



CITY OF KIRKLAND
Planning & Community Development Department
123 Fifth Avenue, Kirkland, WA 98033
425.587.3225 - www.kirklandwa.gov

ADVISORY REPORT
FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Kirkland Hearing Examiner

From: , Eric R. Shields, AICP, Planning Director

Sean LeRoy, Sean LeRoy, Project Planner

Date: April 7, 2015

File: WEBBER SHORT PLAT AND BUFFER MODIFICATION, FILE NO'S SUB14-01017 / SAR14-01018

Hearing Date and Place:

April 16, 2015
 City of Kirkland
 City Hall Council Chamber
 123 Fifth Avenue, Kirkland

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INTRODUCTION

A. APPLICATION

1. Applicant: Del Webber
2. Site Location: 12833 NE 90TH ST
3. Request: Proposal to divide one 1.5 acre parcel into 5 single family lots in the RSX 7.2 zone and the modification of a Type II Wetland in a Primary Basin, pursuant to the provisions in KZC 90.55. The property also includes a Class B stream. However, its buffer and setback together do not exceed the delineated line of the Type II Wetland. The plans include the retention of the existing single family residence located on the eastern third of the subject property.
4. Review Process: Process IIA, Hearing Examiner conducts public hearing and makes final decision on the wetland buffer modification. A 5 lot short plat would typically be reviewed as a Process I permit (Planning Director decision). However, pursuant to KZC 145.10, since the development is part of a proposal that requires approval through a Process IIA, the entire proposal will be decided upon using that other process.
5. Summary of Key Issues and Conclusions:
 - a. Compliance with Short Plat Approval Criteria (see Section II.E.1).
 - b. Compliance with regulations governing Wetland Buffer Modification proposals (see Section II.E.2).

B. RECOMMENDATIONS

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, we recommend approval of this application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.
2. Prior to the commencement of development activity, the applicant shall secure any and all necessary permits from agencies with jurisdiction, including the Washington State Department of Ecology, The Army Corp of Engineers and The Washington State Department of Fish and Wildlife.
3. Prior to the issuance of a land surface modification permit or a building permit, whichever is issued first, the applicant shall enter into an agreement with the City that runs with the property, in a form acceptable to the City Attorney indemnifying the City from any claims, actions, liability and damages to sensitive areas arising out of development activity on the subject property (see Conclusion II.E.4).
4. As part of the Land Surface Modification permit application, the applicant shall:
 - a. Submit development plans that incorporate the approved buffer enhancement, monitoring and maintenance plans (see Conclusion II.D.2b(3a)).

- b. Submit a financial security device to cover the cost of completing the buffer enhancement improvements. The security shall be consistent with the standards outlined in Zoning Code section 90.145 (see Conclusion II.E.3).
 - c. Submit erosion control plans, which depict the location of a six-foot high construction phase fence along the boundary of the entire wetland buffer with silt screen fabric install per City standard. The fencing shall be installed prior to issuance of any permits. The fence shall remain upright in the approved location for the duration of development activities (see Conclusion II.E.6)
5. Prior to final inspection of the land surface modification permit, the applicant shall:
- a. Complete installation of the buffer enhancement plan, subject to **inspection by the City's consultant at the applicant's expense (see Conclusion II.D.2).**
 - b. Install between the upland boundary of all wetland buffers and the developed portion of the site, a permanent 3-4' **split rail fence. Installation** of permanent must be done by hand where necessary to prevent machinery from entering the wetland or its buffer (see Conclusion II.E.6).
 - c. Provide proof of a written contract with a qualified professional who will perform the monitoring and maintenance program, together with a completed contract and fees to fund review of the monitoring and maintenance activities, (i.e. inspection of plant materials, annual monitoring report or re-vegetation activities) **by the City's consultant.** Alternatively, the applicant shall provide a copy of a completed contract **and fees to fund completion of the monitoring program by the City's consultant (see Conclusion II.D.2).**
 - d. Submit to the Planning Department a financial security device to cover all monitoring and maintenance activities that will need to be done including wetland consultant site visits, reports to the Planning Department, and any vegetation that needs to be replaced. The security shall be consistent with the standards outlined in Zoning Code section 90.145 (see Conclusion II.E.5).
6. Prior to recording the short plat the applicant shall:
- a. Obtain a demo permit for the removal of miscellaneous structures and improvements (see Conclusion II.A.1b).
 - b. Dedicate a natural greenbelt protection easement (NGPE) encompassing the stream, wetland and associated (modified) buffers on the site (see Conclusion II.E.5).
 - c. Provide final survey map and legal description of the Natural Greenbelt Protective Easement. The map and legal description shall be prepared by a licensed surveyor and include the following (see Conclusion II.E.5).
 - (1) The survey shall be located on the KCAS or plat bearing system and tied to known monuments. A metes and bounds legal description of the wetland buffer located on the subject property showing all radii, internal angles, points of curvature, tangent bearings and lengths of all arcs.
 - (2) **Surveyor's certificate completed and seal applied.**

- (3) On a separate sheet provide the legal description of the entire parcel.

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning:

a. Facts:

- (1) Size: 64,904 SF existing (1.5 acres).
- (2) Land Use: Single Family Residential. The existing single family residence is proposed to be retained.
- (3) Zoning: RSX 7.2, a single family residential zone with a minimum lot size of 7,200 square feet. All lots meet the 7,200 sf minimum lot size required.

(4) Terrain, Vegetation and Environmental Conditions:

- (a) As mentioned above, the site is encumbered by a Type II **wetland, "Wetland A", in The Watershed Company's** delineation report (see Attachment 8). The subject property is located within the Forbes Creek Basin, designated a Primary Basin under the City of Kirkland Zoning Code (KZC 90.30).

Also present is a stream on the west side of the property. It has been classified as a Class B stream by The Watershed Company. **Since the stream's buffer and setback do not extend beyond the delineated line of the Type II wetland, it is not included as part of the buffer modification request.**

- (b) **The site's terrain supports the presence of the existing** environmental conditions, sloping from the highest point on the east side of the site to the depression on the west, containing the wetland.
- (c) The subject property is densely vegetated containing vegetation typically associated with wetlands, such as salmonberry, lady fern, sword fern and skunk cabbage. Prominent tree species include vine maple, red alder and mountain ash, as well as western red cedars.

b. Conclusion:

- (1) Per KZC 90, lot size is not a constraining factor in the application.
- (2) Land use is not a constraining factor provided all miscellaneous improvements are removed prior to the recording of the short plat.
- (3) Terrain is not a constraining factor provided the recommendations of the Geotechnical Engineer are followed (see Attachment 7).
- (4) With the approval of the requested wetland buffer modification, as conditioned, wetlands are not a constraining factor. Furthermore, **since the Class B stream's buffer does not exceed the delineated line of the wetland, the proposed buffer**

modification is for the Type II wetland only.

2. Neighboring Development and Zoning:
 - a. Facts: The neighboring properties are zoned as follows and contain the following uses:
 - (1) North: RSX 7.2, City Church; NE 90th Street
 - (2) South: RSX 7.2, single family residential
 - (3) East: RSX 7.2, single family residential; 128th Ave NE
 - (4) West: RSX 7.2, single family residential
 - b. Conclusion: The neighborhood development and zoning are not constraining factors in this short plat.

B. PUBLIC COMMENT

1. Facts: The public comment period for this proposal ran from July 23, 2014 to August 18, 2014, during that time the City received one comment. The main **issues raised in the citizen's correspondence** questioned the rationale of allowing a buffer modification to achieve more lots and potential water problems as the property develops.
2. Conclusions: Recognizing constraints resulting from environmentally sensitive **areas, the City's** Zoning Code has provided a means for property duly encumbered to reduce the burden imposed by associated buffers through one of two means – buffer averaging or enhancement. **The applicant's proposal includes** a buffer modification through enhancement. The project will result in the establishment of a new buffer which exceeds the existing buffer in quality and function.

Using the City's Maximum Development Proposal calculation (KZC 90.135), the applicant is permitted 5 lots. That matches the applicant's proposal as submitted and no additional lots are proposed (see Section II.F.2).

The applicant's proposal, in addition to a wetland mitigation plan, included preliminary engineering and a geotechnical report. As alluded to above, the **applicant's proposal will result in an enhanced on-site function of the existing wetland and hence water quality and retention. In addition, the applicant's plan** includes the following features/structures designed with storm water management and water quality in mind:

- Detention vault; located under the proposed common driveway
- Infiltration trenches; to be installed at the base of the wetland buffer setback

C. STATE ENVIRONMENTAL POLICY ACT (SEPA)

1. Facts: The proposal is exempt from SEPA as a short plat (WAC 197-11-800) and no work is proposed within wetlands or streams.
2. Conclusion: The applicant has satisfied the requirements of SEPA.

D. APPROVAL CRITERIA

1. SHORT PLATS / PRELIMINARY PLATS

a. Facts: Municipal Code section 22.12.230 states that the Hearing Examiner may approve a short subdivision only if:

- (1) There are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools; and
- (2) It will serve the public use and interest and is consistent with the public health, safety, and welfare. The Hearing Examiner shall be guided by the policy and standards and may exercise the powers and authority set forth in RCW 58.17.

Zoning Code section 150.65 states that the Hearing Examiner may approve a short subdivision only if:

- (3) It is consistent with the all applicable development regulations, including but not limited to the Zoning Code and Subdivision Code, and to the extent there is no applicable development regulation, the Comprehensive Plan.

b. Conclusion: With the conditions of approval, the proposal complies with Municipal Code section 22.12.230 and Zoning Code section 150.65. It is consistent with the Comprehensive Plan and all applicable development regulations. **In addition, the applicant's proposal is consistent with** the recommended conditions of approval, and there are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools. It will serve the public use and interest and is consistent with the public health, safety, and welfare because it will add to the overall housing stock **of the City and enhance a significant wetland's presence and function** within a primary basin.

2. BUFFER MODIFICATIONS

a. Facts:

(1) KZC 90.60.2b establishes that a Wetland Buffer Modification may only be granted when the proposed development is consistent with all of the following 9 criteria:

- **It is consistent with the Kirkland's Streams, Wetlands and Wildlife Study** (The Watershed Company, 1998) and the Kirkland Sensitive Areas Regulatory Recommendations Report (Adolfson Associates, Inc., 1998);
- It will not adversely affect water quality;
- It will not adversely affect fish, wildlife, or their habitat;
- It will not have an adverse effect on drainage and/or storm water detention capabilities;
- It will not lead to unstable earth conditions or create an erosion hazard or contribute to scouring actions;
- It will not be materially detrimental to any other property or the City as a whole;
- Fill material does not contain organic or inorganic material that would be detrimental to water quality or to fish, wildlife, or their habitat;
- All exposed areas are stabilized with vegetation normally associated with native stream buffers, as appropriate; and

- There is no practicable or feasible alternative development proposal that results in less impact to the buffer.
- (2) The applicant, prior to designing the project, funded a **comprehensive wetland delineation, completed by the City's Consultant, The Watershed Company (Attachment 7)**.
- (3) As part of the project submittal, the applicant included a report prepared by a qualified professional dated May 21, 2014 which addressed the decisional criteria for a buffer modification, including an enhancement plan.
(see Attachment 8).
- (4) **The City's Consultant reviewed the applicant's report and in a letter dated September 26, 2014, requested specific revisions to the plans (see Attachment 9)**.
- (5) The applicant submitted a revised set of plans (Attachment 8) which was reviewed by The Watershed Company and a final approval and recommendation was issued (see Attachment 9).
- (6) KZC 90.60.2a(2) states that a wetland buffer cannot be reduced by more than one-third of the standard buffer width. An additional 10-foot buffer setback is required through KZC Section 90.45.2.

b. Conclusions:

(1) Criteria:

*Criterion 1: It is consistent **with Kirkland's Streams, Wetlands and Wildlife Study (The Watershed Company, 1998) and the Kirkland Sensitive Areas Regulatory Recommendations Report (Adolfson Associates, Inc. 1998)**.*

- *The applicant has provided a plan that applies the appropriate and required buffers and buffer reductions as recommended by the above documents and the City of Kirkland Zoning Code.*

Criterion 2: It will not adversely affect water quality.

