

CONDITIONS OF APPROVAL
HEDEEN SHORT PLAT AND SUBSTANTIAL DEVELOPMENT PERMIT
FILE NO. SUB14-02156 & SUB14-02157

- A.** This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Building and Fire Code and the requirements and policies of Kirkland Shoreline Master Program. Attachment 3, Development Standards, is provided in this report to familiarize the applicant with some of these development regulations. This attachment references current regulations and does not include all of the additional regulations. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.
- B.** Prior to submitting a building permit for proposed Lot 1, the applicant shall obtain an updated geotechnical evaluation for proposed Lot 1 (See Conclusion VI.B.3).
- C.** As part of the land surface modification permit, and the building permits for each lot, the applicant shall demonstrate compliance with the requirements of KZC Chapter 70, including the following:
1. Indicate that 25% of each lot will be protected and will include vegetation and trees that are native (called the Protected Natural Area, or PNA). The PNA's shall be selected in a manner consistent with KZC 70.15.3.c. Show that the PNA will not coincide with the utility easements (See Conclusion VI.2).
 2. Each PNA area shall have an area that meets the minimum vegetation standards as prescribed in KZC 70.15.4 (See Conclusion VI.2).
 3. All building permits must show that they meet the maximum disturbance and maximum landscape areas (See Conclusion VI.2).
 4. Prior to the Certificate of Occupancy for each home, submit a recording device that maintains the PNA in perpetuity (See Conclusion VI.2).
- D.** Prior to recording the short plat, submit a demolition permit for the existing home, carport, and all accessory structures and complete the demolition of those structures (See Conclusion V.B).
- E.** Prior to issuance of any permits, the applicant shall record a Hold Harmless Agreement as shown in Attachment 10. The Hold Harmless Agreement should also be incorporated or referenced on the face of the short plat document (see Conclusion VI.B.3).

**SEPA MITIGATING MEASURES
HEDEEN SHORT PLAT AND SUBSTANTIAL DEVELOPMENT PERMIT
FILE NO. SUB14-02156 & SUB14-02157**

The proposal has been changed to include the following measures to mitigate impacts:

1. 1. Stripe a yellow center line on the south leg of the intersection of Juanita Drive/NE 112th Street so that exiting vehicles would stay to the right of the street to provide room for vehicles turning right onto NE 112th St.
2. 2. Install a convex mirror on the southeast corner of the intersection of Juanita Drive/NE 112th Street to improve visibility and safety for vehicle entering and exiting NE 112th Street.



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

DEVELOPMENT STANDARDS LIST

File: Hedeen Short Plat and SDP; SUB14-02156 & SHR14-02157

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.

22.28.050 Lot Dimensions. For lots smaller than 5,000 square feet in low density zones, the lot width at the back of the required front yard shall not be less than 50 feet unless the garage is located at the rear of the lot or the lot is a flag lot.

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

22.28.190 Subdivisions on the Shoreline. Subdivisions adjacent to Lake Washington must comply with the provisions of Kirkland’s Shoreline Master Program regarding open space and public access along the waterfront.

22.28.210 Significant Trees.

A Tree Retention Plan was submitted with the short plat. During the review of the short plat, all proposed improvements were unknown. Therefore KZC Section 95.30 (6)(a) – Phased Review applies in regards to tree retention. 101 Trees were assessed by the applicant’s arborist, some of which are not on the Hedeen Property. The City’s arborist has reviewed that are on the Hedeen property. 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
101			Not viable
102			Not viable
103		X	
104		X	
105		X	
106		X	
107		X	
108			Not viable
109			Not viable – UDI
110			Not viable – UDI
111			Not viable – UDI

112			Not viable
113			Not viable - UDI
114			Not viable - UDI
115			Not viable
116			Not viable
117			Not viable
118	X		
119	X		
120			Not viable
121	X		
122	X		
123	X		
124		X	
125	X		
126	X		
127			Not viable
128			Not viable
129	X		
130		X	
131		X	
132		X	
133		X	
134			Not viable
135	X		
136	X		
137		X	
138			Not viable
139		X	
140	X		
141	X		
142	X		
143			Not viable
144			Not viable
145			Not viable
146			Not viable
147		X	
148			Not viable
149		X	
150		X	
151		X	
152			Not viable
153			Not viable

