CITY OF KIRKLAND
CITY COUNCIL

Amy Walen, Mayor • Jay Arnold, Deputy Mayor • Dave Asher • Doreen Marchione
Tom Neir • Toby Nixon • Penny Sweet • Kurt Triplett, City Manager

Vision Statement
Kirkland is one of the most livable cities in America. We are a vibrant, attractive, green and welcoming place to live, work and play. Civic engagement, innovation and diversity are highly valued. We are respectful, fair and inclusive. We honor our rich heritage while embracing the future. Kirkland strives to be a model, sustainable city that values preserving and enhancing our natural environment for our enjoyment and future generations.

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY Relay Service 711 • www.kirklandwa.gov

AGENDA
KIRKLAND CITY COUNCIL SPECIAL MEETING
City Council Chamber
Tuesday, December 12, 2017
6:00 p.m. – Study Session
7:30 p.m. – Special Meeting

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

PLEASE CALL 48 HOURS IN ADVANCE (425-587-3190) if you require this content in an alternate format or if you need a sign language interpreter in attendance at this meeting.

EXECUTIVE SESSIONS may be held by the City Council only for the purposes specified in RCW 42.30.110. These include buying and selling real property, certain personnel issues, and litigation. The Council is permitted by law to have a closed meeting to discuss labor negotiations, including strategy discussions.

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
   a. Totem Lake Connector Bridge - Project Update
4. *EXECUTIVE SESSION*
   a. To Review the Performance of a Public Employee
5. *HONORS AND PROCLAMATIONS*
6. *COMMUNICATIONS*
   a. *Announcements*
   b. *Items from the Audience*
   c. *Petitions*
7. *SPECIAL PRESENTATIONS*
   a. Sound Cities Association (SCA) Recognition of 2017 Member Emeritus Recipient - Councilmember Doreen Marchione
   b. Get Active, Stay Active Grant Award - King County Councilmember Claudia Balducci

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

c. Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award

d. Update on Project 12 - Replacement of the City's Human Resources/Finance System

8. CONSENT CALENDAR

a. Approval of Minutes: November 21, 2017

b. Audit of Accounts:

Payroll $

Bills $

c. General Correspondence

d. Claims

(1) Claims for Damages

e. Award of Bids

(1) Construction Contract for Schedules A – D, Peter Kirk Pool Liner Project, Orca Pacific Inc., Auburn, WA

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

(1) Ratification of the IAFF Local 2545 Collective Bargaining Agreement 2018-2020

(2) Resolution R-5287, Authorizing the Execution and Delivery of an Amended and Restated Interlocal Agreement Establishing eCityGov Alliance.

h. Other Items of Business

(1) Ordinance O-4630, Relating to Codification of the Term of Existence of the Houghton Community Municipal Corporation.

(2) Ordinance O-4631 and its Summary, Relating to the Review of Schedule and Fee Increases for Transportation Impact Fees and Amending Kirkland Municipal Code Sections 27.04.120 and 27.04.150.

(3) Accepting Port of Seattle Grant for the Innovation Triangle, Downtown Marina Moorage Capacity and Approving Fiscal Note

(4) Remittance of Duck Dash Raffle Tax Receipts to Selected Agency

(5) Surplus of Equipment Rental Vehicles/Equipment

(6) Report on Procurement Activities

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

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

a. 2017-2018 Mid-Biennial Budget Adjustment and Fiscal Policies Revision

(1) Ordinance O-4632 and its Summary, Amending the Biennial Budget for 2017-2018.

(2) Resolution R-5288, Adopting the Fiscal Policies for the City of Kirkland.

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

b. Resolution R-5289, Adopting the 2017-2022 Six-Year Capital Improvement Program for the City of Kirkland.

c. 2017 Comprehensive Plan Updates

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

(1) Ordinance O-4624 and its Summary, Relating to Comprehensive Planning and Land Use and Amending the Comprehensive Plan Ordinance 3481, as Amended, and the City of Kirkland Zoning Map, Ordinance 3710 as Amended, to Ensure the Zoning Map Conforms to the Comprehensive Plan and the City Complies With the Growth Management Act, and Approving a Summary for Publication, File No. CAM17-00395.

(2) Ordinance O-4625 and its Summary, Relating to Comprehensive Planning, Zoning and Land Use as a Result of the Alavi Citizen Amendment Request and Amending the Comprehensive Plan Ordinance 3481, as Amended, the Kirkland Zoning Code, Ordinance 3719 as Amended, and the City of Kirkland Zoning Map, Ordinance 3710 as Amended, to Ensure the Zoning Code and Zoning Map Conforms to the Comprehensive Plan and the City Complies With the Growth Management Act, and Approving a Summary for Publication, File No. CAM16-02641.

(3) Ordinance O-4626 and its Summary, Relating to Comprehensive Planning, Zoning and Land Use as a Result of the Lee Johnson Citizen Amendment Request and Amending the Comprehensive Plan Ordinance 3481, as Amended, and the City of Kirkland Zoning Map, Ordinance 3710 as Amended, to Ensure the Zoning Map Conforms to the Comprehensive Plan and the City Complies With the Growth Management Act, and Approving a Summary for Publication, File No. CAM16-02885.

(4) Ordinance O-4627 and its Summary, Relating to Zoning, Planning, and Land Use and Amending Chapters 55 and 105 of the Kirkland Zoning Code Regarding Standards That Apply to Development in the Totem Lake Business District and Urban Center and Approving a Summary Ordinance for Publication, File No. CAM17-00371.

(5) Ordinance O-4628 and its Summary, Relating to Comprehensive Planning, Zoning and Land Use Regarding Changes for the Totem Lake Business District and Amending the Comprehensive Plan

Ordinance 3481, as Amended, Chapter 55 of the Kirkland Zoning Code, Ordinance 3719 as Amended, and the City of Kirkland Zoning Map, Ordinance 3710 as Amended, to Ensure the Zoning Code and Zoning Map Conform to the Comprehensive Plan and the City Complies With the Growth Management Act, and Approving a Summary for Publication, File No. CAM17-00371.

(6) Ordinance O-4629 and its Summary, Relating to Comprehensive Planning, Zoning and Land Use and Amending the Comprehensive Plan Ordinance 3481, as Amended, and Approving a Summary for Publication, File No. CAM16-02742.

d. Resolution R-5290, Revising the 2017-2018 City Work Program To Defer Exploration of Potential Fire Station Modernization and Public Safety Operations Ballot Measures.

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

11. NEW BUSINESS

a. Approving the Donation of the M.V. Kalakala Painting

b. First Reading of Ordinance O-4633 and its Summary, Granting Seattle SMSA Limited Partnership d/b/a Verizon Wireless, a Delaware Limited Partnership, a Non-Exclusive Communications Master Use Permit for the Right, Privilege, and Authority to Make Use of the Permit Area for Communications Purposes.

CITY COUNCIL COMMITTEE agendas and minutes are posted on the City of Kirkland website, www.kirklandwa.gov.

12. REPORTS

a. City Council Regional and Committee Reports

b. City Manager Reports

(1) Draft of February Retreat Agenda

(2) Calendar Update

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

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kathy Brown, Public Works Director
Dave Snider, P.E., Capital Projects Manager
Aaron McDonald, P.E., Senior Project Engineer

Date: November 30, 2017

Subject: **TOTEM LAKE CONNECTOR BRIDGE - PROJECT UPDATE**

RECOMMENDATION:

City Council to:

- Receive a project update along with a review of the current design elements, and
- Provide direction to staff on pedestrian hand railing, lighting features, and overlooks.

BACKGROUND DISCUSSION:

The Totem Lake Connector (TLC) Bridge project (Project) will provide a critical link within the evolving local Totem Lake and regional non-motorized transportation network. The Project is an important component of multiple long-range planning efforts: the Totem Lake Park Master Plan, the Cross Kirkland Corridor (CKC) Master Plan, the Totem Lake Business District Plan, and the Totem Lake Neighborhood Plan.

The following goals from the *Cross Kirkland Corridor Master Plan* provided guidance to the Project:

- Connect Kirkland
- Shape a place unique to Kirkland
- Foster a greener Kirkland
- Activate Kirkland and evolve with time

Some of the project-specific city goals and objectives identified by the Project Team for the Project and identified in the June 6, 2017 City Council meeting memo are listed below:

- **Fulfill the Vision –** *Distinguish the CKC as a unique cultural and recreational destination for the community and region. Provide an experience beyond that of a typical regional trail. Design a structure that stands in harmony with its surroundings and responds to the various constraints and features of the site.*

- **Support Economic Development** – *Utilize the corridor's development to catalyze economic growth, encouraging residential and commercial development that can charge the corridor and city with energy and vitality.*
- **Connect to Regional Trails** – *Connecting to new and existing trail facilities will make the CKC available to more users and regional destinations. A convenient, direct link between the currently disconnected CKC Trail segments will greatly increase the functionality of the trail and will attract users.*
- **Non-Motorized Transportation Artery** – *The CKC will connect with significant growth and high-density use areas to provide unimpeded travel. Ensuring connections are made with the CKC and key streets, schools, parks, commercial land, and transit will maximize public benefit.*
- **Safety** – *The Totem Lake Connector Project will significantly improve safety by providing CKC users with a grade-separated crossing of NE 124th Street and Totem Lake Boulevard. Crime Prevention through Environmental Design (CPTED) will be implemented by providing clear sightlines throughout the Project.*
- **Create a Destination** – *The CKC and TLC are envisioned to become destinations. This linear "park" with the future redevelopment of Totem Lake Park, provides Kirkland residents and visitors with superb recreational opportunities and an enjoyable environment to travel within and between places.*
- **Ease of Construction/Fabrication** – *Minimizing traffic disruption at the busiest intersection in Kirkland.*
- **Minimize Environmental Impacts** – *Limit impacts to nearby wetlands and natural site features.*

At its June 6, 2017 meeting, City Council selected the *Skipping Stone* concept as the preferred alternative to advance to final design. That selection completed the initial design phase (Phase 1) where the structure type, size, and location were determined. The subsequent design work (Phase 2) has focused on refining structure details and identifying specific treatments such as railing type, deck lighting, and Totem Lake Park overlook solutions. The product of Phase 2 will be a complete set of plans and specifications suitable for grant application submittals and/or contractor bidding. Following is a discussion of the current design work with proposed options for each element, along with a preview of aesthetic (structure) lighting design ideas. The Project Team recently presented these options to the Kirkland Cultural Arts Commission for discussion and recommendation. The majority of the Commission supports the proposed designs. More detail may be found in Attachment A, TLC Current Design Work.

CURRENT DESIGN ELEMENTS - PEDESTRIAN RAILING, DECK LIGHTING, AND OVERLOOK DISCUSSION

Pedestrian Railing

With the desire to maintain the strong physical and structural gestures of the *Skipping Stone* design, the Project Team identified a number of preliminary alternatives for pedestrian safety railing that were assessed against the following criteria:

- Cost
- Constructability
- Transparency/Comfort
- Low Climb-ability
- Aesthetic Implications
- Maintenance

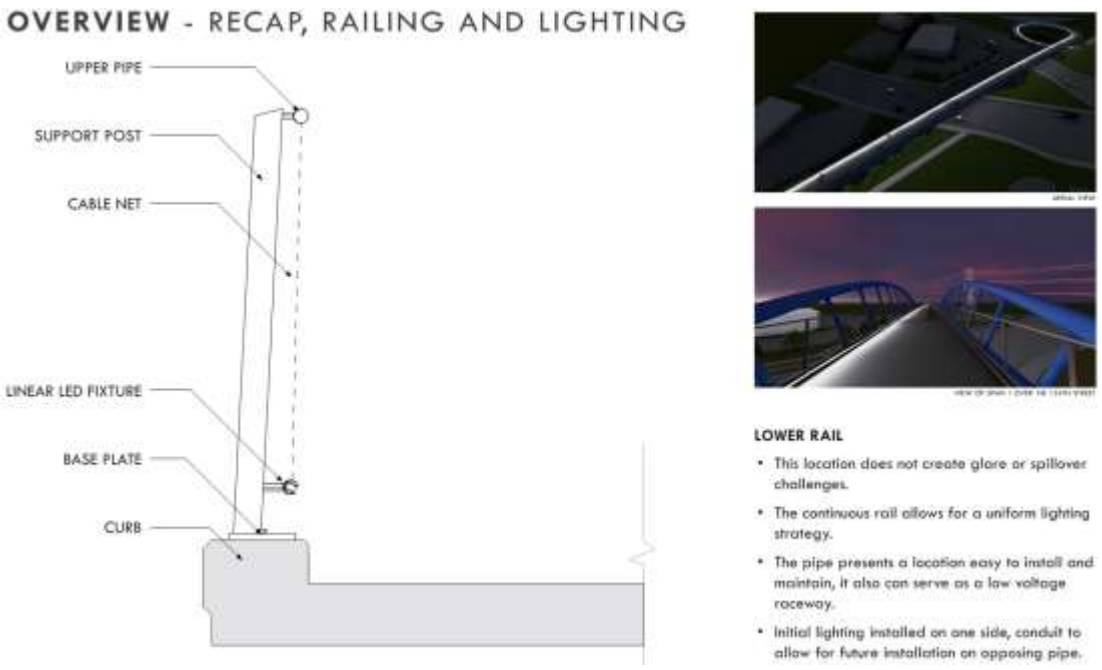
When the alternatives were assessed and scored against the criteria, the Picket Fence and the Cable Net alternatives scored very favorably. Further visual assessments were conducted using computer generated images and it became clear that the Cable Net system best supports the need to provide appropriate user protection while seamlessly blending with the structure and maintaining a "light touch." This affords a highly transparent and strong visual experience when on, or off the bridge.

Deck Lighting

Deck lighting (or functional lighting) is another key design element. The same scoring method used for the railing alternatives was employed to narrow-down the lighting choices. The criteria applied to this item include:

- Invisible
- Low Cost
- Vandalism Resistant
- Easy Installation
- Comfortable Lighting
- Low Maintenance

Scoring of the lighting alternatives revealed that a deck lighting configuration concealed within the handrail system best met the above design criteria. This alternative was further explored to determine where the lighting system should be placed. A placement within the lower part of the railing structure provides adequate lighting for users, is not distracting to roadway users below, and keeps light spill-over minimized (a "best practice" when protecting critical habitats nearby). The Project Team has included an option to add additional lighting on the opposite side of the deck in the future if higher levels of lighting are desired. However, the current concept of lighting from one side meets all applicable standards and safety lighting levels.



Cultural Arts Commission Comments

Both the Cable Net railing concept, and the lower rail-mounted deck lighting system have been presented and fully discussed with the Cultural Arts Commission. At its November 15, 2017 meeting, the Commission enthusiastically endorsed the suggested approach to each item, agreeing that the Cable Net system, and the lower rail-mounted deck lighting system best meet the goals of the design, and support the goal of maintaining a strong bridge form expression.

Overlook

The Project Team considered a number of potential options for overlooks. The design guidelines that defined this process are:

Experience

- Memorable
- Exhilaration
- Unexpected
- Comfortable Overlook

Form and Function

- Limits Shadowing of Wetland
- Engages Structural Form
- Elegant as experienced from Boardwalk

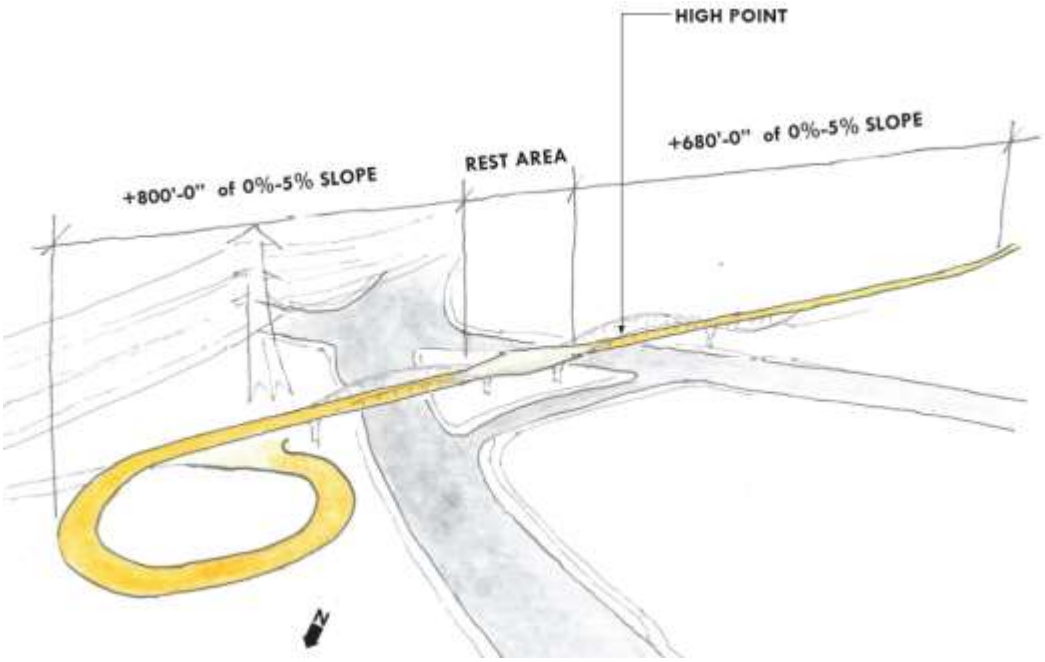
Spatial

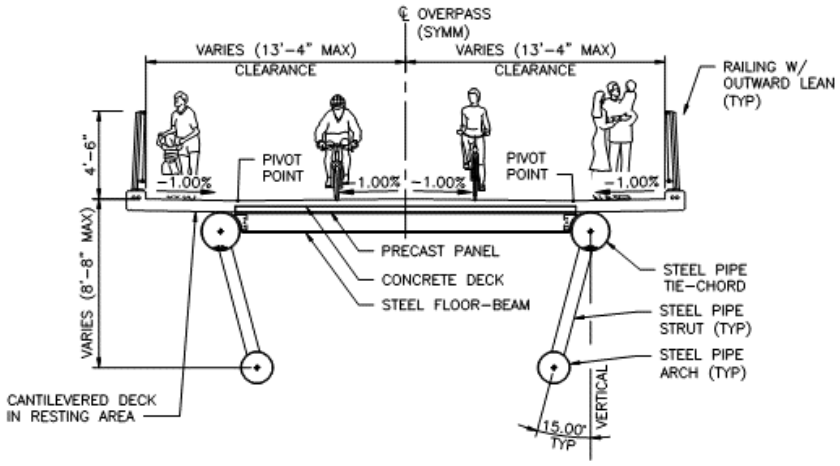
- Not too close to the Street
- Right distance from the power lines

Two areas of the bridge structure have been identified for viewing opportunities: the high-point area over the traffic island (the "Rest Area") and the spiral-ramp area adjacent to Totem Lake (the "Overlook").

1) Rest Area

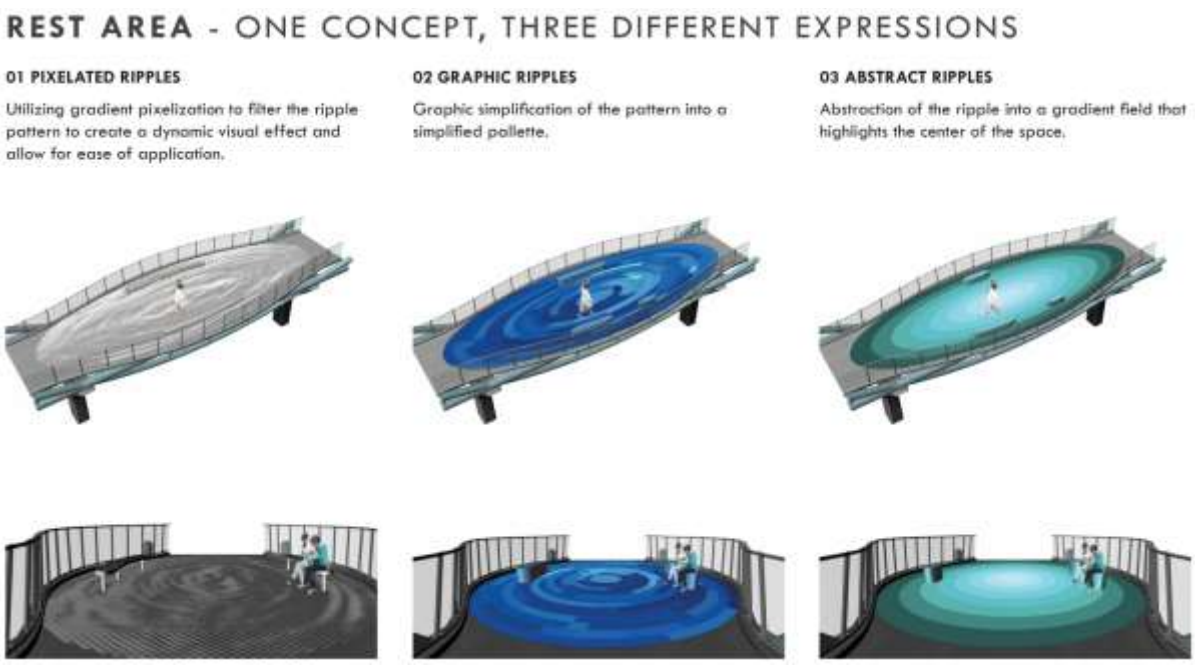
The Rest Area is a natural location to provide a moment of pause and lingering as users reach the nominal high-point of the structure. This area provides a location that can be easily widened at minimal cost while meeting the design guidelines above. The deck width has been expanded to provide over 26' of total deck width (from 14' trail width) at the widest point.





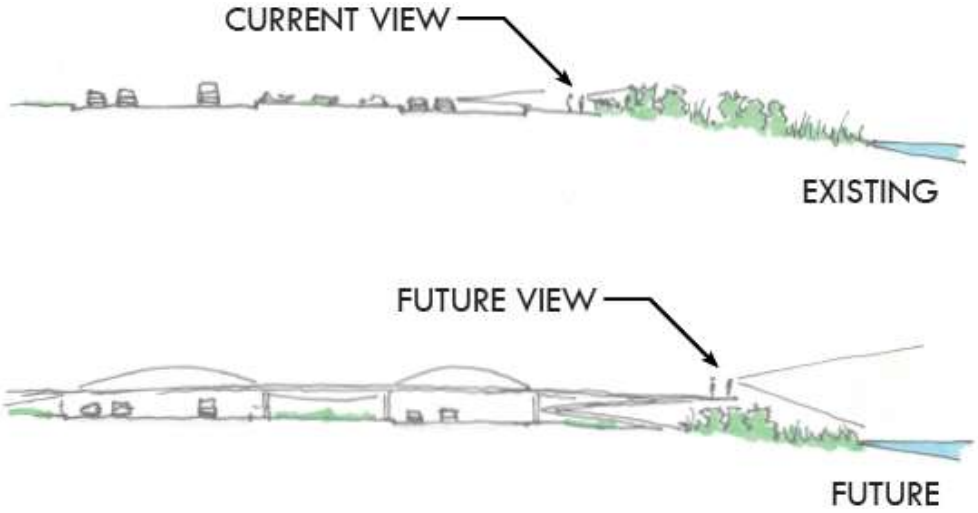
Rest Area Overlook Dimensions – widest point

The Rest Area can be configured in a number of ways, from leaving "as-is" in a basic concrete form, to adding interesting surface treatments to delineate the area. This area can also provide a place of stopping and resting, suitable for seating if desired.



2) Spiral-Ramp Overlook

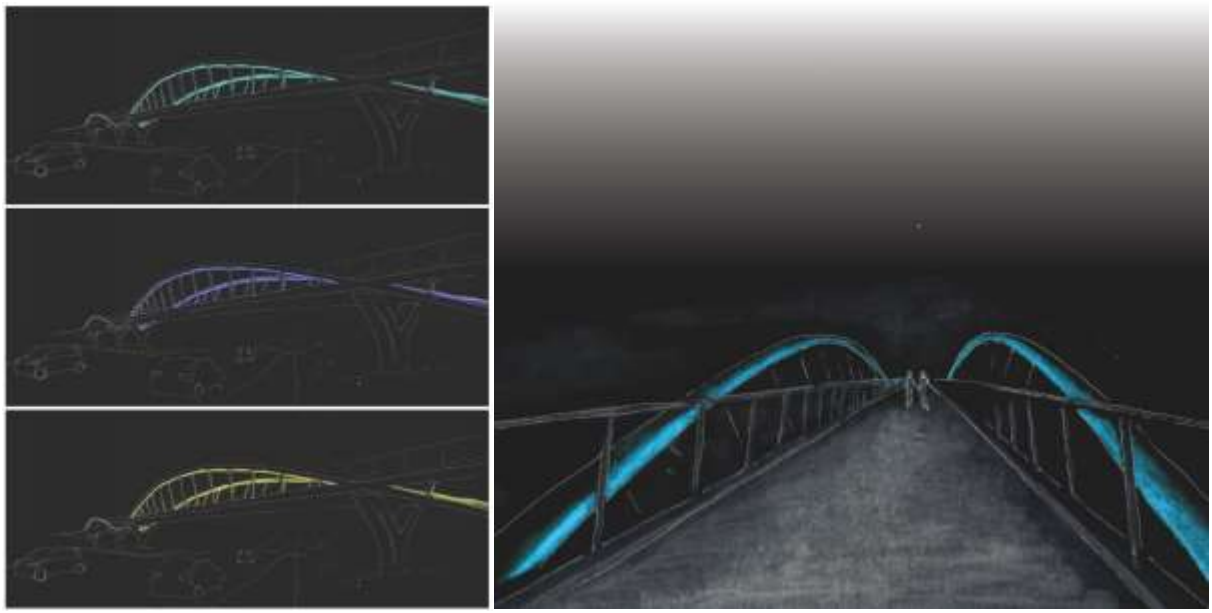
The spiral ramp area presents an unmatched opportunity to create a special experience while also maintaining the essential function of a trail. The bridge structure creates a new option to provide an intimate and unusual immersion into the park experience that does not now exist.