- *The **applicant's proposal is expected to have a positive impact on water quality, with the improvements to the wetland's buffer. Enhancements will increase on-site water quality and the overall function of the wetland.***

Criterion 3: It will not adversely affect fish, wildlife, or their habitat.

- *The applicant is proposing to enhance the wetland buffer with vegetation and features that promote and sustain a typically varied **wildlife habitat. The applicant's proposed plan, when installed, will not adversely affect fish, wildlife or their habitat since it includes provisions which sustain and promote wildlife habitation.***

Criterion 4: It will not have an adverse effect on drainage and/or storm water detention capabilities.

- *The **applicant's proposal will result in an overall enhancement of the proper ecological function of the wetland and its buffer as new vegetation is established. It is expected that overall storm drainage and water detention capabilities will improve.***

Criterion 5: It will not lead to unstable earth conditions or create

erosion hazards.

- *The proposed project will not lead to instability in soils or earth conditions. Where appropriate, the recommendations of the **applicant's geotechnical professional will be followed as the project progresses through the development cycle.***

Criterion 6: *It will not be materially detrimental to any other property or to the City as a whole.*

- *The **applicant's proposal will not be detrimental to** any other property or the City as a whole in that it will achieve the goal of enhancing the ecological and hydrological function of a significantly sized wetland in a Primary Basin, in addition to providing suitable habitat for wildlife.*

Criterion 7: *Fill material does not contain organic or inorganic material that would be detrimental to water quality or to fish, wildlife, or their habitat.*

- *The proposal does not call for fill to be placed within the enhancement area. The application, therefore, complies with this criteria.*

Criterion 8: *All exposed areas are stabilized with vegetation normally associated with native wetland buffers, as appropriate.*

- *The **applicant's revised Buffer Mitigation Plan (Attachment 9)** calls for stabilizing exposed areas with appropriate plantings in number, species and location. The plan has been reviewed **by the City's consultant and deemed suitable to meet the requirements of the Code.***

Criterion 9: *There is no practicable or feasible alternative development proposal that results in less impact to the buffer.*

- *There is no feasible alternative which allows for reasonable and responsible development of a site duly encumbered with environmentally sensitive areas.*

(2) The applicant has proposed a wetland buffer modification through **enhancement that reduces the standard buffer of 75' one-third, to 50' with an additional required 10' setback.**

(3) Pursuant to the attachments included within this report, including the proposed site plan, wetland delineation report and review, buffer enhancement plan, (see Attachment 9), and the review by The Watershed Company (see Attachment 10), the proposed development is consistent with the above criteria, subject to the following conditions:

- (a) As part of the land surface modification permit application, the applicant should submit development plans that incorporate the approved buffer enhancement, monitoring and maintenance plans.
- (b) Prior to final inspection of the land surface modification permit, the applicant should:
 - o Complete installation of the buffer enhancement plan, **subject to inspection by the City's consultant at the applicant's expense.**
 - o Provide proof of a written contract with a qualified professional who will perform the monitoring program,

together with a completed contract and fees to fund review of the monitoring and maintenance activities, (i.e. inspection of plant materials, annual monitoring reports or re-vegetation activities) by the City's consultant. Alternatively, the applicant should provide a copy of a completed contract and fees to fund completion of the monitoring by the City's consultant.

- o Provide proof of a written contract to cover maintenance activities outlined in the buffer report.

E. DEVELOPMENT REGULATIONS

1. Right-of-Way Improvements

a. Facts: Access - Right-of-Way: Municipal Code section 22.28.090 requires the applicant to comply with the requirements of Chapter 110 of the Zoning Code with respect to dedication and improvement of adjacent right-of-way.

- (1) Zoning Code Chapter 110 establishes right-of-way improvement requirements. Sections 110.10 and 110.25 require the applicant to make half street improvements in rights-of-way abutting the subject property. The subject property abuts 128TH Ave NE and NE 90th Street which are shown on the City Rights-of-Way Designation Map as collector streets. Section 110.40 establishes the extent and nature of the required improvements, and permits the Public Works Director to require or allow special amenities to save or preserve natural features. The following is a listing of the required improvements, and the special amenities intended to preserve the integrity of the **subject property's sensitive areas and associated buffers** (see Attachment 8 for details) applicable to this development.

NE 90th Street (from the end of the existing improvements at east property line to the west edge of proposed lot 5):

- Pave the street a minimum of 20 feet in width (17 ft. from ROW centerline to face of curb; match curb alignment to the east); see page 4 and 5 of Attachment 8 for extent.
- Install storm drainage, curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk.
- The intersection between NE 90th Street and the new private access road will need to serve as temporary fire truck and vehicular turn-around tee (per Public Works Standards CK-R.16 option 3. To aide in the design and construction of this turn-around tee, it is likely that the driveway for the access road will need to be constructed with curb –return radii (like a standard street intersection) or use of a commercial driveway with curb return radii (see WSDOT standards for driveway standards)
- Install no parking anytime signs around the entire perimeter of the turn-around along the entire north side of the said road extension.

- The access easement at NE 90th Street may need to be widened to encompass the radii.
- Install removable bollards at the west end of the new street to prevent through vehicular access to 128th Avenue NE.

NE 90th Street (west of the proposed project to 128th Ave. NE)

- Due to the wetland buffers, no street improvements will be required other than a gravel trail. From the end of the street improvements (mentioned above) install a 12 ft. wide gravel trail to catch basin CB80. This portion of the trail will provide access maintenance to the catch basin for City Maintenance crews. From CB80 to 128th Ave. NE install a 5 ft. wide crushed rock pathway connected to the new sidewalk along 128th Ave. NE. These improvements are approved by Public Works as a modification as allowed under Chapter 110.70 of the KZC.

128th Ave NE

- Along the east side of the street, install vertical curb and gutter, and 5 ft. wide sidewalk; sidewalk will need to be pervious material because of wetland buffer. The existing asphalt is 24 ft. wide and the new curb shall be 24 ft. from the curb on the west side of the street.
- The street improvements shall extend across to the north side of the NE 90th St. ROW.
- At the south end of the street improvements, the existing street should be approximately 34 ft. wide. The transition from the wider cross-section to the narrower cross-section (24 ft.) shall be constructed on the right-of-way frontage south of this project so that no new impervious area is added in the buffer area. A portion of the existing improvements to the south will need to be removed and replaced.
- Dedicate 30 ft. of right-of-way along the entire property frontage.
- Install standard bollards at the entrance to the pedestrian path to prevent through vehicular access to NE 90th Street.

b. Conclusions: **The applicant's plans meet the standards set forth by KZC 110.**

2. Maximum Development Potential

a. Facts:

- (1) KZC 90.135 provides that the maximum potential number of dwelling units for a site which contains a wetland, stream, minor lake, or their buffers shall be the buildable area in the square feet divided by the minimum lot area per unit or the maximum units

per acre as defined by Chapters 15 through 60 KZC, plus the area of the required sensitive area buffer in square feet divided by the minimum lot area per unit, the maximum units per acre or as specified by KZC Chapters 15 through 60, multiplied by the development factor from Subsection 2 of KZC 90.135.

- (2) The following is the maximum development potential calculations for the site:

Total Property Size	64,904 sf
Sensitive Areas	20,572 sf
Unmodified Sensitive Areas	13,950 sf
Buildable Area	30,382 sf
% of Site in Sensitive Areas and Buffers	21%
Minimum Lot Size	7200 sf
Development Factor	80%
Maximum Development Potential	5.77

- b. Conclusion: With 5 proposed lots, the project as submitted does not exceed the maximum number of lots permitted under the Zoning Code.

3. Bonds and Securities

- a. Facts:

- (1) Zoning Code section 90.145 establishes the requirements for the applicant to submit a performance or maintenance bond to ensure compliance with any aspect of the Drainage Basin regulations contained in Chapter 90 of the Kirkland Zoning Code or any decision or determination made pursuant to the Chapter.

- b. Conclusions:

- (1) As part of the land surface modification permit application, the applicant should submit a financial security device to cover the cost of completing the buffer enhancement improvements. The security should be consistent with the standards outlined in Zoning Code section 90.145.
- (2) Prior to final inspection of the land surface modification permit, the applicant should submit to the Planning Department a financial security device to cover all monitoring and maintenance activities that will need to be done including wetland consultant site visits, report to the Planning Department and any vegetation that needs to be replaced. The security should be consistent with the standards outlined in Zoning Code section 90.145.

4. Sensitive Areas Covenant
 - a. Fact: KZC 90.155 establishes that prior to issuance of a land surface modification permit or a building permit, whichever is issued first the applicant shall enter into an agreement with the City that runs with the property, in a form acceptable to the City Attorney, indemnifying the City from any claims, actions, liability and damages to sensitive areas arising out of development activity on the subject property. The applicant shall record this agreement with the King County Department of Elections and Records.
 - b. Conclusion: Prior to issuance of a land surface modification permit or a building permit, whichever is issued first, the applicant should enter into an agreement with the City from any claims, actions, liability and damages to sensitive areas arising out of development activity on the subject property.

5. Natural Greenbelt Protection Easement
 - a. Fact: KZC Section 90.150 requires that consistent with law, the applicant shall dedicate development rights, air space, or grant a greenbelt protection or open space easement to the City to protect sensitive areas and their buffers.
 - b. Conclusion: As part of the short plat recording, the applicant should dedicate a natural greenbelt protection easement encompassing the stream, wetland and associated buffers on the site. The boundaries of the NGPE should be established by survey. All surveys shall be located on KCAS or plat bearing system and tied to known monuments.

6. Stream/Wetland Buffer Fence or Barrier
 - a. Facts:
 - (1) KZC Section 90.50 requires that prior to the commencement of **development activities the applicant install a 6' tall construction-phase chain link fence or equivalent**, as approved by the Planning Official along the upland boundary of the entire wetland buffer with silt screen fabric install per City standards. It shall remain upright in the approved location for the duration of development activities.
 - (2) Upon project completion the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either (1) a permanent 3-4' tall **split rail fence**; or (2) permanent planting of equal barrier value; or (3) equivalent barrier as approved by the Planning Official.
 - b. Conclusions:
 - (1) As part of the Land Surface Application, the applicant plans will **depict the presence of 6' tall construction-phase chain link fencing** along the entire boundary of the wetland buffer with silt screen installed per City standards.
 - (2) Prior to the final inspection of the Land Surface Modification permit, the applicant shall install a permanent 3-4' tall **split rail fence or equivalent**, as approved by the Planning Official.

F. COMPREHENSIVE PLAN

1. Fact: The subject property is located within the North Rose Hill neighborhood. Figure NRH-4 on page F-11 designates the subject property for low density residential, 6 units per acre (see Attachment 11).
2. Conclusion: The proposed use of the subject property is consistent with the Comprehensive Plan.

G. DEVELOPMENT STANDARDS

1. Fact: Additional comments and requirements placed on the project are found on the Development Standards, Attachment 3.
2. Conclusion: The applicant should follow the requirements set forth in Attachment 3.

III. SUBSEQUENT MODIFICATIONS

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

IV. APPEALS AND JUDICIAL REVIEW

The following is a summary of the deadlines and procedures for challenges and appeals. Any person wishing to file or respond to an appeal should contact the Planning Department for further procedural information.

A. APPEALS

Appeal to City Council:

Section 150.80 of the Zoning Code allows the Hearing Examiner's decision to be appealed by the applicant and any person who submitted written or oral testimony or comments to the Hearing Examiner. A party who signed a petition may not appeal unless such party also submitted independent written comments or information. The appeal must be in writing and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., _____, twenty-one (21) calendar days following the postmarked date of distribution of the Hearing Examiner's decision on the application.

B. JUDICIAL REVIEW

Section 150.130 of the Zoning Code allows the action of the City in granting or denying this zoning permit to be reviewed in King County Superior Court. The petition for review must be filed within 21 calendar days of the issuance of the final land use decision by the City.