154	X		
155			Not viable
156		X	
157			Not viable
158			Not viable - UDI
159			Not viable
160			Not viable
161			Not viable
162	X		
163			Not viable
164			Not viable
165		X	
166			Not viable
167		X	
168			Not viable
169		X	
170	X		
171			Not viable
172			Not viable
173		X	
174	X		
175			Not viable
176		X	
177		X	
178		X	
180	X		
181	X		
182	X		
183		X	
184		X	
185		X	
186		X	
187		X	
188		X	
189		X	
190	X		
191	X		
192	X		
193	X		
194	X		
195	X		
199		X	

301		X	
302		X	

Updated UF checklist: The most recent revisions, shown on the plans dated March 23, 2015 upgrade 5 trees (highlighted orange) to high retention value trees and downgrade 8 trees (highlighted yellow) from high retention value to moderate retention value due to shifting property lines. Tree #148 is downgraded to a not viable low retention tree due to observation of its split leader at ground level with acute attachment and included bark. It would be more advantageous to the City for this tree to be removed and retain tree #149, if possible, because #149 is a younger tree with good structure and is likely to more easily withstand construction impacts without enhancements to its risk for a future house.

The sequoia tree #182 is a statuesque tree with some complications. It is healthy and is located in a required yard but is shared across the property line with the neighbors.

Franchise utility easements are not shown on the plan labeled TP-1 shows PNA's for each of the six lots. The PNA's shouldn't include a franchise utility easement due to the conflict between vegetation maintenance in perpetuity of the PNA and the easements allowance to remove vegetation to conduct maintenance or upgrades.

An overhead power line runs across the north edge of lot 6. The overhead power line requires typical clearance of 10' from the power line which would require vegetation pruning likely to diminish the height of trees growing in it. Adjusting lot 6 PNA to the south side of the lot would alleviate this maintenance conflict between the overhead power line and the "least alteration of existing native vegetation" found in KZC 70.15. (3)(C).

Original UF checklist: Arborist report is accurate but I would like to add some observations of my own which may inform the ability to save certain trees as the permit process moves forward. These should be conveyed to the project arborist for the updated arborist report submitted with building permits and considered when proposing retention of the trees noted below.

1. Tree 171 has a 7' long wound approximately ¼ of its circumference beginning 25' above ground level.
2. Tree 174 has co-dominant leaders forking at ground level with included bark and neighbor's driveway within 3' of trunk.
3. Tree 179 is on the neighbor's property.
4. Trees 179 through 182 have the subject property driveway and neighbor's driveway or house as root zone restrictions ~8' east and west of trunks.
5. Tree 187 has the garage pavement as a 35% root zone restriction to its south.
6. Tree 192 has been crown raised to approximately 20'.
7. Trees 193 through 195 have been crown raised to approximately 40'.

8. Tree 199 had a co-dominant leader fork at 35' above ground level with included bark ~6' in length.

Noxious weeds are approximately 50% of the groundcover within PNA 2 through 7. These weeds should be permanently removed and native plantings replanted. PNA 1 is approximately 50% lawn which should be removed and replaced with appropriate shoreline native plants. This might not be what the applicant has in mind for PNA area 1, please confirm.

ROW trees: Overhead power lines run in the right-of-way adjacent to this parcel. Consideration to appropriate low growing native species will need to occur when selecting trees to be planted within PNA Area 7 near these overhead power lines.

Neighbor's trees: no concerns at this time

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 with an approved Land Surface Modification permit. Subsequent approval for tree removal is granted for the construction of the house and other associated site improvements with a required Building Permit. The Planning Official is authorized to require site plan alterations to retain High Retention value trees at each stage of the project. In addition to retaining viable trees, new trees may be required to meet the minimum tree density per KZC Section 95.33.

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 Stormwater Control System. The applicant shall comply with the construction phase and permanent stormwater 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:

22.20.362 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.

22.28.050 Lot Dimensions. The owner of the property shall sign a covenant to ensure that the garage will be located at the rear of any lot which is smaller than 5,000 square feet in a low density zone, has a lot width at the back of the required front yard less than 50 feet, and is not a flag lot.

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.

22.32.090 Maintenance Bonds. A two-year maintenance bond may be required for any of the improvements or landscaping installed or maintained under this title. .

SHORELINE MASTER PROGRAM STANDARDS

24.05.165.5 Size of Moorage Structures. Moorage structures may not be larger than is necessary to provide safe and reasonable moorage for the boats to be moored.

24.05.165.9 Prohibited Substances. No part of moorage structures or other components that may come into contact with the lake may be treated with or consist of creosote, oil base, toxic, or other substances that would be harmful to the aquatic environment.