The Project Team has created a concept that closely adheres to the guidelines above. The "Plank" concept creates an unexpected and engaging experience in an elegant and streamlined way. It is highly complementary to the strong physical form of the bridge structure while integrating seamlessly to provide an unmatched user experience.

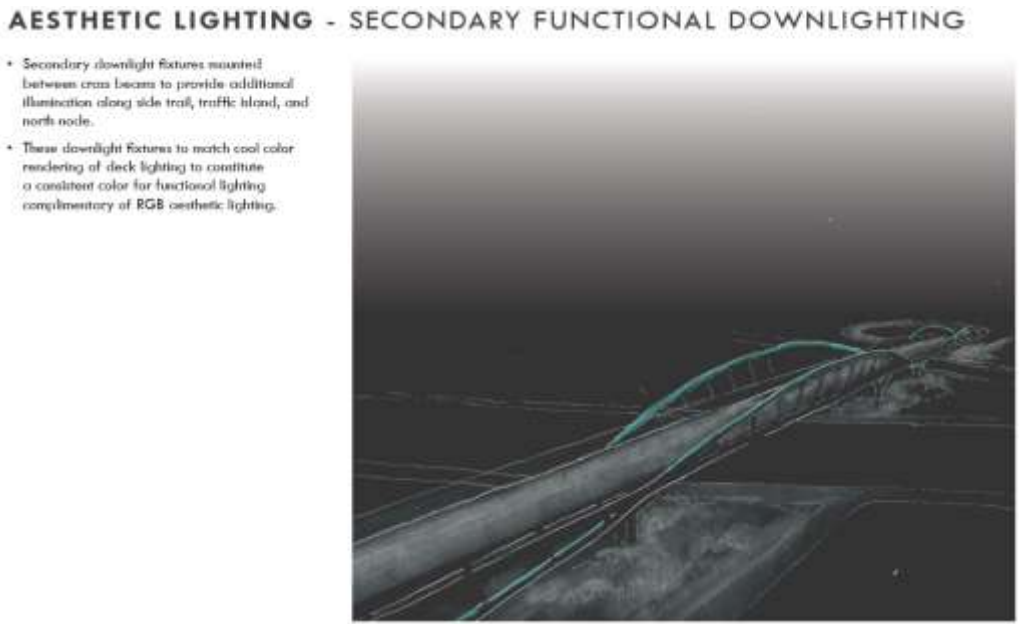
The majority of the Cultural Arts Commission was strongly supportive of this design approach and endorses The Plank concept.

Aesthetic (Structure) Lighting
The aesthetic lighting (or structure lighting) component presents a rich opportunity to highlight the "iconic" form from afar while also enhancing the experience for the user.



Placing the lighting "inside" strongly highlights the form of the structure without the excess glare and light-waste of illuminating from "outside."

The bridge structure also presents opportunities to enhance the lighting at ground level in a muted and subdued fashion. This avoids distracting roadway users while providing an opportunity to present a less-seen part of a bridge structure that highlights the strong repetitive form that is key to an efficient and easily constructible asset.



BUDGET UPDATE:

Initial project scope and cost estimate for design and construction was estimated at $12.86M. With the selection of the Skipping Stone as the preferred alternative, along with the direction to design to a 14-foot width, costs are now expected to be $17.2M. The December update to the CIP will reflect this adjustment. As a reminder, the design phase for this project was fully funded in the CIP, and $5,730,100 in City funding has been budgeted. Staff is seeking grant funding opportunities to fill the funding gap. City Council will receive a separate update on the CIP Update during the regular December 12th meeting.

NEXT STEPS:

The Project Team will continue to refine concepts for pedestrian railing, deck (functional) lighting, and overlook concepts. Other continuing design work includes: aesthetic (structure) lighting, stormwater infrastructure, IT infrastructure, and construction impact mitigation along with associated permits. The Project Team is also planning two more open houses to present the current work to the public and discuss the Project. The Project Team will return to City Council for a final update with the results of those open house meetings.

Cost validation/Constructability Review (CV/CR)

In order to provide an independent check on expected construction cost, along with providing for an outside review to identify any potential cost savings, Public Works has solicited firms to conduct a CV/CR review of the Project at the 60% design level. This review will be conducted within the next month or so. While the bridge type, size, and location have been selected, there may be opportunity to achieve additional cost saving measures while maintaining the bridge form and function. We will also review the unit bid items and unit costs to validate the current construction cost estimate.

CONCLUSION:

The Totem Lake Connector Bridge Project is on track to deliver final plans, specifications, and cost estimate in March, 2018. The City will use the final design documents when applying for all appropriate grant funding opportunities as they become available. The City of Kirkland's Public Works recently teamed-up with King County to submit a $10M Tiger Grant Application for 2018 to close the Project funding gap and the results of that application will be made public in the spring of 2018.

What has been created to date is a structure that connects many crucial elements of a re-developing and growing Totem Lake Neighborhood and Business District. The Project Team is seeking discussion and feedback on the selected design elements from City Council. If City Council agrees with the design direction, the Project Team will move forward with finalizing the design and final submittals.

ATTACHMENT A

OUTLINE - TOTEM LAKE CONNECTOR

Guardrail Design

Functional Lighting

Rest Area

The Overlook

Aesthetic Lighting

Summary

VIEW NORTHEAST OF PROJECT FROM NE 124TH STREET

Guardrail Design

Functional Lighting

Rest Area

The Overlook

Aesthetic Lighting

Summary

GUARDRAIL DESIGN

GUARDRAIL DESIGN - CRITERIA AND PRELIMINARY ALTERNATIVES

CRITERIA FOR RAILING

Transparency / Comfort

Easy for drivers to see the infill, providing good CPTED:

- When on the roadway, provides user with a more solid that gives a strong sense of protection appearance

Low Climbability

Difficult for someone to climb the railing

- Permanent deflection
- Scratch, paint and etch tagging

Constructability

- Ease of installation
- Modular design and limited complexity

Maintenance

The relative level and ease of long term maintenance of the material or component in terms of:

- Durability and vandalism resistance (cutting, denting
- Ease of cleaning, maintenance and repair of finishes (incl. grafitti)
- Not attracktive to "love lock" phenomenon

Cost

- Low capital costs and operating costs associated with the material and components

Aesthetic Implications

- Complementary with selection of preferred alternative
- Does not add visual clutter with a clean and minimal character

HARVEY BALL RATING

- Excellent
- Good
- Fair
- Poor
- N/A — Not Applicable

PRELIMINARY ALTERNATIVES

Cable Net

Transparency Comfort	Low Climbability	Constructability
4	4	4
Maintenance	**Low Cost**	**Aesthetic Implications**
3	4	4

Average Score 3.8

Picket

Transparency Comfort	Low Climbability	Constructability
4	4	3
Maintenance	**Low Cost**	
4	3	4

Average Score 3.7

Perforated Metal

Transparency Comfort	Low Climbability	Constructability
3	3	3
Maintenance	**Low Cost**	
3	3	3

Average Score 3.0

Horizontal Cable

Transparency Comfort	Low Climbability	Constructability
3	2	4
Maintenance	**Low Cost**	**Aesthetic Implications**
2	4	4

Average Score 3.2

GUARDRAIL DESIGN - CABLE NET VS PICKET

CABLE NET

3.8

Transparency Comfort

4

+ Incredibly transparent

Low Climbability

4

+ Cable opening is too small to place shoe in

4

+ Easy installation with top and bottom framing pipes

Maintenance

3

+ Low level of maintenance required
+ Graffiti resistant
- Cables can be cut or severed with the use of specialized tools

Low Cost

4

+ Economical

Aesthetic Implications

4

+ Clean minimal appearance

PICKET

3.5

Transparency Comfort

4

+ Highly transparent upon perpendicular view
+ Providing a visual screen along linear bridge axis, advantageous for patron comfort over roadways while maintaining open views through loop ramp

Low Climbability

4

+ Very difficult to climb

Constructability

3

+ Top bolt assembly
+ Made from standard flat bar stock

Maintenance

3

+ Low level of maintenance required
+ Grafitti resistant
- Painting touch-ups

Low Cost

3

- More material and fabrication
- Painting Cost

Aesthetic Implications

4

+ Clean look

GUARDRAIL DESIGN - CABLE NET VS PICKET

VIEW OF SPAN 1 OVER NE 124TH STREET

CABLE NET

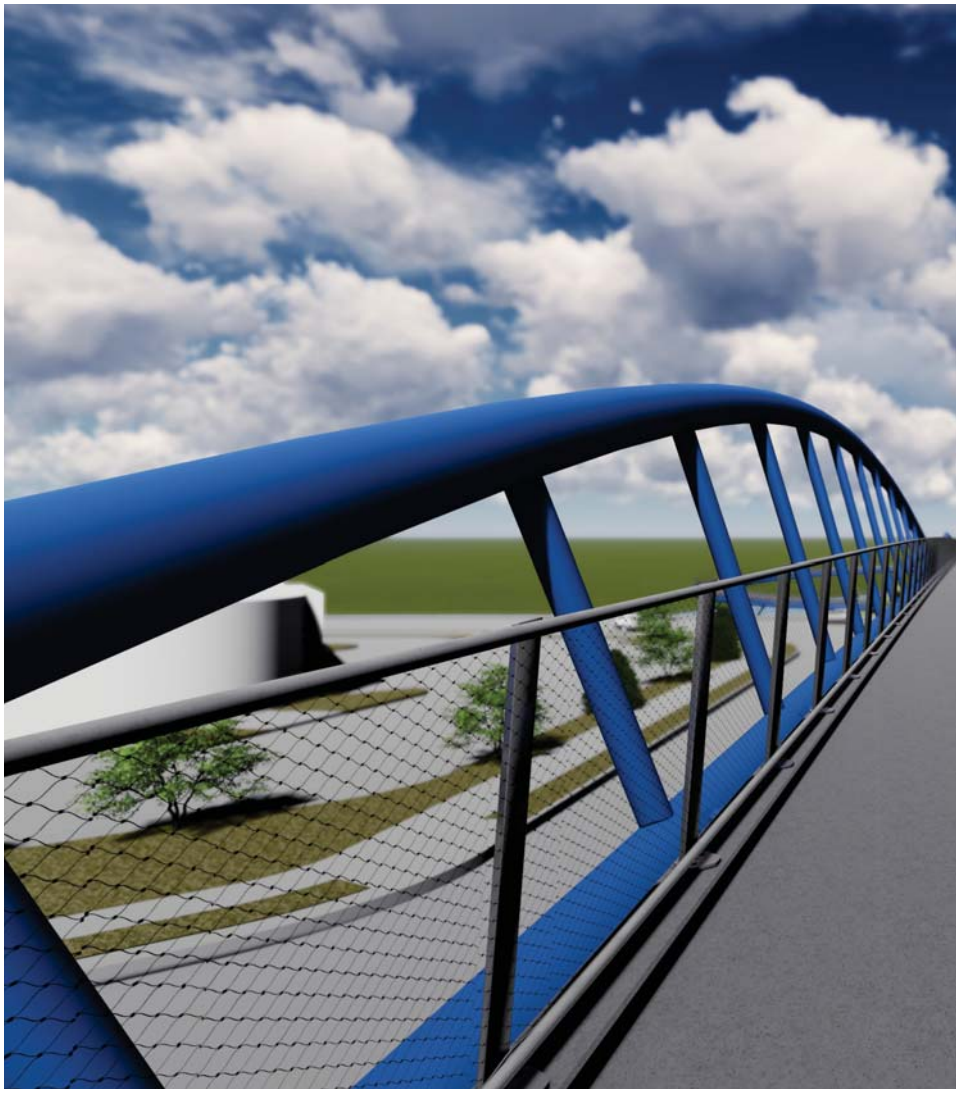
VIEW OF LOOP RAMP

VIEW OF SPAN 1 OVER NE 124TH STREET

PICKET

VIEW OF LOOP RAMP

GUARDRAIL DESIGN - CABLE NET, RECOMMENDED



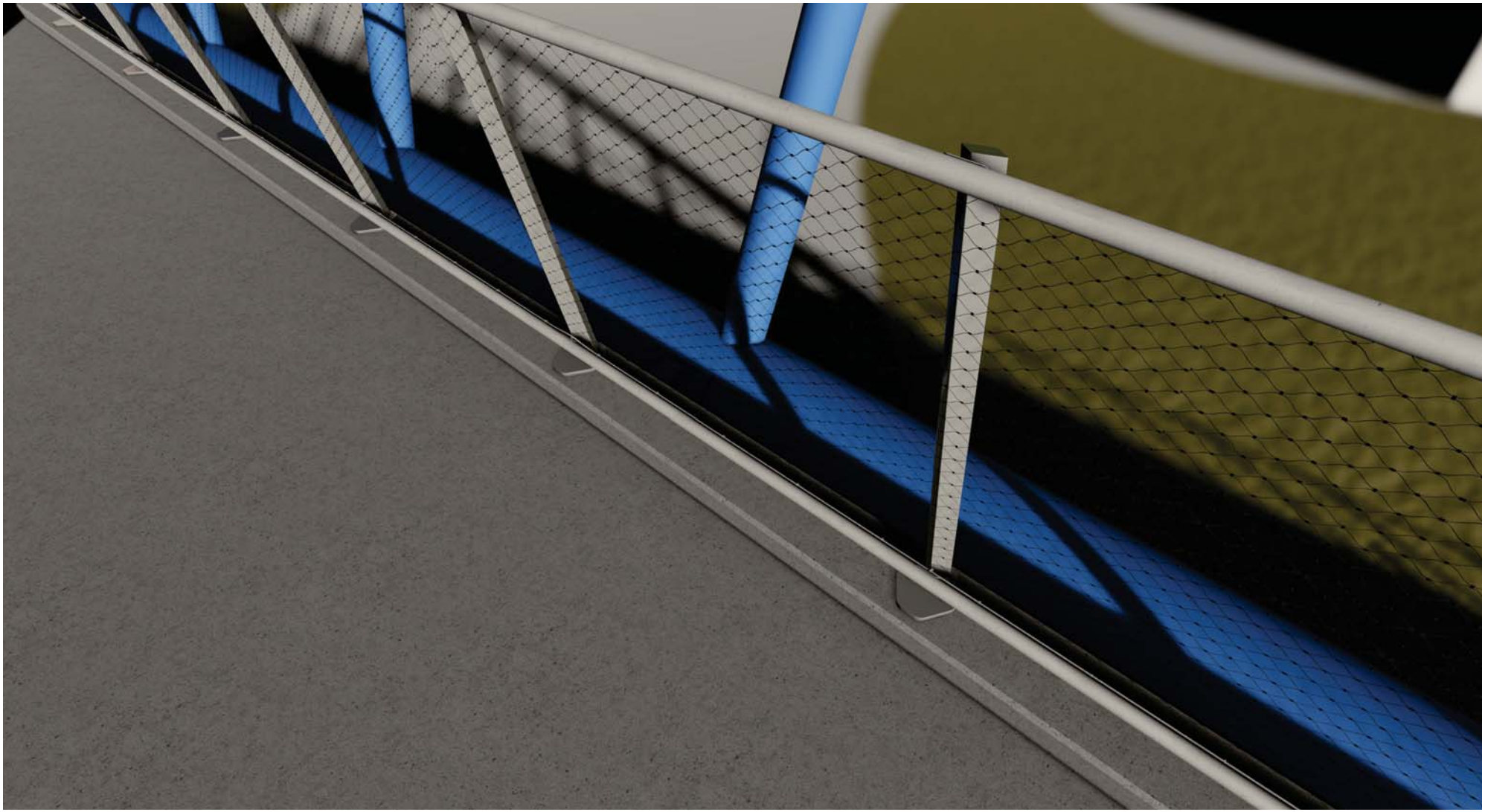
VIEW OF SPAN 1 OVER NE 124TH STREET

- Arches provide for a sense of protection; an infill with limited transparency is not required.
- Better overall transparency provides for improved safety and enhanced experience.
- Cable net provides the most robust and easily maintained infill solution.
- Grab rail is eliminated (grades <5%) to further minimize handrail appearance.
- Low cost, most robust, and provides for ease of maintenance

GUARDRAIL DESIGN - CABLE NET

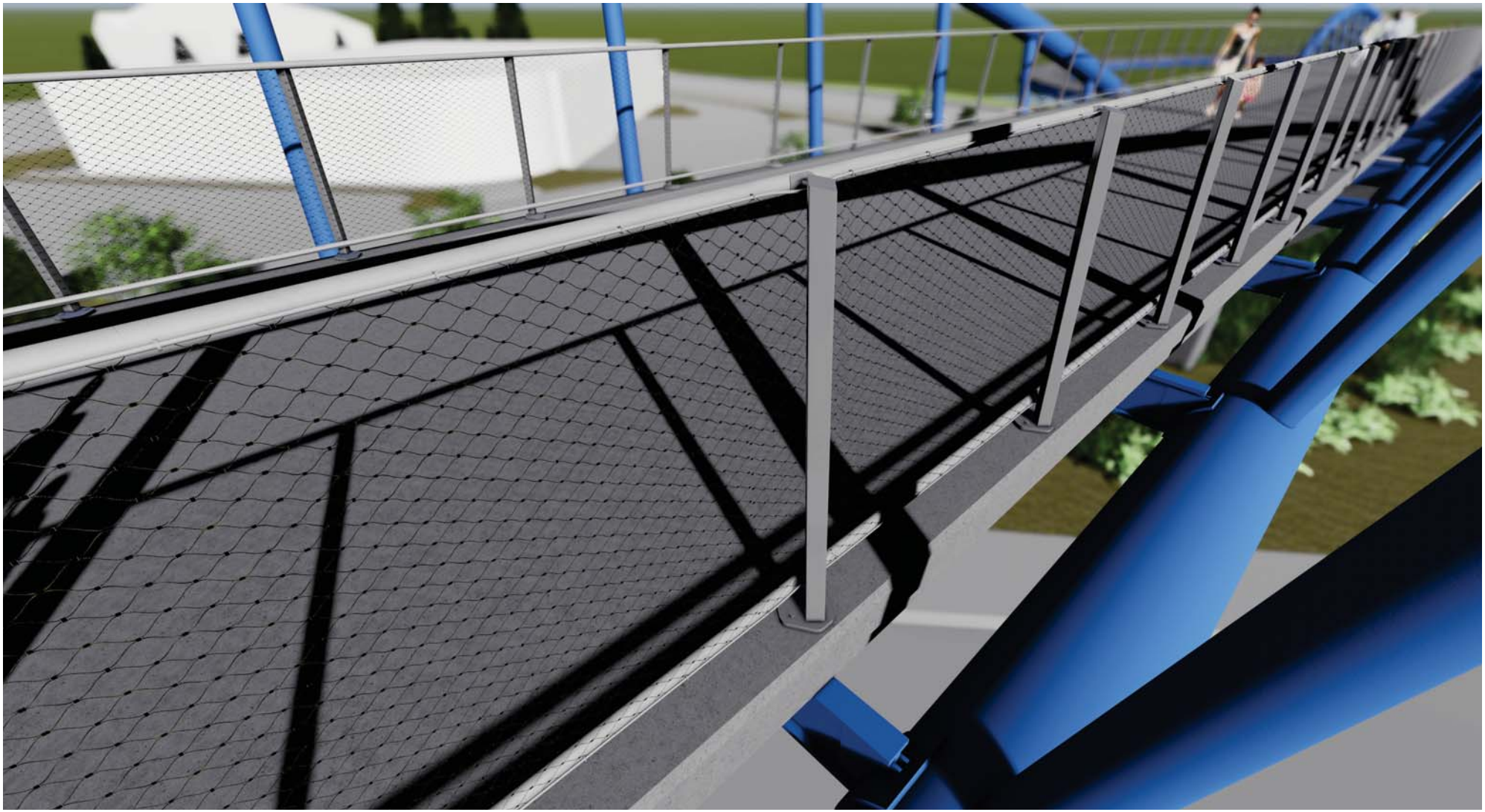
VIEW OF SPAN 1 OVER NE 124TH STREET

GUARDRAIL DESIGN - CABLE NET



INNER PLANE VIEW OF HANDRAIL ON SPAN 1 OVER NE 124TH STREET

GUARDRAIL DESIGN - CABLE NET



OUTER PLANE VIEW OF HANDRAIL ON SPAN 1 OVER NE 124TH STREET

Guardrail Design

Functional Lighting

Rest Area

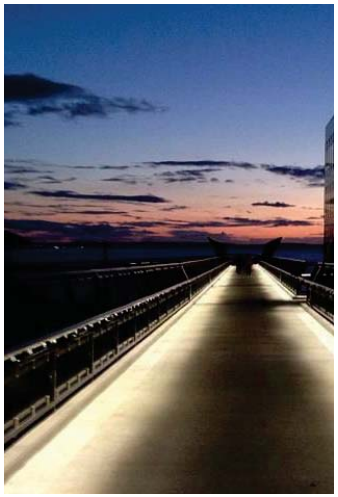
The Overlook

Aesthetic Lighting

Summary

FUNCTIONAL LIGHTING

FUNCTIONAL LIGHTING - BRIDGE MOUNTING LOCATIONS



Average Score 2.8

A HANDRAIL

Invisible 4

\+ Incredibly transparent and uncluttered due to integrated nature

Low Cost 2

– Fairly expensive due to integrated fixture engineering

Vandalism Resistant 3

\+ Vandalism resistant due to seamless integration in the handrail

Easy Installation 2

\+ When prefabricated and integrated with handrail mounting can be a quick process

Comfortable Lighting 3

\+ Not blinding, indirect light

– No handrail; would have to go in top rail

– 54" Height to create glare issues over roadway and wetland

Low Maintenance 3

\+ Relatively low level of maintenance required

Average Score 2.7

B STANCHION

Invisible 3

– Visible but uncluttered due to integrated nature

\+ Clean minimal appearance

Low Cost 3

– Fairly expensive due to integrated fixture engineering

Vandalism Resistant 2

– Susceptible to tampering - is within reach due to low mounting level

Easy Installation 3

\+ Easily mounted between stanchions

\+ High level of modularity can be coordinated with the design of the stanchions

Comfortable Lighting 2

– Blinding possible because of exposed vertical light spill

Low Maintenance 3

\+ Low level of maintenance required

Average Score 2.5

C CURB

Invisible 3

– Depending on execution and design can result in a larger curb than otherwise necessary

Low Cost 2

– Standard cost

Vandalism Resistant 3

– Somewhat susceptible to tampering - is within reach due to low mounting level

Easy Installation 2

\+ High level of modularity can be coordinated with the design of the curb

– Wiring is less accessible and needs to be coordinated with curb design and installation

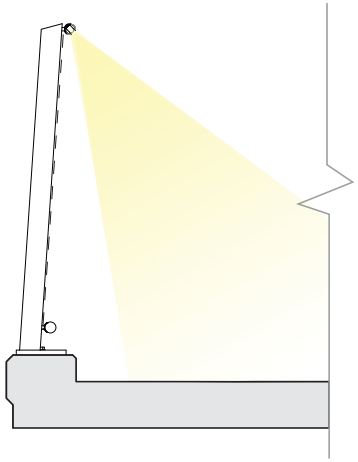
Comfortable Lighting 2

– Low light level due to low mounting height

Low Maintenance 2

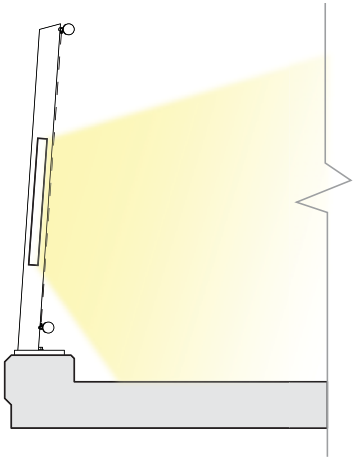
\+ Dependent upon specification

FUNCTIONAL LIGHTING - BRIDGE MOUNTING LOCATIONS



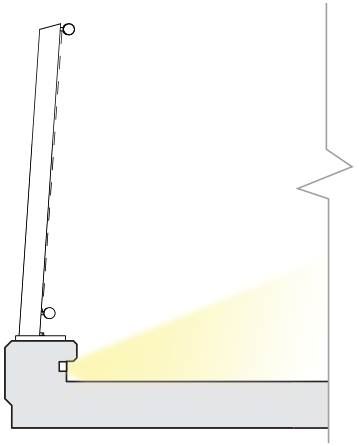
(A) HANDRAIL

- Mounting at 54" creates a glare issue for bridge users and spillover challenge over the roadway and wetlands.



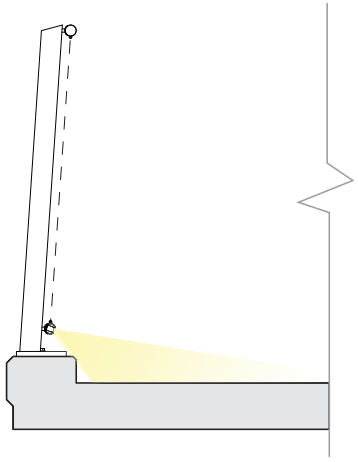
(B) STANCHION

- Mounting within the vertical post creates a glare issue for bridge users and spillover challenge over the roadway and wetlands.
- This strategy will not allow for a uniform light level on the deck.