V. LAPSE OF APPROVAL

A. SHORT PLAT

Under KMC 22.20.370, the short plat must be recorded with King County within seven

(5) years of the date of approval or the decision becomes void; provided, however, that in the event judicial review is initiated, the running of the seven (5) years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the recording of the short plat.

B. BUFFER MODIFICATIONS

Under KZC 150.135, The applicant must begin construction or submit to the City a complete building permit application for the development activity, use of land or other actions approved under this chapter within seven (7) years after the final approval of the City of Kirkland on the matter, or the decision becomes void; provided, however, that in the event judicial review is initiated per KZC 150.130 the running of the seven (7) years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the required development activity, use of land, or other actions.

The applicant must substantially complete construction for the development activity, use of land, or other actions approved under this chapter and complete the applicable conditions listed on the notice of decision within nine (9) years after the final approval on the matter, or the decision becomes void.

VI. APPENDICES

Attachments 1 through 10 are attached.

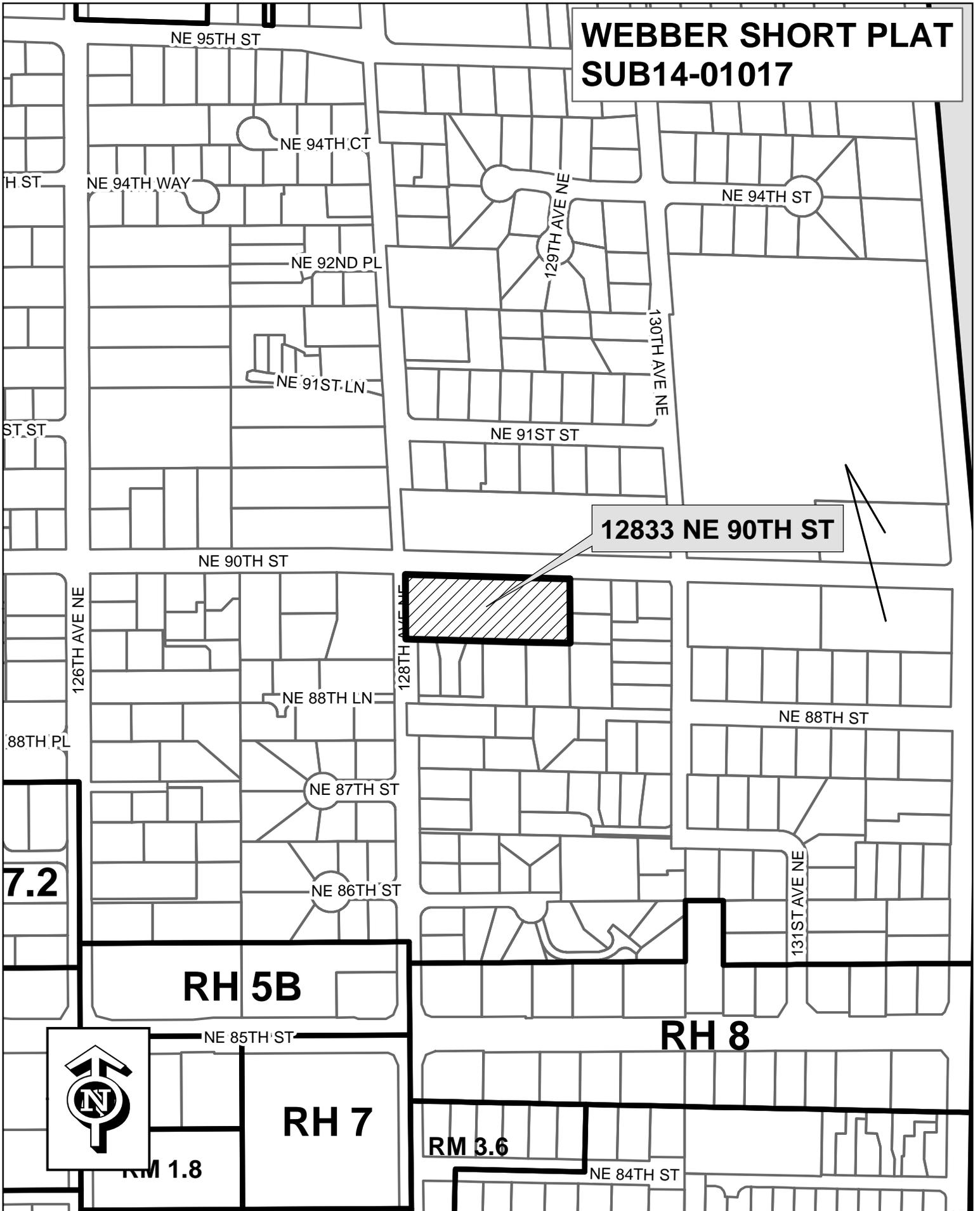
1. Vicinity Map
2. Short Plat Plans and Survey
3. Development Standards
4. Tree Plan
5. Public Comment
6. Geotechnical Report
7. Watershed Delineation
8. Wetland Buffer Modification Response and Plans
9. Review of Wetland Buffer Modification Plan
10. North Rose Hill Neighborhood Land Use Map

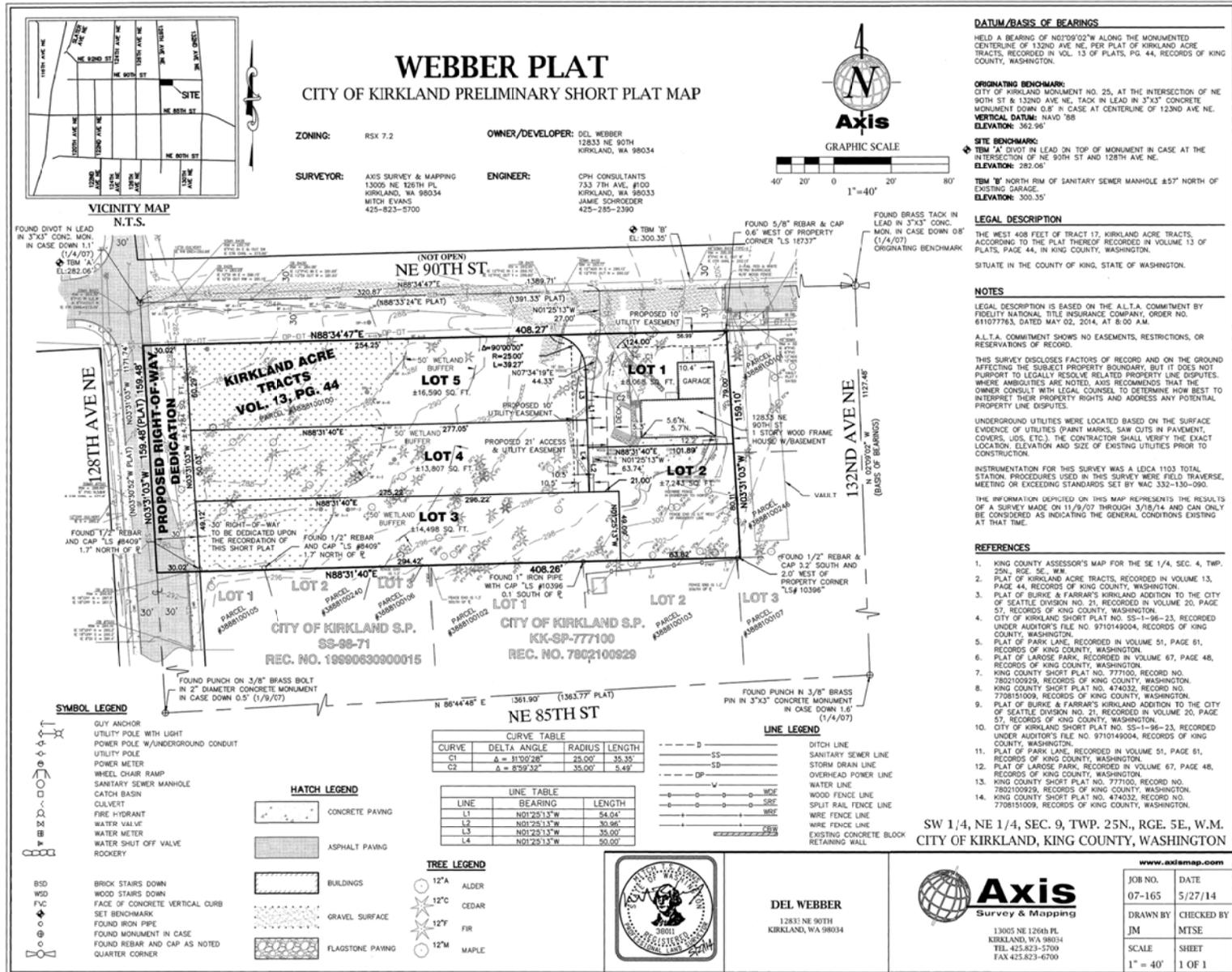
VII. PARTIES OF RECORD

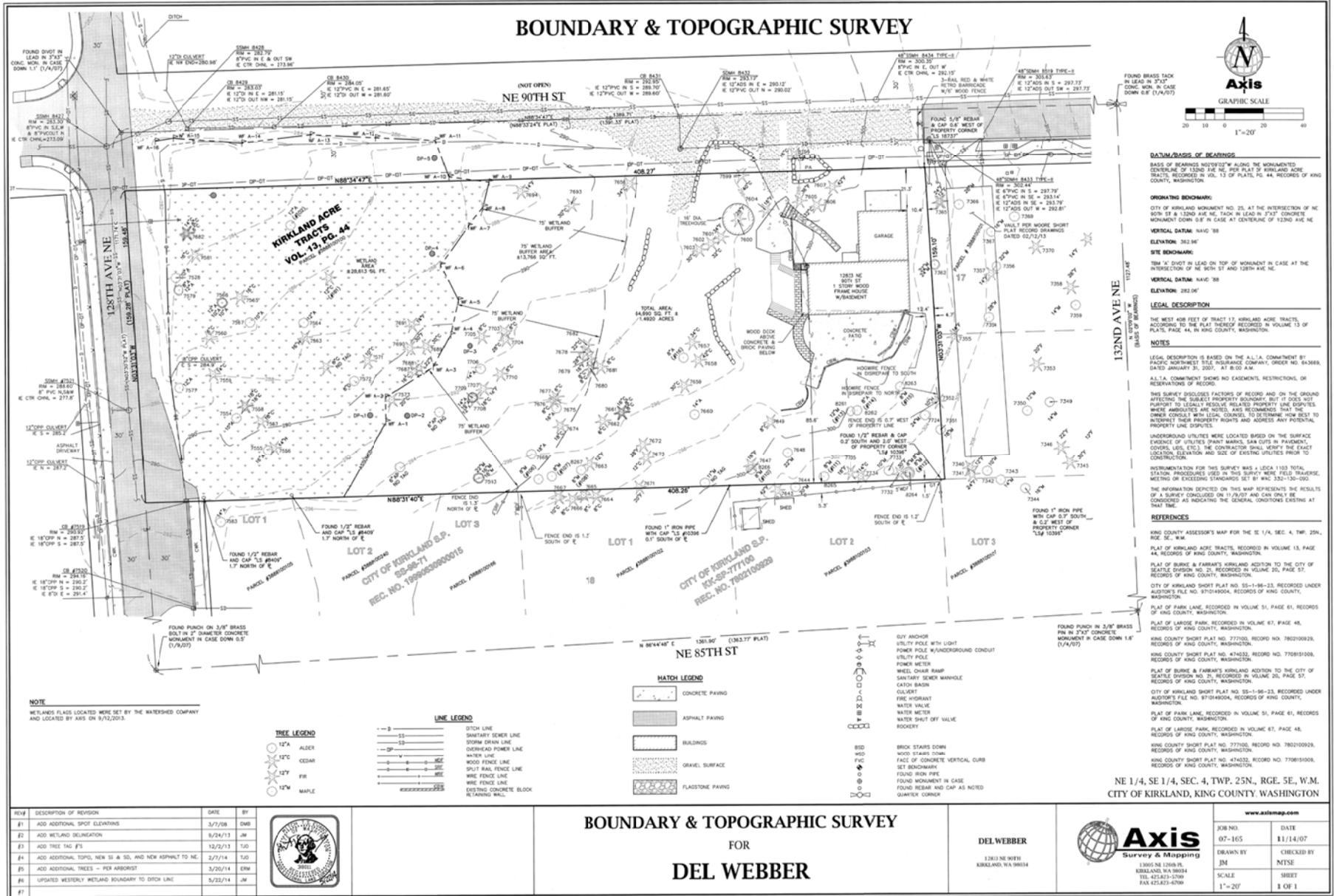
Applicant
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

A written decision will be issued by the Hearing Examiner within eight calendar days of the date of the open record hearing.

