdiction – If the City Council approves an application within the disapproval jurisdiction of the Houghton Community Council, that approval ~~is not~~ shall become effective ~~until~~ only upon:

   a. ~~A~~ Approval by a majority of the entire membership of the Houghton Community Council. ~~votes by resolution to approve it;~~ Such approval shall be by resolution; or

b. Failure of ~~T~~the Houghton Community Council ~~fails~~ to disapprove the application ~~it~~ within 60 calendar days after City Council adopts the ordinance or resolution granting the application. The vote to disapprove the application must be approved by resolution by a majority of the entire membership of the Community Council.

Chapter 160 – Process IV

160.40 Notice

1. Contents *(no change)*

2. Distribution

a. The Planning Official shall distribute this notice at least 14 calendar days before the public hearing as follows:

1) A copy of the notice will be published in the official newspaper of the City.

2) A copy of the notice will be posted on each of the official notification boards of the City.

b. Public Notice Signs – If the proposal is to reclassify land on the Zoning Map, the applicant or in the case of City initiated proposals the City shall provide for and erect public notice signs at least 14 calendar days before the public hearing as follows:

1) The signs 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.

2) The Department of Planning and Community Development is authorized to develop the standards for the public notice signs necessary for implementation of this section.

3) For City initiated proposals that involve multiple properties, one public notice sign shall be placed on an adjacent public right-of-way for properties that include up to 10 lots. For multiple properties that include more than 10 lots, a minimum of two such signs shall be placed. The Department of Planning and Community Development shall approve the location of each sign.

~~3~~ 4) For all other proposals, ~~O~~one sign shall be erected on or near the subject property facing each public right-of-way adjacent to the subject property and private easement or tract road providing primary vehicular access to the subject property and to any property that abuts the subject property. The Department of Planning and Community Development shall approve the location of each sign.

~~4~~ 5) The signs shall be removed within seven calendar days after the final public hearing.

160.50 Community Council Proceeding

1. General *(no change)*

2. Notice *(no change)*

3. Recommendation – The Houghton Community Council~~, by resolution approved by a majority vote of its entire membership,~~ may make a recommendation on the proposal. The Planning Official shall present ~~any~~ the recommendation of the Houghton Community Council, if available, to the Planning Commission before the Planning Commission takes a final vote on the proposal.

160.95 Jurisdiction of the Houghton Community Council.

1. General – If the City Council approves a resolution or ordinance within the disapproval jurisdiction of the Houghton Community Council, that resolution or ordinance ~~is not~~ shall become effective with the Houghton community ~~until~~ only upon:

   a. ~~A~~ Approval by a majority of the entire membership of the Houghton Community Council. ~~votes by resolution to approve it;~~ Such approval shall be by resolution; or

   b. Failure of ~~T~~the Houghton Community Council ~~fails~~ to disapprove the resolution or ordinance ~~it, by majority vote of the entire membership,~~ within 60 days after City Council approv~~es~~al. ~~the resolution or ordinance~~. The vote to disapprove the resolution or ordinance must be approved by resolution by a majority of the entire membership of the Community Council.

Chapter 161 – Process IVA

161.95 Jurisdiction of the Houghton Community Council

1. – 2. *(no change)*

3. General – If the City Council approves an ordinance within the disapproval jurisdiction of the Houghton Community Council, that ordinance ~~is not~~ shall become effective within the Houghton Community ~~until~~ only upon:

   a. A Approval by a majority of the entire membership of the Houghton Community Council. ~~votes by resolution to approve it;~~ Such approval shall be by resolution or

   b. Failure of ~~T~~the Houghton Community Council ~~fails~~ to disapprove the ordinance ~~it, by majority vote of the entire membership,~~ within 60 days after City Council approv~~es~~al ~~the resolution or ordinance~~. The vote to disapprove the ~~application~~ ordinance must be approved by resolution by a majority of the entire membership of the Community Council.

Chapter 170 – Enforcement

170.65 Interpretations of This Code – Appeal

1. – 2. *(no change)*

3. Applicable Procedures – All appeals of interpretations of this code will be reviewed and decided upon using the appeal provisions of Process ~~IIA~~ I, described in Chapter ~~150~~ 145 KZC.

4. *(no change)*

Chapter 180 – Plates

Plate 10 Amend "Intrusions into Required Setback Yards" to reflect changes to allowable setback intrusions (see Attachment 6).

Several Chapters – Common Recreational Space Requirements for Certain Residential Uses

Amend the following Zoning Code Sections to refer to new KZC Section 115.23 – Common Recreational Space Requirements for Certain Residential Uses for recreational open space requirements:

RM	20.10.020
PR	25.10.020, 25.10.040
NRH 5	54.36.010
NRH 6	54.42.010
PLA 5A	60.32.020
PLA 5B	60.37.020, 60.37.040
PLA 5C	60.42.020, 60.42.040
PLA 5D	60.47.020
PLA 5E	60.52.020
PLA 6A	60.57.020
PLA 6B	60.62.020, 60.62.040
PLA 6D	60.72.020
PLA 6F	60.82.020
PLA 6G	60.87.130
PLA 6H	60.92.020
PLA 6I	60.97.020
PLA 6J	60.102.020
PLA 6K	60.107.020
PLA 7A	60.112.020
PLA 7B	60.117.020
PLA 7C	60.122.020
PLA 17A	60.192.020

The specific amendments are contained in Attachment 7.

Several Chapters – Allow Zero-Lot-Line Multifamily Development

Amend the following Zoning Code Sections to allow zero-lot-line multifamily development:

RM	20.10.020
PR	25.10.020
PLA 2A	60.17.010
PLA 3A	60.22.020, 60.22.030, 60.22.040, 60.22.050
PLA 3B	60.27.020
PLA 5A	60.32.020
PLA 5B	60.37.020, 60.37.040
PLA 5C	60.42.020, 60.42.040
PLA 5D	60.47.020
PLA 5E	60.52.020
PLA 6A	60.57.020
PLA 6B	60.62.020, 60.62.040
PLA 6D	60.72.020
PLA 6F	60.82.020
PLA 6G	60.87.130
PLA 6H	60.92.020

PLA 6I	60.97.020
PLA 6J	60.102.020
PLA 6K	60.107.020
PLA 7A	60.112.020
PLA 7B	60.117.020
PLA 7C	60.122.020
PLA 17A	60.192.020

The specific amendments are contained in Attachment 8.

Several Chapters – Multifamily Heights Adjoining Low Density Zones Containing a School

Amend the following Zoning Code Sections to allow a 30 foot height for residential structures in multifamily zones, when located adjacent to a low density zone occupied by a school that has been granted height of at least 30 feet:

RM	20.10.020
PR	25.10.020, 25.10.040
PLA 6A	60.57.020
PLA 6B	60.62.020, 60.62.040
PLA 6D	60.72.020
PLA 6F	60.82.020
PLA 6G	60.87.130
PLA 6H	60.92.020
PLA 6J	60.102.020
PLA 7A	60.112.020
PLA 7B	60.117.020
PLA 7C	60.122.020

The specific amendments are contained in Attachment 9.

Several Chapters - Parks Review Process

Amend the following Zoning Code Sections to refer the process by which public parks are reviewed to the provisions of Chapter 49:

RS	15.10.090
RSX	17.10.090
PO	27.10.130
WD I	30.15.070
WD II	30.25.050
WD III	30.35.060
FCIII	35.30.130
BN	40.10.180
BC	45.10.190
BCX	47.10.190
CBD 1	50.12.120
CBD 2	50.17.160
CBD 3	50.27.140
CBD 4	50.32.130
CBD 5	50.37.130
CBD 6	50.42.130
CBD 7	50.47.140
CBD 8	50.52.130
JBD 1	52.12.190
JBD 2	52.17.180

JBD 3	52.22.090
JBD 4	52.27.160
JBD 5	52.32.150
JBD 6	52.42.140
NRH 1A	54.06.170
NRH 1B	54.12.150
NRH 2	54.18.110
NRH 3	54.24.110
NRH 4	54.30.190
NRH 5	54.36.110
NRH 6	54.42.110
TL 1A	55.09.110
TL 1B	55.15.120
TL 2	55.21.140
TL 3	55.27.040
PLA 1	60.12.070
PLA 2	60.17.060
PLA 3A	60.22.130
PLA 3B	60.27.080
PLA 5A	60.32.100
PLA 5B	60.37.120
PLA 5C	60.42.120
PLA 5D	60.47.100
PLA 5E	60.52.100
PLA 6A	60.57.100
PLA 6B	60.62.130
PLA 6C	60.67.080
PLA 6D	60.72.100
PLA 6E	60.77.070
PLA 6F	60.82.100
PLA 6G	60.87.160
PLA 6H	60.92.100
PLA 6I	60.97.100
PLA 6J	60.102.100
PLA 6K	60.107.100
PLA 7A	60.112.100
PLA 7B	60.117.110
PLA 7C	60.122.100
PLA 9	60.132.130
PLA 14	60.168b.080
PLA 15A	60.172.100
PLA 15B	60.177.080
PLA 16	60.182.090

The specific amendments are contained in Attachment 10.

O-4072

Section 50.27 **Zone CBD-3** USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.27	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Any Retail Establishment, other than those specifically listed, limited, or prohibited in this Zone, selling goods or providing services including banking and related financial services	D.R., Chapter 142 KZC.	None	20' See Spec. Reg. 5.	0'	0'	80% See Spec. Reg. 5.	3 stories above average building elevation.	D See Spec. Reg. 4.	E	One per each 350 sq. ft. of gross floor area.	1. The following uses are not permitted in this zone: a. Vehicle service stations. b. Vehicle or boat sales, repair, service, or rental. c. Fast food restaurants. d. Drive-in facilities and drive-through facilities. 2. Primary vehicular access to the subject property may not be directly from Second Avenue South between Second Street South and State Street unless no other alternative exists. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 4. Landscape Category B is required if the subject property is adjacent to Planned Areas 6C, 6D, or 6J. 5. The required front yard for this use shall be zero feet for one story at street level. No parking may encroach into the required 20-foot front yard. If this use provides a zero-foot front yard, the lot coverage for the entire property shall be 100 percent.
.050	Private Lodge or Club See Spec. Reg. 3.			20' See Spec. Reg 4.			80%		D See Spec. Reg. 2.	B	See KZC 105.25.	1. Primary vehicular access to the subject property may not be directly from Second Avenue South between Second Street South and State Street unless no other alternative exists. 2. Landscape Category C is required if the subject property is adjacent to Planned Areas 6C, 6D, or 6J. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 4. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.

This Special Regulation shall not apply along portions of State Street and Second Avenue South not designated as Pedestrian-Oriented Streets.

ORDINANCE ATTACHMENT A

ATTACHMENT 1 TO

(Revised 12/04)

O-4072

Section 50.27 Zone CBD-3 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.27	USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.060	Office Use See Spec. Reg. 5.		D.R., Chapter 142 KZC.	None	20' See Spec. Reg. 6.	0'	0'	80%	3 stories above average building elevation.	D See Spec. Reg. 4.	D	One per each 350 sq. ft. of gross floor area.	1. Primary vehicular access to the subject property may not be directly from Second Avenue South between Second Street South and State Street unless no other alternative exists. 2. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. 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. d. A veterinary office is not permitted if the subject property contains dwelling units. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 4. Landscape Category C is required if the subject property is adjacent to Planned Areas 6C, 6D, or 6J. 5. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 6. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.
				This Special Regulation shall not apply along portions of State Street and Second Avenue South not designated as Pedestrian-Oriented Streets.									
.070	Stacked or Attached Dwelling Units See Spec. Reg. 1.				20' See Spec. Reg. 2.					C	A	1.7 per unit.	1. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 2. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.
				This Special Regulation shall not apply along portions of State Street and Second Avenue South not designated as Pedestrian-Oriented Streets.									

(Revised 12/04)

O-4072

Section 50.27 Zone CBD-3 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.27	USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Assisted Living Facility See Special Regulation 3.		D.R., Chapter 142 KZC.	None	20'	0	0	80%	3 stories above average building elevation.	D	A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 4. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.
				This Special Regulation shall not apply along portions of State Street and Second Avenue South not designated as Pedestrian-Oriented Streets.									
.120	Public Utility				20' See Spec. Reg. 3.					C See Special Reg. 1.			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses. 2. Landscape Category C is required if the subject property is adjacent to Planned Areas 5C, 6D, or 5J. 3. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.
.130	Government Facility or Community Facility									D See Special Regs. 1 and 2.			
.140	Public Park				Will be determined on a case-by-case basis.					--	B	See KZC 105.25.	