(C) CURB

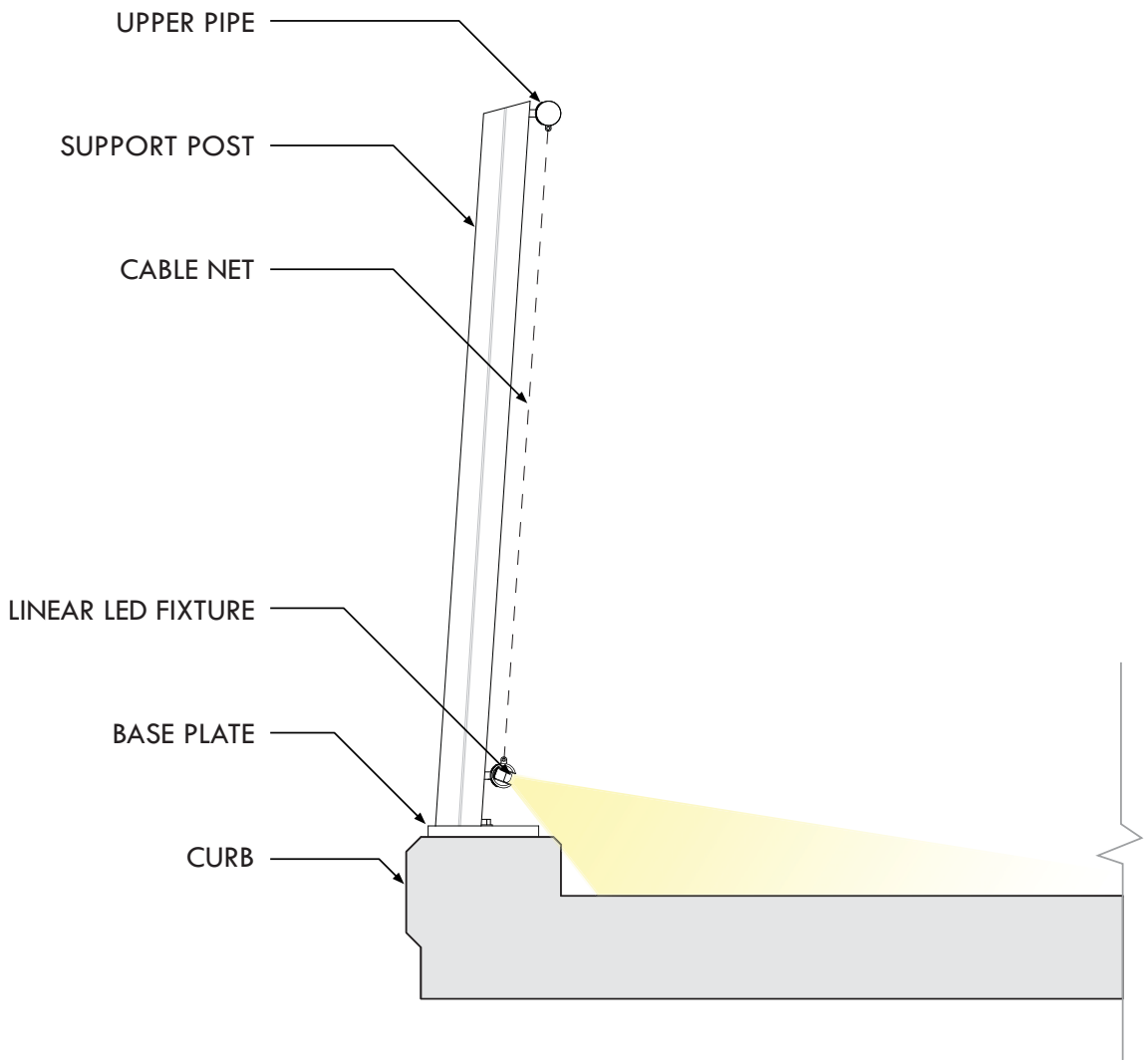
- Mounting within the curb poses constructability and maintenance challenges.



(D) LOWER RAIL - RECOMMENDED

- This location does not create glare or spillover challenges.
- The continuous rail allows for a uniform lighting strategy.
- The pipe presents a location easy to install and maintain, it also can serve as a low voltage raceway.
- Initial lighting installed on one side, conduit to allow for future installation on opposing pipe.

FUNCTIONAL LIGHTING - LOWER RAIL, RECOMMENDED



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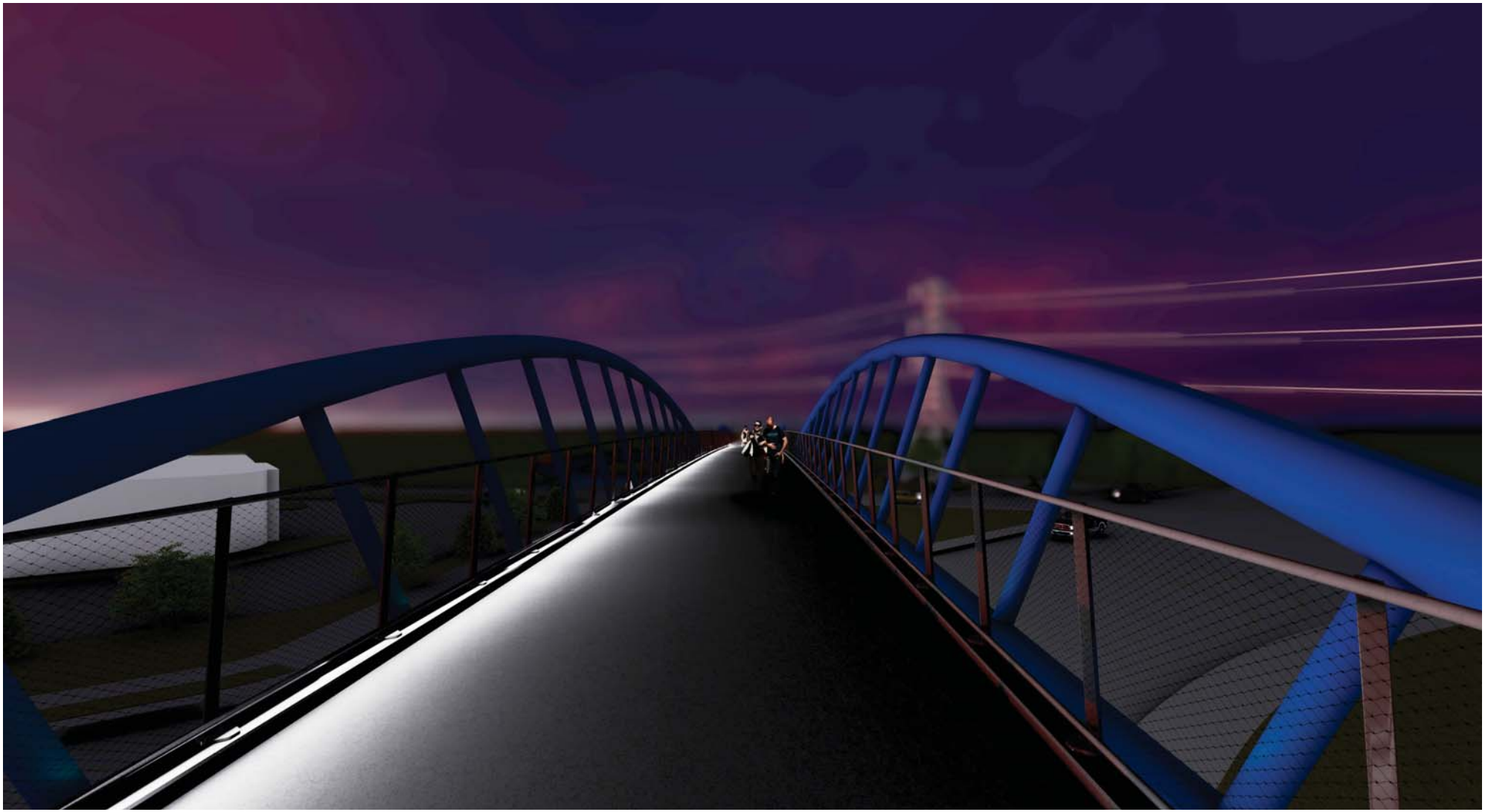
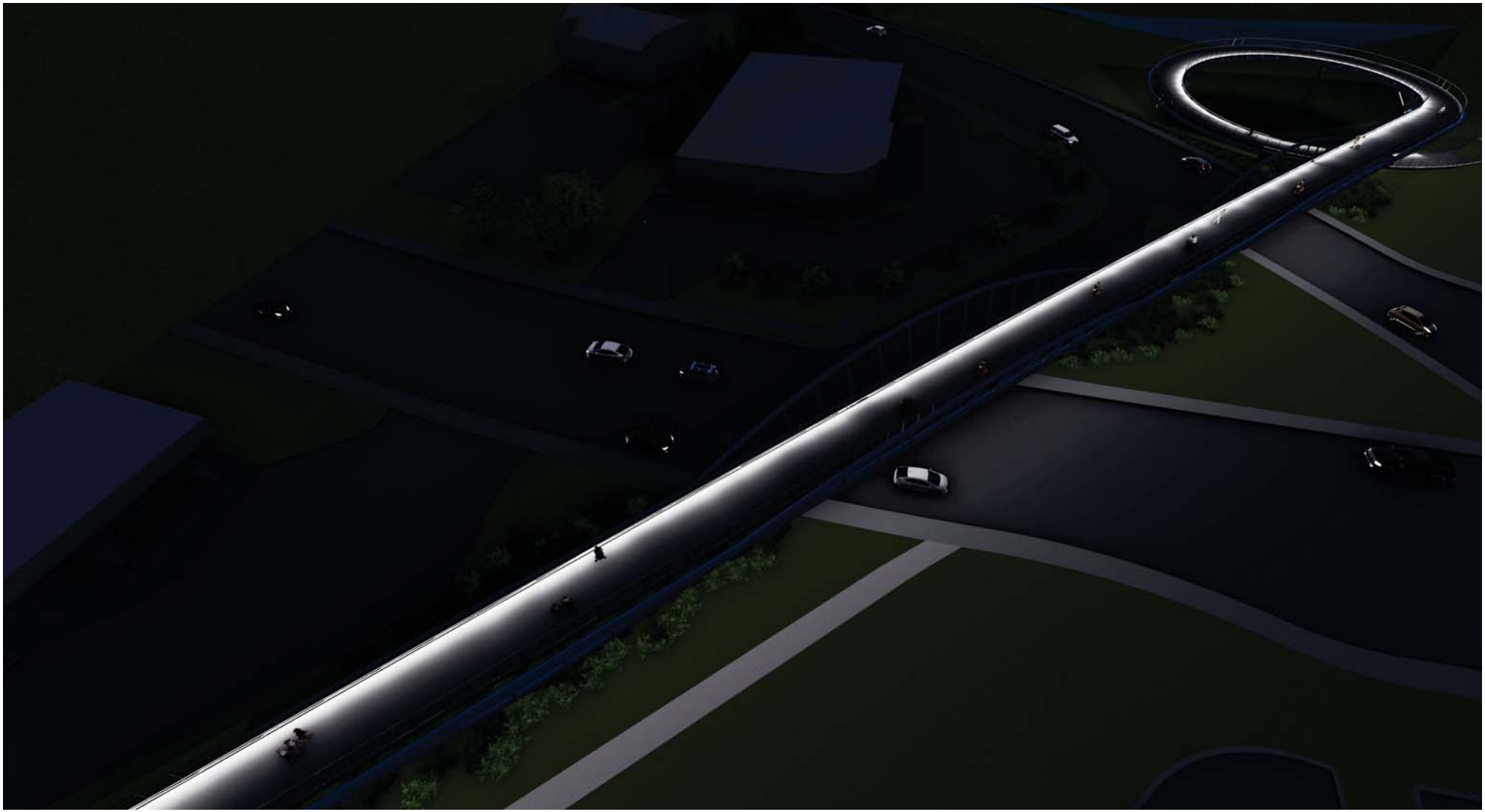
FUNCTIONAL LIGHTING - LOWER RAIL



VIEW OF SPAN 1 OVER NE 124TH STREET

FUNCTIONAL LIGHTING - LOWER RAIL



AERIAL VIEW

FUNCTIONAL LIGHTING - LOWER RAIL

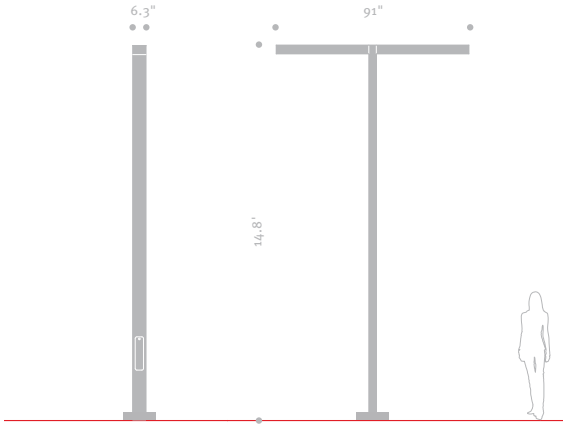
FUNCTIONAL LIGHTING - ADJACENT TRAIL LIGHTING

POLE MOUNTED FIXTURES

Pole mounted LED fixtures, consistent in finish and complimentary in form and detail with the bridge elements, are proposed for south approach ramp and approach trail.

GARDCO PUREFORM LED POLE MOUNTED LUMINAIRE

HESS 'LINEA' POLE MOUNTED LED LUMINAIRE



Guardrail Design

Functional Lighting

Rest Area

The Overlook

Aesthetic Lighting

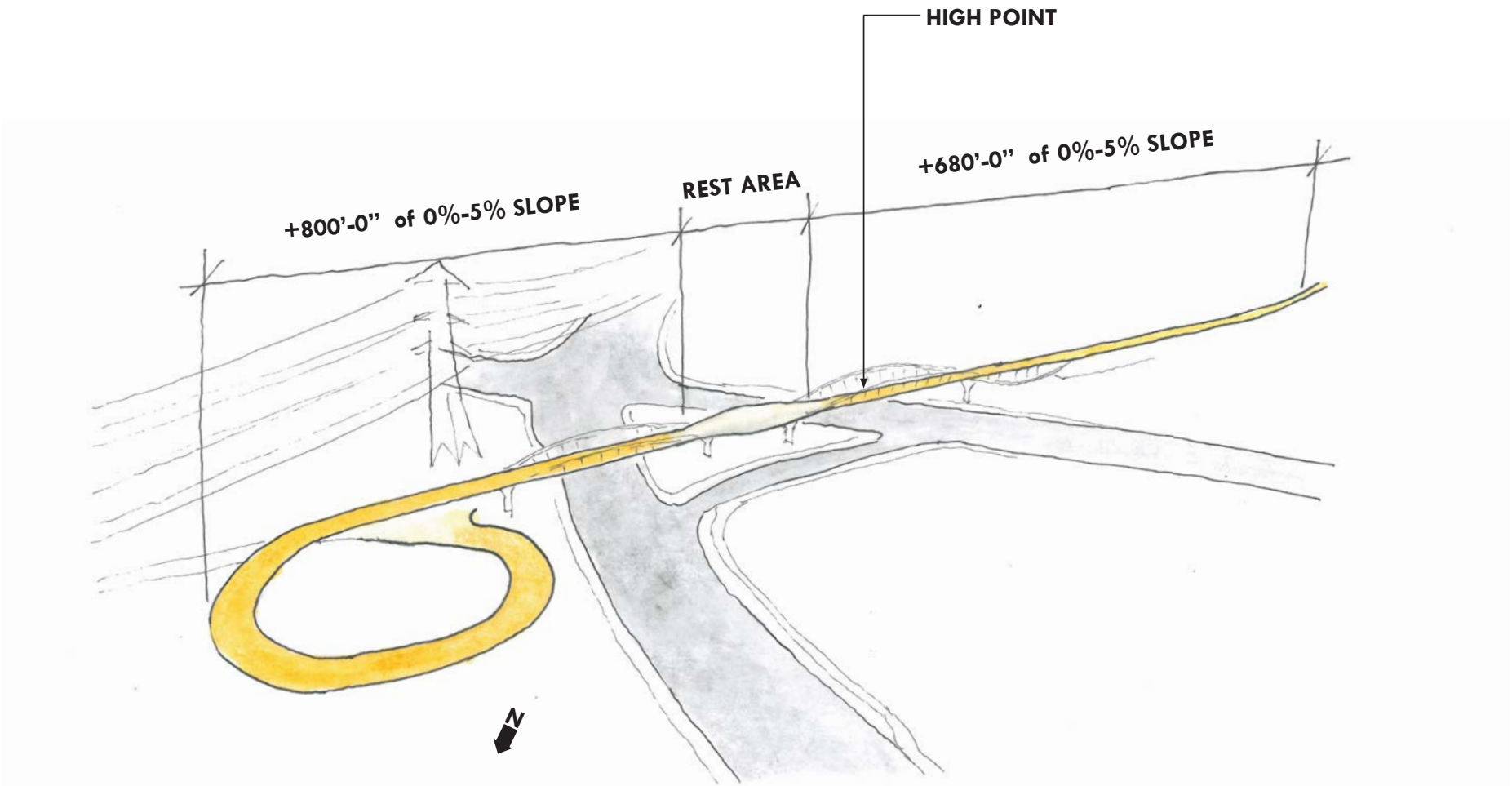
Summary

REST AREA

REST AREA - OVERVIEW

CONSIDERATIONS

- Roadways and power lines define span configuration and spiral ramp necessity.
- Providing a point of rest including seating at the project high point.

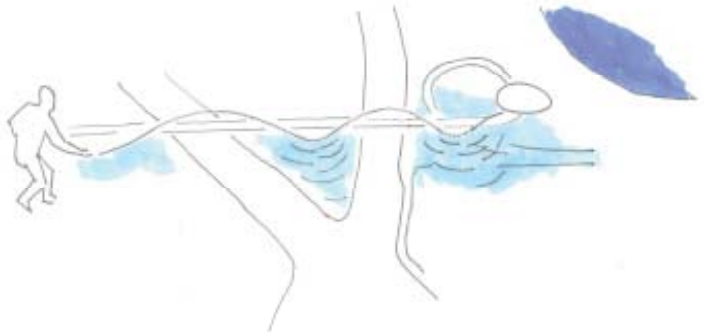


REST AREA - METAPHOR

PROJECT INSPIRATION: THE SKIPPING STONE

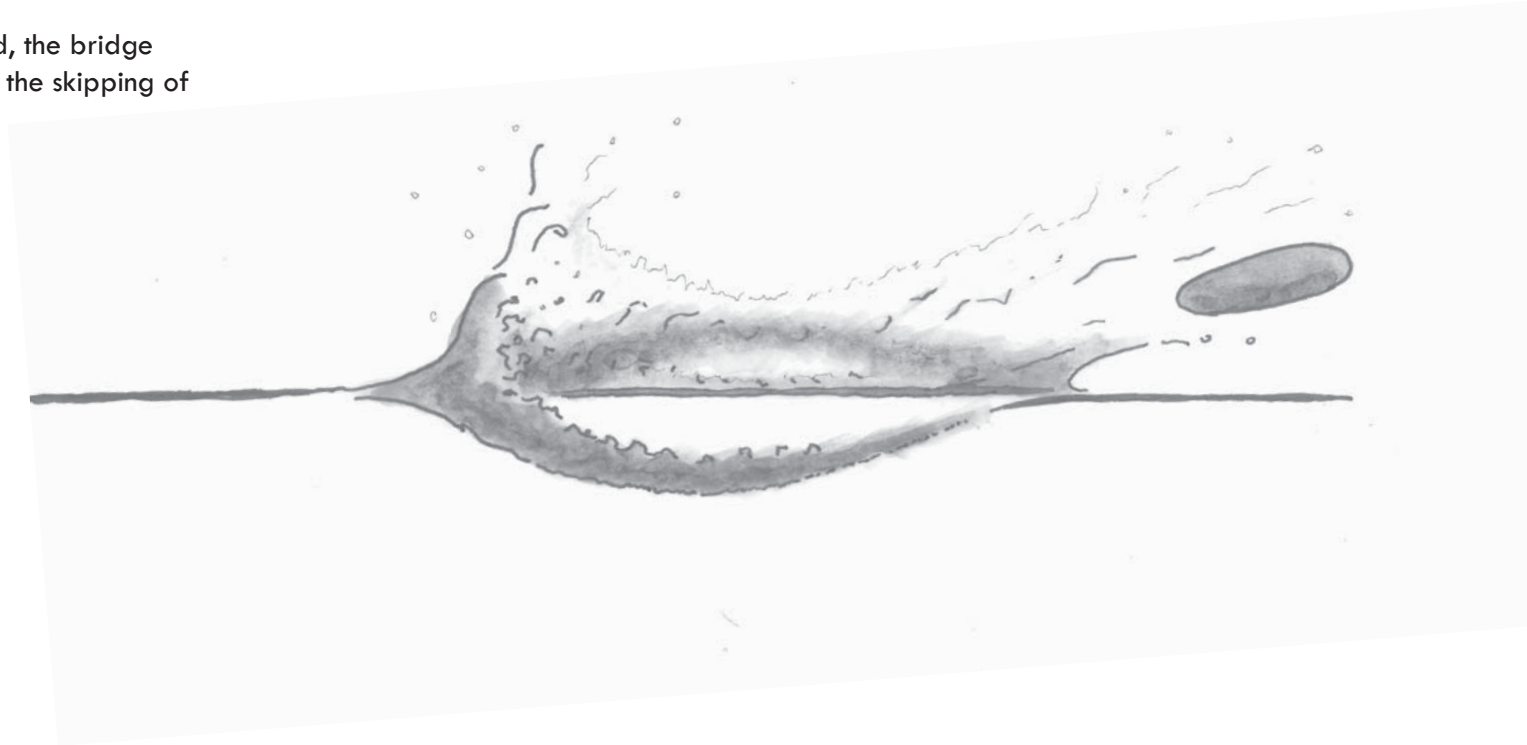
A bridge type with fluid form, engaging the connection between Lake Washington and Totem Lake.

The implied sense of motion of a skipping stone towards Totem Lake expresses the reconnection between the community and nature.



REST AREA INSPIRATION: THE SPLASH

Engaging the metaphor at the traffic island, the bridge deck and railing is enlarged to emphasize the skipping of the stone.



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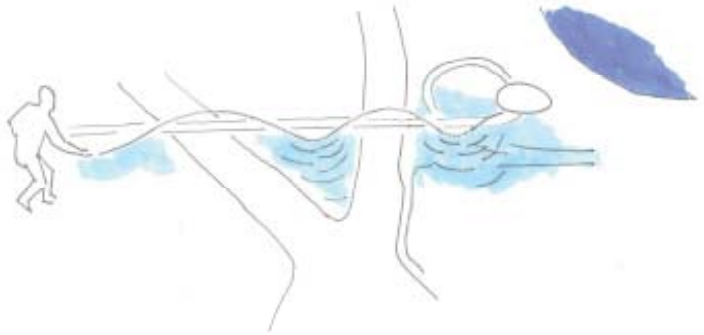

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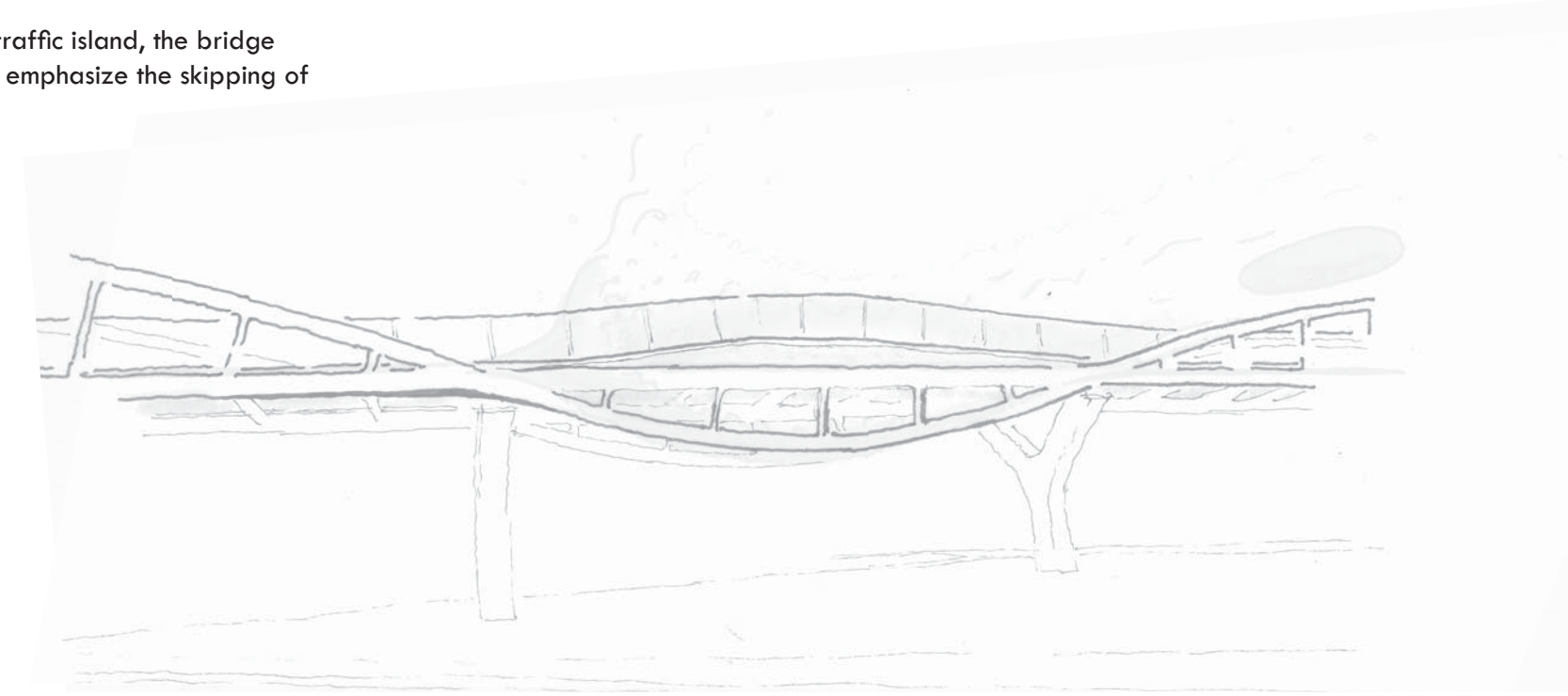
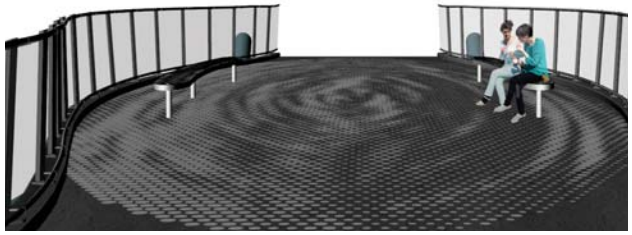


REST AREA - ONE CONCEPT, THREE DIFFERENT EXPRESSIONS

01 PIXELATED RIPPLES

Utilizing gradient pixelization to filter the ripple pattern to create a dynamic visual effect and allow for ease of application.