WEBBER SHORT PLAT SUB14-01017









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

DEVELOPMENT STANDARDS LIST

File: SUB14-01017; SAR14-01018

SUBDIVISION STANDARDS

22.28.030 Lot Size. Unless otherwise approved in the preliminary subdivision or short subdivision approval, all lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland zoning code or other land use regulatory document.

22.28.130 Vehicular Access Easements. The applicant shall comply with the requirements found in the Zoning Code for vehicular access easements or tracts.

22.28.210 Significant Trees. A Tree Retention Plan was submitted with the short plat in which the location of all proposed improvements were known. There are 174 significant trees on the site. These trees have been assessed and typed by the City's Consulting Arborist. In the course of review, it was assumed that trees located in the wetland and modified buffer will be retained and undisturbed. They are identified by number in the following chart:

Significant Trees:	High Retention Value	Moderate Retention Value	Low Retention Value (V) – viable (NV) – not viable
7607	X		
7606	X		
7605	X		
7604			viable
7599			viable
7600		X	
7601	X		
7602	X		
7603	X		
7656			Not viable
7682		X	
7678			Not viable
7679		X	
7681		X	
7680		X	
7677	X		
7676	X		

7675			Not viable
7674	X		
7593	X		
7661		X	
7662			viable
7657	X		
116			Not viable
7658	X		
7659	X		
106	X		
107	X		
108		X	
7663		X	
7672			Viable
7673		X	
7671	X		
11" maple	X		
7647			Not viable
110			viable
7649	X		
7648	X		
111			Viable
7735	X		
7734	X		
7733			Viable
7732	X		
112			Not viable
113		X	
114		X	
115		X	

Special Notes:

- Plans should be altered to move storm drainage systems level spreader installations outside of the limits of disturbance for trees to remain, specifically tree #7693, 7668 and 7593. **PCD NOTES: 7668 is not a high retention due to location; Trees #7668 and 7593 omitted from above chart (also not accounted for in chart, neither is 7593).**

No trees are to be removed with an approved short plat or subdivision permit. Based on the approved Tree Retention Plan, the applicant shall retain and protect all viable trees throughout the development of each single family lot except for those trees allowed to be removed for the installation of the plat infrastructure improvements *and* construction of the residence and associated site improvements. Modifications to the Tree Retention Plan must be approved per KZC 95.30(6)b.

22.32.010 Utility System Improvements. All utility system improvements must be designed and installed in accordance with all standards of the applicable serving utility.

22.32.030 Storm water Control System. The applicant shall comply with the construction phase and permanent storm water control requirements of the Municipal Code.

22.32.050 Transmission Line Undergrounding. The applicant shall comply with the utility lines and appurtenances requirements of the Zoning Code.

22.32.060 Utility Easements. Except in unusual circumstances, easements for utilities should be at least ten feet in width.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

Prior to Recording:

22.16.030 Final Plat - Lot Corners. The exterior plat boundary, and all interior lot corners shall be set by a registered land surveyor.

22.16.040 Final Plat - Title Report. The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s) the subdivision documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor's file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.

22.16.150 Final Plat - Improvements. The owner shall complete or bond all required right-of-way, easement, utility and other similar improvements.

22.20.362 Short Plat - Title Report. The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s) the short plat documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor's file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.

22.20.366 Short Plat - Lot Corners. The exterior short plat boundary and all interior lot corners shall be set by a registered land surveyor. If the applicant submits a bond for construction of short plat improvements and installation of permanent interior lot corners, the City may allow installation of temporary interior lot corners until the short plat improvements are completed.

22.20.390 Short Plat - Improvements. The owner shall complete or bond all required right-of-way, easement, utility and other similar improvements.

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

22.32.080 Performance Bonds. In lieu of installing all required improvements and components as part of a plat or short plat, the applicant may propose to post a bond, or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland and/or Northshore Utility District), for a period of one year to ensure completion of these requirements within one year of plat/short plat approval.

Prior to occupancy:

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

ZONING CODE STANDARDS

20.10-60.187 Required Yards for Multi-family Development: The side yard may be reduced to zero feet 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 five feet. The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

85.25.1 Geotechnical Report Recommendations. The geotechnical recommendations contained in the report by Terra Associates dated March 27, 2014 shall be implemented.

90.45 Wetlands and Wetland Buffers. No land surface modification may take place and no improvement may be located in a wetland or within the environmentally sensitive area buffers for a wetland, except as specifically provided in this Section.

90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.55 Monitoring and Maintenance of Wetland Buffer Modifications: Modification of a wetland buffer will require that the applicant submit a 5-year monitoring and maintenance plan consistent with the criteria found in 95.55 and which is prepared by a qualified professional and reviewed by the City's wetland consultant. The cost of the plan and the City's review shall be borne by the applicant.

90.80 Streams. No land surface modification may take place and no improvements may be located in a stream except as specifically provided in this Section.

90.90 Stream Buffers. No land surface modification may take place and no improvement may be located within the environmentally sensitive buffer for a stream, except as provided in this Section.

95.51.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City.

95.50 Tree Installation Standards. All supplemental trees to be planted shall conform to the Kirkland Plant List. All installation standards shall conform to Kirkland Zoning Code Section 95.45.

95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

105.10.2 Pavement Setbacks. The paved surface in an access easement or tract shall be set back at least 5 feet from any adjacent property which does not receive access from that easement or tract. An access easement or tract that has a paved area greater than 10 feet in width must be screened from any adjacent property that does not receive access from it. Screening standards are outlined in this section.

105.20 Required Parking. 2.0 parking spaces per lot are required for this use.

105.47 Required Parking Pad. Except for garages accessed from an alley, garages serving detached dwelling units in low density zones shall provide a minimum 20-foot by 20-foot parking pad between the garage and the access easement, tract, or right-of-way providing access to the

garage.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.40 Fence Location. Fences over 6 feet in height may not be located in a required setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard. No fence may be placed within a high waterline setback yard or within any portion of a north or south property line yard, which is coincident with the high waterline setback yard.

A detached dwelling unit may not have a fence over 3.5 feet in height within 3 feet of the property line abutting a principal or minor arterial except where the abutting arterial contains an improved landscape strip between the street and sidewalk. The area between the fence and property line shall be planted with vegetation and maintained by the property owner.

115.42 Floor Area Ratio (F.A.R.) Limits. Floor area for detached dwelling units is limited to a maximum floor area ratio in low density residential zones. See Use Zone charts for the maximum percentages allowed. This regulation does not apply within the disapproval jurisdiction of the Houghton Community Council.

115.43 Garage Requirements for Detached Dwelling Units in Low Density Zones. Detached dwelling units served by an open public alley, or an easement or tract serving as an alley, shall enter all garages from that alley. Whenever practicable, garage doors shall not be placed on the front façade of the house. Side-entry garages shall minimize blank walls. For garages with garage doors on the front façade, increased setbacks apply, and the garage width shall not exceed 50% of the total width of the front façade. These regulations do not apply within the disapproval jurisdiction of the Houghton Community Council. Section 115.43 lists other exceptions to these requirements.

115.45 Garbage and Recycling Placement and Screening. For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be setback from property lines, located outside landscape buffers, and screened from view from the street, adjacent properties and pedestrian walkways or parks by a solid sight-obscuring enclosure.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. 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.

115.115 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a

required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.

115.115.3.n Covered Entry Porches. In residential zones, covered entry porches on dwelling units may be located within 13 feet of the front property line if certain criteria in this section are met. This incentive is not effective within the disapproval jurisdiction of the Houghton Community Council.

115.115.3.o Garage Setbacks. In low density residential zones, garages meeting certain criteria in this section can be placed closer to the rear property line than is normally allowed in those zones.

115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five 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 subsection (3)(m) of this section or a garage approved pursuant to subsection (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.

115.115.5.a Driveway Width and Setbacks. For a detached dwelling unit, 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 front yard by a 5-foot wide landscape strip. Driveways shall not be closer than 5 feet to any side property line unless certain standards are met.

150.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

Prior to recording:

110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way (see Attachment). It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

Prior to issuance of a grading or building permit:

85.25.1 Geotechnical Report Recommendations. A written acknowledgment must be added to the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans.

90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.150 Natural Greenbelt Protective Easement. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County.

90.155 Liability. The applicant shall enter into an agreement with the City which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical

condition of the stream, minor lake, or wetland.

95.30(4) Tree Protection Techniques. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.

95.34 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 6 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

Prior to occupancy:

95.51.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City

95.51.2.b Tree Maintenance. For detached dwelling units, the applicant shall submit a 5-year tree maintenance agreement to the Planning Department to maintain all pre-existing trees designated for preservation and any supplemental trees required to be planted.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

PUBLIC WORKS CONDITIONS

Permit #: SUB14-01017

Project Name: Webber Short Plat

Project Address: 12833 NE 90th St

Date: November 17, 2014

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site at www.kirklandwa.gov.

2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The fees can also be review the City of Kirkland web site at www.kirklandwa.gov The applicant should anticipate the following fees:

- o Water, Sewer, and Surface Water Connection Fees (paid with the issuance of a Building Permit)
- o Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
- o Septic Tank Abandonment Inspection Fee
- o Water Meter Fee (paid with the issuance of a Building Permit)
- o Right-of-way Fee
- o Review and Inspection Fee (for utilities and street improvements).
- o Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule.

3. Submittal of Building Permits within a subdivision prior to recording:

- Submittal of a Building Permit with an existing parcel number prior to subdivision recording: A Building Permit can be submitted prior to recording of the subdivision for each existing parcel number in the subject project, however in order for the Building Permit to be deemed a complete application, all of the utility and street improvements for the new home must be submitted with application. However, the Building Permit will not be eligible for issuance until after the Land Surface Modification Permit is submitted, reviewed, and approved to ensure the comprehensive storm water design required by the subdivision approval is reviewed and approved, and then shown correctly on the Building Permit plans to match the Land Surface Modification Permit.
- Submittal of Building Permits within an Integrated Development Plan (IDP): If this subdivision is using the IDP process, the Building Permits for the new homes can only be applied for after the Land Surface Modification Permit has been submitted, reviewed, and approved.
- Submittal of a Building Permit within a standard subdivision (non IDP): If this subdivision is not using the IDP process, the Building Permits for the new houses can be applied for after the subdivision is recorded and the Land Surface Modification permit has been submitted, reviewed, and approved.
- Review of Expedited or Green Building Permits: A new single family home Building Permit within a subdivision can only be review on an expedited or green building fast track if submitted electronically through MBP and the Land Surface Modification permit has been submitted, reviewed, and approved.