O-4072

Section 50.52 Zone CBD-8 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.52	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Office Use See Special Regulation 6.	D.R., Chapter 142 KZC.	None	10'	0'	0'	100%	30 feet above the elevation of 3rd Avenue or 4th Avenue as measured at the projected midpoint of the frontage of the subject property on the nearest applicable right-of-way.	D See Spec. Reg. 4.	D	1 per each 350 sq. ft. of gross floor area. See KZC 50.60.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certificate to this effect signed by an Acoustical Engineer must be submitted with the D.R. and building permit application. d. A veterinary office is not permitted if the subject property contains dwelling units. 2. Ancillary assembly and manufacture of goods on premises may be permitted as part of an office use if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on the office use; and b. The outward appearance and impacts of this office use with ancillary assembly and manufacturing activities must be no different from other office uses. 3. If the subject property abuts Third Avenue between First Street and Second Street, or Fourth Avenue, the site and buildings must be designed to provide residential character and scale adjacent to Third Avenue and Fourth Avenue. 4. Landscape Category C is required if the subject property is adjacent to Planned Areas 7A or 7B, or PR 3.6 zones. 5. Ground floor porches and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the facade of the structure. 6. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.
				See Special Regulation 5.								

This Special Regulation shall not apply along portions of Third Avenue not designated as Pedestrian-Oriented Streets.

ATTACHMENT 2 TO ORDINANCE ATTACHMENT A

O-4072

Section 50.52 — Zone CBD-8 — USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.52	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Assisted Living Facility See Special Regulation 3.	D.R., Chapter 142 KZC.	None	10'	0	0	100%	30 feet above the elevation of 3rd Avenue or 4th Avenue as measured at the projected midpoint of the frontage of the subject property on the nearest applicable right-of-way.	D	A	1.7 per independent unit. 1 per assisted living unit. See KZC 50.60.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 4. This use is not permitted on the street level floor adjacent to Central Way. 5. If the subject property abuts Third Avenue between First Street and Second Street or Fourth Avenue, the site and buildings must be designed to provide residential character and scale adjacent to Third Avenue and Fourth Avenue. 6. Ground floor porches and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the facade of the structure.
				See Special Regulation 6.								
.110	Stacked or Attached Dwelling Units			10'	0'	0'					1.7 per unit. See KZC 50.60.	1. This use is not permitted on the street level floor adjacent to Central Way. 2. If the subject property abuts Third Avenue between First Street and Second Street or Fourth Avenue, the site and buildings must be designed to provide residential character and scale adjacent to Third Avenue and Fourth Avenue. 3. Ground floor porches and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the facade of the structure.
				See Special Regulation 3.								
.120	Public Utility, Government Facility, or Community Facility			0'	0'	0'			D See Spec. Reg. 1.	B	See KZC 50.60 and 105.25.	1. Landscape Category C is required if the subject property is adjacent to Planned Areas 7A or 7B, or PR 3.6 zones. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses.
.130	Public Park			Will be determined on a case-by-case basis.					--			

O-4072

Section 53.54 — Zone RH 5A, 5B — USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 53.54	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Vehicle Service Station See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.	22,500 sq. ft.	20' See Spec. Reg. 4.	15' See Spec. Reg. 4.	15' See Spec. Reg. 4.	80%	If adjoining an RS or RSX zone, then 30' above average building elevation. Otherwise, 35' above average building elevation.	A	E	See KZC 105.25.	1. This use is permitted only if the subject property abuts NE 85th Street. 2. This use is not permitted in the RH 5B zone. 3. May not be more than two vehicle service stations at any intersection. 4. Gas pump islands must be set back at least 20 feet from all property lines. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. 5. See KZC 95.40(5) and (7), required landscaping, for further regulations.
.020	Automotive Service Center See Spec. Reg. 1.		None	10' Otherwise 20' adjoining a residential zone	0'	15'					1 per each 250 sq. ft. of gross floor area. See Spec. Reg. 4.	1. This use is not permitted in the RH 5B zone. 2. This use specifically excludes a retail establishment involving the sale, lease, repair or service of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment, and similar vehicles. 3. No openings (i.e., doors, windows which open, etc.) shall be permitted in any facade of a building adjoining any residential zone. Windows are permitted if they are triple-paned and unable to be opened. 4. Ten percent of the required parking spaces on site must have a minimum dimension of 10 feet wide by 30 feet long for motor home/travel trailer use. 5. Parts and tires must be stored entirely within an enclosed structure. 6. See KZC 95.40(6) and (7), required landscaping, for further regulations.
.030	A retail establishment providing entertainment, recreational or cultural activities										See KZC 105.25.	
.040	Restaurant, Tavern or Fast Food Restaurant See Spec. Reg. 1 and 2.										1 per each 100 sq. ft. of gross floor area.	1. ~~Taverns and fast food restaurants are not permitted uses in a RH 5B zone.~~ 2. Fast food restaurants must provide one outdoor waste receptacle for every eight parking stalls.

1. Taverns and fast food restaurants are not permitted uses in a RH 5B zone, except fast food restaurants which:
   a. Do not include drive-in or drive-through facilities; and
   b. Primarily prepare and serve specialty nonalcoholic beverages, such as coffee, tea, juices, or sodas, or specialty snacks, such as ice cream, frozen yogurt, cookies, or popcorn, for consumption on or near the premises. Fast food restaurants allowed under this provision may also engage in the sale of related products such as coffee beans, mugs, and coffee makers in support of or ancillary to the beverages or snacks listed above; and

ATTACHMENT 3 TO

ORDINANCE ATTACHMENT A

O-4072

Section 53.84 Zone RH 8 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 53.84	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Office Use	D.R., Chapter 142 KZC.	None	10' Otherwise 20' adjoining a residential zone	0'	15'	70%	30' above average building elevation. See Gen. Regs. 2 and 3.	A	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.020	Restaurant									E	1 per each 100 sq. ft. of gross floor area.	1. May not be located above the ground floor of a structure. 2. Gross floor area for each individual use may not exceed 4,000 sq. ft.
.030	A retail establishment providing entertainment, recreational or cultural activities										See KZC 105.25.	1. Gross floor area for each individual use may not exceed 4,000 sq. ft
.040	Any retail establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.									D	1 per each 300 sq. ft. of gross floor area.	1. The following uses are not permitted in this zone: a. Vehicle service stations. b. Automotive service centers. c. Uses with drive-in facilities or drive-through facilities. d. Retail establishments providing storage services unless accessory to another permitted use. e. Retail establishments involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles. f. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses g. Storage of parts unless conducted entirely within an enclosed structure. 2. This use may not be located above the ground floor of a structure. 3. Gross floor area for each individual use may not exceed 4,000 sq. ft.

4. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if:
   a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and
   b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded

ATTACHMENT 4 TO

ORDINANCE ATTACHMENT A

(Revised 9/06)

O-4072

Section 54.24 Zone NRH3 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.24	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached, Attached or Stacked Dwelling Units (Stand Alone or Mixed with Other Uses) See Spec. Reg. 1.	One detached dwelling unit none, otherwise D.R., Chapter 142 KZC.	None	20'	5' but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation.	One detached dwelling unit E, otherwise ~~D.~~ See B. Spec. Reg. 2.	A See Spec. Reg. 2.	1.7 per unit. See Spec. Reg. 2.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. In a mixed use development: a. Landscape Category B will apply, and b. Sign Category D will apply, and c. Parking requirement determined by KZC 105.25.
.020	Office Uses See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.							B	D	If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and are dependent upon this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other office uses. 2. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. 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 development permit application. d. A veterinary office is not permitted if the subject property contains dwelling units.
.030	Funeral Home or Mortuary								C	B	1 per each 300 sq. ft. of gross floor area.	
.040	Church										1 for every four people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use.

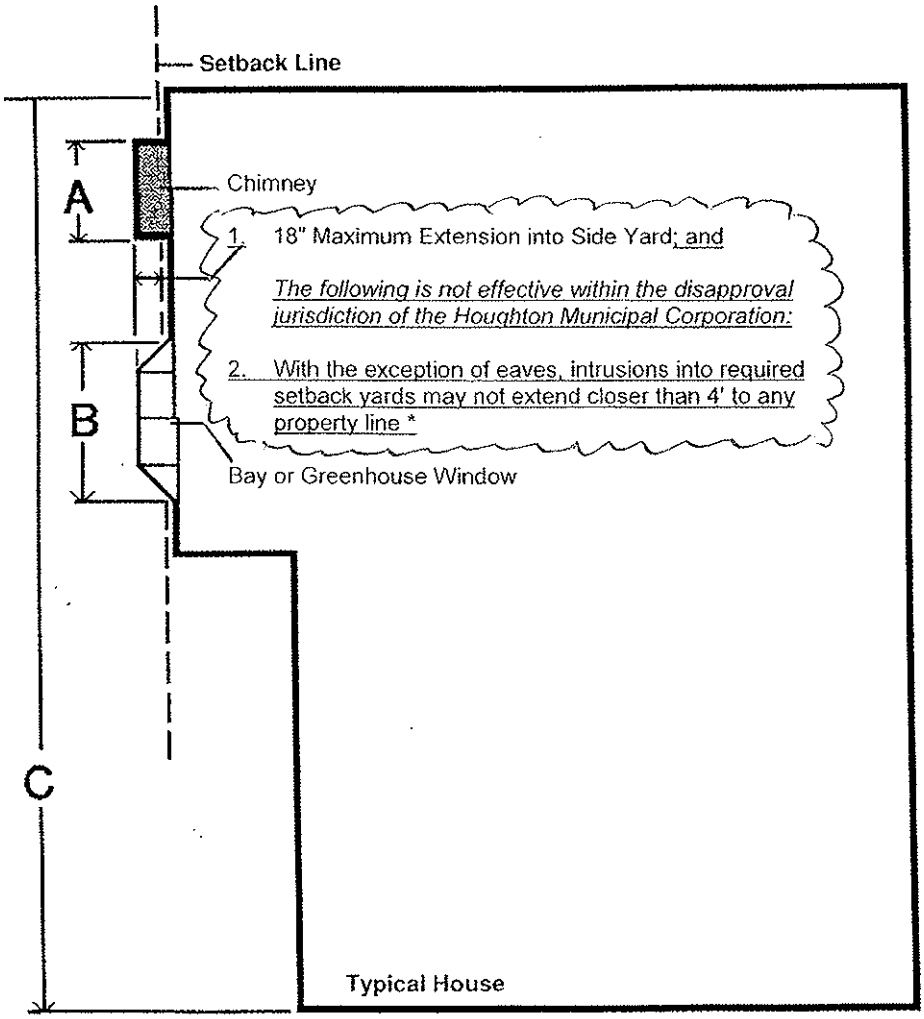
ATTACHMENT 5 TO

ORDINANCE ATTACHMENT A

Plate 10

Intrusions into Required Setback Yards

Plan View



$A + B \leq 25\%C$

Scale: 1/8" 1'–0"

ATTACHMENT 6 TO

ORDINANCE ATTACHMENT A

O-4072

Section 20.10 Zone RM — **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 20.10	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	5,000 sq. ft. in an RM 5.0. Otherwise, 3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of the size of the lot. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units Stacked Dwelling Units are not permitted in RM 5.0.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.						D See Spec. Reg. 5.		1.7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows: a. In RM 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. b. In RM 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. c. In RM 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. d. In RM 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. 4. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. REGULATIONS CONTINUED ON NEXT PAGE

Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

ATTACHMENT 1 TO ORDINANCE ATTACHMENT A

O-4072

Section 25.10 Zone PR USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 25.10 USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.						D		1.7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows: a. In PR 8.5 zones, the minimum lot area per unit is 8,500 sq. ft. b. In PR 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. c. In PR 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. d. In PR 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. e. In PR 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. ~~If the subject property contains four or more units, then it must contain~~ at least 200 sq. ft. per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be ~~reduced in proportion to the reduced open space area.~~

Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

(Revised 9/06)

O-4072

Section 25.10 Zone PR **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 25.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Spec. Reg. 1.	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft. with a residential density as established on the Zoning Map. See Spec. Reg. 2.	20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Minimum amount of lot area per dwelling unit is as follows: a. In PR 8.5 zones, the minimum lot area per unit is 8,500 square feet. b. In PR 5.0 zones, the minimum lot area per unit is 5,000 square feet. c. In PR 3.6 zones, the minimum lot area per unit is 3,600 square feet. d. In PR 2.4 zones, the minimum lot area per unit is 2,400 square feet. e. In PR 1.8 zones, the minimum lot area per unit is 1,800 square feet. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~4. If the subject property contains four or more units, then it must contain~~ at least 200 square feet per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

4. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 54.36 Zone NRH5 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.36	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached, Attached or Stacked Dwelling Units (Stand Alone or Mixed with Office Uses) See Spec. Regs. 1, 2 and 3.	One dwelling unit none, otherwise D.R., Chapter 142 KZC.	3,600 sq. ft. with a minimum lot area per unit of 1,800 sq. ft.	10'	5' but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation.	One dwelling unit E, otherwise D. See Spec. Reg. 4.	A See Spec. Reg. 4.	1.7 per unit. See Spec. Reg. 4.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based upon the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 4. In a mixed use development: a. Landscape Category B will apply, and b. Sign Category D will apply, and c. Parking requirement determined by KZC 105.25.

3. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 54.42 Zone NRH6 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.42	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached, Attached or Stacked Dwelling Units (Stand Alone or Mixed with Office Uses) See Spec. Regs. 1, 2 and 3.	One dwelling unit none, otherwise D.R., Chapter 142 KZC.	3,600 sq. ft. with a minimum lot area per unit of 1,800 sq. ft.	10'	5' but 2 side yards must equal at least 15'.	10'	70%	30' above average building elevation.	One dwelling unit E, otherwise D. See Spec. Reg. 4.	A See Spec. Reg. 4.	1.7 per unit. See Spec. Reg. 4.	1. Office is permitted only on the ground floor. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based upon the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 4. In a mixed use development: a. Landscape Category B will apply, and b. Sign Category D will apply, and c. Parking requirement determined by KZC 105.25.

3. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.32 Zone PLA5A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.32	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	25' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15'.	10'		30' above average building elevation.	D		1.7 per unit.	~~1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 880 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

The required yard of any structure abutting a lot containing a low density use within PLA 5 must be increased 1' for each 1' that structure exceeds 20' above average building elevation.

1. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.37 Zone PLA5B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.37	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	(Reserved)											
.020	Attached or Stacked Dwelling Units	None	3,600 sq. ft. with at least 1,800 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	30' above average building elevation.	D	A	1.7 per unit.	~~1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Office Use		None						C	D	If a Medical, Dental, or Veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. 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 development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

1. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.37 Zone PLA5B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.37	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Special Regulation 1.	None	3,600 sq. ft. with at least 1,800 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	30' above average building elevation.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Primary vehicular access must be directly from 6th Street or 4th Avenue. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~4. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 200 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

The required yard of any structure abutting a lot containing a low density use within PLA 5A must be increased 1' for each 1' that structure exceeds 20' above average building elevation.

4. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.42 Zone PLA5C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.42	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	25' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.					If the development contains at least 1 acre, then the lower of: 6 stories or 60' above average building elevation. Otherwise, 30' above average building elevation.	D		1.7 per unit.	1. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 600 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~

3. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

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Section 60.42 Zone PLA5C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.42	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Special Regulation 1.	None	3,600 sq. ft. with at least 1,800 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	If the development contains at least 1 acre, than the lower of: 6 stories or 60' above average building elevation. Otherwise, 30' above average building elevation.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~4. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

4. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.47 Zone PLA5D **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.47	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'	10'	60%	25' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.					If the development contains at least 1 acre, then the lower of: 4 stories or 40' above average building elevation. Otherwise, 30' above average building elevation.	D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space useable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~

2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.52 Zone PLA5E **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.52	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	25' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.					30' above average building elevation.	D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.57 Zone PLA6A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.57	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space useable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~
					2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.							
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

O-4072

Section 60.62 Zone PLA6B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.62	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. per dwelling unit.						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~
.030	Office Use	None	7,200 sq. ft.						C	D	If a Medical, Dental, or Veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. 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 development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.62 Zone PLA6B **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.62	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Special Regulation 1.	None	3,600 sq. ft. per dwelling unit.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 3. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. 4. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.050	Funeral Home or Mortuary	Process I, Chapter 145 KZC.	7,200 sq. ft.		20' on each side	20'				B		
.060	Church	None									1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

(Revised 9/03)

O-4072

Section 60.72 Zone PLA6D **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.72 USE ⇩ REGULATIONS ⇨		Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units	If less than 3,600 sq. ft. of lot area per unit, then Process I, Chapter 145. Otherwise, None. See Special Regulation 2.	3,600 sq. ft. with at least 1,800 sq. ft. per unit.						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If proposed development contains less than 3,600 square feet of lot area per unit, the following right-of-way improvements shall be required on rights-of-way which serve the subject property. The improvements shall extend from State Street to the eastern boundary of the subject property frontage on the right-of-way. a. On 2nd Avenue South, 3rd Avenue South, and 5th Avenue South: 20 feet of paved surface, six-inch vertical curb on each side, five-foot sidewalk on north side adjacent to curb and two-foot utility strip on each side. In addition, right-of-way dedication on 5th Avenue South will be required as necessary to install these improvements. b. On 4th Avenue South: 24 feet of paved surface, six-inch vertical curb on each side, five-foot sidewalk on north side adjacent to curb and five-foot six-inch utility strip on each side. ~~3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~

3. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.82 Zone PLA6F **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.82	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. per dwelling unit						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use.

2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.87 Zone PLA6G **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.87	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Attached or Stacked Dwelling Units. See Special Regulation 6.	None	3,600 sq. ft. per dwelling unit	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	D	A	1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. ~~2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more places each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. 3. If any portion of a structure is adjoining a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. 4. Site design must provide for a bicycle and pedestrian path connection to Lakeview Elementary School and be available for public use. 5. All vehicular access shall be from 7th Avenue South. Access from 5th Place South is prohibited. 6. This use is only permitted south of 7th Avenue South and only if the entire PLA6G zone south of 7th Avenue South is included.

O-4072

Section 60.92 — Zone PLA6H — USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.92	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	5,000 sq. ft. per unit	20'	5', but 2 side yards must equal at least 15'.	10'	60%	25' above average building elevation.	E See Spec. Reg. 2.	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Must provide the buffer described in Buffering Standard 2 in Chapter 95 KZC where the subject property adjoins a low density zone. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	Process IIA, Chapter 150 KZC.	2 acres with at least 3,600 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15'. See Special Regulation 1.	10'			D See Spec. Reg. 2.		1.7 per unit.	1. Buildings may not be closer than 40 feet to any low density zone. 2. Must provide the buffer described in Buffering Standard 2 in Chapter 95 KZC where the subject property adjoins a low density zone. ~~3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Church		7,200 sq ft.	20'	20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.97 Zone PLA6I USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.97	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	10'	5', but 2 side yards must equal at least 15'.	10'	60%	30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. with at least 2,400 sq. ft. per unit.	20'					D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~2. If the subject property contains four or more units, then it must contain at~~ least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to ~~the reduced open space area.~~
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.102 Zone PLA6J **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.102 USE ⇩ REGULATIONS ⇨		Required Review Process	MINIMUMS Lot Size	REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~
					2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.							
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq. ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

O-4072

Section 60.107 Zone PLA6K USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.107	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. with at least 2,400 sq. ft. per unit.						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.112 Zone PLA7A **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.112	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	If development will result in a low density use being bordered on two sides by higher density uses, then Process I, Chapter 145 KZC. Otherwise, None.	3,600 sq. ft. with at least 2,400 sq. ft. per unit.						D		1.7 per unit.	~~1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

1. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

O-4072

Section 60.117 Zone PLA7B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.117	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, or detached dwelling unit in Planned Area 7C, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	If development will result in a low density use being bordered on two sides by higher density uses, then Process I, Chapter 145 KZC. Otherwise, None.	3,600 sq. ft. with at least 1,800 sq. ft. per unit.						D		1.7 per unit.	1. May not access directly onto 2nd, 3rd, 4th, 5th or 6th Streets unless no other access is available. ~~2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

2. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

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Section 60.122 Zone PLA7C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.122	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, or detached dwelling unit in Planned Area 7C, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	If development will result in a low density use being bordered on two sides by higher density uses, then Process 1, Chapter 145 KZC. Otherwise, None	3,600 sq. ft. per unit.						D		1.7 per unit.	~~1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ 1. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of an area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

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Section 60.192 — Zone PLA17A — USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.192	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	5,000 sq. ft.	20'	5' on each side. See Spec. Reg. 2.	10'	70%	30' above average building elevation.	E	A	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of the size of the lot. 2. On corner lots, only one front yard must be a minimum of 20 feet. All other front yards shall be regulated as a side yard (minimum five-foot yard). The applicant may select which front yard shall meet the 20-foot requirement. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Attached or Stacked Dwelling Units	D.R., Chapter 142 KZC.	5,000 sq. ft. per unit		5', but 2 side yards must equal at least 15'.				D		1.7 per unit. See Spec. Reg. 4.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. ~~If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions:~~ ~~a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet.~~ ~~b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet.~~ ~~The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.~~ The common recreational open space requirements may be waived if the City determines that preservation of environmentally sensitive areas provides a superior open space function. 3. If the subject property contains eight or more units, then the parking area shall also include a designated location and facilities to serve on-site residents as they wash or otherwise service their personal vehicles. These facilities shall be so located, improved, and furnished to prevent surface water contaminants, such as detergents, oils, and debris, from entering the lake or wetlands. 4. Adjacent to NE 90th Street and existing institutional parking lots, the property must include dense landscaping and a fence or screen wall which provide screening for this use.

Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.

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Section 20.10 Zone RM USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 20.10	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	5,000 sq. ft. in an RM 5.0. Otherwise, 3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of the size of the lot. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units Stacked Dwelling Units are not permitted in RM 5.0.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.		5', but 2 side yards must equal at least 15'. See Spec. Reg. 6.	10'. See Spec. Reg. 7.			D See Spec. Reg. 5.		1.7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows: a. In RM 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. b. In RM 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. c. In RM 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. d. In RM 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. 4. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. REGULATIONS CONTINUED ON NEXT PAGE

ATTACHMENT 8 TO ORDINANCE ATTACHMENT A

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Section 20.10 Zone RM — **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 20.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.020	Detached, Attached or Stacked Dwelling Units (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 5. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies.
.030	Church	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	20'	20'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C See Spec. Reg. 3.	B	1 for every 4 people based on maximum occupancy load of worship. See Spec. Reg. 2.	1. The property must be served by a collector or arterial street. 2. No parking is required for day-care or school ancillary to the use. 3. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies.

6 The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.

7 The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 25.10 Zone PR — **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 25.10	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.		5' but 2 side yards must equal at least 15'. See Spec Reg 4	10'. See Spec Reg 5			D		1.7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows: a. In PR 8.5 zones, the minimum lot area per unit is 8,500 sq. ft. b. In PR 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. c. In PR 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. d. In PR 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. e. In PR 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.

4. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
5. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.17 Zone PLA2 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.17	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Attached or Stacked Dwelling Unit	Process IIB, Chapter 152 KZC.	35,000 sq. ft. per unit	20'	5', but 2 side yards must equal at least 15'.	10'	50%	25' above average building elevation. See Special Regulation 4.	D	A	1.7 per unit.	1. No structure may be waterward of the high waterline. 2. No structure may be within 50 feet of the high waterline of the canal. No structure may be within 100 feet of the high waterline of the remainder of Lake Washington. 3. If the development includes portions of Planned Area 3, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 3. 4. The height of a structure may be increased as long as neither of the following maximums is exceeded: a. The structure may not exceed 60 feet above average building elevation. b. The structure may not exceed a plane that starts 3.5 feet above the outside westbound lane of SR 520 and ends at the high waterline of Lake Washington in the zone, excluding the canal. 5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.

See Special Regulations 2, 6, and 7.

6. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
7. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.22 Zone PLA3A **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, acr

Section 60.22	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	
.010	Detached Dwelling Unit	None	5,000 sq. ft. per unit	20'	5', but 2 side yards must equal at least 15'.	10'	70%	30' above average building elevation.	E	A	2.0 per unit.	1. Access points onto Lake Washington Boulevard must be minimized to prevent arterial congestion and traffic safety hazards. Shared access points must be utilized where feasible. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.020	Attached or Stacked Dwelling Unit		See Spec Reg 3		See Spec Reg 4				D		1.7 per unit.	
.030	Attached or Stacked Dwelling Units	Process IIB, Chapter 152 KZC.	Must be part of a development with a site area of at least 15 acres with 3,600 sq. ft. per unit.		10' on each side See Spec Reg 2	10'. See Spec Reg 3		30' above average building elevation. See General Regulations.				1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 10'. 3. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.
.040	Office Uses		Must be part of a development with a site area of at least 15 acres. See Special Regulation 1.		5', but 2 side yards must equal at least 15'.	10'			C	D	If a Medical, Dental, or Veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, one per each 300 sq. ft. of gross floor area.	1. The minimum lot size for this use is 7,200 square feet if the subject property has frontage on Lake Washington Boulevard. 2. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. 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 development permit application. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

3. For attached or stacked dwelling units, the side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.

4. For attached or stacked dwelling units, the rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.22 Zone PLA3A **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, acro

Section 60.22 USE ⇩	REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	
.050	Development Containing Attached, or Stacked Dwelling Units and Office uses.	Process IIB, Chapter 152 KZC.	Must be part of a development with a site area of at least 15 acres with 3,600 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15' See Spec Reg 4	10' See Spec Reg 5	70%	30' above average building elevation. See General Regulations.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.060	School or Day-Care Center		Must be part of a development with a site area of at least 15 acres. See Special Regulation 1.	If this use can accommodate 50 or more students or children, then: 50' If this use can accommodate 13 to 49 students or children, then: 20'	50' on each side 20' on each side	50' 20'		30' above average building elevation. See General Regulations.	D	B		1. The minimum lot size for this use is 7,200 square feet if the subject property has frontage on Lake Washington Boulevard. 2. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential areas. 4. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. 5. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential areas. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

4. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
5. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.27 Zone PLA3B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.27 USE	REGULATIONS	Required Review Process	MINIMUMS Lot Size	REQUIRED YARDS (See Ch. 115) Front	North Property Line	South Property Line	High Water Line	MAXIMUMS Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.020	Attached or Stacked Dwelling Units	Process IIB, Chapter 152 KZC.	3,600 sq. ft. per unit	30'	The greater of: a. 15', or b. 1-1/2 times the height of the primary structure above average building elevation minus 10'. See Spec Reg 7	10'	The greater of: a. 15', or b. 15% of the average parcel depth.	80%	30' above average building elevation. See Special Regulation 2.	D	A	2.0 per unit.	1. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. The City shall require signs designating the public pedestrian access and public uses areas. 2. Structure height may be increased to 35 feet above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and a. The increase is offset by a view corridor that is superior to that required by the General Regulations; or b. The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation. 3. The design of the site must be compatible with the scenic nature of the waterfront. If the development will result in the isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of the isolation. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 5. The hotel or motel use may include ancillary meeting and conference facilities for the resident clientele and guests of residents, but not the general public. 6. The hotel or motel use may not include restaurant, retail, or office uses. 7. For attached or stacked dwelling units, this yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide the otherwise-applicable minimum required yard.
.030	Hotel or Motel		None							B	E	1 per each room.	

The minimum dimension of any yard, other than those listed, is 5'.

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Section 60.32 Zone PLA5A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.32 USE ⇩	REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	25' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit. See Spec Reg 3	20'	5', but 2 side yards must equal at least 15'.	10' See Spec Reg 4		30' above average building elevation.	D		1.7 per unit.	1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

The required yard of any structure abutting a lot containing a low density use within PLA 5 must be increased 1' for each 1' that structure exceeds 20' above average building elevation.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'; provided, that this special regulation shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5 zone.

4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot; provided, that this special regulation shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5 zone.

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Section 60.37 Zone PLA5B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.37	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	(Reserved)											
.020	Attached or Stacked Dwelling Units	None	3,600 sq. ft. with at least 1,800 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	30' above average building elevation.	D	A	1.7 per unit.	1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Office Use		None						C	D	If a Medical, Dental, or Veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. 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 development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

See Spec Reg 3

See Spec Reg 4

The required yard of any structure abutting a lot containing a low density use within PLA 5A must be increased 1' for each 1' that structure exceeds 20' above average building elevation.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5', provided, that this special regulation shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5A zone.

4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot, provided, that this special regulations shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5A zone.

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Section 60.37 Zone PLA5B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.37	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Special Regulation 1.	None	3,600 sq. ft. with at least 1,800 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15'. See Spec Reg 6	10' See Spec Reg 7	70%	30' above average building elevation.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Primary vehicular access must be directly from 6th Street or 4th Avenue. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

The required yard of any structure abutting a lot containing a low density use within PLA 5A must be increased 1' for each 1' that structure exceeds 20' above average building elevation.

6. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'; provided, that this special regulations shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5A zone.
7. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot; provided, that this special regulations shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5A zone.

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Section 60.42 Zone PLA5C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.42 USE ⇩ REGULATIONS ⇨		Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'	10'	70%	25' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.		5', but 2 side yards must equal at least 15'. See Spec Reg 4	10'. See Spec Reg 5		If the development contains at least 1 acre, then the lower of: 6 stories or 60' above average building elevation. Otherwise, 30' above average building elevation.	D		1.7 per unit.	1. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.

4. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
5. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.42 Zone PLA5C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.42	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Special Regulation 1.	None	3,600 sq. ft. with at least 1,800 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15'. See Spec Reg 6	10' See Spec Reg 7	70%	If the development contains at least 1 acre, then the lower of: 6 stories or 60' above average building elevation. Otherwise, 30' above average building elevation.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

6. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
7. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.47 Zone PLA5D USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.47	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'	10'	60%	25' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.		5', but 2 side yards must equal at least 15' See Spec Reg 3	10', See Spec Reg 4		If the development contains at least 1 acre, then the lower of: 4 stories or 40' above average building elevation. Otherwise, 30' above average building elevation.	D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 600 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.52 Zone PLA5E USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.52	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'	10'	60%	25' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.		5', but 2 side yards must equal at least 15'. See Spec Reg 3	10'. See Spec Reg 4		30' above average building elevation.	D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.57 Zone PLA6A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.57	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.		5', but 2 side yards must equal at least 15'. See Spec Reg 3	10'. See Spec Reg 4			D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq. ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.62 Zone PLA6B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.62 USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. per dwelling unit.		5', but 2 Side yards Must equal At least 15'. See Spec Reg 3	10'. See Spec Reg 4			D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Office Use	None	7,200 sq. ft.						C	D	If a Medical, Dental, or Veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. 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 development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.62 **Zone PLA6B** USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.62	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Special Regulation 1.	None	3,600 sq. ft. per dwelling unit.	20'	5', but 2 side yards must equal at least 15'. See Spec Reg 5	10' See Spec Reg 6	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 4. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.050	Funeral Home or Mortuary	Process I, Chapter 145 KZC.	7,200 sq. ft.		20' on each side	20'				B		
.060	Church	None									1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

5. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
6. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.72 Zone PLA6D USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.72	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units	If less than 3,600 sq. ft. of lot area per unit, then Process I, Chapter 145. Otherwise, None. See Special Regulation 2.	3,600 sq. ft. with at least 1,800 sq. ft. per unit.		5', but 2 side yards must equal at least 15'. See Spec Reg 4	10'. See Spec Reg 5			D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If proposed development contains less than 3,600 square feet of lot area per unit, the following right-of-way improvements shall be required on rights-of-way which serve the subject property. The improvements shall extend from State Street to the eastern boundary of the subject property frontage on the right-of-way. a. On 2nd Avenue South, 3rd Avenue South, and 5th Avenue South: 20 feet of paved surface, six-inch vertical curb on each side, five-foot sidewalk on north side adjacent to curb and two-foot utility strip on each side. In addition, right-of-way dedication on 5th Avenue South will be required as necessary to install these improvements. b. On 4th Avenue South: 24 feet of paved surface, six-inch vertical curb on each side, five-foot sidewalk on north side adjacent to curb and five-foot six-inch utility strip on each side. 3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.

4. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
5. The rear yard may be reduced to 0' if the rar of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.82 Zone PLA6F. USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.82	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. per dwelling unit		5', but 2 side yards must equal at least 15'. See Spec Reg 3	10'. See Spec Reg 4			D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq. ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.87 Zone PLA6G **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.87	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Attached or Stacked Dwelling Units. See Special Regulation 6.	None	3,600 sq. ft. per dwelling unit	20'	5', but 2 side yards must equal at least 15'. See Spec Reg 7	10' See Spec Reg 8	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	D	A	1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more places each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 3. If any portion of a structure is adjoining a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. 4. Site design must provide for a bicycle and pedestrian path connection to Lakeview Elementary School and be available for public use. 5. All vehicular access shall be from 7th Avenue South. Access from 5th Place South is prohibited. 6. This use is only permitted south of 7th Avenue South and only if the entire PLA6G zone south of 7th Avenue South is included. 7. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'. 8. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.92 Zone PLA6H USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across

Section 60.92	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	
.010	Detached Dwelling Unit	None	5,000 sq. ft. per unit	20'	5', but 2 side yards must equal at least 15'.	10'	60%	25' above average building elevation.	E See Spec. Reg. 2.	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Must provide the buffer described in Buffering Standard 2 in Chapter 95 KZC where the subject property adjoins a low density zone. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	Process IIA, Chapter 150 KZC.	2 acres with at least 3,600 sq. ft. per unit. See Special Regulation 1.	20' See Spec Reg 5	5', but 2 side yards must equal at least 15'.	10' See Spec Reg 6			D See Spec. Reg. 2.		1.7 per unit.	1. Buildings may not be closer than 40 feet to any low density zone. 2. Must provide the buffer described in Buffering Standard 2 in Chapter 95 KZC where the subject property adjoins a low density zone. 3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Church		7,200 sq ft.	20'	20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

5. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'; provided, that this special regulation shall not supersede special regulation 1.
6. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot; provided, that this special regulation shall not supersede special regulation 1.

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Section 60.97 Zone PLA6I USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.97 USE ⇩ REGULATIONS ⇨		Required Review Process	MINIMUMS Lot Size	REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	10'	5', but 2 side yards must equal at least 15'.	10'	60%	30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. with at least 2,400 sq. ft. per unit.	20'	5', but 2 side yards must equal at least 15'. See Spec Reg 3	10' See Spec Reg 4			D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.102 Zone PLA6J USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across

Section 60.102	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	50%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.		5', but 2 side yards must equal at least 15'. See Spec Reg 3	10' See Spec Reg 4			D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq. ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.107 Zone PLA6K USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.107	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. with at least 2,400 sq. ft. per unit.		5', but 2 side yards must equal at least 15'. See Spec Reg 3	10' See Spec Reg 4			D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.112 Zone PLA7A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.112	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	If development will result in a low density use being bordered on two sides by higher density uses, then Process 1, Chapter 145 KZC. Otherwise, None.	3,600 sq. ft. with at least 2,400 sq. ft. per unit.		5', but 2 side yards must equal at least 15'. See Spec Reg 3	10' See Spec Reg 4			D		1.7 per unit.	1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.090	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.117 Zone PLA7B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.117	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, or detached dwelling unit in Planned Area 7C, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	If development will result in a low density use being bordered on two sides by higher density uses, then Process 1, Chapter 145 KZC. Otherwise, None.	3,600 sq. ft. with at least 1,800 sq. ft. per unit.		5', but 2 side yards must equal at least 15'. See Spec Reg 4	10' See Spec Reg 5			D		1.7 per unit.	1. May not access directly onto 2nd, 3rd, 4th, 5th or 6th Streets unless no other access is available. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'. 5. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.122 Zone PLA7C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.122	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	50%	If adjoining a low density zone other than RSX, or detached dwelling unit in Planned Area 7C, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	If development will result in a low density use being bordered on two sides by higher density uses, then Process I, Chapter 145 KZC. Otherwise, None	3,600 sq. ft. per unit.		5', but 2 side yards must equal at least 15'. See Spec Reg 3	10' See Spec Reg 4			D		1.7 per unit.	1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of an area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
4. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

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Section 60.192 Zone PLA17A **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.192	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	5,000 sq. ft.	20'	5' on each side. See Spec. Reg. 2.	10'	70%	30' above average building elevation.	E	A	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of the size of the lot. 2. On corner lots, only one front yard must be a minimum of 20 feet. All other front yards shall be regulated as a side yard (minimum five-foot yard). The applicant may select which front yard shall meet the 20-foot requirement. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Attached or Stacked Dwelling Units	D.R., Chapter 142 KZC.	5,000 sq. ft. per unit		5', but 2 side yards must equal at least 15'. See Spec Reg 5.	10'. See Spec Reg 6.			D		1.7 per unit. See Spec. Reg. 4.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. The common recreational open space requirements may be waived if the City determines that preservation of environmentally sensitive areas provides a superior open space function. 3. If the subject property contains eight or more units, then the parking area shall also include a designated location and facilities to serve on-site residents as they wash or otherwise service their personal vehicles. These facilities shall be so located, improved, and furnished to prevent surface water contaminants, such as detergents, oils, and debris, from entering the lake or wetlands. 4. Adjacent to NE 90th Street and existing institutional parking lots, the property must include dense landscaping and a fence or screen wall which provide screening for this use.