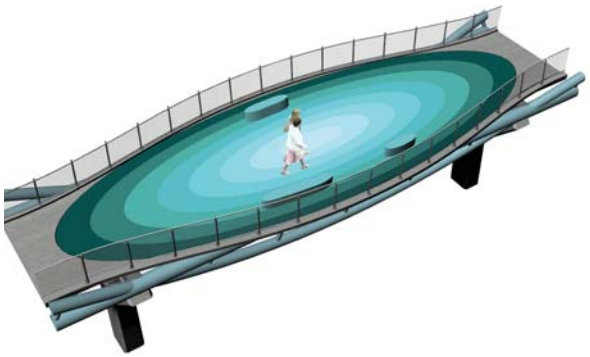


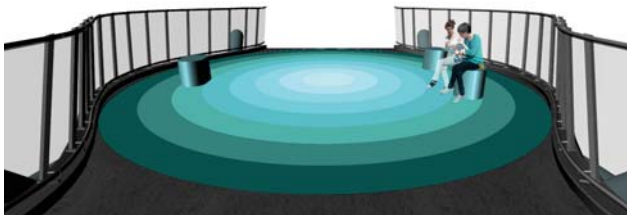
02 GRAPHIC RIPPLES

Graphic simplification of the pattern into a simplified pallette.

03 ABSTRACT RIPPLES

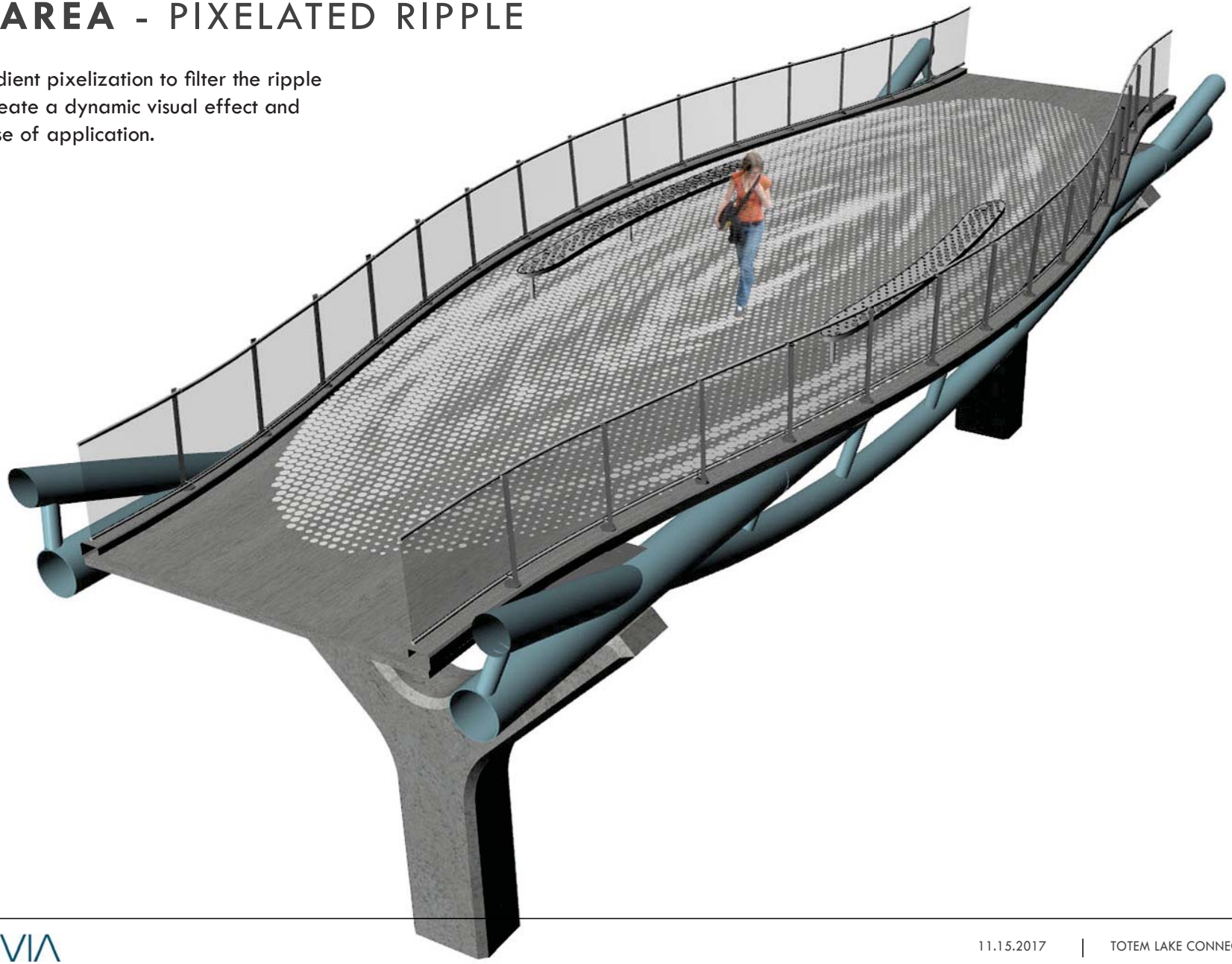
Abstraction of the ripple into a gradient field that highlights the center of the space.





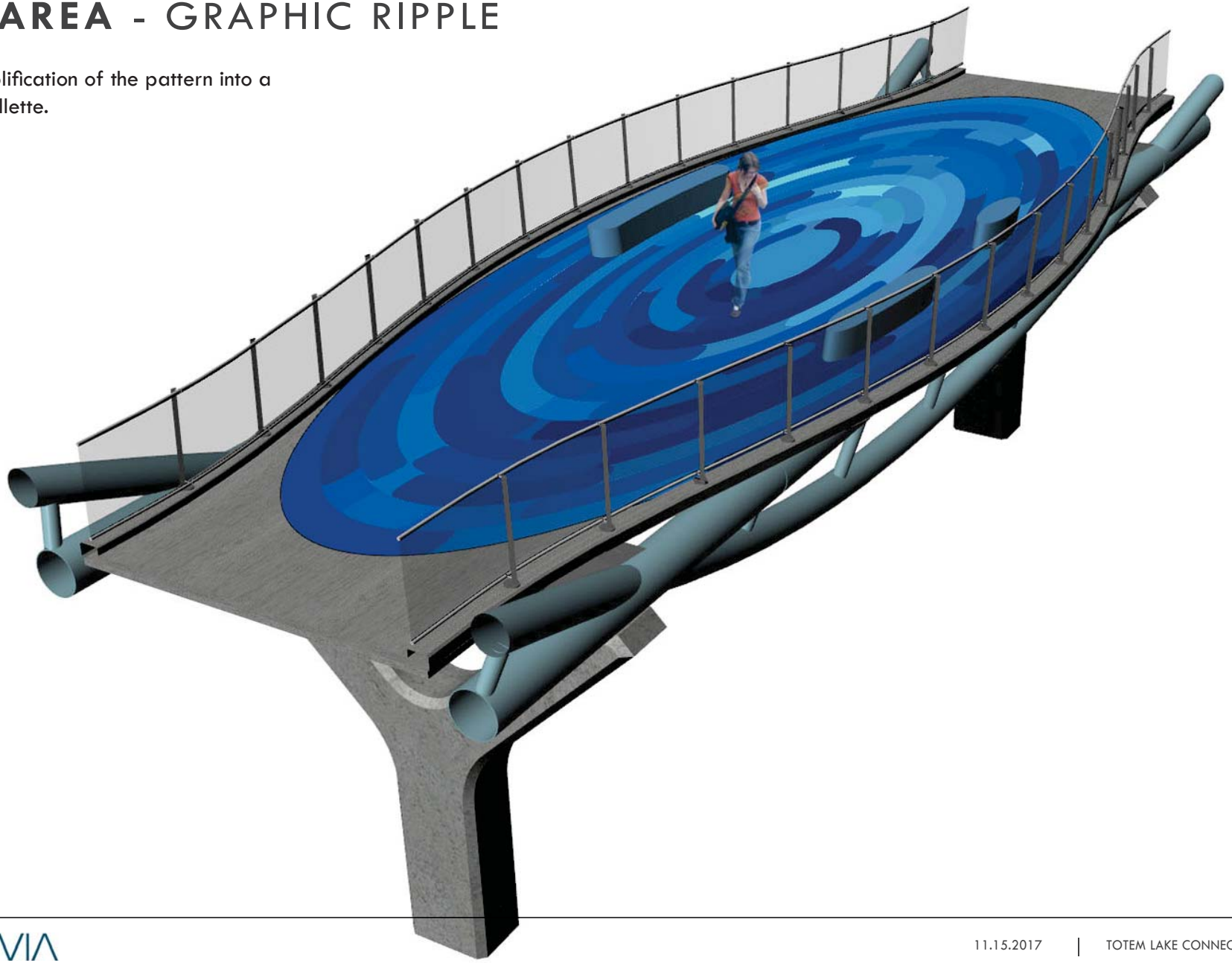
REST AREA - PIXELATED RIPPLE

Utilizing gradient pixelization to filter the ripple pattern to create a dynamic visual effect and allow for ease of application.



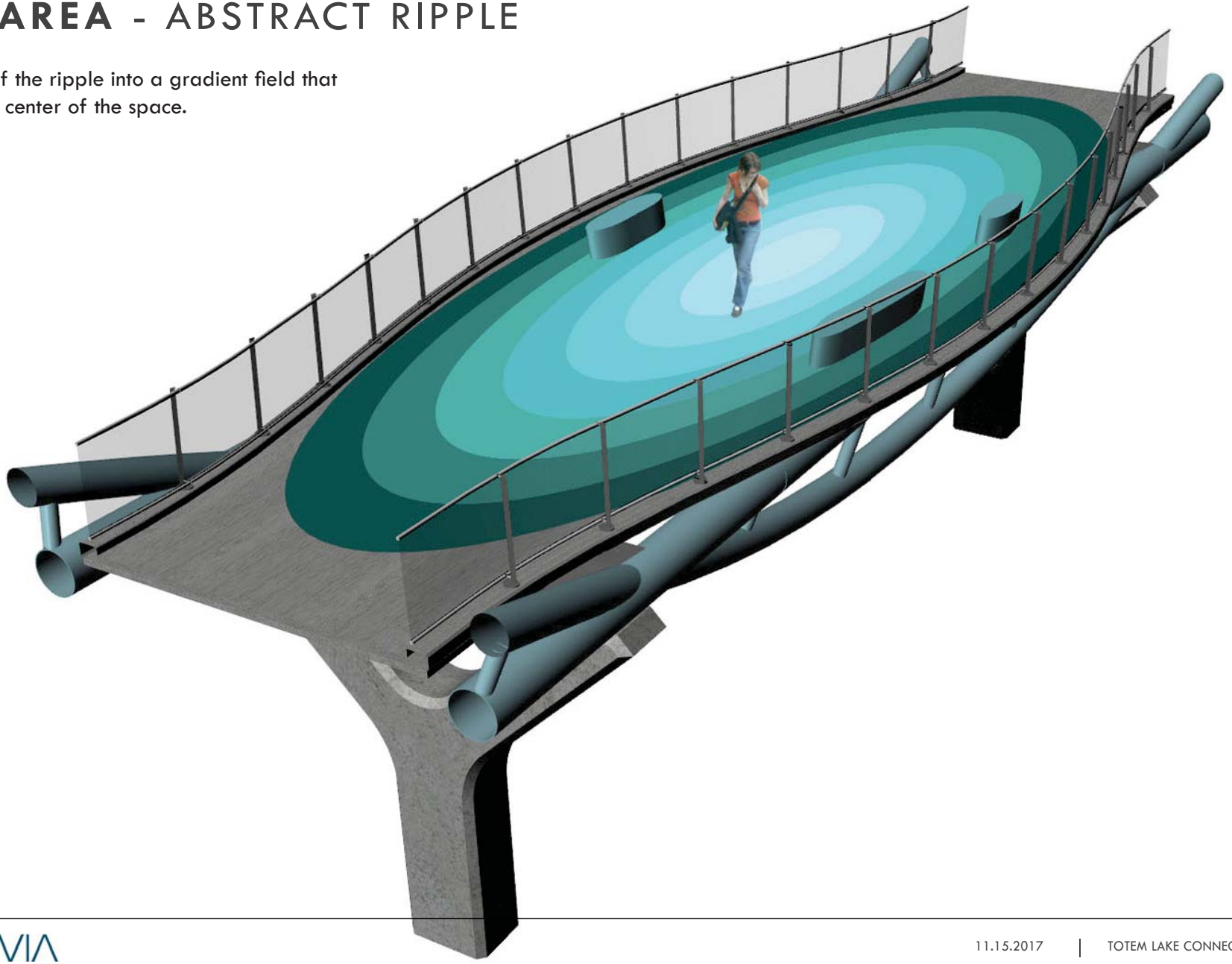
REST AREA - GRAPHIC RIPPLE

Graphic simplification of the pattern into a simplified pallette.



REST AREA - ABSTRACT RIPPLE

Abstraction of the ripple into a gradient field that highlights the center of the space.



Guardrail Design

Functional Lighting

Rest Area

The Overlook

Aesthetic Lighting

Summary

THE OVERLOOK

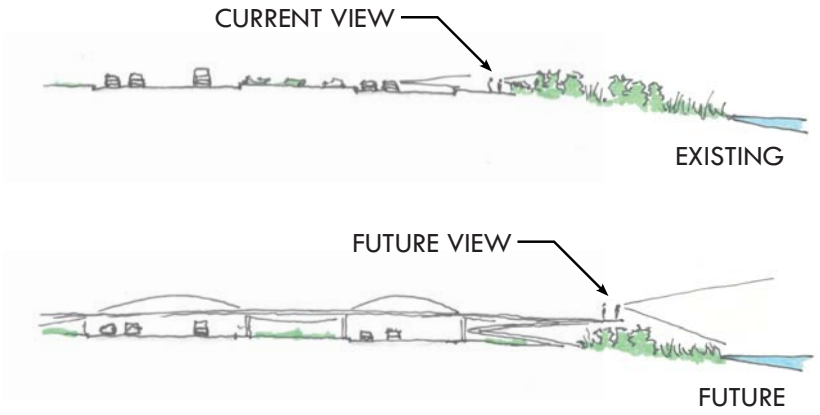
THE OVERLOOK - THE SPIRAL RAMP

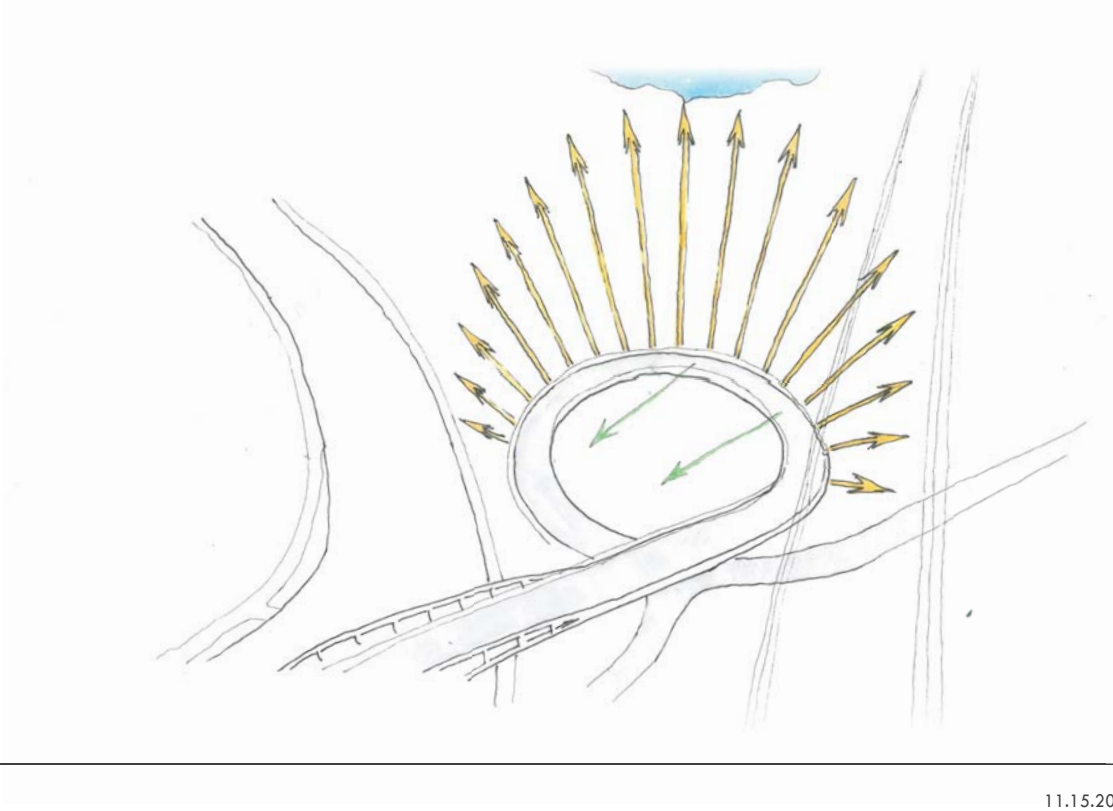
EXPERIENTIAL OPPORTUNITES

The spiral ramp becomes one long promenade for active observation, with an ever-changing perspective, capitalizing on the elevated view over Totem Lake of the area.

The view crescendos at the mid-point of the spiral ramp, the power lines and roadway defining the edge of the view corridor.

Secondary views back to the main span structure are seen from the inner edge of the ramp.



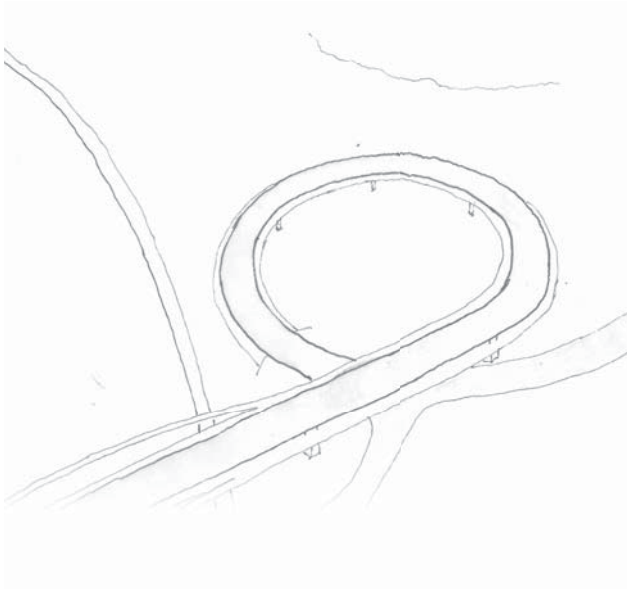


THE OVERLOOK - OPTIONS

01 PROMENADE

Maintain the existing width through the spiral ramp.

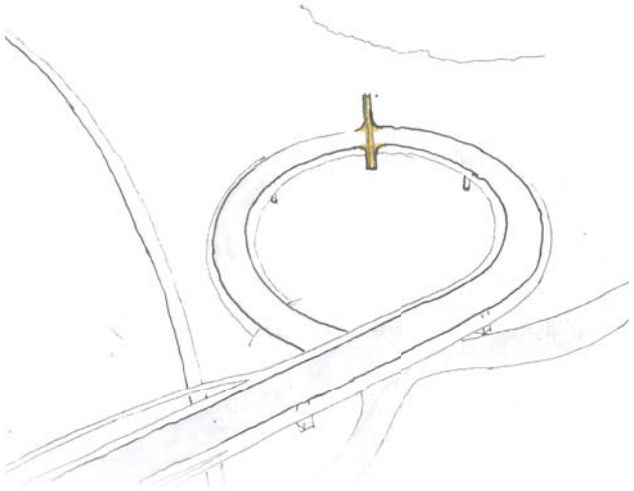
- Implications: None



02 SPECIAL OVERLOOK

Maintain the existing width through the spiral ramp.

- Implications: Nominal



03 WIDENING

Increase the width within the spiral ramp overlook area to 16'-0."

- Implications:
  - Lose the "skylight" gap between the tie-chord pipe and deck, which is an advantage for environmental mitigation.
  - Increases the maximum grade along the inner curb face to 5%.
  - More complex fabrication (loss of standardization efficiency).

THE OVERLOOK - THE SPIRAL RAMP

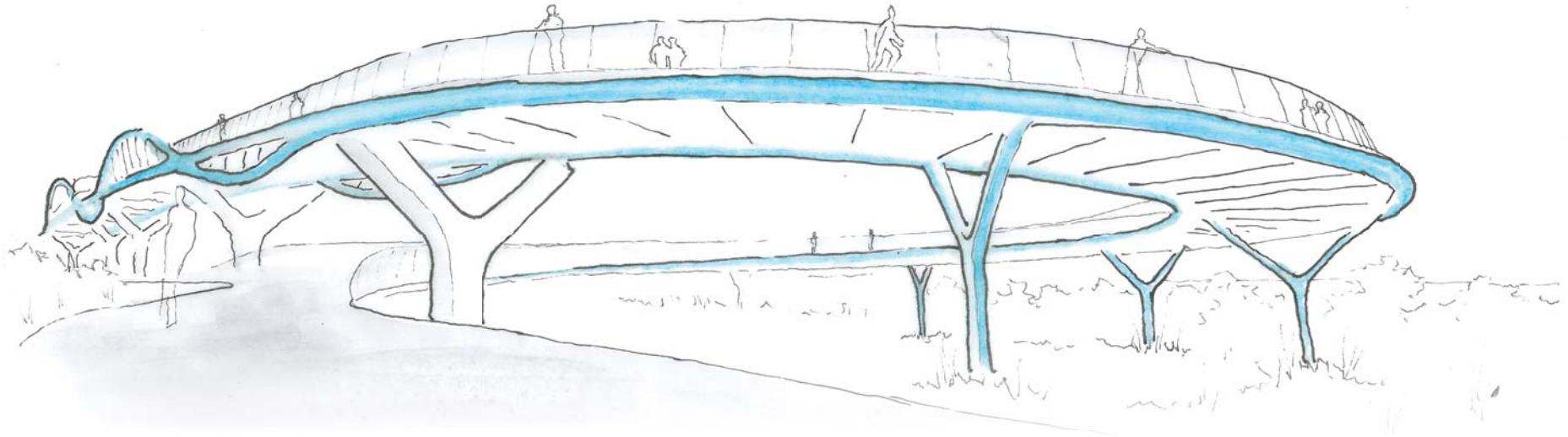
STRUCTURE AS ART

Sweeping radial serpentine form presents a dynamic opportunity both in experience and visual form. This opportunity **requires exceptional resolution** in the structure and columns, as well as the handrail system, to execute on bridge as Structural Art.

Maintaining the integrity of the structural form, preserving strong lines and profiles, and the utilization of repitition is critical to success as demonstrated in these precedents.