4. Subdivision Performance and Maintenance Securities:
 - The subdivision can be recorded in advance of installing all the required street and utility improvements by posting a performance security equal to 130% of the value of work. This security amount will be determined by using the City of Kirkland's Improvement Evaluation Packet. Contact the Development Engineer assigned to this project to assist with this process.
 - If the Developer will be installing the improvements prior to recording of the subdivision, there is a standard right of way restoration security ranging from \$10,000.00 to 30,000.00 (value determined based on amount of right-of-way disruption). This security will be held until the project has been completed.
 - Once the subdivision has been completed there will be a condition of the permit to establish a two year Maintenance security.
5. This project is exempt from concurrency review.
6. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.
7. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
8. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).
9. A completeness check meeting is required prior to submittal of any Building Permit applications.
10. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.
11. All subdivision recording mylar's shall include the following note:

Utility Maintenance: Each property owner shall be responsible for maintenance of the sanitary sewer or storm water stub from the point of use on their own property to the point of connection in the City sanitary sewer main or storm water main. Any portion of a sanitary sewer or surface water stub, which jointly serves more than one property, shall be jointly maintained and repaired by the property owners sharing such stub. The joint use and maintenance shall "run with the land" and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

Public Right-of-way Sidewalk and Vegetation Maintenance: Each property owner shall be responsible for keeping the sidewalk abutting the subject property clean and litter free. The property owner shall also be responsible for the maintenance of the vegetation within the

abutting landscape strip. The maintenance shall “run with the land” and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

If the lots have on-site private storm water facilities, include this language on the subdivision recording document:

Maintenance of On-site Private Stormwater Facilities: Each Lot within the Subdivision has a stormwater facility (infiltration trench, dry wells, dispersion systems, rain garden, and permeable pavement) which is designed to aid storm water flow control for the development. The stormwater facility within the property shall be owned, operated and maintained by the Owner. The City of Kirkland shall have the right to ingress and egress the Property for inspection of and to reasonable monitoring of the performance, operational flows, or defects of the stormwater/flow control facility.

If the City of Kirkland determines related maintenance or repair work of the stormwater facility is required, the City of Kirkland shall give notice to the Owner of the specific maintenance and/or repair work required. If the above required maintenance or repair is not completed within the time set by the City of Kirkland, the City of Kirkland may perform the required maintenance or repair, or contract with a private company capable of performing the stormwater facility maintenance or repair and the Owner will be required to reimburse the City for any such work performed.

The Owner is required to obtain written approval from the City of Kirkland prior to replacing, altering, modifying or maintaining the storm water facility.

Sanitary Sewer Conditions:

1. The existing sanitary sewer main within the public right-of-way along the front of the property is adequate to serve all the lots within the proposed project.
2. The existing septic system shall be abandoned per City standards.
3. Provide a 6-inch minimum side sewer stub to each lot.
4. All side sewer stubs serving the property shall be PVC type pipe per Public Works Pre-approved Plans Sanitary Sewer Design Criteria. Any side sewer not meeting this standard shall be removed and replaced.

Water System Conditions:

1. The applicant shall extend the existing public water system to provide water service for each lot. Extend an 8" water main along NE 90th Street from 128th Ave. NE to the dead-end line at the west end of the improved portion of NE 90th St.
2. Provide a separate 1" minimum water service from the water main to the meter for each lot; City of Kirkland will set the water meter.

3. The existing water service shall be abandoned.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manual and the Kirkland Addendum. See Policies D-2 and D-3 in the PW Pre-Approved Plans for drainage review information, or contact city of Kirkland Surface Water staff at (425) 587-3800 for help in determining drainage review requirements.

Full Drainage Review

- A full drainage review is required for any proposed project, new or redevelopment, that will:
 - Add or replaces 5,000ft² or more of new impervious surface area,
 - Propose 7,000ft² or more of land disturbing activity, or,
 - Be a redevelopment project on a single or multiple parcel site in which the total of new plus replaced impervious surface area is 5,000ft² or more and whose valuation of proposed improvements (including interior improvements but excluding required mitigation and frontage improvements) exceeds 50% of the assessed value of the existing site improvements.

2. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater low impact development facilities on-site (per section 5.2 in the 2009 King County Surface Water Design Manual). If feasible, stormwater low impact development facilities are required. See PW Pre-Approved Plan Policy L-1 for more information on this requirement.

3. If it is determined that the project site is one acre or greater, the following conditions apply (need to confirm that project site is for the disturbed area only):

- Amended soil requirements (per Ecology BMP T5.13) must be used in all landscaped areas.
- If the project meets minimum criteria for water quality treatment (5,000ft² pollution generating impervious surface area), the enhanced level of treatment is required if the project is multi-family residential, commercial, or industrial. Enhanced treatment targets the removal of metals such as copper and zinc.
- The applicant is responsible to apply for a Construction Stormwater General Permit from Washington State Department of Ecology. Provide the City with a copy of the Notice of Intent for the permit. Permit Information can be found at the following website:
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/>
 - o Among other requirements, this permit requires the applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP) and identify a Certified Erosion and Sediment Control Lead (CESCL) prior to the start of construction. The CESCL shall attend the City of Kirkland PW Dept. pre-construction meeting with a completed SWPPP.
- Turbidity monitoring by the developer/contractor is required if a project contains a lake, stream, or wetland.
- A Stormwater Pollution Prevention and Spill (SWPPS) Plan must be kept on site during all phases of construction and shall address construction-related pollution generating activities. Follow the guidelines in the 2009 King County Surface Water Design Manual for plan preparation.

4. Amended soil per Ecology BMP T5.13 is recommended for all landscaped areas.
 5. If a storm water detention system is required, it shall be designed to Level II standards. Historic (forested) conditions shall be used as the pre-developed modeling condition.
 6. If this project is creating or replacing more than 5000 square feet of new impervious area that will be used by vehicles (PGIS - pollution generating impervious surface). Provide storm water quality treatment per the 2009 King County Surface Water Design Manual. The enhanced treatment level is encouraged when feasible for multi-family residential, commercial, and industrial projects.
 7. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).
 8. If there is any proposed work within an existing, the developer has been given notice that the Army Corps of Engineers (COE) has asserted jurisdiction over upland ditches draining to streams. Either an existing Nationwide COE permit or an Individual COE permit may be necessary for work within ditches, depending on the project activities. Applicants should obtain the applicable COE permit; information about COE permits can be found at: U.S. Army Corps of Engineers, Seattle District Regulatory Branch
http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_NWPs
- Specific questions can be directed to: Seattle District, Corps of Engineers, Regulatory Branch, CENWS-OD-RG, Post Office Box 3755, Seattle, WA 98124-3755, Phone: (206) 764-3495
9. Provide an erosion control report and plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.
 10. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.
 11. Provide collection and conveyance of right-of-way storm drainage
 12. Provide a separate storm drainage connection for each lot. All roof and driveway drainage must be tight-lined to the storm drainage system or utilize low impact development techniques. If LID techniques are not used then as part of the roof and driveway drainage conveyance system for each new house, each lot shall contain a 10 ft. long (min.) perforated tight

line connection with an overflow to the public storm drain system (COK Plan No. CK-D.39). The tight line connections shall be installed with the individual new houses.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts 128th Ave NE and NE 90th Street (both are classified as collector type streets). Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

NE 90th Street (from the end of the existing improvements at east property line to the west edge of proposed lot 5)

- A. Pave the street a minimum of 20 feet in width (17 ft. from ROW centerline to face of curb; match curb alignment to the east).
- B. Install storm drainage, curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk.
- C. The intersection between NE 90th Street and the new private access road will need to serve as temporary fire truck and vehicular turn-around tee (per Public Works Standards CK-R.16 option 3. To aide in the design and construction of this turn-around tee, it is likely that the driveway for the access road will need to be constructed with curb –return radii (like a standard street intersection) or use of a commercial driveway with curb return radii (see WSDOT standards for driveway standards)
- D. Install no parking anytime signs around the entire perimeter of the turn-around along the entire north side of the said road extension.
- E. The access easement at NE 90th Street may need to be widened to encompass the said radii.
- F. Install removable bollards at the west end of the new street.

NE 90th Street (west of the proposed project to 128th Ave. NE)

Due to the wetland buffers, no street improvements will required other than a gravel trail. From the end of the street improvements (mentioned above) install a 12 ft. wide gravel trail to catch basin CB80. This portion of the trail will provide access maintenance to the catch basin for City Maintenance crews. From CB80 to 128th Ave. NE install a 5 ft. wide crushed rock pathway connected to the new sidewalk along 128th Ave. NE. These improvements are approved by Public Works as a modification as allowed under Chapter 110.70 of the KZC.

128th Ave. NE

- A. Along the east side of the street, install vertical curb and gutter, and 5 ft. wide sidewalk; sidewalk will need to be pervious material because of wetland buffer. The existing asphalt is 24 ft. wide and the new curb shall be 24 ft. from the curb on the west side of the street.
- B. The said street improvements shall extend across to the north side of the NE 90th St. ROW.
- C. At the south end of the street improvements, the existing street are approximately 34 ft. wide. The transition from the wider cross-section to the narrower cross-section (24 ft.) shall be constructed on the right-of-way frontage south of this project so that no new impervious area is

added in the buffer area. A portion of the existing improvements to the south will need to be removed and replaced.

- D. Dedicate 30 ft. of right-of-way along the entire property frontage.
- E. Install standard bollards at the entrance to the pedestrian path.

2. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline, the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced.

- Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
- Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.

3. The driveway for each lot shall be long enough so that parked cars do not extend into the access easement or right-of-way (20 ft. min.)

4. Lot 5 should take access from the interior access easement.

5. Prior to the final of the building or grading permit, pay for the installation of stop and street signs at the new intersections.

6. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.

7. Underground all new and existing on-site utility lines and overhead transmission lines.

8. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on NE 90th Street and 128th Ave. NE is not feasible at this time and the undergrounding of off-site/frontage transmission lines should be deferred with a Local Improvement District (LID) No Protest Agreement. The final recorded subdivision mylar shall include the following note:

Local Improvement District (LID) Waiver Agreement. Chapter 110.60.7.b of the Kirkland Zoning Code requires all overhead utility lines along the frontage of the subject property to be converted to underground unless the Public Works Director determines that it is infeasible to do

so at the time of the subdivision recording. If it is determined to be infeasible, then the property owner shall consent to the formation of a Local Improvement District, hereafter formed by the City or other property owners. During review of this subdivision it was determined that it was infeasible to convert the overhead utility lines to underground along the frontage of this subdivision NE 90th Street and 128th Ave. NE. Therefore, in consideration of deferring the requirement to underground the overhead utility lines at the time of the subdivision recording, the property owner and all future property owners of lots within this subdivision hereby consent to the formation of a Local Improvement District hereafter formed by the City or other property owners

9. New street lights will be required per Puget Power design and Public Works approval. Contact the INTO Light Division at PSE for a lighting analysis. If lighting is necessary, design must be submitted prior to issuance of a grading or building permit.

FIRE DEPARTMENT CONDITIONS

Contact: Grace Steuart at 425-587-3660; or gsteuart@kirklandwa.gov

HYDRANTS AND FIRE FLOW ARE ADEQUATE

Existing hydrants are adequate to provide coverage and are already equipped with 5" Storz fittings. Fire flow is approximately 1,250 gpm, which is adequate.

SPRINKLER THRESHOLD

Per Kirkland Municipal Code, all new buildings which are 5,000 gross square feet or larger require fire sprinklers. This requirement also applies to new single family home, duplexes, and townhomes; garages, porches, covered decks, etc, are included in the gross square footage. (This comment is included in the short plat conditions for informational purposes only.)

BUILDING DEPARTMENT CONDITIONS

TOM JENSEN (425) 587-3611

1. Prior to issuance of Building, Demolition or Land surface Modification permit applicant must submit a proposed rat baiting program for review and approval. Kirkland Municipal Ordinance 9.04.040
2. Building permits must comply with the 2012 editions of the International Building, Residential and Mechanical Codes and the Uniform Plumbing Code as adopted and amended by the State of Washington and the City of Kirkland.
3. Structures must comply with the 2012 Washington State Energy Code.
4. Structures to be designed for seismic design category D, wind speed of 85 miles per hour and exposure B.
5. Plumbing meter and service line shall be sized in accordance with the current UPC.
6. Demolition permit required for removal of existing structures, if applicable.

**ARBORIST REPORT
FOR
12833 NE 90th St
Kirkland, WA**



**February 12th, 2014
Updated May 13th, 2014**

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Site/Tree Photos – pages 4 - 8

Site Plan Specifications (To Be Incorporated onto Site Plan) – page 9, 10

Tree Summary Tables - attached

Tree Plan Map – attached

City of Kirkland Tree Protection Fencing Specs - attached

1. Introduction

American Forest Management, Inc. was contacted by Craig Krueger with Community Land Planning, and was asked to compile an 'Arborist Report' for a parcel located within the City of Kirkland, WA.