24.05.165.10 Prohibited Moorages. Covered moorage is prohibited. Aircraft moorage is prohibited.

WAC173-27-190 Substantial Development, Conditional Use, or Variance Permits. Construction pursuant to a substantial development, conditional use, or variance permit shall not begin and is not authorized until 21 days from the date of filing, or until all review proceedings initiated within 20 days from the date of filing have been terminated, except as provided in RCW90.58.140(5)(a) & (b).

Prior to occupancy:

ZONING CODE STANDARDS

85.25.1 Geotechnical Report Recommendations. The geotechnical recommendations contained in the report to be submitted shall be followed.

85.25.3 Geotechnical Professional On-Site. A qualified geotechnical professional shall be present on site during land surface modification and foundation installation activities if it states this in the report.

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. Two parking spaces per home 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.

110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

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.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.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

145.22.2 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. 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.

85.45 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 property (see Attachment 10).

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:

85.25.3 Geotechnical Professional On-Site. The geotechnical engineer shall submit a final report certifying substantial compliance with the geotechnical recommendations and geotechnical related permit requirements.

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.

110.60.5 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.

110.75 Bonds. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter.

DEVELOPMENT STANDARDS

SUB14-02156



PLANNING DEPARTMENT

1. Stripe a yellow center line on the south leg of the intersection of Juanita Drive/NE112th.
2. Install a convex mirror on the southeast corner of the intersection of Juanita Drive/NE 112th Street.

SEPA MITIGATING MEASURES FOR HEDEEN SHORT PLAT SUB14-02156; SEP14-02240

1. Stripe a yellow center line on the south leg of the intersection of Juanita Drive/NE112th Street so that exiting vehicles would stay to the right of the street to provide room for vehicles turning right onto NE 112th St.
2. Install a convex mirror on the southeast corner of the intersection of Juanita Drive/NE 112th Street to improve visibility and safety for vehicle entering and exiting NE 112th Street.

FIRE DEPARTMENT

FIRE DEPARTMENT CONDITIONS

Contact: Grace Stuart at 425-587-3660; or gstuart@kirklandwa.gov

ACCESS

The minimum unobstructed paved width of fire department access roads serving 3 or more lots shall be not less than 20' to within 150 feet of the furthest setback corner. Fire Department access roads shall not exceed 15% grade.

The road is not adequate for fire department access. All the houses except the house on Lot 6 shall be sprinklered due to access (Lot 6 is close enough to the ROW to not require sprinklers).

This project is in Northshore Utility District. Before submitting fire sprinkler plans to the Kirkland Fire Department, please contact NUD to discuss the requirements for backflow prevention for the type of system to be installed (i.e. standard 13D or flow-through/multipurpose).

Note regarding the existing home on Lot 1: Buildings classified as single-family, duplex, or townhouse under the International Residential Code, which would be required to be sprinklered due to inadequate fire flow or fire department access, are allowed to add up to five hundred square feet without being required to install fire sprinklers. This exception shall be used one time only, and acknowledgement of its use shall be recorded to run with the property title prior to building permit issuance.

As long as the existing house on Lot 1 remains the same size, there are no requirements for sprinklers. If an addition is made, the addition size is limited to 500 square feet or fire sprinklers will be required throughout the home. If a new house is building on Lot 1 at any time in the future, sprinklers are required.

PUBLIC WORKS DEPARTMENT

Permit #: SUB14-02156
Project Name: Hedeem Property SP
Project Address: 7821 NE 112th Street
Date: April 2, 2015

PUBLIC WORKS CONDITIONS

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 Surface Water Connection Fees (paid with the issuance of a Building Permit)
 - o Water and Sewer Connection Fees (paid to Northshore Utility District)
 - o Septic Tank Abandonment Inspection Fee
 - 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. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit.
4. 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.
 - Review of detached multi-family building permits: Detached multi-family building permits can only be applied for after the Land Surface Modification permit submitted, reviewed, and approved.
5. 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.

6. If a recording Performance Security has not yet been posted, then prior to issuance of the LSM Permit a standard right of way restoration security ranging from \$10,000.00 to 30,000.00 (value determined based on amount of ROW disruption) shall be posted with Public Works Department. This security will be held until the project has been completed

7. This project shall submit for concurrency review with the Public Works Traffic Engineering Division.

8. 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.

9. 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.

10. 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).

11. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

12. All subdivision recording documents shall include the following language:

o Utility Maintenance: Each property owner shall be responsible for maintenance of the sanitary sewer, storm water stub, rain garden, permeable pavement, or any infiltration facilities (known as Low Impact Development) 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, surface water stub, rain garden, permeable pavement, or any infiltration facilities, 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.

o 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:

o 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.