THE OVERLOOK - THE SPIRAL RAMP

STRUCTURE AS ART



THE OVERLOOK - EXPERIENTIAL GOALS

Active Observation

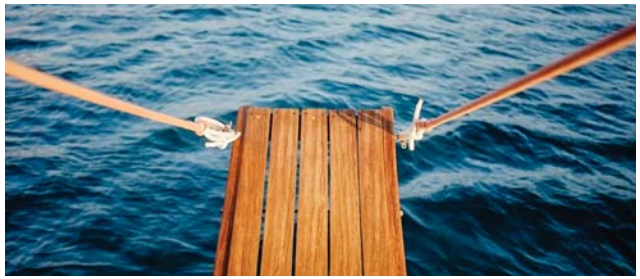
Memorable Experience

Complimentary of Structure

Feeling of Exhilaration

Element of Surprise

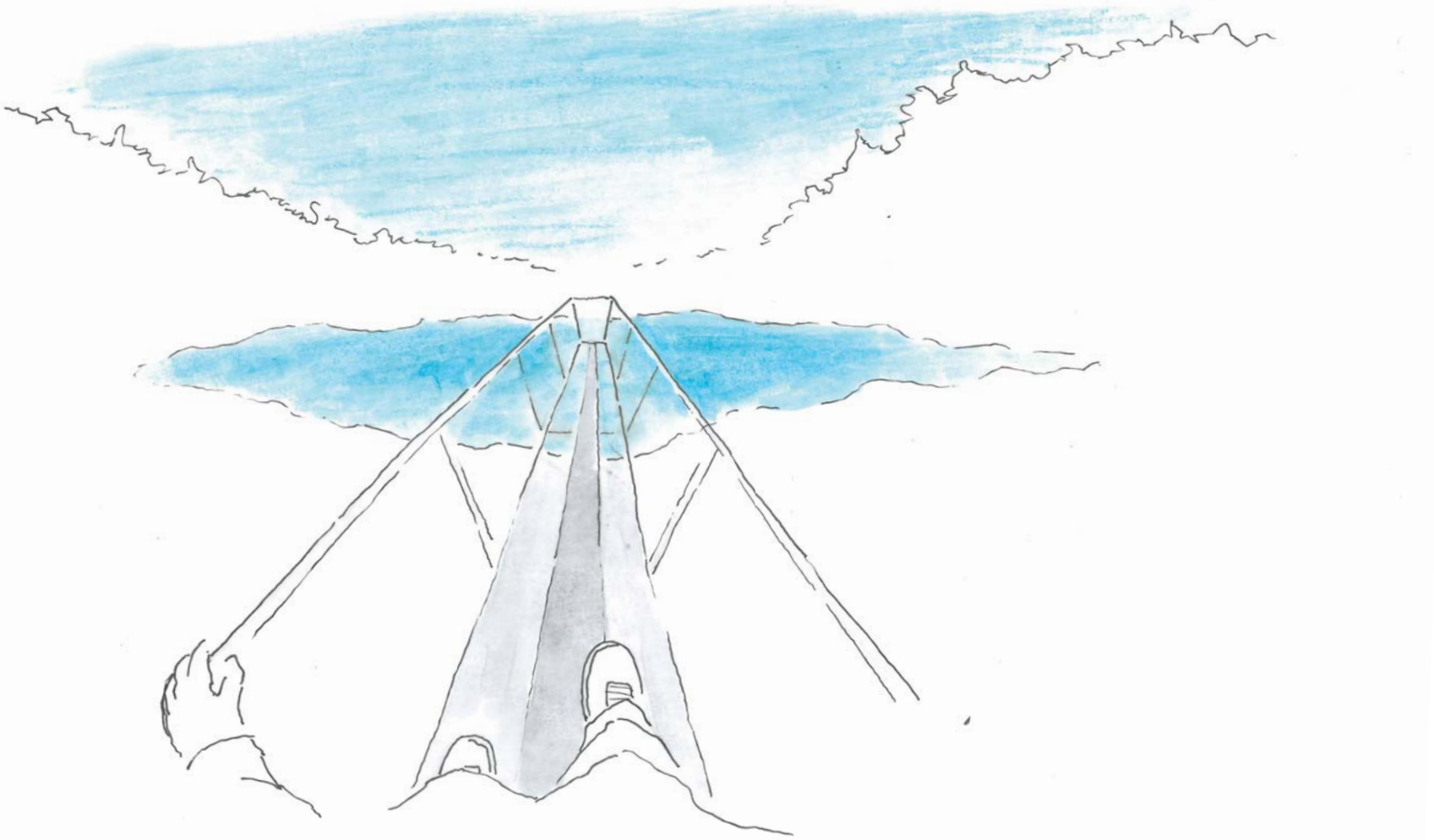
Immersion in Nature



THE OVERLOOK - EXPERIENCE 'THE PLANK'

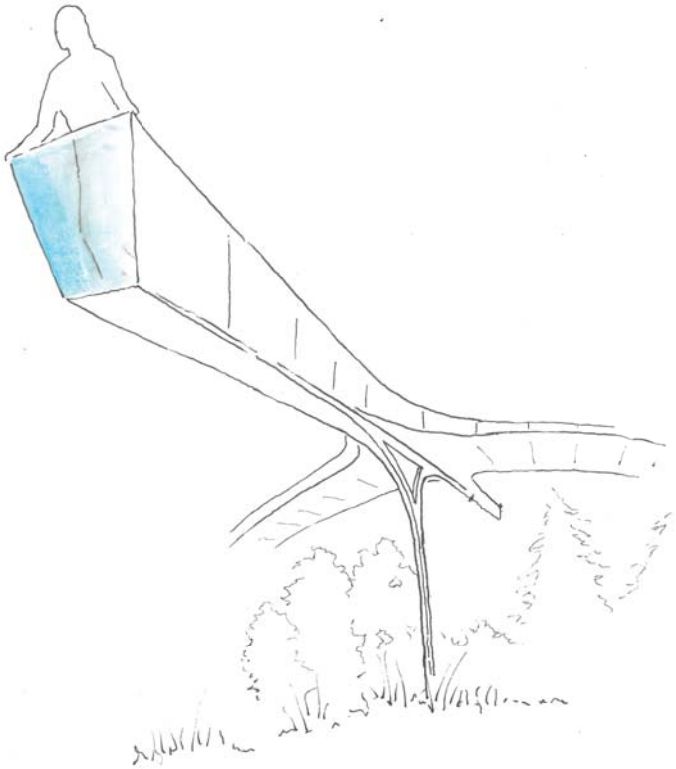
SUSPENDED OVER THE LAKE

- 20'-0" cantilever over the wetland, 30'-0" in the air.
- Use of bar grate to allow views through below.



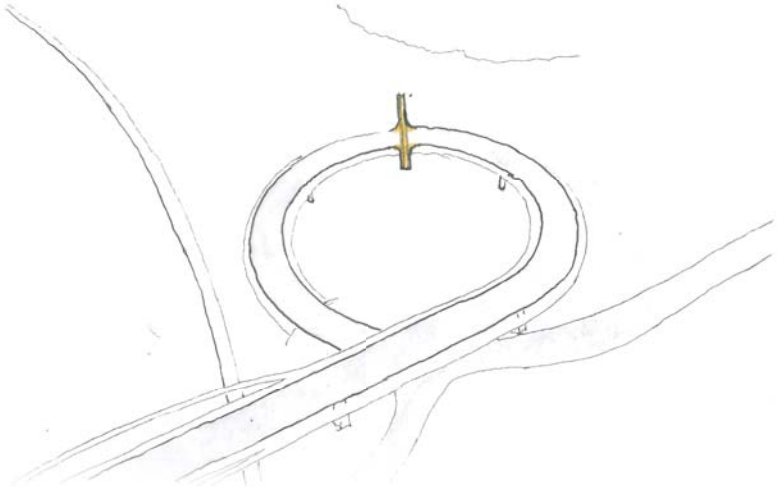
THE OVERLOOK - EXPERIENCE 'THE PLANK'

- The form emerges out of the Y column complimenting the structural form.
- A glass panel at end to create the infinity effect at night.



- The guardrail bends outward, in keeping with the serpentine form, to create a generous active observation area.

THE OVERLOOK - EXPERIENCE 'THE PLANK'



Guardrail Design

Functional Lighting

Rest Area

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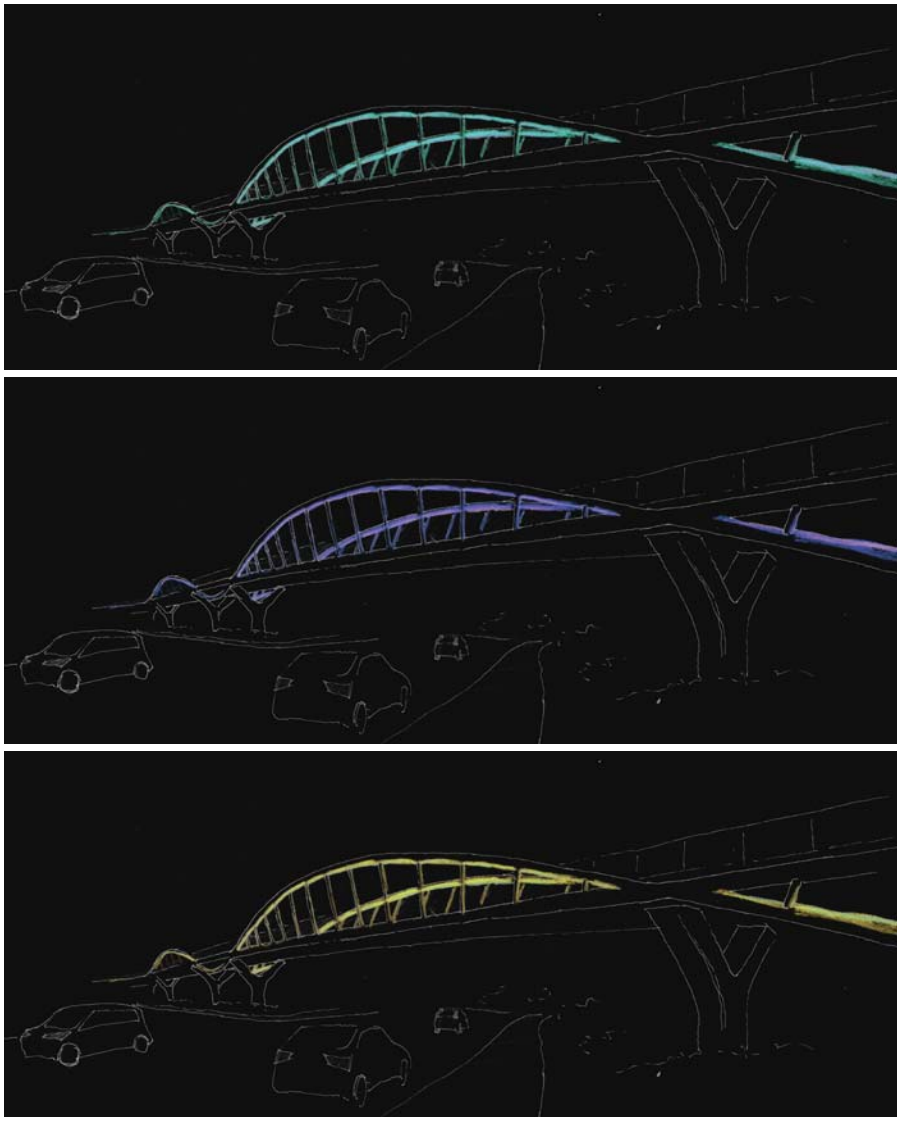
Aesthetic Lighting

Summary

AESTHETIC LIGHTING

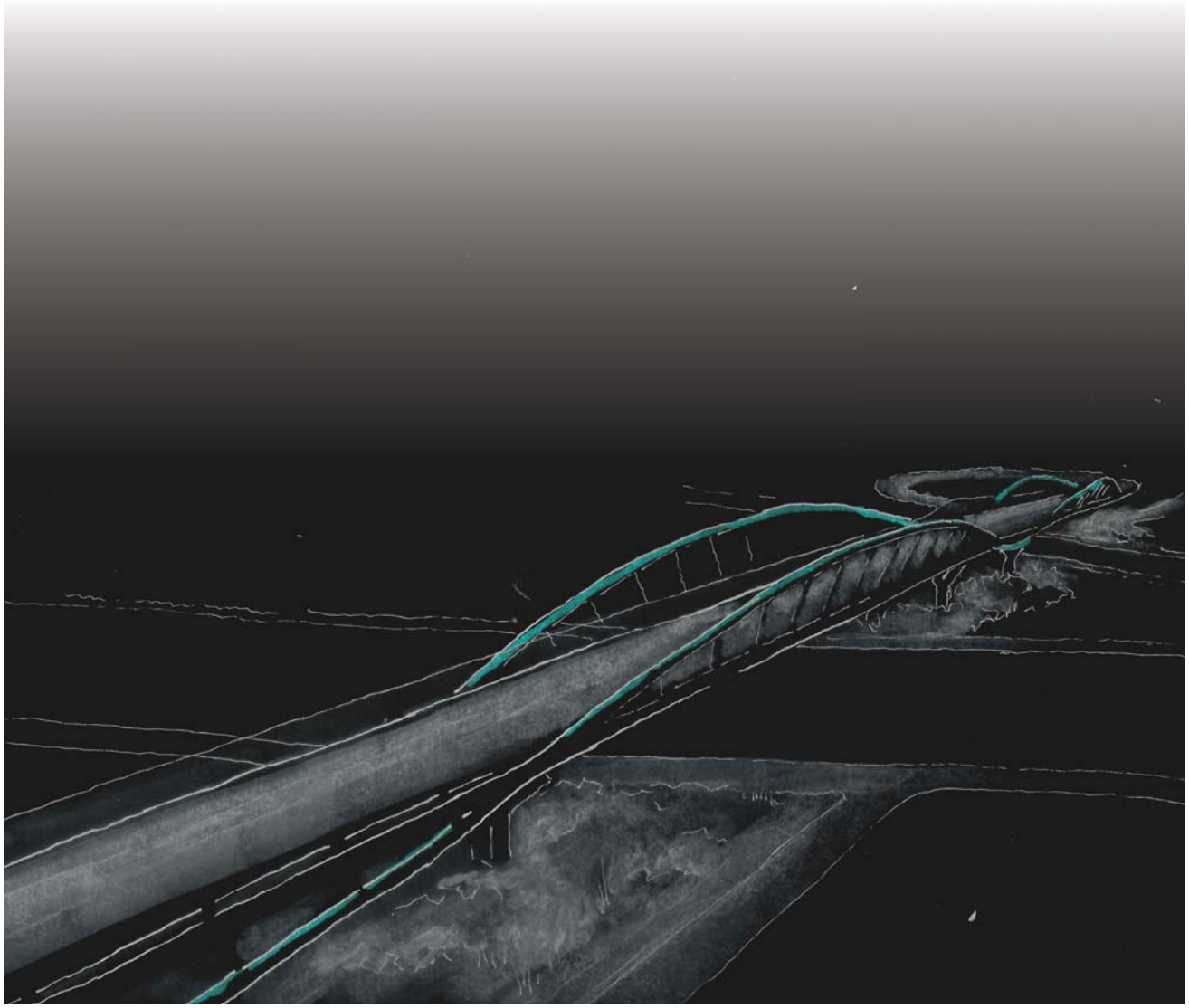
AESTHETIC LIGHTING - RECAP, 'INNER GLOW' CONCEPT

- Illumination of 5 arch spans to capture the gesture of the skipping stone across the roadway spans.
- The intent is to provide an understated but attractive solution that does not create a distraction for motorists.
- Fixtures mounted in a discrete way to create an inner glow of the arch pipes.
- RGB fixtures could be programmed to create colored 'Aurora Borealis' effects that contrast the consistent tone of the functional lighting.



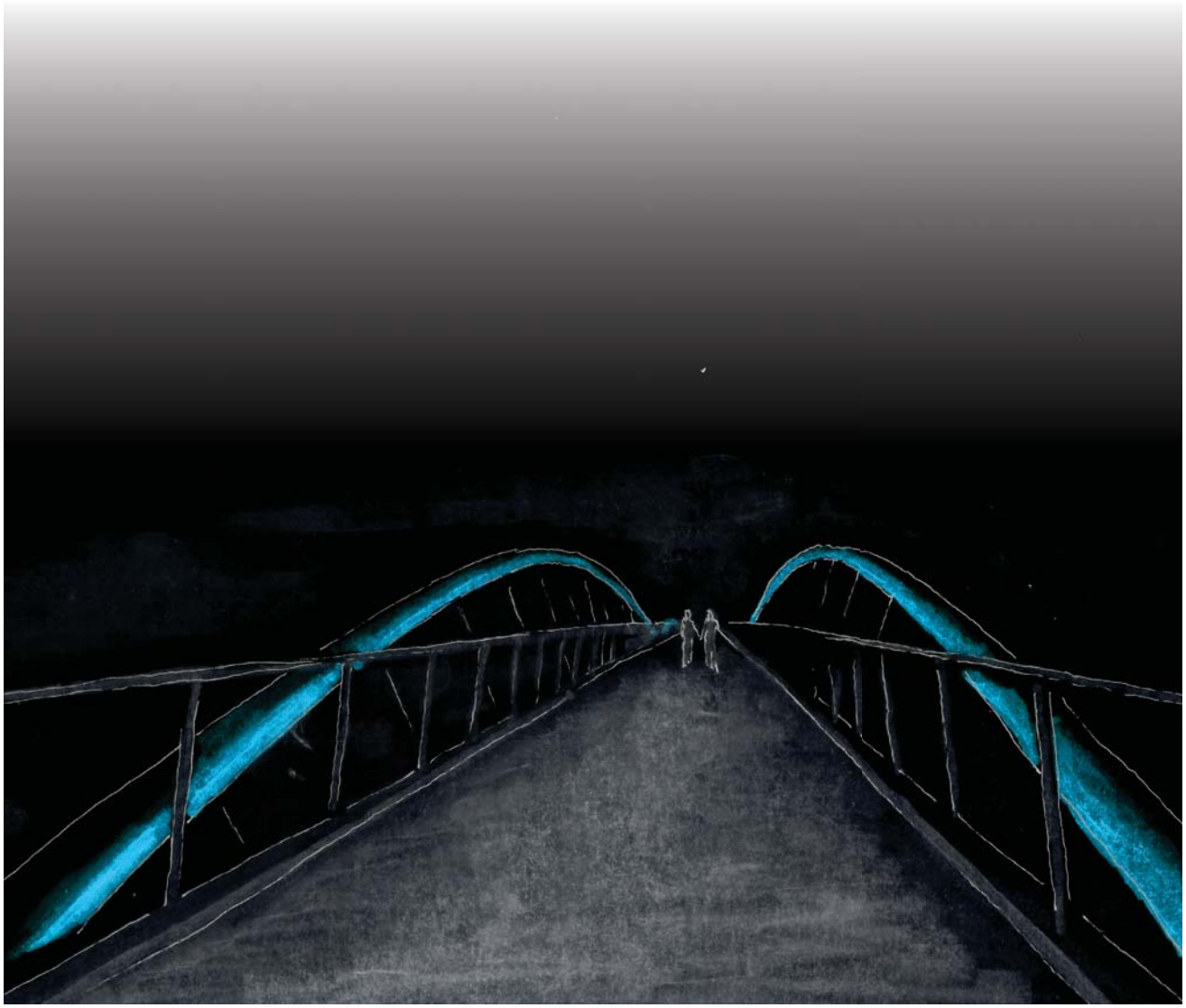
AESTHETIC LIGHTING - SECONDARY FUNCTIONAL DOWNLIGHTING

- Secondary downlight fixtures mounted between cross beams to provide additional illumination along side trail, traffic island, and north node.
- These downlight fixtures to match cool color rendering of deck lighting to constitute a consistent color for functional lighting complimentary of RGB aesthetic lighting.



AESTHETIC LIGHTING - EXPERIENCE

As seen from the bridge deck, the contrast in color rendering between the functional lighting and aesthetic lighting is complimentary.



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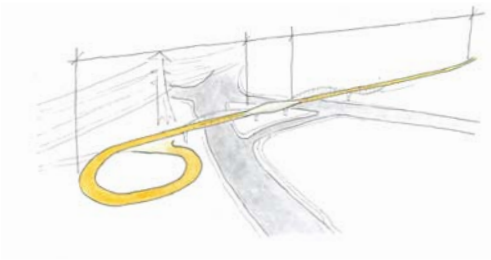
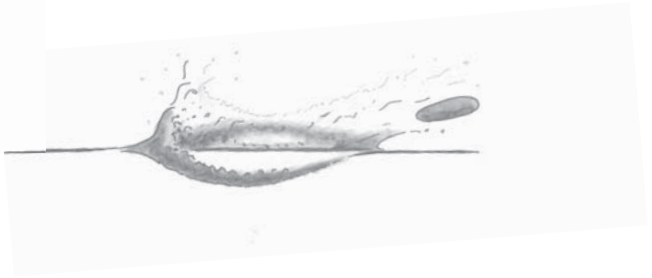
Summary

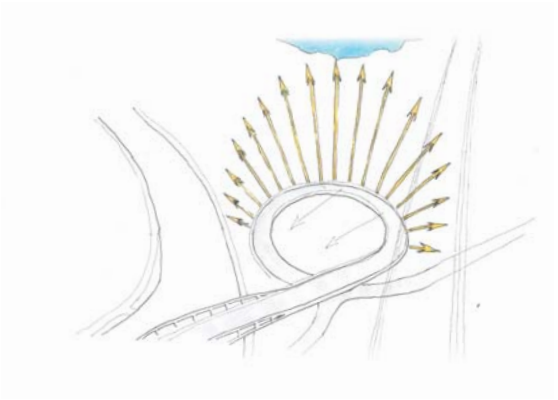
SUMMARY

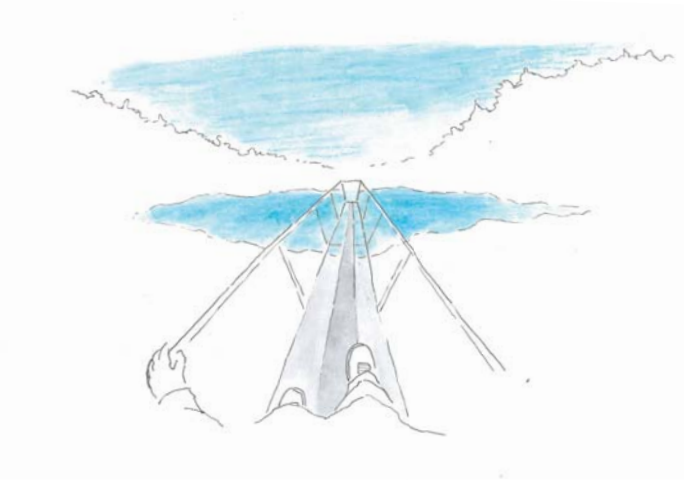
SUMMARY

- Providing distinct bridge amenities fitting with the requirements and experiential opportunities.
- Utilizing the amenities to compliment the structural form in keeping with the goal of creating Structural Art.
- Development of an aesthetic lighting strategy that celebrates the structure and compliments the functional lighting.









THANK YOU

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Amy Bolen, Executive Assistant

Date: November 30, 2017

Subject: SCA Member Emeritus Award

RECOMMENDATION:

It is recommended that Mayor Walen, representing the Sound Cities Association (SCA) as the SCA Board Vice President, present the SCA Member Emeritus Award to Councilmember Doreen Marchione. This award was presented by the SCA at their Annual Meeting on November 29, 2017. However, both Mayor Walen and Councilmember Marchione were unable to attend for the special presentation. Councilmember Toby Nixon accepted the award on Councilmember Marchione's behalf.

BACKGROUND DISCUSSION:

The SCA Member Emeritus Award is the the highest honor that the Sound Cities Association gives.

To be recognized as Member Emeritus, the individual must be retiring from office after serving for a minimum of eight years as an elected official, and have actively participated in SCA as evidenced by serving for at least two years on an SCA Committee or the SCA Board. Finally, and most importantly, the individual must have provided "distinguished service" on behalf of member cities in King County. On November 29, 2017, Doreen Marchione's name was added to that distinguished list for her decades of service to more than one member city. Doreen has served as both a Kirkland City Councilmember and as Mayor of Redmond. Doreen has worked tirelessly to address homelessness in King County, both in her public and private careers. She served on the Committee to End Homelessness, and then with the All Home Coordinating Board. As Mayor of Redmond in the late 1980s and early 1990s, she served on the SCA Board, and since 2010 she's been an ambitious and goal-oriented member of the Kirkland City Council.

CITY OF KIRKLAND
Department of Parks & Community Services
123 5th Avenue, Kirkland, WA 98033 · 425.587.3300
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Sarah Sandquist, Parks and Community Services Supervisor
Linda Murphy, Parks and Community Services Manager

Date: November 27, 2017

Subject: Presentation for Get Active, Stay Active Grant Award

RECOMMENDATION

That the City Council receives a presentation from King County Council Member Claudia Balducci, awarding the City of Kirkland funds for a King County Get Active, Stay Active Grant.

BACKGROUND DISCUSSION

Kirkland Parks and Community Services Pee Wee Soccer and Basketball programs are recipients' of a $1,750 grant to expand programming opportunities. The Get Active/Stay Active grant supports sports programs and physical fitness activities serving the residents of King County Council District 6. The goal of the grant is to help youth, adults and seniors participate in physical activities that promote health and wellbeing.

Currently serving approximately 1,000 children between the ages of 2 ½ to 6, Pee Wee Soccer and Basketball focuses on a positive first introduction to the sports. Programs are run primarily by volunteer coaches, many of whom coach for multiple seasons. Grant monies will enable 25 additional children to participate in the programs through Kirkland Parks and Community Services scholarship program.

Research shows that children participating in community sports experience improvements in physical health, as well as psychological and social health. With these scholarships, we can support these outcomes for those who would typically not have access to these programs.

King County Council District 6 Councilmember Claudia Balducci will present the check to Melissa Skorupa, former Intern and Sarah Sandquist, Kirkland Parks and Community Services Supervisor.

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Michael Olson, Director of Finance & Administration

Date: November 28, 2017

Subject: GFOA DISTINGUISHED BUDGET PRESENTATION AWARD

RECOMMENDATION:

The Mayor presents the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award to the City of Kirkland for its 2017-2018 Biennial Budget.

To receive the GFOA award, Kirkland had to satisfy nationally recognized guidelines for effective budget presentation including how well the budget serves as a policy document, a financial plan, an operations guide and a communications device.

The attached press release from GFOA contains a brief description of the award (Attachment A). The City has received fifteen GFOA Distinguished Budget Presentation Awards since 1992.

Staff from Finance and Administration will be present at the Council meeting to receive the award.

Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 *fax:* 312.977.4806

FOR IMMEDIATE RELEASE

August 11, 2017

For more information, contact:

Technical Services Center
Phone: (312) 977-9700
Fax: (312) 977-4806
E-mail: budgetawards@gfoa.org

(Chicago, Illinois)--Government Finance Officers Association is pleased to announce that City of Kirkland, Washington, has received GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and in the fourteen mandatory criteria within those categories, to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for having achieved the award. This has been presented to Department of Finance & Administration.

There are over 1,600 participants in the Budget Awards Program. The most recent Budget Award recipients, along with their corresponding budget documents, are posted quarterly on GFOA's website. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

Government Finance Officers Association is a major professional association servicing the needs of more than 19,000 appointed and elected local, state, and provincial-level government officials and other finance practitioners. It provides top quality publications, training programs, services, and products designed to enhance the skills and performance of those responsible for government finance policy and management. The association is headquartered in Chicago, Illinois, with offices in Washington D.C.