The proposed 5-Lot short plat encompasses the property located at 12833 NE 90th St, parcel #3888100100. Our assignment is to prepare a written report on present tree conditions, which is to be filed with the short plat permit application.

This report encompasses all the criteria set forth under the City of Kirkland's tree regulations. The required minimum tree density for the entire area (64,904 sq. ft.) is 45 tree credits.

Date of Field Examination: February 10th, 2014

2. Description

The topography of the subject property is relatively flat. A wetland exists in the western portion. Eighty-seven significant trees were located and assessed on the property. A significant tree in the City of Kirkland is defined as having a diameter 6" or greater at DBH (diameter at breast height, 4 ½' above ground). 16 trees have been added to the original survey. These have grown to a significant size since the survey date. Approximate locations have been plotted on a copy of the site plan, which is attached and part of this report.

An additional six trees on the neighboring properties to the south with drip-lines extending on to the subject parcel were identified. These trees were also assessed and are part of this report.

All of the significant trees on the subject property have been identified in the field with a numbered aluminum tag attached to the lower trunk. Tree tag numbers correspond with tree numbers on the attached tree summary tables and copy of the site plan.

3. Methodology

Each tree in this report was visited. Tree diameters were measured by tape. The tree heights were measured using a Spiegel Relaskop. Each tree was visually examined for defects and vigor. The tree assessment procedure involves the examination of many factors:

- The crown of the tree is examined for current vigor. This is comprised of inspecting the crown (foliage, buds and branches) for color, density, form, and annual shoot growth, limb dieback and disease. The percentage of live crown is estimated for coniferous species only and scored appropriately.
- The bole or main stem of the tree is inspected for decay, which includes cavities, wounds, fruiting bodies of decay (conks or mushrooms), seams, insects, bleeding, callus development, broken or dead tops, structural defects and unnatural leans. Structural defects include crooks, forks with V-shaped crotches, multiple attachments, and excessive sweep.
- The root collar and roots are inspected for the presence of decay, insects and/or damage, as well as if they have been injured, undermined or exposed, or original grade has been altered.

Based on these factors a determination of viability is made. Trees considered 'non-viable' are trees that are in poor condition due to disease, extensive decay and/or cumulative structural defects, which exacerbate failure potential. A 'viable' tree is a tree found to be in good health, in a sound condition with minimal defects and is suitable for its location. Also, it will be wind firm if isolated or left as part of a grouping or grove of trees. A 'borderline' viable tree is a tree where its viability is in question. These are trees that are beginning to display symptoms of decline due to age, species related problems and/or man caused problems. Borderline trees are not expected to positively contribute to the landscape for the long-term and are not recommended for retention.

4. Observations

The subject trees are comprised solely of native species. Western red cedar and Douglas-fir are most prevalent on the developable portion of the site. Trees are large second-growth, estimated at 85 to 95 years of age. Several Douglas-fir trees have died and/or have been removed from the back or southeastern portion of the property. The presence of root disease is suspected in this area.

In the wetland area, main species are western red cedar and red alder. Much of the alder is either dead or in natural decline. There is also a minor component of western hemlock and Pacific crabapple. Tree ages in the wetland vary from 20 to 90 years.

There have been several tree failures in the wetland over the past decade. Several cedars have been wind-thrown, due to saturated soil conditions. The root plates of some of the subject cedars have partially failed (lifted). These now have self-corrected leans indicating they have become somewhat stabilized.

The grouping of cedar and Douglas-fir at the front of the property (northeast portion) are in good condition. An elaborate tree house was constructed around Tree #7600 in the mid 1990's. This construction does not appear to have had any negative effect on health or stability. All trees in the vicinity have good vigor, and have healthy looking foliage of normal color and density.

Several young big leaf maple trees have grown to beyond 6" DBH since the original survey. These have been assessed and are included in this report. Most have developed poor form or architecture, having developed in the understory of more dominant trees. These young maples have poor trunk taper and asymmetric crowns. Retention of these young maples on the developable portion of the site is not recommended, as they are sure to be problematic in the future.

Neighboring Trees

Trees #7664 > #7667 are young Leyland cypress trees on the adjacent property to the south near the property line. All appear to be in good condition. Neighboring trees #7643 (mature Douglas-fir) and #7644 (mature big leaf maple) are also situated off of the south property line. Both appear to be in a sound condition with no significant defect. The drip lines and limits of disturbance mapped and listed are the distance from the face of the trunk. Tree #8259 is in the power line ROW. It has been topped in the past for power line clearance.

5. Discussion

The extent of drip-lines (farthest reaching branches) for trees potentially impacted by development can be found in the tree summary tables at the back of this report. These have also been delineated on a copy of the site plan. The recommended Limits of Disturbance for viable trees potentially impacted by construction can be found on the tree summary tables. The information plotted on the attached site plan needs to be transferred to a final tree retention/protection plan to meet City submittal requirements. The Limits of disturbance information shall be used in the development of such plan. The trees that are to be removed shall be shown "X'd" out on the final plan. Trees to be retained outside the critical areas shall include the limits of disturbance line and tree protection fencing locations. Tree protection fencing shall be initially positioned just beyond the drip-line and only moved back to the Limits of Disturbance line when work is authorized.

The Limits of Disturbance measurements for the neighboring trees can also be found in the tables. Tree protection fencing shall be initially positioned at the drip-line, and only moved to allow work up to the Limits of Disturbance. No work shall be allowed within the recommended Limits of Disturbance as delineated on the attached plan. Include tree protection for neighboring trees on final drawing. Tree #8259, the topped cedar underneath the power lines will need to be removed for the access drive.

It is assumed all significant trees within the wetland area and within the 50' wetland buffer will be retained. No high-risk trees were observed in the wetland area that would require removal to abate hazardous conditions to the proposed lots. Some trees are in poor condition but can be retained as wildlife habitat since they are low risk. Trees #7577 and #7579 are within reach of the road and probably should be removed to reduce risks.

The grouping of trees #7605, #7606 and #7607 on Lot 1 can be feasibly retained if adequate space is afforded and all three trees are retained. The removal of the adjacent trees to the west will somewhat increase exposure to prevailing winds from the southwest however, #7605 and #7607 are above the crowns of adjacent trees, with heights of 150' and 160'. All three appear sound with no significant defect. The crowns on #7605 and #7607 have been raised on the north sides over the years for power line clearance. Though the crowns are somewhat unbalanced, failure potential is not expected to increase significantly if this 3-tree grouping is retained. Access and driveway improvements shall be at or above existing grades within the drip-line of Tree #7607 to minimize disturbance. A re-assessment is recommended prior to occupancy to evaluate risks associated with the altered environment and the continued retention of this grouping.

6. Tree Protection Measures

The following guidelines are recommended to ensure that the designated space set aside for the preserved trees are protected and construction impacts are kept to a minimum. Standards have been set forth under Kirkland Zoning Code 95.34 of Chapter 95. Please review these standards prior to any development activity.

1. Tree protection fencing shall be erected per prior to moving any heavy equipment on site. Doing this will set clearing limits and avoid compaction of soils within root zones of retained trees.
2. Excavation limits should be laid out in paint on the ground to avoid over excavating.
3. Excavations within the drip-lines of retained trees shall be monitored by a qualified tree professional so necessary precautions can be taken to decrease impacts to tree parts. A qualified tree professional shall monitor excavations when work is required and allowed up to the "limits of disturbance".
4. To establish sub grade for foundations, curbs and pavement sections near the trees, soil should be removed parallel to the roots and not at 90 degree angles to avoid breaking and tearing roots that lead back to the trunk within the drip-line. Any roots damaged during these excavations should be exposed to sound tissue and cut cleanly with a saw. Cutting tools should be sterilized with alcohol.
5. Areas excavated within the drip-line of retained trees should be thoroughly irrigated weekly during dry periods.
6. Preparations for final landscaping shall be accomplished by hand within the drip-lines of retained trees. Large equipment shall be kept outside of the tree protection zones.

7. Tree Replacement

Tree density requirements will be satisfied by tree retention within the wetland, wetland buffer and on the site's south perimeter.

New tree plantings may be preferred to enhance new landscaping. New tree plantings shall be given appropriate space for the species and their growing characteristics. Refer to the *Kirkland Plant List* on the City's website for a list of desirable species. For planting and maintenance specifications, refer to chapters 95.50 and 51 of the Kirkland Zoning Code.

There is no warranty suggested for any of the trees subject to this report. Weather, latent tree conditions, and future man-caused activities could cause physiologic changes and deteriorating tree condition. Over time, deteriorating tree conditions may appear and there may be conditions, which are not now visible which, could cause tree failure. This report or the verbal comments made at the site in no way warrant the structural stability or long term condition of any tree, but represent my opinion based on the observations made.

Nearly all trees in any condition standing within reach of improvements or human use areas represent hazards that could lead to damage or injury.

Please call if you have any questions or if we can be of further assistance.

Sincerely,



Bob Layton
ISA Certified Arborist #PN-2714A
ISA Tree Risk Assessment Qualified

Wetland Area



Downed cedar at edge of wetland



Grouping of cedar in wetland area



Tree #7593 on south perimeter just outside 50' wetland buffer



Grouping of subject trees just east of tree house



Upper crowns of same grouping



Subject trees #7656 (topped cedar) and #116, with wetland area in background



Back of property, south perimeter of proposed Lot 2



City of Kirkland - Tree Protection Standards

1. Tree Protection Fencing shall be erected at prescribed distance per arborist report. Fences shall be constructed of chain link and be at least 4 feet high.
2. Install highly visible signs on protection fencing spaced no further than 15 feet apart. Signs shall state "Tree Protection Area-Entrance Prohibited", and "City of Kirkland" code enforcement phone number.
3. No work shall be performed within protection fencing unless approved by Planning Official. In such cases, activities will be approved and supervised by a "Qualified Professional".
4. The original grade shall not be elevated or reduced within protection fencing without the Planning Official authorization based on recommendations from a qualified professional.
5. No building materials, spoils, chemicals or substances of any kind will be permitted within protection fencing.
6. Protection Fencing shall be maintained until the Planning Official authorizes its removal.
7. Ensure that any approved landscaping within the protected zone subsequent to the approved removal of protection fencing be performed with hand labor.

In addition to the above, the Planning Official may require the following:

- a. If equipment is authorized to operate within the root zone, the area will be mulched to a depth of 6" or covered with plywood or similar material to protect roots from damage caused by heavy equipment.
- b. Minimize root damage by excavating a 2-foot deep trench, at edge of protection fencing to cleanly sever the roots of protected trees.
- c. Corrective pruning to avoid damage from machinery or building activity.
- d. Maintenance of trees throughout construction period by watering and fertilization.