5. The side yard may be reduced to 0' if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of 5'.
6. The rear yard may be reduced to 0' if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

(Revised 8/06)

O-4072

Section 20.10 Zone RM USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 20.10 USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	5,000 sq. ft. in an RM 5.0. Otherwise, 3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 6	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of the size of the lot. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units Stacked Dwelling Units are not permitted in RM 5.0.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.						D See Spec. Reg. 5.		1.7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows: a. In RM 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. b. In RM 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. c. In RM 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. d. In RM 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. 4. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. REGULATIONS CONTINUED ON NEXT PAGE

ORDINANCE ATTACHMENT A ATTACHMENT 9 TO

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Section 20.10 Zone RM USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 20.10 USE ⇩	REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.020	Detached, Attached or Stacked Dwelling Units (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 5. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies.
.030	Church	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	20'	20'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C See Spec. Reg. 3.	B	1 for every 4 people based on maximum occupancy load of worship. See Spec. Reg. 2.	1. The property must be served by a collector or arterial street. 2. No parking is required for day-care or school ancillary to the use. 3. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies.

6. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 25.10 Zone PR **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 25.10 USE ⇩ REGULATIONS ⇨		Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Units	None	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 4	E	A	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.						D		1.7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows: a. In PR 8.5 zones, the minimum lot area per unit is 8,500 sq. ft. b. In PR 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. c. In PR 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. d. In PR 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. e. In PR 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area

4 Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 25.10 Zone PR USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 25.10	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Spec. Reg. 1.	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft. with a residential density as established on the Zoning Map. See Spec. Reg. 2.	20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 6	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Minimum amount of lot area per dwelling unit is as follows: a. In PR 8.5 zones, the minimum lot area per unit is 8,500 square feet. b. In PR 5.0 zones, the minimum lot area per unit is 5,000 square feet. c. In PR 3.6 zones, the minimum lot area per unit is 3,600 square feet. d. In PR 2.4 zones, the minimum lot area per unit is 2,400 square feet. e. In PR 1.8 zones, the minimum lot area per unit is 1,800 square feet. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

6. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.57 Zone PLA6A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.57	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation. See Spec. Reg. 3	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.62 — Zone PLA6B — USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.62	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation. See Spec. Reg. 3	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. per dwelling unit.						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Office Use	None	7,200 sq. ft.						C	D	If a Medical, Dental, or Veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. 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 development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

3. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.62 Zone PLA6B **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.62	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Special Regulation 1.	None	3,600 sq. ft. per dwelling unit.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation. See Spec. Reg. 5	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 4. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.050	Funeral Home or Mortuary	Process I, Chapter 145 KZC.	7,200 sq. ft.		20' on each side	20'				B		
.060	Church	None									1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

5 Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.72 Zone PLA6D USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.72	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units	If less than 3,600 sq. ft. of lot area per unit, then Process I, Chapter 145. Otherwise, None. See Special Regulation 2.	3,600 sq. ft. with at least 1,800 sq. ft. per unit.						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If proposed development contains less than 3,600 square feet of lot area per unit, the following right-of-way improvements shall be required on rights-of-way which serve the subject property. The improvements shall extend from State Street to the eastern boundary of the subject property frontage on the right-of-way. a. On 2nd Avenue South, 3rd Avenue South, and 5th Avenue South: 20 feet of paved surface, six-inch vertical curb on each side, five-foot sidewalk on north side adjacent to curb and two-foot utility strip on each side. In addition, right-of-way dedication on 5th Avenue South will be required as necessary to install these improvements. b. On 4th Avenue South: 24 feet of paved surface, six-inch vertical curb on each side, five-foot sidewalk on north side adjacent to curb and five-foot six-inch utility strip on each side. 3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.

Sec Spec. Reg. 4

4 Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.82 Zone PLA6F **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.82	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 3	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. per dwelling unit						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use.

3 Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.87 Zone PLA6G **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.87	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Attached or Stacked Dwelling Units. See Special Regulation 6.	None	3,600 sq. ft. per dwelling unit	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 7	D	A	1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more places each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 3. If any portion of a structure is adjoining a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. 4. Site design must provide for a bicycle and pedestrian path connection to Lakeview Elementary School and be available for public use. 5. All vehicular access shall be from 7th Avenue South. Access from 5th Place South is prohibited. 6. This use is only permitted south of 7th Avenue South and only if the entire PLA6G zone south of 7th Avenue South is included.

7. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.92 Zone PLA6H **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.92	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	5,000 sq. ft. per unit	20'	5', but 2 side yards must equal at least 15'.	10'	50%	25' above average building elevation. See Spec. Reg. 5	E See Spec. Reg. 2.	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Must provide the buffer described in Buffering Standard 2 in Chapter 95 KZC where the subject property adjoins a low density zone. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	Process IIA, Chapter 150 KZC.	2 acres with at least 3,600 sq. ft. per unit.	20' See Special Regulation 1.	5', but 2 side yards must equal at least 15'.	10'			D See Spec. Reg. 2.		1.7 per unit.	1. Buildings may not be closer than 40 feet to any low density zone. 2. Must provide the buffer described in Buffering Standard 2 in Chapter 95 KZC where the subject property adjoins a low density zone. 3. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Church		7,200 sq ft.	20'	20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

5. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.102 Zone PLA6J USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.102 USE ⇩	REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 3	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units		3,600 sq. ft. with at least 1,800 sq. ft. per unit.						D		1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq. ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.112 Zone PLA7A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.112 USE ⇩ REGULATIONS ⇨		Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 3	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	If development will result in a low density use being bordered on two sides by higher density uses, then Process I, Chapter 145 KZC. Otherwise, None.	3,600 sq. ft. with at least 2,400 sq. ft. per unit.						D		1.7 per unit.	1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.117 Zone PLA7B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.117	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, or detached dwelling unit in Planned Area 7C, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 4	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	If development will result in a low density use being bordered on two sides by higher density uses, then Process I, Chapter 145 KZC. Otherwise, None.	3,600 sq. ft. with at least 1,800 sq. ft. per unit.						D		1.7 per unit.	1. May not access directly onto 2nd, 3rd, 4th, 5th or 6th Streets unless no other access is available. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

4. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 60.122 Zone PLA7C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.122	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, or detached dwelling unit in Planned Area 7C, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 3	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached, or Stacked Dwelling Units	If development will result in a low density use being bordered on two sides by higher density uses, then Process 1, Chapter 145 KZC. Otherwise, None	3,600 sq. ft. per unit.						D		1.7 per unit.	1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Church	Process IIA, Chapter 150 KZC.	7,200 sq ft.		20' on each side	20'	70%		C	B	1 for every 4 people based on maximum occupancy load of an area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

3. Where the 25' height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at at least 30', then a structure height of 30' above average building elevation is allowed.

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Section 15.10 Zone RS USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	Public Park	~~See Special Regulations 1 and 2.~~	~~None~~	~~Will be determined on case-by-case basis.~~					--	~~B~~	~~See KZC 105.25.~~	~~1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum:~~ ~~a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board;~~ ~~b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following:~~ ~~1) A description of the proposal;~~ ~~2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies;~~ ~~3) An analysis of the consistency of the proposal with applicable developmental regulations, if any;~~ ~~4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act;~~ ~~5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and~~ ~~6) A recommended action by the City Council.~~ ~~c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds:~~ ~~1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and~~ ~~2) It is consistent with the public health, safety, and welfare;~~ ~~3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040.~~ ~~REGULATIONS CONTINUED ON NEXT PAGE~~

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

ATTACHMENT /C TO ORDINANCE ATTACHMENT A

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Section 15.10 Zone RS USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	Public Park (continued)											~~REGULATIONS CONTINUED FROM PREVIOUS PAGE~~ In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

(Revised 12/02)

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Section 17.10 Zone RSX USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 17.10	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	Public Park	See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 17.10 Zone RSX **USE ZONE CHART**

Section 17.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for 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						
.090	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 27.10 Zone PO **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 27.10 USE ⇩	REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Public Park	See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 27.10 Zone PO USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 27.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

(Revised 12/02)

O-4072

Section 30.15 Zone WDI USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 30.15 USE	REGULATIONS: Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	North Property Line	South Property Line	High Water Line	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070 Public Park	~~See Special Regulations 1 and 2.~~	None.	~~Will be determined on a case-by-case basis.~~							B	~~See KZC 105.25.~~	1. ~~Except as provided for in Special Regulation 2 below, any development~~ or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare; 3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040. ~~REGULATIONS CONTINUED ON NEXT PAGE~~

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

(Revised 12/02)

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Section 30.15 Zone WDI **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 30.15	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	North Property Line	South Property Line	High Water Line	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Public Park (continued)												~~REGULATIONS CONTINUED FROM PREVIOUS PAGE~~ ~~In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following:~~ ~~a. Location, dimensions, and uses of all active and passive recreation areas;~~ ~~b. Potential users and hours of use;~~ ~~c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards;~~ ~~d. Landscaping;~~ ~~e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property.~~ ~~2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following:~~ ~~a. Lighting for outdoor nighttime activities;~~ ~~b. The construction of any building of more than 4,000 square feet;~~ ~~c. The construction of more than 20 parking stalls;~~ ~~d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.~~ 1. ~~3.~~ The provisions of Chapter 90 KZC, limiting development in and around wetlands, do not apply to a public park, if the development is approved as part of a Master Plan. 2. ~~3.~~ This use may include a public access pier or boardwalk. See KZC 30.15.030 for regulations regarding these uses.

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Section 30.25 Zone WDII USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 30.25 USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	North Property Line	South Property Line	High Water Line	Side Property Line	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.050	Public Park	~~See Spec. Regs. 1 and 2.~~	~~None~~	~~Will be determined on a case-by-case basis.~~							--	~~B~~	~~See KZC 105.25.~~	~~1. Except as provided in Special Regulation 2 below, any~~ development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

(Revised 12/04)

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Section 30.25 Zone WDII USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 30.25	USE ⇩	REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	North Property Line	South Property Line	High Water Line	Side Property Line	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.050	Public Park (continued)														~~REGULATIONS CONTINUED FROM PREVIOUS PAGE~~ In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment. 1. X If any portion of a structure is adjoining a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulations, for more details. 2. X The provisions of Chapter 90 KZC limiting development in and around wetlands do not apply to a public park if the development is approved as part of a Master Plan. 3. X This use may include a public access pier or boardwalk. See KZC 30.15.030 for regulations regarding these uses.

(Revised 12/04)

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Section 30.35 Zone WDIII USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 30.35	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	MINIMUMS: REQUIRED YARDS (See Ch. 115): North Property Line	MINIMUMS: REQUIRED YARDS (See Ch. 115): South Property Line	MINIMUMS: REQUIRED YARDS (See Ch. 115): High Water Line	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.060	Public Park	See Special Regulations 4 and 5.	None	Will be determined on a case-by-case basis.						--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare; 3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

(Revised 12/02)

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Section 30.35 Zone WDIii **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 30.35	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	North Property Line	South Property Line	High Water Line	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.060	Public Park (continued)												~~REGULATIONS CONTINUED FROM PREVIOUS PAGE~~ In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment. 1. 2. The provisions of Chapter 90 KZC, limiting development in and around wetlands, do not apply to a public park if the development is approved as part of a Master Plan. 2. X This use may include a public access pier or boardwalk. See KZC 30.35.030 for regulations regarding these uses.