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Deputy City Manager, Project 12 Executive Sponsor
Smitha Krishnan, Deputy Director/Project 12 Project Manager

Date: November 30, 2017

Subject: UPDATE ON PROJECT 12 - REPLACEMENT OF THE CITY'S HR/FINANCE SYSTEM

RECOMMENDATION:

Staff recommends that the City Council receives a periodic update on Project 12, the implementation of the City's new Human Resources/Finance System.

BACKGROUND DISCUSSION:

Tracey Dunlap, Deputy City Manager and Executive Sponsor of Project 12, will provide a brief update on progress on Project 12 since the contract was executed on May 23rd, 2017. The HR/Finance System selected by the City is MUNIS by the vendor Tyler Technologies, Inc. The update will include a brief video presentation prepared by the project team covering the following topics:

1. Vision for Project 12
2. High-Level Schedule and Implementation Plan
3. Milestones achieved to date
4. Kudos to the project team; and
5. Some exciting features in the new MUNIS system

KIRKLAND CITY COUNCIL SPECIAL MEETING MINUTES
November 21, 2017

1. CALL TO ORDER

Mayor Walen called the study session to order at 6 p.m. and the regular meeting to order at 7:45 p.m.

2. ROLL CALL

ROLL CALL:
Members Present: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.
Members Absent: None.

3. STUDY SESSION

a. Geologic Hazard Area Mapping Project Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Planning and Building Director Eric Shields, Planning Manager of Development Services Jeremy McMahan, Senior Planner David Barnes, Surface Water Engineering Supervisor Jenny Gaus, Emergency Preparedness Coordinator Heather Kelly, and Kathy Troost, PhD, LG, UW Earth and Space Science.

4. EXECUTIVE SESSION

a. To Review the Performance of a Public Employee

Mayor Walen announced that the City Council would enter into executive session to review the performance of a public employee and would return to regular meeting at 7:30 p.m. City Clerk Kathi Anderson made three subsequent announcements, beginning at 7:30 p.m., each informing the audience that the City Council would require an additional five minutes, finishing with Council's return to regular meeting at 7:45 p.m. Also in attendance were City Attorney Kevin Raymond and Human Resources Analyst Shawn Friang.

5. HONORS AND PROCLAMATIONS

None.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Larry Toedli
Steve Cox
Kelli Curtis
Dan Ryan
Corky Trewin
Zoe Stone
Michelle Plesko

c. Petitions

7. SPECIAL PRESENTATIONS

a. Potential for Parking Under Peter Kirk Park

Principal Architect Bob Becker of Becker Architects presented information on preliminary concepts and costs for providing underground parking under Peter Kirk Park.

b. Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award

This item was postponed to Council's December 12, 2017 special meeting.

8. CONSENT CALENDAR

a. Approval of Minutes

(1) November 8, 2017

(2) November 14, 2017

(3) November 14, 2017

b. Audit of Accounts:
Payroll $3,336,268.93
Bills $5,170,825.12
run #1664 checks #615509 - 615641
run #1665 checks #615645 - 615802

c. General Correspondence

d. Claims

(1) Claims for Damages

Claims received from William Alford and Kimiko Hiraga, Melissa House, and James Shannon were acknowledged via approval of the Consent Calendar.

e. Award of Bids

(1) Edith Moulton Park Renovation Project, Allied Construction, Inc., Everett WA

The City Council awarded the construction contract for the Edith Moulton Park Renovation Project to Allied Construction, Inc., of Everett WA in the amount of $1,570,887.00; directed the return of $201,000 in surplus funding from NM 0120 the 108th Avenue NE Sidewalk Improvements Project to PK-0133 the Edith Mouton Park Renovation Project; and authorized a total project budget increase of $376,000 using $72,000 in Surface Water Construction Reserves and $304,300 in REET1 Reserves via approval of the Consent Calendar.

(2) Holmes Point Drive Storm Drain Replacement, R.L. Alia Company, Renton, WA

The City Council awarded the construction contract for the Holmes Point Drive Storm Drain Replacement Project to R.L. Alia Company of Renton, WA in the amount of $309,760.00 and authorized the return of $73,000 in currently estimated excess funds to the Surface Water Construction Reserve funding source, via approval of the Consent Calendar.

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

(1) Resolution R-5280, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN AN INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF ECOLOGY AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND."

h. Other Items of Business

(1) Resolution R-5281, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A CITY OF KIRKLAND LEGISLATIVE AGENDA TO BE ADDRESSED TO THE 2018 SESSION OF THE STATE LEGISLATURE."

(2) Resolution R-5282, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING RIGHT-OF-WAY ACQUISITION AND RELOCATION POLICIES AND PROCEDURES."

(3) Ordinance O-4617 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE WAIVER OF UTILITY CONNECTION FEES FOR LOW INCOME HOUSING AND SHELTERS FOR PEOPLE EXPERIENCING HOMELESSNESS IN KIRKLAND."

This item was pulled for consideration under New Business as item 11.a.

(4) Resolution R-5283, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING A REVISED POLICY FOR INVESTMENT OF CITY FUNDS."

(5) Ordinance O-4618, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SPECIAL REGULATIONS FOR SIDEWALK USE OF A PORTION OF PARK LANE AND 120TH AVE NE."

(6) Resolution R-5284, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING AN ACTION PLAN FOR 2017-19 TO GUIDE CITY PARTICIPATION IN THE EVOLUTION OF THE TOTEM LAKE BUSINESS DISTRICT."

(7) Ordinance O-4616 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING MCIMETRO ACCESS TRANSMISSION SERVICES CORP., A DELAWARE CORPORATION, D/B/A VERIZON ACCESS TRANSMISSION SERVICES, A NON-EXCLUSIVE COMMUNICATIONS MASTER USE PERMIT FOR THE RIGHT, PRIVILEGE, AND AUTHORITY TO MAKE USE OF THE PERMIT AREA FOR WIRELINE COMMUNICATIONS PURPOSES."

(8) Regional Transportation System Initiative (RTSI) Update and Delegation of a Councilmember to Attend December, 2017 Elected Officials Meeting

(9) Report on Procurement Activities

Fleet #	Year	Make & Model	VIN/Serial Number	License	Mileage
C90-04	1998	Dodge Grand Caravan SE	2B4GP44GOWR796334	24421D	52,454
F-16	2004	Ford F-450 Dump	1FDXX46PX4EX48900	54081D	32,370
P06-51	2006	Jeep Grand Cherokee 4x4	1J8HR48N46C324813	261VFO	88,103
PU-73	2007	Chevrolet HHR	3GCDA15D67S621536	45181D	35,144

(10) Surplus Rental Vehicles/Equipment

Motion to Approve the Consent Calendar with the exception of item 8.h.(3), which was pulled for consideration under New Business as item 11.a.
Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione
Vote: Motion carried 7-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

9. PUBLIC HEARINGS

a. Ordinance O-4619 and its Summary, Relating to Amendments to the Kirkland Zoning Code, After Consideration at a Public Hearing, to Define Shelter Uses; to Allow the Applicant for a Shelter to Count On-Street Parking Toward the Total Required Amount of Parking, if Available; and to Permanently Codify the Moratorium Ordinance, O-4584, Continued in O-4601, Requiring Comprehensive Review of Tree Retention Plans for Short Plats and Subdivisions in the Holmes Point Overlay Zone.

Mayor Walen opened the public hearing. Project Planner Sean LeRoy reviewed the proposed amendments. No public testimony was offered and the Mayor closed the hearing. Following adoption of the ordinance, Council provided further direction to staff bring the issue of phased review for tree retention for the rest of the City of Kirkland before the Planning Commission for their review and recommendation.

Motion to Approve Ordinance O-4619 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO AMENDMENTS TO THE KIRKLAND ZONING CODE, AFTER CONSIDERATION AT A PUBLIC HEARING, TO DEFINE SHELTER USES; TO ALLOW THE APPLICANT FOR A SHELTER TO COUNT ON-STREET PARKING TOWARD THE TOTAL REQUIRED AMOUNT OF PARKING, IF AVAILABLE; AND TO PERMANENTLY CODIFY THE MORATORIUM ORDINANCE, O-4584, CONTINUED IN O-4601, REQUIRING COMPREHENSIVE REVIEW OF TREE RETENTION PLANS FOR SHORT PLATS AND SUBDIVISIONS IN THE HOLMES POINT OVERLAY ZONE."
Moved by Councilmember Dave Asher, seconded by Councilmember Jon Pascal
Vote: Motion carried 7-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

b. Preliminary 2018 Property Tax Levy

Mayor Walen opened the public hearing. Finance and Administration Director Michael Olson provided an overview of the proposed ordinances and levy timeline and process. No public testimony was offered and the Mayor closed the hearing.

(1) Ordinance O-4620, Establishing the Amount of Property Taxes to be Levied for the Year 2018, the Second Year of the City of Kirkland's 2017-2018 Fiscal Biennium.

Motion to Approve Ordinance O-4620, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING THE AMOUNT OF PROPERTY TAXES TO BE LEVIED FOR THE YEAR 2018, THE SECOND YEAR OF THE CITY OF KIRKLAND'S 2017-2018 FISCAL BIENNIUM."
Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 7-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

(2) Ordinance O-4621, Establishing the Amount of Property Taxes to be Levied for the Year 2018, to Pay the Fire District 41 Debt Service Assumed as a Result of Annexation of the North Juanita, Finn Hill, and Kingsgate Neighborhoods on June 1, 2011.

Motion to Approve Ordinance O-4621, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING THE AMOUNT OF PROPERTY TAXES TO BE LEVIED FOR THE YEAR 2018, TO PAY THE FIRE DISTRICT 41 DEBT SERVICE ASSUMED AS A RESULT OF ANNEXATION OF THE NORTH JUANITA, FINN HILL, AND KINGSGATE NEIGHBORHOODS ON JUNE 1, 2011."
Moved by Councilmember Dave Asher, seconded by Councilmember Toby Nixon
Vote: Motion carried 7-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

c. Resolution R-5285, Approving an Amended and Restated Redevelopment Agreement with Village at Totem Lake, LLC.

Mayor Walen opened the public hearing. City Manager Kurt Triplett thanked all parties involved in the project team for the proposed agreement and introduced City Attorney Kevin Raymond, who also expressed appreciation both for the participants and the process, and provided an overview of the background and current proposal for Council consideration. Centercal/Village at Totem Lake, LLC President Jean Paul Wardy then shared his perspective of the process to date and an overview of the development and other Centercal projects. No public testimony was offered and the Mayor closed the hearing.

Motion to Approve Resolution R-5285, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN AMENDED AND RESTATED REDEVELOPMENT AGREEMENT WITH VILLAGE AT TOTEM LAKE, LLC."
Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet
Vote: Motion carried 7-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

10. UNFINISHED BUSINESS

a. Houghton Everest Neighborhood Center Update

Senior Planner Angela Ruggeri provided an overview of the issues to date and received direction on related issues to incorporate into the draft ordinances to be brought back for Council consideration at the December 12, 2017 special meeting.

Motion to Direct staff to include amendments to the Houghton Everest Business District Zoning to allow up to two additional stories as incentive zoning that meets the following conditions:

- The additional two stories are only authorized by a Council-approved Master Plan.
- The Master Plan must include providing a southbound right-turn lane from 6th Street S. to NE 68th Street. The turn lane must be built per approved Kirkland Public Works Department plans.
- The Master Plan must consolidate the property on the northwest corner of NE 68th Street and 6th Street South and property or properties west of the corner property.
- The Master Plan must comply with all proposed regulations that apply to the three story, 35-foot ABE option except for the 48/unit per acre density limit.
- The Master Plan must include a circulation plan and a driveway consolidation plan for the Everest portion of the Houghton Everest Business District north of NE 68th Street,

as amended.
Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Toby Nixon
Vote: Motion carried 5-2
Yes: Deputy Mayor Jay Arnold, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Penny Sweet, and Mayor Amy Walen.
No: Councilmember Dave Asher, and Councilmember Jon Pascal.

Motion to Amend the motion so that the first paragraph says, "Council directs staff to include amendments to the Houghton Everest Business District Zoning that allow additional height as incentive zoning that meets the following conditions:" and in the first bullet point says, "Additional height is only authorized by a Council-approved Master Plan."
Moved by Councilmember Dave Asher, seconded by Councilmember Toby Nixon
Vote: Motion failed 2 - 5
Yes: Councilmember Dave Asher, and Councilmember Toby Nixon.
No: Deputy Mayor Jay Arnold, Councilmember Doreen Marchione, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

Motion to Amend the motion to add the word "legislative" before the phrase "Council-approved Master Plan" and to add the phrase "which the Council may approve or deny" to the end of the first bullet point.

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Penny Sweet
Vote: Motion carried 5-2
Yes: Deputy Mayor Jay Arnold, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Penny Sweet, and Mayor Amy Walen.
No: Councilmember Dave Asher, and Councilmember Jon Pascal.

Council recessed for a short break.

b. Animal Services Ordinances and Resolution

Police Chief Cherie Harris provided an overview of the proposed ordinances and resolution.

(1) Ordinance O-4622 and its Summary, Adopting Portions of the City's Local Animal Control Provisions that Set Forth the Regulations Applicable to Leash Requirements, Rabies Vaccinations, Reporting Animal Bites, Removing Animal Waste, Prohibiting Trapping and/or Confining Animals, Striking Animals with a Motor Vehicle, and Barring Ownership of Inherently Dangerous Animals.

Motion to Approve Ordinance O-4622 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING PORTIONS OF THE CITY'S LOCAL ANIMAL CONTROL PROVISIONS THAT SET FORTH THE REGULATIONS APPLICABLE TO LEASH REQUIREMENTS, RABIES VACCINATIONS, REPORTING ANIMAL BITES, REMOVING ANIMAL WASTE, PROHIBITING TRAPPING AND/OR CONFINING ANIMALS, STRIKING ANIMALS WITH A MOTOR VEHICLE, AND BARRING OWNERSHIP OF INHERENTLY DANGEROUS ANIMALS."
Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet
Vote: Motion carried 7-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

(2) Ordinance O-4623, Repealing Ordinance No. 2207, Section 5, Enacted in 1972, Authorizing the City Manager to Enter into Negotiations for an Agreement with King County for Animal Control Services, Codified as KMC 8.04.050; and Repealing Ordinance No. 2882, Enacted in 1985, as Amended by Ordinance Nos. 3009, 3998, 4334 and 4491, Codified at Chapter 8.04 of the Kirkland Municipal Code, Which Adopted Animal Control Provisions for the City.

Motion to Approve Ordinance O-4623, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND REPEALING ORDINANCE NO. 2207, SECTION 5, ENACTED IN 1972, AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS FOR AN AGREEMENT WITH KING COUNTY FOR ANIMAL

CONTROL SERVICES, CODIFIED AS KMC 8.04.050; AND REPEALING ORDINANCE NO. 2882, ENACTED IN 1985, AS AMENDED BY ORDINANCE NOS. 3009, 3998, 4334 AND 4491, CODIFIED AT CHAPTER 8.04 OF THE KIRKLAND MUNICIPAL CODE, WHICH ADOPTED ANIMAL CONTROL PROVISIONS FOR THE CITY."
Moved by Councilmember Dave Asher, seconded by Councilmember Jon Pascal
Vote: Motion carried 7-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

(3) Resolution R-5286, Adopting Amended Pet License Fees and Penalties.

Motion to Approve Resolution R-5286, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING AMENDED PET LICENSE FEES AND PENALTIES," as amended.
Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet
Vote: Motion carried 7-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

Motion to Amend Resolution R-5286, to strike the Transfer Fee in Exhibit A.
Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Penny Sweet
Vote: Motion carried 7-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

11. NEW BUSINESS

Councilmember Marchione left the meeting at 10:49 p.m. and did not return.

a. Ordinance O-4617 and its Summary, Relating to the Waiver of Utility Connection Fees for Low Income Housing and Shelters for People Experiencing Homelessness in Kirkland.

Motion to Approve Ordinance O-4617 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE WAIVER OF UTILITY CONNECTION FEES FOR LOW INCOME HOUSING AND SHELTERS FOR PEOPLE EXPERIENCING HOMELESSNESS IN KIRKLAND," as amended.
Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Dave Asher

Vote: Motion carried 6-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

Motion to Amend Ordinance O-4617 and its Summary, at line 44 to strike "to waive collection of such charges" and add "to allow for the waiver of collection of such charges"; at line 72 to replace the word "shall" with the word "may"; at line 123 to replace the word "shall" with the word "may"; and at line 144 to strike "which charges shall be waived" and add "which charges may be waived upon such finding".
Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Penny Sweet
Vote: Motion carried 6-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

12. REPORTS

a. City Council Regional and Committee Reports

Councilmember Nixon conveyed his wife's appreciation for the flowers sent by the Council in condolence for the death of her father. Councilmembers shared information regarding the Nourishing Networks food boxes; the upcoming Small Business Saturday; the upcoming Winterfest celebration and Christmas Tree lighting; the need to designate a voting delegate for the Sound Cities Association annual meeting to vote on adoption of the 2018 budget and annual assessment; an Eastside Transportation Partnership meeting; the Transportation Ad Hoc Committee meeting; congratulations to the Public Works Department on their pending Transportation Improvement Board grant awards; a decision by King County to use Mental Illness and Drug Dependency funding to support an effort to provide same-day treatment for mental health and addiction services; a King County Regional Transit Committee meeting; a King County Emergency Management Advisory meeting; the Winterfest downtown decorating events; a King County Solid Waste Advisory Committee meeting; a King County Metropolitan Solid Waste Advisory Committee meeting; the Studio East "Jest for Funds" fundraising auction; and requested and received Council approval to draft a letter of support for Deputy Mayor Arnold's appointment to the Sound Transit Board vacancy.

Motion to Appoint Councilmember Nixon as the voting delegate for the Sound Cities Association annual meeting.
Moved by Councilmember Dave Asher, seconded by Deputy Mayor Jay Arnold
Vote: Motion carried 6-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

(1) City Letter of Support – Cascadia College Gateway Building

Motion to Authorize Mayor Walen to sign the mayor to sign a letter of support for the Cascadia College Gateway Building.
Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet
Vote: Motion carried 6-0
Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Toby Nixon, Councilmember Jon Pascal, Councilmember Penny Sweet, and Mayor Amy Walen.

b. City Manager Reports

City Manager Kurt Triplett reported on the pending Transportation Improvement Board grant awards; and the conclusion of labor negotiations with the International Association of Fire Fighters Local 2545.

(1) Calendar Update

Council requested a briefing on the Regional Transit Strategic Initiative before the transportation meeting on January 5. City Manager Kurt Triplett recognized the Community Emergency Response Team (CERT) Graduation of the 24th CERT class participants.

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

The Kirkland City Council regular meeting of November 21, 2017 was adjourned at 11:07 p.m.

Kathi Anderson, City Clerk

Amy Walen, Mayor

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kathi Anderson, City Clerk

Date: December 4, 2017

Subject: CLAIM(S) FOR DAMAGES

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

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

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

(1) Robert Bienkowski
1824 2nd Street
Kirkland, WA 98033

Amount: $417.03

Nature of Claim: Claimant states damage to vehicle resulted from a construction barricade lying in the roadway on 6th Street.

(2) Thomas M. Mihara
515 16th Ave W Apt 2
Kirkland, WA 98033

Amount: $324.15

Nature of Claim: Claimant states damage to vehicle tires resulted from driving over nails on 85th Street.

continued

(3) Alex Mikhailov
2240 Newport Way NW
Issaquah, WA 98027

Amount: $1,533.02

Nature of Claim: Claimant states damage to vehicle tires resulted from driving over nails on 85th Street.

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

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Lynn Zwaagstra, Parks and Community Services Director
John Lloyd, Parks and Community Services Deputy Director

Date: November 28, 2017

Subject: PETER KIRK POOL LINER (PK 0123 100) AWARD CONTRACT

RECOMMENDATION:

That the City Council award a construction contract for Schedules A – D on the Peter Kirk Pool Liner project to Orca Pacific Inc.

By taking action on this memo during approval of the consent calendar, City Council is awarding a contract to construct all elements of work for the project. Award of this contract is reliant upon the Council's approval of the updated CIP which increases the project budget to $260,000 overall.

BACKGROUND DISCUSSION:

The Peter Kirk Pool liner has been in need of replacement for several years. Having been unable to successfully bid the project previously, Parks and Community Services has increased the overall budget for the project from $125,000 funded in 2016 to $260,000. The current liner has been overlayed with new layers of plaster over the years. However, the current condition does not allow for another overlay layer, but rather requires a full chip out and replacement of the plaster liner. Additionally, some safety matters will be addressed including the installation of proper depth marking tiles and high contrast stair edge tiles.

The project with the base bid including only an overlay of plaster, with additional alternates called out to ensure adequate funding would be available if the scope needed to be reduced. The responsive low bid result is shown below:

Table 1: Bid Results

Contractor	Schedule A Plaster Overlay Only	Schedule B Replace Plastic Trim	Schedule C Full Chip Out Addition	Schedule D Upgrade to Quartz Based Plaster	TOTAL BID
Orca Pacific	**$104,500**	**$25,000**	**$70,000**	**$10,000**	**$209,500**

Funding and Expenses
Pending the Council's approval of the CIP Updates at the December 12, 2017 City Council Meeting, the overall total project funding will be $260,000. The original $125,000 project and the additional project funding are funded from REET 1 reserves. The overall project budget includes a $50,500 contingency to provide for unknown repairs to the structural pool shell which may be discovered once the plaster is removed.

Recommendation
Staff has determined the low bid contractor meets all bidder criteria for a Public Works contract and reference checks have been completed with satisfactory results. Therefore, staff recommends an award of Schedules A through D to Orca Pacific Inc. in the amount of $209,500.

Schedule
A City Council award at the December 12, 2017 meeting will allow construction to begin early 2018 with substantial completion no later than April 15, 2018.

CITY OF KIRKLAND
Human Resources Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3210
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: James C. Lopez, Director of Human Resources & Performance Management

Date: November 28, 2017

Subject: Ratification of the 2018 – 2020 IAFF Local 2545 Collective Bargaining Agreement

RECOMMENDATION

By accepting this memo during approval of the consent calendar, the pre-approval authority to the City Manager is granted to adopt the 2018-2020 Collective Bargaining Agreement between the City of Kirkland and the IAFF Local 2545. A legislative copy along with attachments is provided for your review.

BACKGROUND DISCUSSION

Authorized representatives of the City and IAFF Local 2545 reached and signed a tentative agreement on a proposed 2018-2020 Collective Bargaining Agreement in November. Both parties are recommending adoption of the Agreement. On December 7, 2017 the general membership of IAFF Local 2545 will vote on the proposed 2018-2020 Collective Bargaining Agreement. If the IAFF does not ratify the Agreement, staff will notify the Council prior to the December 12 Council meeting and remove the item from the Council agenda.

Some highlights of the agreement are:

- Three year agreement (January 1, 2018 – December 31, 2020)
- Percentage based wage increases:
    - 2018 – 3.0%
    - 2019 – 3.0% (2% COLA + 1% wage adjustment)
    - 2020 – 3.0% (2% COLA + 1% wage adjustment)
- Additional changes include, but are not limited to:
    - Article 10 – Decrease number of steps in grievance process and redefining process and timeline
    - Article 24 - Update of title of Group Health to Kaiser Permanente (title change only)
    - Appendix A – Removal of outdated LEOFF Medical Plan B Table and LEOFF Dental Plan 3 Table and update of title of Group Health to Kaiser Permanente (title change only)
    -

Members of the Negotiation Teams warrant commendation for this collaborative negotiation process. Staff is pleased to recommend to City Council the ratification and adoption of this Agreement (or a substantially similar version if minor corrections become necessary) with the IAFF Local 2545.

Attachments: City of Kirkland and International Association of Firefighters Local 2545 Collective Bargaining Agreement, 2018-2020 (Final and Legislative Versions)

AGREEMENT BETWEEN

the

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL #2545

and the

CITY OF KIRKLAND

~~January 1, 2015 – December 31, 2017~~
January 1, 2018 - December 31, 2020

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PREAMBLE

This Agreement is made by and between the International Association of Firefighters Local No. 2545, hereinafter referred to as the "Union", and the City of Kirkland, a municipal corporation of the State of Washington, hereinafter referred to as the "Employer".

PURPOSE

The purpose of the Employer and the Union in entering into this Agreement is to set forth their complete Agreement with regard to wages, hours, and working conditions for the Employees in the bargaining unit so as to promote the efficiency and effectiveness of fire prevention; medical aid services and fire suppression; public safety; and harmonious relations between the Employer and its Employees; giving recognition to the rights and responsibilities of the Employer, the Union, and the Employees.

DEFINITIONS

ARTICLE 1

As used herein, the following terms are defined as follows:

1.1 Bargaining Unit shall mean all Employees in the Kirkland Fire/Building Department in the classifications of Firefighter, Deputy Fire Marshal, Fire Inspector, Fire Lieutenant, Fire Captain, and Battalion Chief.

1.2 Base Pay shall mean Firefighter 5 pay grade as set forth in the Salaries Article of this Agreement.

1.3 City shall mean the City of Kirkland.

1.4 Department shall mean the Kirkland Fire/Building Department.

1.5 Deputy Fire Marshal shall mean any incumbent as of March 16, 2001 that serves as a full time Deputy Fire Marshal for the City of Kirkland. The Deputy Fire Marshal will assume seniority as defined in Article 1.

1.6 Employee shall mean an individual who meets the following criteria:

- 1.6.a Employed full time by the City of Kirkland.
- 1.6.b Covered by RCW 41.26 (LEOFF Pension System).
- 1.6.c Employed in a Bargaining Unit position defined in this Agreement.