Trees on Parcel

Tag #	Species	DBH	Condition	Proposal	Tree Credits
7577	red alder	18	poor	Remove	na
7559	western red cedar	16	fair	Retain	4
7560	western red cedar	8	fair	Retain	1
7579	red alder (2)	9,12	poor	Remove	na
7578	red alder	13	fair-poor	Retain	na
7581	western red cedar	21	fair-good	Retain	6.5
7566	red alder (3)	13,11,10	fair	Retain	5
7565	western red cedar	18	fair-good	Retain	5
7567	red alder	10	poor	Retain/hab	na
7564	red alder	13	poor	Retain/hab	na
7563	western hemlock	16	poor	Retain/hab	na
101	western red cedar	7	good	Retain	1
102	red alder	12	fair	Retain	2
7572	red alder	9	fair	Retain	1
103	western red cedar	6	good	Retain	1
7571	western red cedar	13	fair-good	Retain	2.5
7573	western red cedar	24	fair-good	Retain	8
7687	western red cedar	15	fair-good	Retain	3.5
7688	Douglas-fir	21	fair	Retain	6.5
7690	Douglas-fir	32	fair-good	Retain	12
7689	western red cedar	29	fair	Retain	10.5
7691	Douglas-fir	17	fair-good	Retain	4.5
104	pacific crabapple	6	fair	Retain	1
105	pacific crabapple	6	fair	Retain	1
7709	red alder (3)	16,14,14	poor	Retain/hab	na
7708	western red cedar	21	good	Retain	6.5
7707	Douglas-fir	21	fair	Retain	6.5
7706	red alder	15	poor	Retain/hab	na
7710	western red cedar	13	good	Retain	2.5
7705	western red cedar	14	fair	Retain	3
7704	western red cedar	32	fair	Retain	12
7703	western red cedar	13	fair-good	Retain	2.5
7676	western red cedar	11	good	Remove	1.5
7677	western red cedar	8	good	Remove	1
7682	western red cedar	22	fair-good	Remove	7

Tag #	Species	DBH	Condition	Proposal	Tree Credits
7678	Douglas-fir	30	dead	Remove	na
7679	Douglas-fir	18	fair	Remove	5
7680	western red cedar (2)	9,9	good	Remove	2
7681	western red cedar	11	good	Remove	1.5
7674	western red cedar	22	good	Remove	7
7593	big leaf maple (3)	19,19,22	fair-good	Retain	18
7663	Douglas-fir	16	fair-good	Remove	4
106	big leaf maple	7	fair-good	Remove	1
107	big leaf maple	8	fair	Remove	1
108	big leaf maple	7	fair	Remove	1
7662	western red cedar	7	good	Remove	1
7661	western red cedar (3)	18,7,8	fair-good	Remove	na
7672	Douglas-fir	30	fair	Remove	11
7673	western red cedar	14	good	Remove	3
7671	Douglas-fir	26	fair	Retain	9
109	big leaf maple	11	fair	Remove	1.5
7647	Douglas-fir	19	poor	Remove	na
110	big leaf maple	8	fair	Remove	1
7648	big leaf maple	26	fair	Remove	9
111	big leaf maple	7	fair	Remove	1
7649	western red cedar	11	good	Remove	1.5
7659	western red cedar	37	fair-good	Remove	14.5
7658	western red cedar	37	fair-good	Remove	14.5
7657	western red cedar	38	fair-good	Remove	15
7735	Douglas-fir	22	fair-good	Retain	7
7734	western red cedar	19	good	Retain	5.5
7733	big leaf maple	12	fair	Retain	2
7732	Douglas-fir	30	fair-good	Retain	11
112	big leaf maple (3)	7,7,8	fair-poor	Remove	na
7729	Pacific dogwood	8	poor	Remove	na
113	big leaf maple	12	fair-good	Remove	2
114	Pacific dogwood	8	fair	Remove	1
115	big leaf maple	7	fair	Remove	1
7603	western red cedar	34	good	Remove	13
7602	western red cedar	30	good	Remove	11
7601	Douglas-fir	32	good	Remove	12
7600	Douglas-fir	32	good	Remove	12
7599	western red cedar	40	fair	Remove	16
7604	Douglas-fir	16	fair	Remove	3
8259	western red cedar	19	fair	Remove	5.5
7607	Douglas-fir	41	good	Retain	16.5
7606	western red cedar	33	fair-good	Retain	12.5
7605	Douglas-fir	37	fair-good	Retain	14.5
7656	western red cedar	38	poor	Remove	na
116	red alder	7	fair-poor	Remove	na
7693	western red cedar	35	fair	Retain	13.5
7694	Douglas-fir	18	fair	Retain	5
7554	red alder	10	poor	Retain/hab	na
7558	western red cedar (2)	20,21	fair	Retain	12.5
7557	western red cedar	21	good	Retain	6.5
7555	red alder	17	dead	Retain/hab	na
7556	western hemlock	17	good	Retain	4.5

Tree Density Calculation

Property Size – +/- 64,904 sq. ft.

$64,904/43,560 \times 30 = 45$

Required Minimum Tree Density = 45 tree credits

Viable Tree Credits Existing = 247

Tree Summary Table

For: 12833 NE 90th ST
Kirkland

American Forest Management, Inc

Date: 2/10/2014
Inspector: Layton

Tree/Tag #	Species	Native/ Planted/ Volunteer	DBH	Tree Height	Tree Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viable yes/no	Comments
						N	S	E	W			
7577	red alder	N	18	38	na	na	na	na	na	poor	no	extensive trunk rot
7559	western red cedar	N	16	50	4	na	na	na	na	fair	yes	partial root plate failure-self-corr lean
7560	western red cedar	N	8	32	1	na	na	na	na	fair	yes	partial root plate failure-self-corr lean
7579	red alder (2)	N	9,12	46	na	na	na	na	na	poor	no	in decline
7578	red alder	N	13	46	na	na	na	na	na	fair-poor	borderline	lean, poor form
7581	western red cedar	N	21	56	6.5	na	na	na	na	fair-good	yes	no concerns
7566	red alder (3)	N	13,11,10	55	5	na	na	na	na	fair	yes	good vigor
7565	western red cedar	N	18	46	5	na	na	na	na	fair-good	yes	no concerns
7567	red alder	N	10	30	na	na	na	na	na	poor	no	dead-broken tops, in decline
7564	red alder	N	13	24	na	na	na	na	na	poor	no	dead-broken tops, in decline
7563	western hemlock	N	16	62	na	na	na	na	na	poor	no	dead-broken tops, in decline
101	western red cedar	N	7	27	1	na	na	na	na	good	yes	no concerns
102	red alder	N	12	44	2	na	na	na	na	fair	yes	slight lean
7572	red alder	N	9	32	1	na	na	na	na	fair	yes	no concerns
103	western red cedar	N	6	36	1	na	na	na	na	good	yes	no concerns
7571	western red cedar	N	13	37	2.5	na	na	na	na	fair-good	yes	no concerns
7573	western red cedar	N	24	62	8	na	na	na	na	fair-good	yes	forked top, full crown
7687	western red cedar	N	15	60	3.5	na	na	na	na	fair-good	yes	no concerns
7688	Douglas-fir	N	21	77	6.5	na	na	na	na	fair	yes	old broken top
7690	Douglas-fir	N	32	94	12	na	na	na	na	fair-good	yes	remove ivy
7689	western red cedar	N	29	71	10.5	na	na	na	na	fair	yes	forked top
7691	Douglas-fir	N	17	70	4.5	na	na	na	na	fair-good	yes	slight lean, crook
104	pacific crabapple	N	6	26	1	na	na	na	na	fair	yes	no concerns
105	pacific crabapple	N	6	30	1	na	na	na	na	fair	yes	no concerns
7709	red alder (3)	N	16,14,14		na	na	na	na	na	poor	no	dead-broken tops, in decline
7708	western red cedar	N	21	53	6.5	na	na	na	na	good	yes	good taper
7707	Douglas-fir	N	21	82	6.5	na	na	na	na	fair	yes	remove ivy
7706	red alder	N	15	60	na	na	na	na	na	poor	no	dead-broken tops, in decline
7710	western red cedar	N	13	52	2.5	na	na	na	na	good	yes	no concerns
7705	western red cedar	N	14	40	3	na	na	na	na	fair	yes	partial root plate failure-self-corr lean
7704	western red cedar	N	32	70	12	na	na	na	na	fair	yes	self-corrected lean, broken top
7703	western red cedar	N	13	52	2.5	na	na	na	na	fair-good	yes	slight natural lean

Parcel Trees - Drip-Line and Limits of Disturbance measurements from face of trunk

Tree Summary Table

For: 12833 NE 90th ST
Kirkland

American Forest Management, Inc

Date: 2/10/2014
Inspector: Layton

Tree/Tag #	Species	Native/ Planted/ Volunteer	DBH	Tree Height	Tree Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viable yes/no	Comments
						N	S	E	W			
7676	western red cedar	N	11	42	1.5	na	na	7/8	na	good	yes	no concerns
7677	western red cedar	N	8	38	1	na	na	8/8	na	good	yes	no concerns
7682	western red cedar	N	22	60	7	12/12	na	13/14	na	fair-good	yes	no concerns
7678	Douglas-fir	N	30	60	na	na	na	na	na	dead	no	older dead snag-broken, low risk
7679	Douglas-fir	N	18	75	5	na	na	12/12	na	fair	yes	fair taper
7680	western red cedar (2)	N	9,9	44	2	na	na	6/8	na	good	yes	no concerns
7681	western red cedar	N	11	46	1.5	na	na	8/8	na	good	yes	no concerns
7674	western red cedar	N	22	54	7	na	na	12/14	na	good	yes	no concerns
7593	big leaf maple (3)	N	19,19,22	72	18	na	na	17/16	na	fair-good	yes	sound, good form
7663	Douglas-fir	N	16	49	4	11/12	na	8/10	na	fair-good	yes	minor crooks, ok
106	big leaf maple	N	7	42	1	na	na	6/8	na	fair-good	yes	fair taper, good form
107	big leaf maple	N	8	42	1	na	na	6/8	na	fair	yes	poor form-taper
108	big leaf maple	N	7	40	1	na	na	5/8	na	fair	yes	poor form-taper
7662	western red cedar	N	7	24	1	8/6	na	2/6	na	good	yes	suppressed, ok
7661	western red cedar (3)	N	18,7,8	56	na	12/12	na	12/12	na	fair-good	yes	no concerns
7672	Douglas-fir	N	30	98	11	14/14	na	10/12	na	fair	yes	old broken top, next to older dead DF
7673	western red cedar	N	14	41	3	10/10	na	12/12	na	good	yes	no concerns
7671	Douglas-fir	N	26	94	9	9/12	na	na	na	fair	yes	slight lean south, sound
109	big leaf maple	N	11	48	1.5	16/12	na	na	na	fair	yes	natural lean north, crooks
7647	Douglas-fir	N	19	52	na	na	na	na	na	poor	no	broken top, sparse crown, trunk decay
110	big leaf maple	N	8	45	1	10/10	na	na	na	fair	yes	poor form-taper, suppressed
7648	big leaf maple	N	26	77	9	20/16	na	14/14	na	fair	yes	appears sound, decent form
111	big leaf maple	N	7	30	1	2/8	na	4/8	na	fair	yes	poor form, suppressed
7649	western red cedar	N	11	27	1.5	10/8	na	8/8	na	good	yes	no concerns
7659	western red cedar	N	37	94	14.5	na	na	na	na	fair-good	yes	slight lean northwest
7658	western red cedar	N	37	100	14.5	na	na	na	na	fair-good	yes	slight lean southeast
7657	western red cedar	N	38	102	15	na	na	na	na	fair-good	yes	slight lean northwest
7735	Douglas-fir	N	22	82	7	14/12	na	10/12	na	fair-good	yes	no concerns
7734	western red cedar	N	19	72	5.5	12/12	na	11/12	na	good	yes	somewhat suppressed
7733	big leaf maple	N	12	47	2	0/10	na	na	na	fair	yes	suppressed, lean south, poor form
7732	Douglas-fir	N	30	118	11	18/16	na	na	na	fair-good	yes	crown a little sparse, monitor
112	big leaf maple (3)	N	7,7,8	34	na	na	na	na	na	fair-poor	borderline	suppressed, poor form

Parcel Trees - Drip-Line and Limits of Disturbance measurements from face of trunk