(Revised 12/02)

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Section 35.30 Zone FCIII USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 35.30 USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Public Park	See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare; 3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 35.30

Zone FCIII

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 35.30	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 40.10 Zone BN **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 40.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.180	Public Park	See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 45.10 Zone BC **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 45.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.190	Public Park	See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare; 3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 45.10 Zone BC **USE ZONE CHART**

Section 45.10	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.190	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 47.10 Zone BCX — **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 47.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.150	Assisted Living Facility See Spec. Reg. 3.	None	None	Same as those regulations for the ground floor use. See Spec. Reg. 3.						A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses. 3. This use may not be located on the ground floor of a structure. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.160	Convalescent Center or Nursing Home			20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.170	Public Utility								A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.180	Government Facility Community Facility								C See Spec. Reg. 1.			
.190	Public Parks	See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process. REGULATIONS CONTINUED ON NEXT PAGE

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Section 47.10 Zone BCX **USE ZONE CHART**

Section 47.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.190	Public Parks (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 50.12 Zone CBD-1 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.12	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Assisted Living Facility See Special Regulation 3.	D.R., Chapter 142 KZC.	None	0	0	0	100%	2 to 5 stories above each abutting right-of-way.	D	A	1.7 per independent unit. 1 per assisted living unit. See KZC 50.60.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.
.110	Public Utility, Government Facility, or Community Facility							2 to 4 stories above each abutting right-of-way.	D See Special Reg. 1.	B	See KZC 50.60 and 105.25.	1. Landscape Category B or C may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses.
.120	Public Park			~~Will be determined on a case by case basis.~~								

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

O-4072

Section 50.17 Zone CBD-2 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.17	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Public Utility	D.R., Chapter 142 KZC.	None	0'	0'	0'	100%	2 stories above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.	D	B	See KZC 50.60 and 105.25.	1. May be permitted only if locating this use in the immediate area of subject property is necessary to permit efficient service to the area or the City as a whole. 2. No structures, other than moorage structures, may be waterward at the high water-line. For regulations regarding moorages, see the moorage listings in this zone.
.140	Government Facility											
.150	Community Facility											
.160	Public Park			~~Will be determined on a case-by-case basis.~~								~~1. The design and facilities of the park should emphasize its waterfront location.~~

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 50.27 Zone CBD-3 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.27	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Assisted Living Facility See Special Regulation 3.	D.R., Chapter 142 KZC.	None	20'	0	0	80%	3 stories above average building elevation.	D	A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 4. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.
.120	Public Utility			20' See Spec. Reg. 3.					C See Special Reg. 1.			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses. 2. Landscape Category C is required if the subject property is adjacent to Planned Areas 6C, 6D, or 6J. 3. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.
.130	Government Facility or Community Facility								D See Special Regs. 1 and 2.			
.140	Public Park		~~Will be determined on a case-by-case basis.~~						--	~~B~~	~~See KZC 105.25.~~	

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 50.32 Zone CBD-4 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.32	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	School, Day Care or Mini-School or Day Care Center	D.R., Chapter 142 KZC.	None	10'	0	0	100%	4 stories above average building elevation of existing grade.	D	B	See KZC 105.25.	1. A six-foot-high fence is required along all property lines adjacent to outside play areas. 2. Primary vehicular access to the subject property may not be directly from Second Avenue South between Second Street South and State Street unless no other alternative exists. 3. Structured play areas must be setback from all property lines by at least five feet. 4. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 5. 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. 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.100	Assisted Living Facility								D See Spec. Reg. 3.	A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 3. Landscape Category C is required if subject property is adjacent to Planned Area 6C.
.110	Detached Dwelling Units	None	3,600 sq. ft.	20'	5', but 2 side yards must be at least 15'.	10'	60%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.120	Public Utility, Government Facility, or Community Facility	D.R., Chapter 142 KZC.	None	10'	0	0	100%	4 stories above average building elevation of existing grade.	D See Spec. Reg. 1	B	See KZC 105.25.	1. Landscape Category C is required if subject property is adjacent to Planned Area 6C. Landscape Category A or B may be required depending on the type of use on the subject property and impacts associated with the use on nearby uses.
.130	Public Park			~~Will be determined on a case-by-case basis.~~					--			

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 50.37 Zone CBD-5 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.37	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.120	Public Utility, Government Facility, or Community Facility	D.R., Chapter 142 KZC.	None	20'	0	0	80%	3 to 5 stories above average building elevation.	D See Special Reg. 1.	B	See KZC 105.25.	1. Landscape Category C is required if the subject property is adjacent to 6th Street or Kirkland Avenue. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses. 2. Site design must include installation of pedestrian linkages consistent with the major pedestrian routes in the Downtown Plan chapter of the Comprehensive Plan, between public sidewalks and building entrances, and between walkways on the subject property and existing or planned walkways on abutting properties.
.130	Public Park			~~Will be determined on a case-by-case basis.~~								1. ~~Site and building design must include installation of pedestrian linkages consistent with the major pedestrian routes in the Downtown Plan chapter of the Comprehensive Plan.~~

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 50.42 Zone CBD-6 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.42 USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Church	D.R., Chapter 142 KZC.	None	20'	10'	10'	80%	4 stories above average building elevation. See also Special Regulation 2.	D See Spec. Reg. 3.	B	See KZC 105.25. See Special Regulation 5.	1. For any portion of a structure on the subject property within 40 feet of Seventh Avenue or Fifth Street north of Sixth Avenue that does not exceed 30 feet above average building elevation, the minimum required side yards are five feet, but two side yards must equal at least 15 feet.
				See Special Regulations 1 and 6.								
.120	Public Utility, Government Facility, or Community Facility								D See Spec. Regs. 3 and 4.		See KZC 105.25.	2. No portion of a structure on the subject property within 40 feet of Seventh Avenue may exceed 25 feet above the elevation of Seventh Avenue as measured at the midpoint of the frontage of the subject property on Seventh Avenue. No portion of a structure on the subject property within 40 feet of Fifth Street north of Sixth Avenue may exceed 30 feet above the elevation of Fifth Street as measured at the midpoint of the frontage of the subject property on Fifth Street.
.130	Public Park		~~Will be determined on a case-by-case basis.~~									3. Landscape Category C is required if the subject property is located adjacent to the RS 5.0, or Planned Areas 7B or 7C zones. 4. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses. 5. No parking is required for daycare or school ancillary to the church use. 6. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 50.47 Zone CBD-7 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.47	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Assisted Living Facility See Spec. Reg. 3.	D.R., Chapter 142 KZC.	None	20'	0	0	80%	3 stories above average building elevation.	D	A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.
.120	Stacked or Attached Dwelling Units See Special Regulation 1.										1.7 per unit.	1. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.
.130	Public Utility, Government Facility, or Community Facility								D See Spec. Reg. 1.	B	See KZC 105.25.	1. Landscape Category C is required if the subject property is adjacent to Planned Area 7B. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses.
.140	Public Park		~~Will be determined on a case-by-case basis.~~						--			

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 50.52 Zone CBD-8 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.52	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Assisted Living Facility See Special Regulation 3.	D.R., Chapter 142 KZC.	None	10'	0	0	100%	30 feet above the elevation of 3rd Avenue or 4th Avenue as measured at the projected midpoint of the frontage of the subject property on the nearest applicable right-of-way.	D	A	1.7 per independent unit. 1 per assisted living unit. See KZC 50.60.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 4. This use is not permitted on the street level floor adjacent to Central Way. 5. If the subject property abuts Third Avenue between First Street and Second Street, the site and buildings must be designed to provide residential character and scale adjacent to Third Avenue and Fourth Avenue. 6. Ground floor porches and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the facade of the structure.
				See Special Regulation 6.								
.110	Stacked or Attached Dwelling Units			10'	0'	0'					1.7 per unit. See KZC 50.60.	1. This use is not permitted on the street level floor adjacent to Central Way. 2. If the subject property abuts Third Avenue between First Street and Second Street, the site and buildings must be designed to provide residential character and scale adjacent to Third Avenue and Fourth Avenue. 3. Ground floor porches and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the facade of the structure.
				See Special Regulation 3.								
.120	Public Utility, Government Facility, or Community Facility			0'	0'	0'			D See Spec. Reg. 1.	B	See KZC 50.60 and 105.25.	1. Landscape Category C is required if the subject property is adjacent to Planned Areas 7A or 7B, or PR 3.6 zones. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses.
.130	Public Park			~~Will be determined on a case-by-case basis.~~								

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 52.12 Zone JBD-1 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.12	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.190	Public Parks	B.R., Chapter 142 KZC. See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 52.17 Zone JBD-2 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.17	USE ↓ / REGULATIONS →	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.180	Public Parks	D.R., Chapter 142 KZC. See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 52.17 Zone JBD-2 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.17	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.180	Public Parks (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 52.22 Zone JBD-3 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.22	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	Public Parks	D.R., Chapter 142 KZC. See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					See General Regulations.	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 52.22 Zone JBD-3 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.22	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	Public Parks (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 52.27 Zone JBD-4 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.27	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.160	Public Parks	S.R., Chapter 142 KZC. See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 52.27 Zone JBD-4 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.27	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.160	Public Parks (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 52.32 Zone JBD-5 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.32	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.150	Public Parks	B.R., Chapter 142 KZC. See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 52.32 Zone JBD-5 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.32	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.150	Public Parks (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment. 3. See KZC 52.35 for regulations regarding bulkheads and land surface modification.
.160	Public Access Pier or Boardwalk	D.R., Chapter 142 KZC.	None	Landward of the high waterline 0' 0' 0' Waterward of the high waterline 0' 10' 0' See also Spec. Reg. 8.			--	Pier decks may not be more than 24 feet above mean sea level. Diving boards and similar features may not be more than 3 feet above the deck.	--	See Spec. Reg. 7.	--	1. No accessory uses, buildings, or activities may be permitted as part of this use. 2. If a structure will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Washington State Department of Natural Resources prior to proposing this use. 3. May not treat structures with creosote, oil base, or toxic substances. 4. Must provide at least one covered and secured waste receptacle. 5. All utility lines must be below the pier deck and, where feasible, underground. 6. Piers must be adequately lit; the source of the light must not be visible from off the subject property. 7. The pier or boardwalk must display the street address of the subject property. The address must be oriented to and visible from the lake with letters and numbers at least four inches high. 8. The side property line yards may be reduced for over water public access piers or boardwalks which connect with waterfront public access on adjacent property. 9. See KZC 52.35 for regulations regarding bulkheads and land surface modification. 10. This development may also be regulated under the City's Shoreline Master Program; consult that document. 11. May not use land waterward of the high waterline to determine lot size or to calculate allowable density.

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Section 52.42 — Zone JBD-6 — USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.42	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.140	Public Parks	D.R., Chapter 142 KZC. See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 52.42 Zone JBD-6 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.42	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.140	Public Parks (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 54.06 Zone NRH1A **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.06	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.170	Public Park	B.R., Chapter 142 KZC. See Special Regs. 1 and 2.	None	Will be determined on a case-by-case basis.					–	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 54.06 Zone NRH1A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.06	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.170	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 54.12 Zone NRH1B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.12	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Assisted Living Facility See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.	None	Same as regulations for the ground floor use.				5 stories above abutting right-of-way.	Same as regulations for the ground floor use.	A	1 per assisted living unit.	1. This use may be located on the street level floor of a building only if there is a commercial space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the commercial space if the applicant demonstrates that the proposed configuration of the commercial use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.120	Convalescent Center or Nursing Home			10'	0'	0'	80%	5 stories above abutting right-of-way.	C	B	1 for each bed.	
.130	Public Utility							2 stories above abutting right-of-way.	A	B	See KZC 105.25.	
.140	Government Facility or Community Facility								C See Spec. Reg. 1.			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.150	Public Park	~~See Spec. Regs. 1 and 2.~~		Will be determined on a case-by-case basis.					–			1. Except as provided for in Special Regulation 2 below, any ~~development~~ or use of a park must occur consistent with a ~~Master Plan.~~ A Master Plan shall be reviewed through a ~~community review~~ process, established by the Parks and ~~Community Services~~ Director, which shall include at a minimum: a. ~~One formal~~ public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: ~~1) A description of the proposal;~~ 2) An ~~analysis of the~~ consistency of the proposal with adopted Comprehensive Plan ~~policies, including~~ the pertinent Park and Recreation Comprehensive Plan policies;

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

REGULATIONS CONTINUED ON NEXT PAGE

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Section 54.12 Zone NRH1B USE ZONE CHART