1.7 Employer shall mean the City of Kirkland.

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

1.9 Monthly Salary shall mean the monthly rate of pay so identified and set forth in the Salaries Article 21 of this Agreement.

1.10 Line Personnel shall mean regular full time Employees primarily responsible for fire suppression, medical aid, fire inspections and other related duties.

1.11 Overtime shall mean the time worked in excess of normally scheduled hours of duty.

1.12 Seniority shall mean length of continuous service with the Kirkland Fire/Building Department in a represented Bargaining Unit position.

1.13 Shift shall mean each workday served regardless of length of time the workday may be.

1.14 Time in grade shall mean length of continuous service with the Kirkland Fire / Building Department at their current rank.

1.15 Union shall mean the International Association of Firefighters Union, Local #2545.

1.16 Vacation shall mean a granted period of time off duty earned by members of the bargaining unit during which time they shall continue to receive their basic rate of pay.

UNION RECOGNITION

ARTICLE 2

The Employer agrees to recognize the Union as the exclusive representative on matters concerning wages, hours, and working conditions for all Employees in the bargaining unit.

UNION ACTIVITIES

ARTICLE 3

Section 3.1 The Employer shall make available to the Union 288 hours of paid leave per annum (1/1 – 12/31) for the purpose of allowing elected Union officials, or substitutes appointed by the Union participation in collective bargaining, grievance handling and permissive activities, limited to the following five conferences listed below:.

1. Redmond symposium/ IAFF bi-annual conference
2. IAFF ALTS/HR
3. WSCFF annual (June conference)
4. WSCFF Spring Seminar
5. Fire Ops. 101

3.1.a Notification from the Union President to the Fire Chief not less than seven calendar days in advance when leave will be used.

3.1b No more than 72 hours of union leave shall be covered at the overtime rate of pay.

The Employer retains the right to restrict such leave when an emergency exists or such leave would create a danger to public safety.

Section 3.2 The Employer will grant an Employee, who is a Union representative, reasonable time off with pay for the purpose of attending monthly management meetings, provided such release does not result in the necessity to replace the Employee requesting time off with personnel in compensated status.

Section 3.3 Upon written authorization from an Employee within the bargaining unit, the Employer shall deduct from the wages of that Employee the sum certified as assessments and monthly dues of the Union and shall thereafter forward such sum to the Union during the pay period specified by the Union. Should any Employee not have any monies due him or the amount of such monies is not sufficient to satisfy the assessments, no deduction shall be made for that Employee for that month. The Union shall indemnify, defend, and hold the Employer harmless against any claims made and against any suit instituted against the Employer on account of any check-off of dues for the Union. The Union shall refund to the Employer any amounts paid to it in error on account of the check-off provision upon presentation of proper evidence thereof.

Section 3.4 The Employer agrees to furnish and maintain suitable bulletin boards in convenient places in each station manned by Union firefighters to be used by the Union. The Union shall limit its posting of notices and bulletins to such bulletin boards.

UNION SECURITY

ARTICLE 4

The Employer and the Union recognize the right of all Employees covered hereunder to become and remain members of the Union in good standing, and the Union accepts its responsibility to fairly represent all Employees in the bargaining unit, regardless of membership status.

PROMOTIONS AND VACANCIES

ARTICLE 5

Section 5.1 The following are the requirements to be eligible for promotions within the bargaining unit:

5.1.a To be eligible for promotion to Fire Lieutenant an individual must have completed one year as a Firefighter 5. In addition, an individual shall have and maintain a valid EMT-D certification and shall have earned 60 credit hours from an accredited college towards an associates or bachelors degree.

5.1.b To be eligible for promotion to Fire Captain an individual must have completed one-year full time and currently hold the position of Fire Lieutenant with the Kirkland Fire Department. In addition,

an individual shall have and maintain a valid EMT-D certification and shall have earned 90 credit hours from an accredited college towards an associates or bachelors degree.

5.1.c To be eligible for promotion to Battalion Chief an individual must have completed two years full time and currently hold the position of Fire Captain with the Kirkland Fire Department and shall have earned a minimum of an associates degree from an accredited College or University or have time in service and an equivalent combination of education and experience which provides the necessary skills, knowledge, and ability to successfully perform the duties of the position.

5.1.d To be eligible to take the promotional exams for Lieutenant, Captain and Battalion Chief an individual must meet the above requirements or reasonably be able to satisfy them prior to the expected expiration of the promotional register to be created from the exams. Individuals who pass a promotional exam prior to meeting the requirements for promotion shall have the word "ineligible" listed next to their name on the register until such time as they provide the Fire Chief documentation that they meet all the requirements.

5.1.e Candidates for promotional vacancies within the bargaining unit shall come from an adequately sized pool of eligible candidates from the bargaining unit. An "adequately sized pool" shall be defined as two candidates who meet the qualifications outlined in Sections 5.1.a., 5.1.b., 5.1.c. If an adequately sized pool does not exist, the Employer may adjust the educational requirements outlined in Sections 5.1.a., 5.1.b., 5.1.c. in order to create a pool from within the bargaining unit.

Section 5.2 Promotional exams shall consist of the following:

5.2.a Lieutenant exams shall consist of a professionally prepared, Fire Lieutenant, written exam that will be weighted 40% of the final score. The other 60% shall be divided to include 30% for a tactical exercise and 15% each for two additional "assessment center" type exercises. The two additional exercises shall be selected by the Employer from the following list and shall be administered by a qualified consultant:

- 5.2.a.(1) Prepare and present training class or other presentation.
- 5.2.a.(2) Role play of potential situations.
- 5.2.a.(3) Visual Resume.

The minimum passing score for the tactical exercise is 70% and the overall composite score for the testing process shall be at least 70% to be placed on the promotional register.

5.2.b Fire Captain and Battalion Chief exams shall consist of an assessment center process provided by a qualified consultant. The assessment center score shall make up 100% of the final score. The minimum composite passing score will be 70%.

5.2.c After receiving a minimum composite score of 70%, at time of certification the candidate shall be awarded a ¼ point to his/her score for each complete year of service after 10 years with the Kirkland Fire Department. The ¼ point service credit is intended for the sole purpose of advancing the placement and consideration of the more senior candidates' position on the eligibility list and is not intended to limit the Fire Chief from considering a candidate's previous years of service and experience when exercising the discretions provided in section 5.3 (rule of three).

5.2.d Psychological testing or evaluation methods may be used in the selection process upon mutual agreement between the Union and the City.

5.2.e No Kirkland Fire Department Employee or Regional Fire Training Division Employee will grade or score the exam. However, nothing in this section shall be construed as to limit the Fire Chief or his designee's ability to evaluate or review the results of examinations or conduct interviews

to make promotional decisions. In addition, this section shall not be construed as limiting any powers given to the appointing authority by Civil Service Rules and Regulations.

5.2.f Candidates not present at the appointed time for testing shall fail that portion of the test.

5.2.g After completion of the examination process, candidates shall receive their individual scores, once the civil service appeals process window has lapsed. However, until certified by the Civil Service Commission, those scores may be subject to change.

Section 5.3 Selection of candidates to be appointed to a promotional position within the bargaining unit shall be from a register created from the testing process. The City may select from the top three eligible names on the register to fill each vacancy. In the event a leading candidate is bypassed, the determining factors for the bypass will be provided, in writing, to the candidate. If less than three eligible names remain on a certified register at the time of appointment, the City shall have the authority to invalidate the register and complete another examination process.

Section 5.4 The Employer shall post notices at all stations sixty days prior to any promotional exam the position(s) to be filled and the date(s) of the exam. The Employer agrees to post a reading list for the exam(s), if any are available, as soon as it is received from the testing company.

Section 5.5 Promotional tests for Lieutenant and Captain shall be conducted on alternating years. Promotional lists duration for Battalion Chief shall be governed by applicable Civil Service Rules.

5.5.a The Fire Lieutenants test shall be conducted during the second week of May on alternating years. Once certified, the list shall be valid until a replacement list has been certified, unless invalidated under Section 5.3.

5.5.b The Fire Captains test shall be conducted during the second week of November on alternating years. Once certified, the list shall be valid until a replacement list has been certified, unless invalidated under section 5.3.

5.5.c Alternative test dates may be scheduled if agreed upon by the Employer and the Union.

Section 5.6 When the Employer declares that a vacancy exists, every reasonable effort will be made to fill it as soon as possible. The Employer and the Union agree to follow current Kirkland Civil Service rules and regulations regarding provisional and temporary appointments.

Section 5.7 Advancement through the five Firefighter steps shall be governed by the following:

Firefighter 1 Date of hire to 12 months of successful employment (probationary).

Firefighter 2 Completion of 12 months continuous employment.

Firefighter 3 Completion of 24 month's continuous employment, have and maintain EMT-D certification.

Firefighter 4 Completion of 36 month's continuous employment, have and maintain EMT-D certification.

Firefighter 5 Completion of 48 month's continuous employment, have and maintain EMT-D certification.

Section 5.8 In the unlikely event that an employee's WA State EMT-D certification is suspended or revoked, the City and the Union agree to meet and confer in effort to bargain the impacts on a case-by-case basis.

SAVINGS CLAUSE

ARTICLE 6

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

LAYOFF AND RECALL

ARTICLE 7

Section 7.1 Layoff – In the event of a reduction in force, the Employee(s) with the least seniority shall be laid off first. Should the reduction in force necessitate any reduction in rank for remaining personnel, the last officer(s) promoted in the rank(s) affected shall be the first to be reduced. Reduction in rank will be based on time in grade (classification).

Section 7.2 Recall – In the event of a recall, the last Employee laid off shall be the first Employee recalled. No new Employee shall be hired until all laid off Employees have been given an opportunity to return to work. This obligation shall expire 36 months after such layoff, or after such time as the Employer is unable to contact the Employee being recalled on each of 21 consecutive calendar days, whichever occurs first. Recall to employment shall, at the discretion of the Employer, be subject to the recalled Employee successfully completing a physical examination. Such examination shall be scheduled by and at the expense of the Employer.

Section 7.3 The Employer shall give notice two weeks in advance to any Employee before layoff or shall pay all wages and benefits allowed in this contract for a two week period following notification. Upon passage of a physical examination, the Employer shall allow the recalled Employee to give two weeks notice to their current employer before reporting to duty. The Employee on layoff status shall keep the Employer notified of the address, telephone number, and hours at which he/she can be contacted. Prior to attempting to contact an Employee to be recalled, the Employer will notify the Union.

Section 7.4 Employees recalled from layoff status shall return to the classification they were in prior to layoff. (For purposes of seniority, all continuous service time immediately preceding the layoff will be considered). Any officers reduced in rank due to reduction in force shall be reinstated to the same position, without further testing, when the first vacancies exist.

MANAGEMENT RIGHTS

ARTICLE 8

It is recognized that, except as limited and controlled by the terms of this Agreement, the Employer shall retain the right and authority to operate and direct the affairs of the Employer. Employer shall operate and direct various aspects, including, but not limited to, the right to direct the working forces; to control the Fire Department budget; to plan, direct, and control all the operations and services of the Employer; to determine the methods, means, organization, and number of personnel by which such operations and services are to be conducted. The Employer shall assign and transfer Employees; determine whether goods and services should be made or purchased; recruit, hire, and promote Employees; relieve Employees due to lack of work or other legitimate reasons; demote, suspend, discipline, or discharge Employees for just cause; to make, modify, and enforce reasonable rules and regulations; and to change or eliminate existing methods, equipment, facilities, or levels of service.

The Employer agrees that a continuing duty to bargain exists as to changes in wages, hours, and working conditions as may be required by RCW Chapter 41.56.

RETENTION OF BENEFITS

ARTICLE 9

All uniformly administered rights, benefits, and privileges relating to wages, hours, and working conditions as defined by the Public Employment Relations Commission shall remain in full force during the term of the Agreement.

The Union agrees that a continuing duty to bargain exists regarding changes in wages, hours, and working conditions as defined within RCW 41.56.

GRIEVANCE HANDLING AND DISPUTE RESOLUTION PROCEDURE

ARTICLE 10

In order to address differences in interpretation, application, or violation of any specific terms of the provisions of this contract or an established practice involving wages, hours, and working conditions or to reach a mutual understanding of the intent of such or other dispute, the parties ~~agree~~ are encouraged ~~to~~ promptly meet and confer ~~within ten days~~ to create a resolve, prior to the filing of a grievance if necessary. The timelines for filing a grievance shall become effective at the completion of the meeting(s) between the parties.

Section 10.1 Definitions

A "Grievance" shall be defined as a claim or dispute raised relating to the interpretation, application, or violation of any specific terms or application of the provisions of this contract. All such claims or disputes shall be processed according to the provisions as set forth herein.

A "business day" as defined in Article 10 is defined as Monday through Friday, excluding recognized holidays.

Section 10.2 The Union shall have full access to the grievance procedure on behalf of itself and/or the employees it represents and may introduce a grievance at any step at or above the Deputy Chief. Employees ~~requesting~~ filing a grievance agree to submit in writing a copy of all relevant facts involving the alleged grievance to the Union Executive Board prior to Step I~~I~~. Upon receiving the written petition, a Union representative shall meet with the Employee and recommend a course of action. If ~~the Employee or~~ the Union wishes to pursue the grievance, ~~either or both~~ the Union will proceed within the applicable timelines to the next appropriate step.

Section 10.3 A grievance filed by the Union ~~An Employee filing a grievance~~ that could be handled either through the contract or through a complaint filed with the Kirkland Civil Service Commission must select the method on how ~~he/she wishes~~ to pursue the complaint. Once this "election of remedies" has been chosen ~~and the Employee, or~~ the Union acting on the Employee's behalf, has instituted the first step in the chosen process, the outcome of that process shall be binding and the Employee or the Union shall not be allowed to pursue the other course. This section shall not apply if jurisdiction over the issue is denied by the Civil Service Commission and the definition of a grievance as specified in Section 10.1 is applicable.

~~Section 10.4 Step I. An Employee must present a grievance to the Employee's immediate supervisor within 30 calendar days of its alleged occurrence. The supervisor shall attempt to resolve the grievance within ten calendar days. In the event a grievance is brought regarding an action taken by other than the aggrieved Employee's immediate supervisor, the Employee may initiate the grievance process at the step at which the action giving rise to the grievance was taken.~~

Section 10.4 Step I. The Union may present a grievance to the Deputy Chief within 40 business days of when the Union became aware or reasonably should have been aware of its alleged occurrence. The written grievance must state the issue, contractual Article, city/department policy or established practice and cite facts giving rise to the grievance, and remedy sought. The Deputy Chief will attempt to resolve the matter and provide a written response to the Union within 15 business days. If the Union is not satisfied with the solution, then the Union has 15 business days to advance the grievance to Step II by re-submitting the grievance to the Chief or his/her designee in writing.

~~Section 10.5 Step II. If the Employee and/or the Union are not satisfied with the solution by the immediate supervisor, the grievance, in writing, may be presented within ten calendar days to their Battalion Chief. The written grievance must state the issue, contractual Article, city/department policy or established practice and cite facts giving rise to the grievance, and remedy sought. The Battalion Chief shall attempt to resolve the grievance and provide a written response within ten calendar days.~~

Section 10.5 Step II. Upon receipt of the written grievance, the Fire Chief will attempt to resolve the matter and provide a written response to the Union within 15 business days. If the Union is not satisfied with the solution, then the Union has 15 business days to advance the grievance to Step III by re-submitting the grievance to the City Manager or his/her designee in writing.

~~Section 10.6 Step III. If the Employee and/or the Union is not satisfied with the solution by their Battalion Chief, the written grievance may be presented within ten calendar days to the Deputy Chief of Operations, who shall attempt to resolve it and provide a written response within ten calendar days.~~

Section 10.6 Step III. Upon receipt of the written grievance The City Manager or his/her designee will attempt to resolve the matter and provide a written response to the Union within 15 business days.

~~Section 10.7 Step IV. If the Employee and/or the Union is not satisfied with the solution by the Deputy Chief of Operations, the written grievance may be presented within ten calendar days to the Fire Chief, who shall meet with the aggrieved employee and/or the Union in an attempt to resolve the grievance and shall provide a written response within ten calendar days.~~

~~Section 10.8 Step V. If the Employee and/or the Union is not satisfied with the solution, the grievance, in writing, together with all other pertinent materials, may be presented to the City Manager or his/her designee who shall attempt to resolve the grievance and provide a written response within ten calendar days.~~

Section 10.9 If the grievance is not resolved by the City Manager or his/her designee to the satisfaction of ~~the Employee and/or~~ the Union, the grievance may, within ~~ten calendar~~ 15 business days of the receipt of the response from the City Manager or his/her designee, be referred for arbitration, to an arbitrator from ~~the~~ f~~ollowing~~ a list of seven(7) currently active arbitrators from the Federal Mediation and Conciliation Service (FMCS) plus: Gary Axon, ~~Mike Beck~~, Alan Krebs, Eric Lindauer, Howell L. Lankford ~~;~~ or additional arbitrators may be added if mutually agreed upon by the City and the Union. If any of the named arbitrators become unavailable, the parties agree to name mutually agreeable replacements ensuring an odd number not to exceed 11. The arbitrator will be selected by allowing the City and the Union to alternately delete one name at a time from the list until only one name remains. The party to start the deletion process will be decided by coin flip. It shall be the function of the Arbitrator to hold a hearing at which the parties may submit their cases concerning the grievance. The Arbitrator shall render his decision based on the interpretation and application of the provisions of this Agreement. The decision shall be final and binding upon the parties to the grievance provided the decision does not involve action by the Employer, which is beyond its jurisdiction. Each party shall be completely responsible for all costs of preparing and presenting its own case, including compensating its own representatives and witnesses; provided however, the Union does not thereby waive any rights provided under RCW 49.48.030. If either party desires a record of the proceedings, it shall solely bear the costs of producing such a record.

Section 10.10 Third Party Dispute Mediation

10.10.a Any grievance or work related dispute between two or more parties may be referred to voluntary third party mediation. With the mutual agreement of all the parties to the dispute, the City will provide access to mediation services through the King County Workplace Mediation or similar program.

10.10.b Voluntary mediation may be sought at any step in the grievance process provided that all parties to the grievance agree. When all parties have mutually agreed in writing to mediation, all

grievance timeframes will be held in abeyance until the completion of the mediation process. Mediation shall be deemed "completed" when the mediator notifies the parties that no further mediation will take place. At the completion of the mediation process, all timeframes previously in effect will resume.

HOURS OF DUTY

ARTICLE 11

Section 11.1 Workweek:

11.1.a The workweek for bargaining unit line personnel shall be no more than 48.0 hours per week on an average annual basis. This shall be accomplished by providing two Kelly shifts off after every six scheduled sets, prescheduled on an annual basis; the first months Kelly shifts shall be selected beginning with the employee with the greatest seniority. Once established, any action or changes to shift seniority configuration shall require a new seniority based selection process as provided above.

For example:

A	A	B Kelly Shift	B Kelly Shift	C	C	A
A	B Set-1	B Set-1	C	C	A	A
B Set-2	B Set-2	C	C	A	A	B Set-3
B Set-3	C	C	A	A	B Set-4	B Set-4
C	C	A	A	B Set-5	B Set-5	C
C	A	A	B Set-6	B Set-6	C	C
A	A	B Kelly Shift	B Kelly Shift	C	C	A
A	B Set-1	B Set-1	C	C	A	A
B Set-2	B Set-2	C	C			

11.1.b When a full "set" includes both December 24th and 25th the preceding shift shall share the holiday burden by "flip-flopping" 12/23 & 12/24

Example:

December	22	23	24	25	26	27
Scheduled	C	C	A	A	B	B
Changed to	C	A	C	A	B	B

[This adjustment is needed 3 out of every 8 years]

Section 11.2 The work schedule for bargaining unit line personnel shall be two consecutive 24-hour shifts (48 hour "set"). Employees normally shall work two 24-hour shifts followed by 96 hours off. The shift starting time will be 0700. The shift configuration and shift starting time may be modified by mutual agreement between the Employer and the Union.

The work shift will include one hour for lunch and one hour for dinner. Each on-duty Employee will remain available for an emergency call during these meals breaks.

Training and inspections may be scheduled on a reasonably limited basis between 1800 and 0800 hours to maintain operational skills in night fire suppression, prevention, and inter-departmental cooperation.

Section 11.3 The work schedule for bargaining unit personnel assigned to a 40-hour workweek shall be:

11.3.a 0800-1700 Monday through Friday, or

11.3.b Four consecutive ten hour days

11.3.c 40-hour personnel may have a flexible work week. Time shall be traded in straight time. For example, if an employee works one hour extra one day, they may work one hour less another day that week to total 40 hours for each week but no week can exceed 40 hours unless approval for overtime has been received. Employees shall notify their supervisor prior to use of flex time. Flex time is to be noted on payroll attendance record as it actually occurs.

11.3.d Alternative schedules, not exceeding forty hours per week with mutual agreement of the employer, employee(s), and Union.

11.3.e Regardless of workweek schedule, each employee will have one hour off for lunch. Each on-duty Employee will remain available for an emergency call during these meal breaks.

Section 11.4 Refer to Article 30 relating to personnel assigned to Training. Refer to Article 31 relating to personnel assigned to Fire Prevention Bureau.

Section 11.5 The Employer and Union acknowledge that Fire Station 24 is not currently staffed with career personnel. The Employer is not compelled to staff Fire Station 24. Should the City decide to staff Fire Station 24, the City agrees to staff it in accordance with the Memorandum of Understanding with the Union dated October 2013. The parties may agree to resolve staffing of Fire Station 24 on a long-term basis. The long-term solution for Fire Station 24 may include one of the following:

11.5.a 24-hour 3 platoon method

11.5.b 24-hour 4 platoon method

11.5.c 12-hour call back staffing

11.5.d 12-hour shift, 3 on 4 off

OVERTIME / COMPENSATORY TIME

ARTICLE 12

Section 12.1 Overtime shall be paid at the rate of one and one-half times the hourly rate of pay. For the purpose of calculating hourly overtime rate of pay the formula shall include monthly salary, premium pay (i.e. Hazardous Materials or other premium pays negotiated) and longevity. The hourly rate of pay will be determined by multiplying the Employee's monthly salary by 12 (months) and then dividing that figure by the work week figure from Section 11.1 multiplied by 52.18 (weeks). The final overtime rate of pay will be rounded to the nearest cent.

Section 12.2

12.2.a Overtime for 40-hour personnel shall be paid at the rate of one and one-half times their hourly rate of pay. For the purposes of calculating hourly overtime rate of pay the formula shall include monthly salary, premium pay (i.e. Hazardous Materials or other premium pays negotiated) and longevity. The hourly rate of pay will be determined by multiplying the Employee's monthly salary by 12 (months) and then dividing that figure by the work week figure from Section 11.3 multiplied by 52.18 (weeks) The final overtime rate of pay will be rounded to the nearest cent.

12.2.b 40-hour personnel working overtime during their normal duties are eligible for compensatory time in lieu of overtime. Compensatory time may not be earned if the employee is working overtime as defined in 12.2.e. Compensatory time shall accrue at one and one-half times the hours worked and shall be measured in fifteen minute increments or major fraction thereof.

12.2.c 40-hour personnel may bank up to 40 hours of compensatory time at any given point. If the 40 hour limit is exceeded, the additional hours above 40 will automatically be converted to overtime and paid out as soon as possible thereafter. Unless specifically waived in writing by the Fire Chief, no Employee may carry over more than 20 hours of compensatory time from October 31st to November 1st. 40 hour personnel may convert up to 40 hours of banked compensatory time into cash for their November 8th pay check. The request for such a payout must be received no later than October 15th of each year. In the event no request is received, all banked compensatory time in excess of 20 hours will be converted into a cash payout in the November 8th check. All compensatory time off shall be used or converted into cash prior to rotation back onto the line. If rotation does not happen before November 8th, cash out should happen at the first reasonable pay check.

12.2.d 40 hour personnel are required to track their approved overtime and compensatory time on a tracking form provided by the City. The tracking form shall be turned into their supervisor with their payroll attendance record each pay period. The employee shall designate whether they wish to be compensated in overtime or compensatory time on the tracking form. If no designation is made, overtime will be paid out in the next appropriate pay period. These hours will be entered in the payroll system and will be separately recorded on their paychecks. When an employee chooses to use Compensatory Time, the time off will be approved by the supervisor in the same manner as vacation or other similar types of leave as per Directive 3.001.

12.2.e Bargaining unit employees assigned to a 40-hour workweek may elect to participate in filling overtime vacancies created by line personnel. A 40-hour employee electing to participate shall be compensated at a rate consistent to line personnel Section 12.1 for the overtime shift(s) worked.

Section 12.3 Employees shall be subject to call back from off duty in an emergency. An Employee called back to duty shall be paid at the overtime rate of pay for two hours or for the actual number of hours worked, whichever is greater.

Section 12.4 Employees held over for an alarm past the termination of their regular shift will be paid overtime for those periods exceeding 15 minutes and thereafter for each 15-minute period or major fraction thereof.

Section 12.5 The City will use bargaining unit Employees for fill-in shifts when needed. Employees called to work such shifts shall be paid at the overtime rate of pay for two hours or for the actual number of hours worked, whichever is greater.

Section 12.6 Overtime will be paid for training required by the Employer if such training occurs outside regularly scheduled hours of duty. Voluntary training will not be subject to overtime pay.

Section 12.7 The Employer may utilize the Deputy Chief of Operations as the Duty Chief for short periods of fill-in while the on-duty Battalion Chief is unavailable or in the event of a need for additional command officers.

Section 12.8 Line personnel assigned as a Training Battalion Chief, Training Captain, or Fire Inspector position may be assigned to operation/line duties at an emergency scene and are eligible for call back shift work. Acceptance of call back that may affect their work schedule must be communicated to their supervisor.