Tree Summary Table

For: 12833 NE 90th ST
Kirkland

American Forest Management, Inc

Date: 2/10/2014
Inspector: Layton

Tree/Tag #	Species	Native/ Planted/ Volunteer	DBH	Tree Height	Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viable yes/no	Comments
						N	S	E	W			
7729	Pacific dogwood	N	8	32	na	na	na	na	na	poor	no	major decline, half dead
113	big leaf maple	N	12	35	2	na	na	na	na	fair-good	yes	slight lean north
114	Pacific dogwood	N	8	32	1	na	na	na	na	fair	yes	heavy lean north
115	big leaf maple	N	7	30	1	na	na	na	na	fair	yes	forked top
7603	western red cedar	N	34	86	13	na	na	na	na	good	yes	no concerns
7602	western red cedar	N	30	88	11	na	na	na	na	good	yes	no concerns
7601	Douglas-fir	N	32	150	12	na	na	na	na	good	yes	no concerns
7600	Douglas-fir	N	32	120	12	na	na	na	na	good	yes	no concerns
7599	western red cedar	N	40	108	16	na	na	na	na	fair	yes	decay column, crown a little sparse
7604	Douglas-fir	N	16	68	3	na	na	na	na	fair	yes	suppressed, minor decay
8259	western red cedar	N	19	30	5.5	na	na	na	na	fair	yes	under powerlines, topped
7607	Douglas-fir	N	41	160	16.5	9/14	na	na	12/16	good	yes	sound, north side pruned by power co
7606	western red cedar	N	33	85	12.5	8/14	na	na	10/16	fair-good	yes	good taper
7605	Douglas-fir	N	37	155	14.5	11/14	na	na	16/16	fair-good	yes	sound, north side pruned by power co
7656	western red cedar	N	38	20	na	na	na	na	na	poor	no	topped, heavy lean
116	red alder	N	7	28	na	na	na	na	na	fair-poor	borderline	heavy lean southeast
7693	western red cedar	N	35	68	13.5	14/na	12/16	13/16	na	fair	yes	forked top, good color
7694	Douglas-fir	N	18	24	5	na	na	na	na	fair	yes	topped by power co, low risk
7554	red alder	N	10	22	na	na	na	na	na	poor	no	dead, broken top - snag
7558	western red cedar (2)	N	20,21	64	12.5	na	na	na	na	fair	yes	self-corrected lean north
7557	western red cedar	N	21	58	6.5	na	na	na	na	good	yes	no concerns
7555	red alder	N	17	12	na	na	na	na	na	dead	no	broken - snag
7556	western hemlock	N	17	63	4.5	na	na	na	na	good	yes	no concerns

Parcel Trees - Drip-Line and Limits of Disturbance measurements from face of trunk

Tree Summary Table-Neighboring Trees

For: 12833 NE 90th ST
Kirkland

American Forest Management, Inc

Date: 2/10/2014
Inspector: Layton

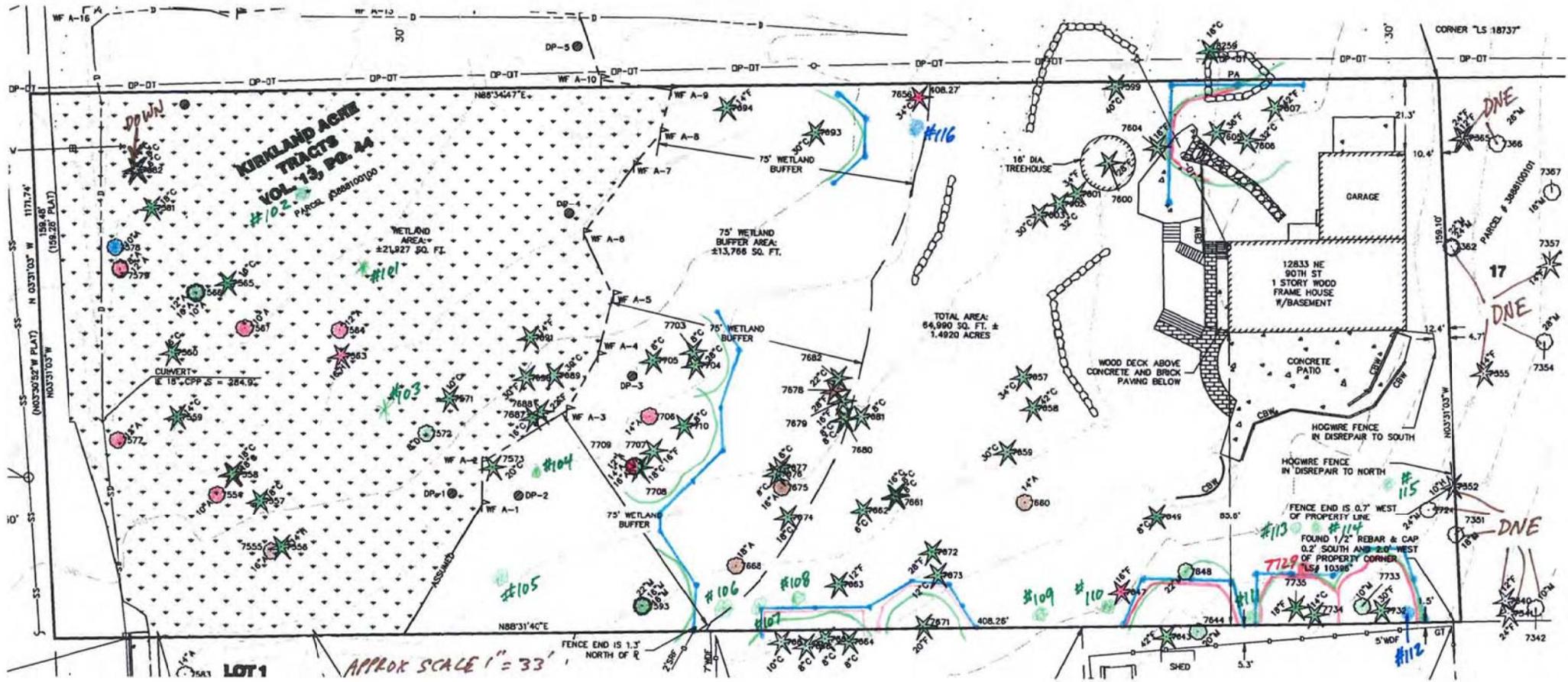
Tree/Tag #	Species	Native/ Planted/ Volunteer	DBH	Height	Tree Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viability	Comments
						N	S	E	W			
7667	Leyland cypress	P	12		na	8/10	na	na	na	good	viable	no concerns
7666	Leyland cypress	P	7		na	6/8	na	na	na	good	viable	no concerns
7665	Leyland cypress	P	10		na	6/8	na	na	na	good	viable	no concerns
7664	Leyland cypress	P	9		na	7/8	na	na	na	good	viable	no concerns
7643	Douglas-fir	N	45	126	na	16/16	na	na	na	fair-good	viable	appears sound, good taper
7644	big leaf maple	N	24	85	na	22/16	na	na	na	fair-good	viable	natural lean north, appears sound
8259	western red cedar	N	19	30	5.5	na	na	na	na	fair	viable	under powerlines, topped

Trees on neighboring properties - Drip-Line and Limits of Disturbance measurements from trunk face

12833 NE 90TH ST - TREE PLAN

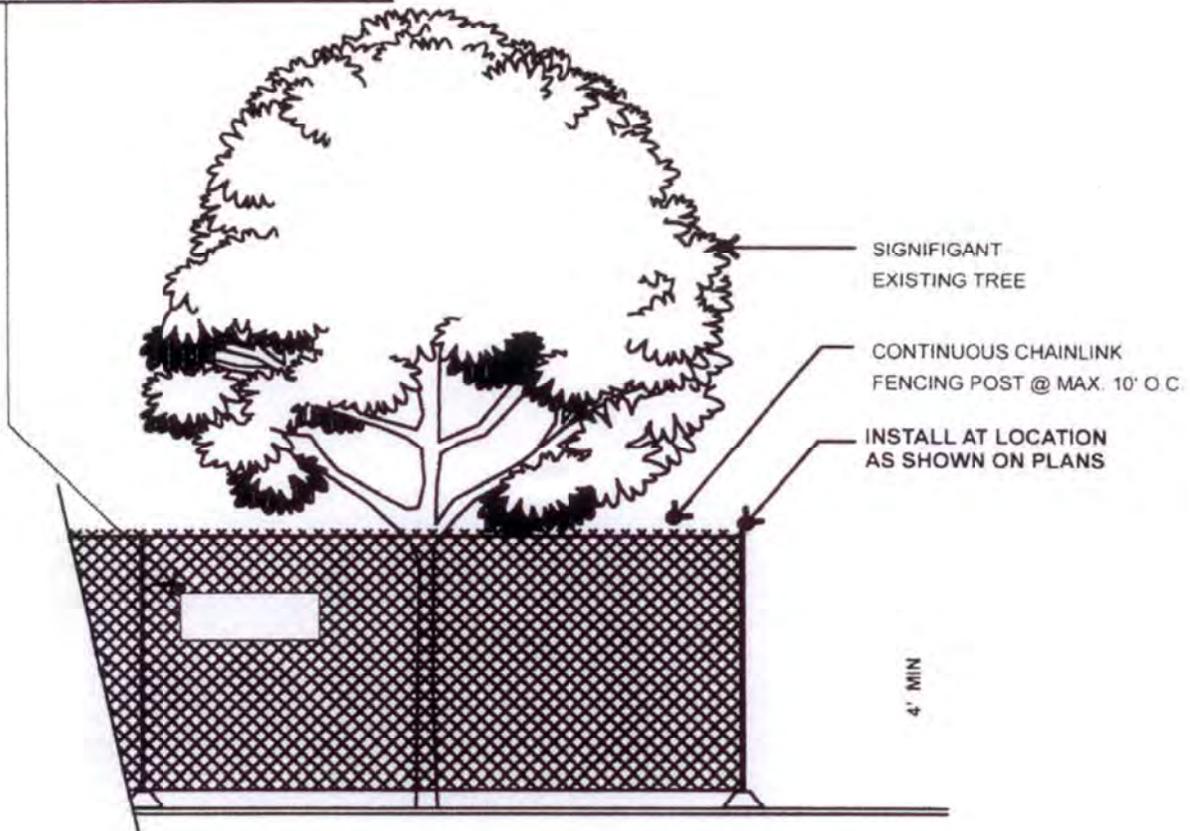
- ★ - VIABLE TREE
- ★ - NON-VIABLE
- ★ - BORDERLINE VIABLE
- ★ - DEAD / SNAG
- - DRIP-LINE
- - LIMIT OF DISTURBANCE
- - TREE PROTECTION FENCING

DNE - DOES NOT EXIST



FENCING SIGN DETAIL

Tree Protection Area, Entrance Prohibited
To report violations contact
City Code Enforcement
at (425)587-3225



1. MINIMUM FOUR (4) FOOT HIGH TEMPORARY CHAINLINK FENCE SHALL BE PLACED AT THE CRITICAL ROOT ZONE OR DESIGNATED LIMIT OF DISTURBANCE OF THE TREE TO BE SAVED. FENCE SHALL COMPLETELY ENCIRCLE TREE (S). INSTALL FENCE POSTS USING PIER BLOCK ONLY. AVOID POST OR STAKES INTO MAJOR ROOTS. MODIFICATIONS TO FENCING MATERIAL AND LOCATION MUST BE APPROVED BY PLANNING OFFICIAL.
2. TREATMENT OF ROOTS EXPOSED DURING CONSTRUCTION: FOR ROOTS OVER ONE (1) INCH DIAMETER DAMAGED DURING CONSTRUCTION, MAKE A CLEAN STRAIGHT CUT TO REMOVE DAMAGED PORTION OF ROOT. ALL EXPOSED ROOTS SHALL BE TEMPORARILY COVERED WITH DAMP BURLAP TO PREVENT DRYING, AND COVERED WITH SOIL AS SOON AS POSSIBLE.
3. NO STOCKPILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE OF EQUIPMENT OR MACHINERY SHALL BE ALLOWED WITHIN THE LIMIT OF THE FENCING. FENCING SHALL NOT BE MOVED OR REMOVED UNLESS APPROVED BY THE CITY PLANNING OFFICIAL. WORK WITHIN PROTECTION FENCE SHALL BE DONE MANUALLY UNDER THE SUPERVISION OF THE ON-SITE ARBORIST AND WITH PRIOR APPROVAL BY THE CITY PLANNING OFFICIAL.
4. FENCING SIGNAGE AS DETAILED ABOVE MUST BE POSTED EVERY FIFTEEN (15) FEET ALONG THE FENCE.



**TREE PROTECTION
FENCING DETAIL**