If the project contains LID storm improvements that will be installed as a condition of the new home Building Permit, then include this condition on the Short Plat recording documents:

o Installation of Low Impact Development (LID) storm drainage improvements with Building Permits: All LID storm drainage features depicted on Sheet ____ of ____ of issued permit LSM1X-0XXXX shall be installed in conjunction with the

construction of each new home on lots X to X. The LID improvements include, but are not limited to the rain gardens and the pervious driveways. The Building Permit for the new signal family home on lots X to X will not receive a final inspection until said LID improvements are installed. The pervious access road/Tract serving lots X and X shall be constructed or secured by a performance bond prior to recording of the short plat

Sanitary Sewer and Water Conditions:

1. Northshore Utility District approval required for water and/or sewer service. A letter of sewer/water availability is required; call N.U.D at 425-398-4400.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manual and the Kirkland Addendum (Policy D-10). 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. Summarized below are the levels of drainage review based on site and project characteristics:

• Full Drainage Review

A full drainage review is required for any proposed project, new or redevelopment, that will:

- Adds 5,000ft² or more of new impervious surface area or 10,000ft² or more of new plus replaced 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. A preliminary drainage report (Technical Information Report) must be submitted with the subdivision application. This must include a downstream analysis for all projects (except small project Type 1) within the Holmes Point Overlay Zone.

3. This project is in a Level 1/Potential Direct Discharge Area, and is required to comply with core drainage requirements in the 2009 King County Surface Water Design Manual.

To qualify for direct discharge, the applicant must demonstrate (at a minimum):

- The conveyance system between the project site and Lake Washington will be comprised of manmade conveyance elements and will be within public right-of-way or a public or private drainage easement, AND
- The conveyance system will have adequate capacity per Core Requirement #4, Conveyance System, for the entire contributing drainage area, assuming build-out conditions to current zoning for the equivalent area portion and existing conditions for the remaining area; or,
- This project may qualify for an exception to flow control if the target surfaces will generate no more than a 0.1 cfs increase in the existing site conditions 100-year peak flow.

4. 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 or L-2 (depending on drainage review) for more information on this requirement.

5. Because this project site is one acre or greater, the following conditions apply:

- 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.

6. 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 less than 1 acre in size.

7. A storm detention system is not required.

8. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).

9. It doesn't appear that any work within an existing ditch will be required, however 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.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx>

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

10. 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.

11. 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.

12. Provide collection and conveyance of right-of-way storm drainage.

13. 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. The tight line connections shall be installed with the individual new houses.

14. Provide a plan and profile design for the storm sewer system.

15. This project will require work within the ordinary high water (OHW) level of a stream or lake in order to make outfall to the lake. The Washington State Department of Fish & Wildlife must review and approve all work within the OHW level prior to COK permit approval.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts NE 112th St. This street is a Neighborhood Access type street. 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:

- A. Widen the street to maintain 20 feet of drivable surface. Additional survey will be necessary in order to determine curb and sidewalk off-sets from right-of-way centerline.
- 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.

2. Property Access – The proposed density would typically require a public road and dedication. Since the lot geometry (skinny) does not support the dedication necessary for a public road and the Fire Department is allowing the lots to be sprinklered the Public Works Department can support a private access road with the following conditions (per the preliminary plat submittal of November 13, 2004):

- A) The road is 20 ft. wide across the frontage of Lot 6 (~3/4 of the frontage).
- B) The road is 18 ft. wide across the remaining frontage of Lot 6 and all of Lot 5.
- C) The road is 16 ft. wide across Lots 3 through 4 to the west edge of the turn around.
- D) The road may be 12 ft. wide west of the turnaround area.
- E) The turnaround will support a fixed axel truck (30+ ft.) per CK-R.05

3. 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.

4. 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.). Each lot needs a 20 ft. x20 ft. parking pad in front of the garage outside the access tract, right-of-way or easement area, with the exception of Lots 5 and 6 which may be 18 ft. deep and 20 feet wide.

5. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications.

6. Implement any Traffic Mitigation measures which may be required by SEPA.

7. Install "NO PARKING ANYTIME" signs along the private access road and NE 112th St frontage.

8. 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.

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

10. Underground any new off-site transmission lines.

11. 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 112th St 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 on NE 112th St. 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

12. Street Lighting: When street improvements are installed along the frontage of a short plat, the need for new street lights is analyzed. In this case, the neighborhood has submitted a petition signed by 25 of the 36 property owners that use NE 112th St as primary access to their property. The petition requests that no new street lights be added to NE 112th Street along the frontage of this short plat. Given the number of residents opposed to new street lights, the City will not be requesting that new lights be installed.