Section 54.12 USE ⇩ REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for 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						
.150 Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 54.18 Zone NRH2 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.18	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Assisted Living Facility See Spec. Reg. 1.	D.R., Chapter 142 KZC.	None	20'	5' but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation.	D	A	1 per assisted living unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.080	Convalescent Center or Nursing Home								C	B	1 for each bed.	
.090	Public Utility								A		See KZC 105.25.	
.100	Government Facility or Community Facility								C See Spec. Reg. 1.			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.110	Public Park	~~See Special Regs. 1 and 2.~~	None	Will be determined on a case-by-case basis.					–			~~1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council.~~ REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 54.18 Zone NRH2 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.18	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 54.24 Zone NRH3 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.24	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Assisted Living Facility See Spec. Reg. 1.	D.R., Chapter 142 KZC.	None	20'	5' but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation.	D	A	1 per assisted living unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.080	Convalescent Center or Nursing Home								C	B	1 for each bed.	
.090	Public Utility								A		See KZC 105.25.	
.100	Government Facility or Community Facility								C See Spec. Reg. 1.			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.110	Public Park	See Spec. Regs. 1 and 2.	None	Will be determined on a case-by-case basis.					–	B		1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 54.24 Zone NRH3 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.24	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 54.30 Zone NRH4 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.30	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.150	Assisted Living Facility See Spec. Reg. 1.	D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	30' above average building elevation.	C	A	1 per assisted living unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.160	Convalescent Center or Nursing Home								C	B	1 for each bed.	
.170	Public Utility								A		See KZC 105.25.	
.180	Government Facility Community Facility								C See Spec. Reg. 1.			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.190	Public Park	See Spec. Regs. 1 and 2.		Will be determined on a case-by-case basis.					–			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 54.30 Zone NRH4 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.30	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS Lot Size	REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.190	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.
.200	High Technology See Spec. Regs. 1, 2, and 3.	D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	30' above average building elevation.	A	D	If manufacturing then 1 per each 1,000 sq. ft. of gross floor area. If office then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 2. May include as part of this use, accessory retail sales, or service utilizing not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 3. Refer to KZC 115.105 for provisions regarding Outdoor Use, Activity and Storage.

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Section 54.36 Zone NRH5 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.36	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Assisted Living Facility See Spec. Regs. 1, 2 and 3.	D.R., Chapter 142 KZC.	None	10'	5' but 2 side yards must equal at least 15'.	10'	70%	30' above average building elevation.	D	A	1 per assisted living unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: a. Project is of superior design, and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 3. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside.
.080	Convalescent Center or Nursing Home								C	B	1 for each bed.	
.090	Public Utility								A		See KZC 105.25.	
.100	Government Facility Community Facility See Spec. Reg. 1.								C See Spec. Reg. 2.			1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.110	Public Park	See Special Regs. 1 and 2.	Will be determined on a case-by-case basis.						-			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 54.36 Zone NRH5 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.36	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 54.42 Zone NRH6 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.42	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Assisted Living Facility See Spec. Regs. 1, 2 and 3.	D.R., Chapter 142 KZC.	None	10'	5' but 2 side yards must equal at least 15'.	10'	70%	30' above average building elevation.	D	A	1 per assisted living unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: a. Project is of superior design, and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 3. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside.
.080	Convalescent Center or Nursing Home								C	B	1 for each bed.	
.090	Public Utility								A		See KZC 105.25.	
.100	Government Facility Community Facility See Spec. Reg. 1.								C See Spec. Reg. 2.			1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.110	Public Park	~~See Spec.~~ Regs. 1 and 2.		Will be determined on a case-by-case basis.					–			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

(Revised 9/03)

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Section 54.42 Zone NRH6 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.42	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 55.09 Zone TL 1A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 55.09	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	Public Utility	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' above average building elevation. See Spec. Reg. 1.	A	B	See KZC 105.25.	1. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.100	Government Facility or Community Facility								C See Spec. Reg. 2.			1. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies. 2. Landscape category A or B may be required depending on the type of use on the subject property and the impacts associated with this use.
.110	Public Park			~~Will be determined on a case-by-case basis.~~								

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 55.15 Zone TL 1B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 55.15 USE	REGULATIONS	Required Review Process	MINIMUMS Lot Size	MINIMUMS REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS Lot Coverage	MAXIMUMS Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Utility	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 1.	0'	0'	80%	40' above average building elevation. See Spec. Reg. 2.	A	B	See KZC 105.25.	1. Twenty-foot yard required where properties abut NE 132nd Street. 2. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.110	Government Facility or Community Facility								C			1. Twenty-foot yard required where properties abut NE 132nd Street. 2. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies. 3. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the us on the nearby uses.
.120	Public Park			~~Will be determined on a case-by-case basis.~~								

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 55.21 Zone TL 2 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 55.21	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	School, Day-Care Center or Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	Less than 1.5 acres.	10' See Spec. Reg. 4.	0' See Spec. Reg. 4.	0' See Spec. Reg. 4.	80%	30' above average building elevation.	D	B	See KZC 105.25. See Spec. Reg. 5.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. A six foot high fence is required along property lines adjacent to outside play areas. 3. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 4. Structured play areas must be setback from all property lines by at least five feet. 5. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting r-o-w improvements. 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.110	Assisted Living Facility			0'	0'	0'			B	A	1 per assisted living unit.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. This use may not be located on the ground floor of a structure. 3. The development must be designed to limit potential impacts from surrounding commercial uses on residents of the subject property. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.120	Convalescent Center or Nursing Home								C	B	1 for each bed.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. This use may not be located on the ground floor of a structure.
.130	Public Utility, Government Facility and Community Facility								D See Spec. Reg. 2.		See KZC 105.25.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. Landscape category B or C may be required depending on the type of use on the subject property and the impacts associated with this use.
.140	Public Park		None ~~Will be determined on a case-by-case basis.~~									

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

(Revised 12/04)

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Section 55.27 — Zone TL 3A, 3B, 3C, 3D — USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 55.27	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.020	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	20' on each side	10'	70%	30' above average building elevation.	A	B	See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.030	Government Facility or Community Facility				10' on each side				C See Spec. Reg. 1.			
.040	Public Park	See Spec. Regs. 1 and 2.	Will be determined on case-by-case basis.						--			1. Except as provided in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed master plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed master plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the master plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare; REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 55.27 Zone TL 3A, 3B, 3C, 3D USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 55.27	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a master plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.12 — Zone PLA1 — USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.12 USE ⇩	REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	10' on each side	10'	70%	25' above average building elevation.	A	B	See KZC 105.25.	1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. If any portion of a structure is adjoining a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. 3. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.050	Government Facility								C See Spec. Reg. 3.			
.060	Community Facility	Process IIB, Chapter 152 KZC.										
.070	Public Park	See Special Regulations 1 and 2.		Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.12 Zone PLA1 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.12	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Public Park (continued)											~~REGULATIONS CONTINUED FROM PREVIOUS PAGE~~ ~~6) A recommended action by the City Council.~~ ~~c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds:~~ ~~1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and~~ ~~2) It is consistent with the public health, safety, and welfare;~~ ~~3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040.~~ ~~In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following:~~ ~~a. Location, dimensions, and uses of all active and passive recreation areas;~~ ~~b. Potential users and hours of use;~~ ~~c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards;~~ ~~d. Landscaping;~~ ~~e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property.~~ ~~2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following:~~ ~~a. Lighting for outdoor nighttime activities;~~ ~~b. The construction of any building of more than 4,000 square feet;~~ ~~c. The construction of more than 20 parking stalls;~~ ~~d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.~~ 1. ~~3.~~ If any portion of a structure is adjoining a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details.

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Section 60.17 Zone PLA2 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.17	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.030	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	20' on each side	10'	70%	25' above average building elevation.	A	A	See KZC 105.25.	1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.040	Government Facility				10' on each side				B See Spec. Reg. 2.	B		
.050	Community Facility	Process IIB, Chapter 152 KZC.										
.060	Public Park	See Special Regulations 1 and 2.		Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 60.17 Zone PLA2 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.17	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.060	Public Park (continued)											~~REGULATIONS CONTINUED FROM PREVIOUS PAGE~~ ~~2) It is consistent with the public health, safety, and welfare;~~ ~~3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040.~~ ~~In addition to the features identified in KZC 5.10.585, the Master Plan shall identify the following:~~ ~~a. Location, dimensions, and uses of all active and passive recreation areas;~~ ~~b. Potential users and hours of use;~~ ~~c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards;~~ ~~d. Landscaping;~~ ~~e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property.~~ ~~2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following:~~ ~~a. Lighting for outdoor nighttime activities;~~ ~~b. The construction of any building of more than 4,000 square feet;~~ ~~c. The construction of more than 20 parking stalls;~~ ~~d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.~~ 1. ~~Portions of the park located within the wetlands must be devoted exclusively to passive recreation that is not consumptive of the natural environment.~~

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Section 60.22 Zone PLA3A **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.22	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Church	Process IIB, Chapter 152 KZC.	Must be part of a development with a site area of at least 15 acres. See Special Regulation 1.	20'	20' on each side	20'	70%	30' above average building elevation. See General Regulations.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Special Regulation 2.	1. The minimum lot size for this use is 7,200 square feet if the subject property has frontage on Lake Washington Boulevard. 2. No parking is required for day-care or school ancillary to the use.
.110	Public Utility		None					30' above average building elevation.	A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.120	Government Facility or Community Facility				10' on each side	10'			C See Spec. Reg. 1.			
.130	Public Park	See Special Regulations 1 and 2.	Will be determined on a case-by-case basis.						--		See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 60.22 Zone PLA3A **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.22	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Public Park (continued)											~~REGULATIONS CONTINUED FROM PREVIOUS PAGE~~ ~~3) An analysis of the consistency of the proposal with applicable developmental regulations, if any;~~ ~~4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act;~~ ~~5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and~~ ~~6) A recommended action by the City Council.~~ ~~c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds:~~ ~~1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and~~ ~~2) It is consistent with the public health, safety, and welfare;~~ ~~3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040.~~ ~~In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following:~~ ~~a. Location, dimensions, and uses of all active and passive recreation areas;~~ ~~b. Potential users and hours of use;~~ ~~c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards;~~ ~~d. Landscaping;~~ ~~e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property.~~ ~~2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following:~~ ~~a. Lighting for outdoor nighttime activities;~~ ~~b. The construction of any building of more than 4,000 square feet;~~ ~~c. The construction of more than 20 parking stalls;~~ ~~d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.~~ 1. Any portion of the park located within the wetland must be devoted exclusively to passive recreation that is not consumptive.

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Section 60.27 Zone PLA3B **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.27	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	North Property Line	South Property Line	High Water Line	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.080	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.						--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare; 3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.27 Zone PLA3B **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.27	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	North Property Line	South Property Line	High Water Line						
.080	Public Park (continued)												~~REGULATIONS CONTINUED FROM PREVIOUS PAGE~~ In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, ~~climber toys, slides, single basketball hoops, and similar equipment.~~ 1. X If any portion of a structure is adjoining a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. 2. X The provisions of Chapter 90 KZC limiting development in and around wetlands do not apply to a public park if the development is approved as part of a Master Plan. 3. X This use may include a public access pier or boardwalk. See KZC 30.15.030 through 30.15.050 for regulations regarding these uses.

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Section 60.32 Zone PLA5A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.32	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	10' on each side	10'	70%	30' above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.080	Public Utility	None	None		20' on each side				A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility	Process IIA, Chapter 150 KZC.			10' on each side				C See Spec. Reg. 1			
.100	Public Park	See Special Regulations 1 and 2.		Will be determined on a case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.32 Zone PLA5A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.32	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.37 Zone PLA5B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.37	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Utility	Process I, Chapter 145 KZC.	None	20'	20' on each side	20'	70%	30' above average building elevation.	A	B	See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
				The required yard of any structure abutting a lot containing a low density use within PLA 5A must be increased 1' for each 1' that structure exceeds 20' above average building elevation.								
.110	Government Facility or Community Facility			20'	10' on each side	10'			C See Spec. Reg. 1.			
				The required yard of any structure abutting a lot containing a low density use within PLA 5A must be increased 1' for each 1' that structure exceeds 20' above average building elevation.								
.120	Public Park	~~See Special Regulations 1 and 2.~~		Will be determined on a case-by-case basis.					--			~~1. Development and use of a park does not require a development permit under this Code if:~~ ~~a. A Master Plan for that park has been approved by the City and the proposed development and use is consistent with the Master Plan; or~~ ~~b. The proposed use and development will not involve:~~ ~~1) Lighting for outdoor nighttime activities; and~~ ~~2) The construction of any building of more than 4,000 square feet; and~~ ~~3) The construction of more than 20 parking stalls; and~~ ~~4) The development of any structured sports or activity areas.~~ ~~2. Any development or use of a park that does not meet the requirements of Special Regulation 1 must be approved through the Process IIB, Chapter 152 KZC. The City will use the following factors in determining what facilities and uses will be permitted:~~ ~~a. Ease of access to the park.~~ ~~b. Character of the neighborhood.~~ ~~c. Size, nature, and topography of the subject property.~~

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 60.42 Zone PLA5C **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.42	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	Convalescent Center or Nursing Home	Process I, Chapter 145 KZC.	7,200 sq. ft.	20'	10' on each side	10'	70%	The lower of 6 stories or 60' above average building elevation.	C	B	1 for each bed.	1. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.100	Public Utility		None		20' on each side				A		See KZC 105.25.	1. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.110	Government Facility or Community Facility				10' on each side				C See Spec. Reg. 2.			
.120	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.42 Zone PLA5C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.42	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.120	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.47 Zone PLA5D **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.47	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	10' on each side	10'	70%	The lower of 4 stories or 40' above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.080	Public Utility		None		20' on each side	20'			A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility				10' on each side	10'			C See Spec. Reg. 1			
.100	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.47 Zone PLA5D USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.47	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.52 Zone PLA5E **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.52	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	10' on each side	10'	70%	30' above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.080	Public Utility		None		20' on each side				A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility				10' on each side				C See Spec. Reg. 1			
.100	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 60.52 Zone PLA5E USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.52	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.57 Zone PLA6A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.57	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	10' on each side	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.080	Public Utility		None		20' on each side	20'			A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility				10' on each side	10'			C See Spec. Reg. 1.			
.100	Public Park	See Special Regulations 1 and 2.		Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.57 Zone PLA6A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.57	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.62 Zone PLA6B **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.62	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Convalescent Center or Nursing Home	Process I, Chapter 145 KZC.	7,200 sq. ft.	20'	10' on each side	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.110	Public Utility	Process IIA, Chapter 150 KZC.	None		20' on each side	20'			A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.120	Government Facility or Community Facility				10' on each side	10'			C See Spec. Reg. 1			
.130	Public Park	See Special Regulations 1 and 2.		Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 60.62 Zone PLA6B **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.62	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.67 Zone PLA6C **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.67	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.080	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.67 Zone PLA6C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.67	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.080	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.72 Zone PLA6D **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.72	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	10' on each side	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.080	Public Utility		None		20' on each side	20'			A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility				10' on each side	10'			C See Spec. Reg. 1			
.100	Public Park	See Special Regulations 1 and 2.	Will be determined on a case-by-case basis.						--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 60.72 Zone PLA6D USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.72	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.77 Zone PLA6E USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.77	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.77 Zone PLA6E

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.77	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	MINIMUMS: REQUIRED YARDS (See Ch. 115): Side	MINIMUMS: REQUIRED YARDS (See Ch. 115): Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.82 Zone PLA6F

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.82	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.080	Public Utility	None	None	20'	20' on each side	20'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	A	B	See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility	Process IIA, Chapter 150 KZC.			10' on each side	10'			C See Spec. Reg. 1.			
.100	Public Park	See Special Regulations 1 and 2.		Will be determined on a case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 60.82 Zone PLA6F **USE ZONE CHART**

Section 60.82	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.18.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.87 Zone PLA6G

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.87	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.140	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation, exclusive of parking levels.	A	B	See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses. 2. Site and building design shall be complementary with surrounding residential through use of design elements such as roof forms, building modulation, setbacks, and landscaping. The City may require revision of the building design, site plan or landscaping plan in order to minimize noise and enhance the visual character of the area. 3. Prior to issuance of a development permit, documentation must be provided and stamped by a licensed professional verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.
.150	Government Facility or Community Facility								C See Spec. Reg. 1.			
.160	Public Park	See Spec. Regs. 1 and 2.	Will be determined on case-by-case basis.						--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 60.87 Zone PLA6G **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.87	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.160	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.92 Zone PLA6H **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.92	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	7,200 sq ft.	20'	10' on each side.	10'	70%	25' above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.080	Public Utility		None		20' on each side				A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility				10' on each side				C See Spec. Reg. 1.			
.100	Public Park	~~See Special Regulations 1 and 2.~~	None	Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

O-4072

Section 60.92 Zone PLA6H USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.92	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.97 Zone PLA6i **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.97	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	None	20'	10' on each side	10'	70%	30' above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.080	Public Utility				20' on each side				A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility				10' on each side				C See Spec. Reg. 1.			
.100	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.97 Zone PLA6I USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.97	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.102 Zone PLA6J **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.102	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	10' on each side.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.080	Public Utility		None		20' on each side	20'			A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility				10' on each side	10'			C See Spec. Reg. 1			
.100	Public Park	See Special Regulations 1 and 2.	Will be determined on a case-by-case basis.						--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.102 Zone PLA6J **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.102	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.107 Zone PLA6K USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.107	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS Lot Size	REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	10' on each side.	10'	70%	30' above average building elevation.	C		1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.080	Public Utility		None		20' on each side				A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.090	Government Facility or Community Facility				10' on each side				C See Spec. Reg. 1.			
.100	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--	B		1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

(Revised 12/02)

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Section 60.107 Zone PLA6K **USE ZONE CHART**

Section 60.107	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.112 Zone PLA7A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.112 USE	REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.080	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	20' on each side	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	A	B	See KZC 105.25.	
.090	Government Facility or Community Facility				10' on each side				C See Spec. Reg. 1.			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.100	Public Park	See Special Regulations 1 and 2.	Will be determined on a case-by-case basis.						--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

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Section 60.112 Zone PLA7A **USE ZONE CHART**

Section 60.112	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.117 Zone PLA7B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.117	USE ⇩	REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Public Park		See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

(Revised 12/02)

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Section 60.117 Zone PLA7B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.117	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.122 Zone PLA7C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.122	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park	See Spec. Regs. 1 and 2.	None	Will be determined on a case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.122 Zone PLA7C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.122	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.132 Zone PLA9 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.132	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	20' on each side	10'	70%	25' above average building elevation.	A	B	See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.120	Government Facility or Community Facility				10' on each side				C See Spec. Reg. 1.			
.130	Public Park	See Special Regulations 1 and 2.		Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.132 Zone PLA9 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.132	USE ⇩ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.130	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 5,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.168b Zone PLA14 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.168b	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.060	Public Utility See Spec. Reg. 1.	See Spec. Reg. 2.	None	20'	20' on each side	20'	70%	25' above average building elevation.	A See Spec. Reg. 3.	B	See KZC 105.25.	1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. The required review process is as follows: a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150 KZC. b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152 KZC, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping. 3. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.070	Government Facility or Community Facility See Spec. Reg. 1.				10' on each side	10'			C See Spec. Reg. 3.			
.080	Public Park	See Spec. Regs. 1 and 2.	Will be determined on a case-by-case basis.						–			1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.168b

Zone PLA14 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.168b	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.080	Public Park (Continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.172 Zone PLA15A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.172	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115): Front	North Property Line	South Property Line	High Water Line	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.100	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.						--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare; 3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040. REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.172 Zone PLA15A USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.172	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 YARD (See Ch. 115)				Lot Coverage	Height of Structure				
				Front	North Property Line	South Property Line	High Water Line						
.100	Public Park (continued)												REGULATIONS CONTINUED FROM PREVIOUS PAGE In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.177 Zone PLA15B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.177	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.050	Mini-School or Mini-Day-Care Center	None	12,500 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	50%	25' above average building elevation.	E	B	See KZC 105.25.	1. A six-foot high fence is required along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines by five feet. 4. 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. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.060	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	20' on each side	20'	50%	25' above average building elevation.	A			1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.070	Government Facility or Community Facility				10' on each side	10'			C See Spec. Reg. 2			
.080	Public Park	~~See Special Regulations 1 and 2.~~		Will be determined on a case-by-case basis.					--			1. Except as provided for in Special Regulation 2 below, any ~~development~~ or use of a park must occur consistent with a ~~Master Plan.~~ A Master Plan shall be reviewed through a ~~community review~~ process, established by the Parks and Community ~~Services~~ Director, which shall include at a minimum: a. ~~One formal~~ public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. ~~The submittal~~ of a written report on the proposed Master Plan from the Parks Board ~~to the City~~ Council, containing at least the following: 1) A description of the proposal; REGULATIONS CONTINUED ON NEXT PAGE

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.177 Zone PLA15B USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.177	USE ⇨ REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.080	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare; 3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this Code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

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Section 60.182 Zone PLA16 **USE ZONE CHART**

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.182	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.060	Mini-Day-Care Center	None	35,000 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	50%	30' above average building elevation.	E	B	See KZC 105.25.	1. May locate on the subject property only if: a. It will serve the immediate neighborhood in which it is located; or b. It will not be detrimental to the character of the neighborhood in which it is located. 2. A six-foot high fence is required along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 4. Structured play areas must be setback from all property lines by five feet. 5. May include accessory living facilities for staff persons. 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 7. 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. 8. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.
.070	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	20' on each side	20'	70%	30' above average building elevation.	A			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.080	Government Facility or Community Facility				10' on each side	10'			C See Spec. Reg. 1.			
.090	Public Park	~~See Special Regulations 1 and 2.~~	Will be determined on a case-by-case basis.						--			1. Except as provided for in Special Regulation 2 below, ~~any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum:~~ a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. ~~b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following:~~ ~~1) A description of the proposal;~~ ~~REGULATIONS CONTINUED ON NEXT PAGE~~

Development standards will be determined on a case-by-case basis.
See Chapter 49 KZC for required review process.

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Section 60.182 Zone PLA16 USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.182	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

ORDINANCE NO. 4072
PUBLICATION SUMMARY

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING TITLE 23 OF THE KIRKLAND MUNICIPAL CODE; AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE): CHAPTER 5 – DEFINITIONS; CHAPTER 15 – RS ZONES; CHAPTER 17 – RSX ZONES; CHAPTER 20 – RM ZONES; CHAPTER 25 – PR ZONES; CHAPTER 27 – PO ZONES; CHAPTER 30 – WD ZONES; CHAPTER 35 – FC ZONES; CHAPER 40 – BN ZONES; CHAPTER 45 – BC ZONES; CHAPTER 47 – BCX ZONES; CHAPTER 50 – CBD ZONES; CHAPTER 52 – JBD ZONES; CHAPTER 53 – RH ZONES; CHAPTER 54 – NRH ZONES; CHAPTER 55 – TL ZONES; CHAPTER 60 – PLA ZONES; CHAPTER 90 – DRAINAGE BASINS; CHAPTER 105 – PARKING AND PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS; CHAPTER 110 – REQUIRED PUBLIC IMPROVEMENTS; CHAPTER 115 – MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS; CHAPTER 120 – VARIANCES; CHAPTER 130 – REZONES; CHAPTER 135 – ZONING CODE AMENDMENTS; CHAPTER 140 – AMENDMENTS TO THE COMPREHENSIVE PLAN; CHAPTER 145 – PROCESS I; CHAPTER 150 – PROCESS IIA; CHAPTER 152 – PROCESS IIB; CHAPTER 155 – PROCESS III; CHAPTER 160 – PROCESS IV; CHAPTER 161 – PROCESS IVA; CHAPTER 170 – ENFORCEMENT; AND CHAPTER 180 - PLATES (FILE NO. ZON05-00001); AND ALSO REPEALING ORDINANCE NO. 4064 REGARDING OPTIONS FOR MEETING PARKING OBLIGATIONS IN THE CENTRAL BUSINESS DISTRICT ("FEE-IN-LIEU").

Section 1. Identifies the specific amendments to Ordinance 3719, as amended, the Kirkland Zoning Code.

Section 2. Repeals Ordinance No. 4064.

Section 3. Addresses severability.

Section 4. Establishes that this ordinance will be effective within the disapproval jurisdiction of the Houghton Community Council Municipal Corporation upon approval by 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 5. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as thirty days after publication of said summary.

Section 6. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the 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 regular meeting on the _____ day of _____, 2007.

I certify that the foregoing is a summary of Ordinance 4072 approved by the Kirkland City Council for summary publication.

Attest:

_____
City Clerk