SHIFT CHANGES AND ASSIGNMENTS

ARTICLE 13

Section 13.1 All employees covered by this Agreement and the Union shall receive written notice 30 calendar days in advance of inter-shift assignment and/or work schedule changes. This time limit may be waived at the discretion of the Fire Chief in the case of appointments to a promotional position within the bargaining unit and necessary shift adjustments caused by such appointment. This time limit may also be waived at other times if agreed to by the Employer and the Union.

Section 13.2 Inter-shift swaps shall be allowed on a position for position basis if direct notification is given to the on-duty Battalion Chief prior to the shift swap. For purposes of this section, "positions" shall be defined as: Battalion Chief, Company Officer, Driver, and Firefighter. Inter-shift swaps that are not position for position may be allowed under the following guidelines:

13.2.a The request is approved by the Battalion Chief prior to the swap.

13.2.b The swap does not result in any negative economic impact to the City of Kirkland.

13.2.c If a Firefighter/Acting Officer swaps with an Officer, the payback must occur on a day when there is an Acting Officer position available for the Officer to fill. The same shall hold true for Battalion Chiefs and Captains.

13.2.d Swaps that are not position for position and that have adequate coverage may be cancelled if less than six (6) days notice was given and other leave requests reduce coverage.

13.2.e A bargaining unit member who agrees to an inter-shift swap and is subsequently unable to work shall obtain another Employee to fill the position. If no relief can be obtained, an equal amount of vacation and/or holiday time (if necessary) will be charged against that member. If the Employer must replace the individual on an overtime basis, an amount equal to one and one-half (1 1/2) times vacation and/or holiday time (if necessary) will be charged against that member. This penalty may be waived by the Fire Chief, or his/her designee, if the absence is caused by circumstances the Chief feels are grounds for waiver.

13.2.f Inter-shift swaps are not intended to be used to routinely modify an employee's regularly assigned shift. However, personnel may submit written request for approval by the Deputy Fire Chief for temporary modification of assignment due to special circumstances. It is the employee's responsibility to make up any mandatory training missed as a result of a shift swap.

Section 13.3 Kelly Day swaps will be allowed when:

13.3.a Approval is given by the Battalion Chief prior to the swap.

13.3.b The swap will not result in any economic impact to the City.

Section 13.4 The Employer has no obligation to ensure or facilitate the repayment of shift swaps between employees.

Section 13.5 Special assignments shall not exceed thirty (30) days in any calendar year without negotiations and agreement of the impacts with the Union. Employees assigned to special assignments shall be given thirty (30) days notice of such assignments unless a waiver of such notice is granted by the employee(s) assigned and the Union.

Section 13.6 Temporary assignments may be made to a forty (40) hour work schedule, once in a calendar year, per employee, for periods of up to ninety (90) days only if the Employer and the Employee are in agreement. Notice of such assignments shall adhere to the provisions of Section 13.1.

Section 13.7 Shift Swap – without repayment: To the extent allowed by law, Employees may elect to work in relief of another Employee. In cases of special needs (for example: extended injury or illness, military deployment, other) an Employee may elect work in relief for another Employee without obligation of repayment. Such swap shall not result in any negative economic impact to the City of Kirkland.

Section 13.8 Station Bid Selection: In an effort to provide a fair and equitable assignment of personnel to operational positions within the department, a bid procedure allowing members of the department to express a preference for work assignments is hereby instituted. However, the Fire Chief maintains the right to allocate apparatus and personnel as deemed appropriate for the performance of the department's mission.

13.8.a Employees shall select (bid) station assignments by order of time within their current grade.

13.8.b When a bid vacancy occurs, a notice shall be posted in the stations outlining the nature of the vacancy and the qualifications required to fill the position. Notice of bid positions available shall be posted every sixty (60) days on or about the first of the month. This notice shall include the date and time of closing of the bids, as well as the date, time and place of the next bid committee meeting. A minimum of fifteen (15) calendar days will be allowed for notification of vacancies and filling of bid applications.

13.8.c A Fire Department Bid Committee shall be composed of three (3) representatives appointed by the Union. The Bid Committee shall review submitted bid requests, approve as appropriate, award bid assignments and make recommendation for bid policy change.

13.8.d Beginning the first full set of January 2015, and every thirty-six (36) months thereafter, the Bid Committee shall impose a wholesale re-bid (inter-shifts); unless otherwise agreed by both the Union and Management. Such re-bid shall not occur more than once in any thirty-six (36) month period.

SICK LEAVE

ARTICLE 14

Section 14.1 Under the terms of this collective bargaining agreement the employee is entitled to sick leave and/or other paid time off. The employer must allow an employee to use any or all of the employee's choice of sick leave or other paid time off to care for:

14.1.a Personal illness or physical incapacity which renders the employee unable to perform the duties of his/her position; or care for:

14.1.b A child of the employee with a "Health condition" that requires treatment or supervision, defined as:

14.1.b.(1) Any medical condition requiring treatment or medication that the child cannot self administer; or

14.1.b.(2) Any medical or mental health condition which would endanger the child's safety or recovery without the presence of a parent or guardian; or

14.1.b.(3) Any condition warranting treatment or preventive health care such as physical, dental, optical or immunization services, when a parent must be present to authorize and when sick leave may otherwise be used for the employee's preventive health care; or

14.1.b.(4) Any condition rendering the child "Incapable of self-care" which means that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" (ADLs) or "instrumental activities of daily living" (IADLs). Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, and eating. Instrumental activities of daily living include cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

14.1.c Any other "immediate family" member, as defined in Article 1 of the employee who is incapable of self-care, has a serious health condition or emergency condition, defined as:

14.1.c.(1) Any "Serious health condition" which means an illness, injury, impairment, or physical or mental condition that involves any period of incapacity or treatment connected with impatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment or recovery in connection with such impatient care; or that involves continuing treatment by or under the supervision of a health care provider or a provider of health care services and which includes any period of incapacity (i.e. inability to work, attend school or perform other regular daily activities).

14.1.c.(2) Any individual "Incapable of self-care" which means that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" (ADLs) or "instrumental activities of daily living" (IADLs). Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, and eating. Instrumental activities of daily living include cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

14.1.c.(3) Any "Emergency condition" means a health condition that is a sudden, generally unexpected occurrence or set of circumstances related to one's health demanding immediate action, and is typically very short term in nature.

Others not listed may qualify for the use of sick leave with the direct written approval of the Fire Chief and such approval shall not be unreasonably withheld.

Section 14.2 This section applies to members of the bargaining unit covered under the LEOFF I Retirement System.

14.2.a Employees absent due to injury or illness shall be covered by LEOFF I pension which shall be administered by the City of Kirkland Disability Board.

14.2.b LEOFF I personnel may use up to five shifts (120 hours) annually, for the purposes provided in subsection 14.1.b and 14.1.c.

14.2.c Dependent Leave: Personnel will be granted an additional 48 hours of sick leave per occurrence for the birthing process, receiving of an adopted child, or foster care placement.

Section 14.3 This section applies to members of the bargaining unit covered under the LEOFF II Retirement System on shift.

14.3.a Upon appointment as Firefighter I, shift personnel shall have 288 hours of paid sick leave credited to him/her. If an Employee terminates during the first year of employment, any paid sick leave hours used in excess of the prorated amount of 24 hours per month shall be deducted from the Employee's final paycheck.

14.3.b Employee's sick leave with pay shall accrue at the rate of 24 hours per month beginning with the 13th month.

14.3.c Sick leave shall be cumulative to a maximum of 1440 hours.

14.3.d Any employee changing from 24-hour shift to 40-hour workweek shall use the following sick leave conversion formula:

$$\frac{\text{Employee 24-hour bank} \times 960}{1440}$$

14.3.e Dependent Leave: 48 hours of sick leave may be used per occurrence for the birthing process, the receiving of an adopted child; or foster care placement. If an Employee must leave while on duty, the hours absent will not be counted against the leave allowed in this section.

Section 14.4 This section applies to members of the bargaining unit covered under the LEOFF II Retirement System day (40-hour schedule) personnel.

14.4.a Employee with less than five years of employment shall accrue sick leave at a rate of 16 hours per month.

14.4.b Employees with more than five years of employment shall accrue sick leave at a rate of the daily work schedule per month. (i.e. 8-hour daily work schedule shall earn 8 hours per month, 9 hours work schedule earn 9 hours per month, etc.)

14.4.c Sick leave shall be cumulative to a maximum of 960 hours

14.4.d Any employee changing from 40-hour workweek to 24-hour shift shall use the following sick leave conversion formula:

$$\frac{\text{Employee 40-hour bank} \times 1440}{960}$$

14.4.e Dependent Leave: 40 hours of sick leave may be used per occurrence for the birthing process, the receiving of an adopted child, or foster care placement. If an Employee must leave while on duty, the hours absent will not be counted against the leave allowed in this section

Section 14.5 This section shall apply to all members of the Bargaining Unit covered under the LEOFF II. Retirement System

14.5.a Conversion of Sick Leave Cashout to Retiree Medical Account

Upon normal or disability retirement from the City, the employer shall make contributions into the WSCFF Employee Benefit Trust (MERP), or other IRS qualifying program designated by the Union in an amount equal to fifty percent of his/her maximum allowable shift rate sick leave. Sick leave cashout shall be converted at a rate of fifty cents ($0.50) on the dollar, of the employee's regular rate of pay (sick leave hours x regular rate of pay x $0.50) and shall not exceed Ten Thousand Dollars ($10,000) in 2008, and Ten Thousand and Five Hundred Dollars ($10,500) in 2009 and 2010. The trust fund is established in accordance with applicable federal and state laws, and the City shall contribute the monies on a pre-tax basis. The monies contributed to the trust fund shall only be used for retiree health insurance premiums or health service expenses.

14.5.b. Certification of illness or disability by a physician may be required for such leaves of three shifts or more for shift personnel and for one calendar week or more for day personnel, and may be required for shorter periods upon request by the Fire Chief. Certification shall be on a form (LEOFF II- Return to Duty Form, w\FIRE\DISABIL/9-17-98/LP.mjd) provided by the Employer and signed by a physician stating that the Employee has been sick or injured and is now able to return to work and perform the required duties.

Section 14.6 Well Child Leave

14.6.a Well Child Sick Leave may be used for the care of a newborn or adopted child or foster care placement, notwithstanding dependent leave as defined above. An employee requesting to use Sick Leave to care for a well child after birth, adoption, or foster care placement shall comply with the following rules:

1. The employee must take the leave within one year of the birth, adoption, or placement of the child.
2. Employees will not be eligible for intermittent usage of Well Child Sick Leave to care for a well child after birth, adoption, or foster care placement.
3. An employee can request up to 12 weeks of leave.
4. In order to use sick leave as noted in this section, an employee must maintain a minimum sick leave bank equal to 18 months of their accrual rate.

14.6.b The following types of leave may be used during the period of time the employee is on Well Child Sick Leave to care for a well child after birth, adoption, or foster care placement:

1. An employee must first use accrued vacation or holiday leave for up to three weeks of the Well child Leave requested.
2. At the completion of up to three weeks of Vacation Leave, an employee may use an equal amount of accrued sick leave.
3. At the completion of the three weeks of accrued sick leave, an employee may use vacation, holiday, or leave without pay for the remainder of the maximum 12 week period.

Section 14.7 Certification of Sick Leave for an "Immediate family" member (as defined in Article 1): The Fire Chief may require an Employee to certify in writing the circumstances requiring the use of Sick Leave for an "Immediate family" member.

FAMILY MEDICAL LEAVE (FMLA)

ARTICLE 15

Section 15.1 Family Medical Leave shall be governed by Article 15, the provisions of the Family Medical Leave Act of 1993 and applicable state laws:

15.1.a Initiation of Family Medical Leave shall be at the request of the employee and/or any time the Employer has reasonable knowledge of a qualifying event. Each time the Employer determines a potential qualifying event exists, the Employer shall notify the employee, in writing, of potential qualifying event, initiation of leave and include an informational fact sheet of statutory provisions.

15.1.b Certification of illness or disability of the employee by a health care provider may be required for such leaves of three shifts or more for shift personnel and for one calendar week or more for day personnel, and may be required for shorter periods upon request by the Fire Chief. Certification shall be on a form (LEOFF II- Return to Duty Form, w\FIRE\DISABIL/9-17-98/LP.mjd) provided by the Employer and signed by a health care provider stating that the Employee has been sick or injured and is now able to return to work and perform his/her required duties.

15.1.c In the event Family Medical Leave is initiated for an "Immediate family" member (as defined in Article 1) the Fire Chief may require an Employee to certify in writing the circumstances requiring the use of leave.

Section 15.2 Dependent leave for personnel shall be governed and prescribed by Articles 14.2.c, 14.3.e, and 14.4.e; which may be used per occurrence for the birthing process or in the receiving of an adopted child.

BEREAVEMENT LEAVE

ARTICLE 16

Section 16.1 At the request of the Employee, leave due to death in the immediate family shall be granted by the Employer. Such leave shall not exceed two shifts for any one incident. Employees notified of a death while on duty shall be immediately excused from work for the shift. Such time shall not be counted as one of the two shifts off. Any time beyond this amount required because of travel or extenuating circumstances or time requested for a person other than specified may be granted with the approval of the Fire Chief or his/her designee, with this time being deducted from the employee's accumulated sick leave. Members of the immediate family are defined in Article 1.

Section 16.2 Employees that work a forty-hour workweek, bereavement leave shall be granted to an employee in an amount not to exceed five days per year for death in the employee's immediate family. This paid leave is not cumulative from year to year. Any time beyond this amount required because of travel or extenuating circumstances for time requested, or a person other than specified may be granted with the approval of the Fire Chief or his/her designee, with this time being deducted from the employee's accumulated sick leave.

COURT AND JURY LEAVE

ARTICLE 17

Section 17.1 Employees called to jury duty for Superior or District Court shall be granted leave for those hours the court requires them. Unless otherwise required by the court, Employees will work their normal shifts on Fridays, Saturdays, and Sundays. Employees shall also report for their assigned duties on other days when released by the court prior to 1000 hours, but shall be released from job duties at 2100 if they are scheduled for jury duty the following day.

Section 17.2 Employees on jury duty leave will receive full pay. Jury duty pay received by the Employee, while acting as a juror on their regularly scheduled duty day, shall be turned over to the City.

Section 17.3 An Employee required by Subpoena or City Directive to appear before a Court as a defendant or witness as a result of an incident that occurred during the performance of the Employee's official City duties will be excused from duty with pay for those hours the Court requires them. If the Employee is called while off duty to appear, the Employee will be paid at the overtime rate of pay**.** Overtime hours shall be limited to travel time from the Employee's Fire Station to the Court, the actual time the Employee is required by the Court and travel time back to the Fire Station. If overtime is submitted to the City, any fee or reimbursement received by an Employee from the Court shall be turned over to the City.

Section 17.4 Employees shall notify the Employer in writing, with documentation, within 72 hours of being called for any duty described in this Article.

Section 17.5 All Employees on the 40-hour work week shall be granted court or jury duty leave as provided in the City of Kirkland Personnel Ordinance.

L.E.O.F.F. II

ARTICLE 18

Section 18.1 The sections of this Article shall apply to those Employees under the LEOFF II Retirement System.

Section 18.2 Accumulated leave may be used to supplement on-duty disability payments received from the Department of Labor and Industries as set forth in RCW 41.04. Firefighters receiving disability payments through Workers' Compensation will receive their normal rate of pay. All Worker's Compensation checks shall be turned over to the City until all accrued leave has been exhausted. Once accrued leave has been exhausted, the employee's obligation to turn Worker's Compensation checks over to the City shall cease and the City's' obligation of salary to the employee shall be discontinued until the employee is released by the treating physician fit for duty.

Section 18.3 The City shall make a monthly payment to the Washington State Council of Firefighter's Employee Benefit Trust (MERP), or other IRS qualifying program designated by the Union, in an amount equal to $75 per employee covered by this agreement. This Trust shall remain separate and apart from any City retiree health insurance funding program unless changed by mutual agreement of the parties to the agreement. These payments shall be included as salary for purpose of calculating retirement benefits consistent with the Washington State Department of Retirement System rules and the Internal Revenue Code.

LIGHT DUTY

ARTICLE 19

Section 19.1 When an Employee is unable to perform regular duties due to job related injury or illness, and the Employee is receiving the Employer supplement as outlined in RCW 41.04.520, the Employee may be required to perform light duty tasks within the Fire Department, subject to the approval of the treating physician.

Section 19.2 When an Employee is unable to perform regular duties due to non job-related injury or illness and appropriate alternative work, as defined by the Fire Chief, is available, the Employee may request assignment to light duty tasks within the Fire Department, subject to the approval of the treating physician.

Section 19.3 The Employer and the Employee shall confer and agree to an alternative schedule. The limit of time an Employee may be assigned to light duty due to injuries covered in this Article shall be determined by applicable statutes or at the discretion of the Fire Chief, whichever is longer.

Section 19.4 LEOFF I employees are not eligible for light duty assignments in accordance with the RCW.

HEALTH , WELLNESS AND SAFETY

ARTICLE 20

Section 20.1 Joint Health and Wellness Committee

20.1.a The City and the Union recognize the vital need of health and safety within the Fire Department. For this reason the City and the Union acknowledge and agree to meet or exceed current Safety Standards for Firefighters including infectious disease control and operational practices such as safe staffing levels and best practices for fire fighter safety. Further, the City and Union agree to meet and confer for the purposes of bargaining any health and safety policy or practice requiring immediate implementation (such as, but not limited to HIV, Hepatitis, MRSA, or company staffing or safe practice).

20.1.b Beginning May 2008, the City and Union agree to establish a Joint Health and Wellness Committee (JHWC) that shall comprise of the Fire Chief and his designee, two representatives from the Union Executive Board and one certified peer fitness trainer jointly appointed by Labor and Management. The JHWC shall act proactively anticipating and responding to workplace hazards and shall have the responsibility to recommend changes to the collective bargaining agreement and/or operational changes for immediate implementation regarding items concerning health, wellness, and safety. Generally, the JHWC shall refer to recognized health and safety standards and best practices when recommending changes to the Labor agreement or operational policies and procedures. Widely recognized agencies for health and wellness shall be used to develop recommendations and shall include but not necessarily be limited to:

CDC- Center for Disease Control
IAFC- International Association of Fire Chiefs
IAFF- International Association of Fire Fighters
NIOSH- National Institute of Occupational Safety and Health
USFA- United States Fire Administration
DHS- Department of Homeland Security
NFPA- National Fire Protection Association

Section 20.2 Occupational Exposures

20.2.a The parties recognize that infectious disease exposures to employees are a threat to the public welfare and safety. It is the goal to maximize the protection against infectious diseases for all uniformed members while providing fire, rescue, and emergency medical services to the public without regard to known or suspected diagnoses of communicable disease in any patient or victim.

The City and Union agree to recognize blood-borne and air-borne pathogens including viral and bacterial illnesses and infections (such as, but not limited to HIV, Hepatitis, TB, SARS, Influenza, and MRSA) as duty-related occupational exposures for the purpose of; providing immunizations; determining antibodies and resistance; recognizing and documenting these illnesses as occupational exposures, and agree to advocate such designation to the Department of Labor and Industries.

20.2.b In the case of a member who is occupationally exposed the City will provide for the cost of post exposure monitoring. Test results will be provided to each individual for their follow up care or treatment if necessary. Necessary records will be provided to Labor and Industry for their disposition of the case. A copy of this record will be maintained in a secured medical file in Human Resources.

20.2.c An employee, who dies from occupational exposure or from complications thereof, will receive all benefits afforded from a work-related injury or illness, within the control and authority of the City.

Section 20.3

20.3.a The City and Union agree to develop a wellness fitness initiative and be partners in pursuing funding through the budget process. The Joint Health and Wellness Committee (20.1) shall establish a department wellness fitness program that is educational and rehabilitative, and non punitive. Furthermore, it shall use the components and resources of the IAFF/IAFC Joint Labor Management Wellness/Fitness Initiative as a guideline and closely follows or meets the intent of the initiative. The program shall include:

Candidate Physical Ability Testing (CPAT)
Confidential Wellness Medical Physicals
Daily Physical Fitness Program, including certified peer fitness training
Rehabilitation and Behavioral Health as needed
Annual Fitness Evaluation, conducted by certified peer fitness trainers

The Department wellness fitness program will be submitted in the budget process in order to seek funding to implement other aspects of the program which have a cost element.

20.3.b Pending budget approval, during the term of the Agreement, the City agrees to initiate the comprehensive wellness and medical program as provided by Washington Institute of Sports Medicine and Health. This program shall be exclusively confidential between the program administrator and the Employee, and shall include:

Wellness Medical Physical Exam
Individual Action Plan for overall improved Health
Early Health Risk Identification
Early Disease Detection
Early intervention and Remediation

Unless otherwise recommended by Washington Institute of Sports Medicine and Health, participation shall be mandatory for all LEOFF employees in at least one wellness and medical assessment during the term of the Agreement in order to establish a "base-line" for individual and group recommendations.

Section 20.4 Respiratory Protection Policy

20.4.a This Article shall meet the statutory requirements provided under WAC 296-842 (medical evaluations) and shall be governed by the Joint Health and Wellness Committee (20.1) as provided above. The Joint Health and Wellness Committee (JHWC) shall recommend, to the Fire Chief, a licensed health care professional (LHCP) to implement and regularly administer the department's respiratory protection program.

20.4.b All bargaining unit employees may be required to wear respiratory protection while performing their duties and, as such, shall be subject to annual medical evaluations as provided by the licensed health care professional. The employer shall provide medical evaluations for employees at no cost.

20.4.c Any specific medical findings shall be exclusively confidential between the licensed health care provider and the Employee. The licensed health care provider shall advise the Employer whether the employee is fit for duty or not fit for duty. The parties shall provide all confidentiality protections provided under the HIPAA 1996 statute.

20.4.d Subsequent medical evaluations may be required if medical signs and symptoms (such as breathing difficulties, extreme fatigue) are observed in the workplace or reported by the employee. Recommendations for re-evaluations shall be made immediately to the on-duty Battalion Chief. Any employee recommended for re-evaluation shall be immediately relieved from duty and shall remain on paid Sick Leave. The Battalion Chief shall provide a written statement and all documented finding to the Joint health and Wellness Committee (JHWC) for their review of the situation.

Section 20.5 The Union shall appoint one representative to be added as a regular member on the Fire Department Safety Committee established by Department Policy 5.101.

Section 20.6 Safe Staffing and Practices for fire ground safety: The JHWC will develop safe fire ground practices which will ensure the safe operations of personnel in fire's hazardous environment. When funding and/or resources are needed to meet safe staffing practices, the JHWC shall develop budget recommendations for the Fire Chief, which may be included in a service package request, during the City's budget process, if an immediate need exists, the city manager will be notified by the Fire Chief. The City Council has ultimate approving authority on all budget requests.

SALARIES

ARTICLE 21

Section 21.1 Monthly salary for Firefighter I through IV is calculated as a percentage of Firefighter V (Base Pay). The following percentages shall be effective for new hires with a start date on or after November 1, 2013:

- Firefighter I: 74% of Base Pay
- Firefighter II: 77% of Base Pay
- Firefighter III: 83% of Base Pay
- Firefighter IV: 91% of Base Pay

Section 21.2 Upon promotion to Fire Lieutenant an Employee shall be on probation as provided by Civil Service rules and regulations. During this probationary period the Fire Lieutenant A pay grade shall be 110% of Base Pay. Upon completion of the probationary period Fire Lieutenant B pay grade shall be 115% of Base Pay.

Section 21.3 Upon promotion to Fire Captain an Employee shall be on probation as provided by Civil Service rules and regulations. During this probationary period the Fire Captain A pay grade shall be 118% of Base Pay. Upon completion of the probationary period Fire Captain B pay grade shall be 125% of Base Pay.

Section 21.4 Upon promotion to Battalion Chief an Employee shall be on probation as provided by Civil Service rules and regulations. During this probationary period the Battalion Chief A pay grade shall be 133% of Base Pay. Upon completion of the probationary period Battalion Chief B pay grade shall be 140% of Base Pay.

Section 21.5

21.5.a A Firefighter who is assigned the duties of Fire Lieutenant for a minimum of six hours per 24-hour shift shall be paid the Fire Lieutenant A pay grade for the actual hours worked as a Fire Lieutenant.

21.5.b A Fire Captain who is assigned the duties of a Battalion Chief for a minimum of six hours per 24-hour shift shall be paid the Battalion Chief A pay grade or the actual hours worked as a Battalion Chief.

Section 21.6

21.6.a .Effective January 1, ~~2015~~ 2018, the monthly rate of Base Pay shall be increased by ~~two~~ three (~~2%~~) (3%) through December 31, ~~2015~~ 2018.

21.6.b Effective January 1, ~~2016~~ 2019, the monthly rate of Base Pay shall be increased by ~~two (2%)~~ three (3%) (2% COLA plus 1% market adjustment) through December 31, ~~2016~~ 2019.

21.6.c Effective January 1, ~~2017~~ 2020, the monthly rate of Base Pay shall be increased by ~~two (2%)~~ three (3%) (2% COLA plus 1% market adjustment) through December 31, ~~2017~~ 2020.

Section 21.7 An additional two percent of Base Pay shall be awarded as compensation for Employees who are members of the Hazardous Materials Team. Payments will be rounded to the nearest whole dollar. Management retains the right to determine how many and which specific Employees shall be members of the Hazardous Materials Team. Employees shall be appointed to the team from a pool of eligible applicants from the bargaining unit. Management retains the right to reserve one position on the team for a non-bargaining unit Department representative.

Section 21.8 An additional two percent of Base Pay shall be awarded as compensation for Employees who are assigned as SCBA Specialist. Payments will be rounded to the nearest whole dollar. Management retains the right to determine how many and which specific Employees are assigned as SCBA Specialist.

Section 21.9 An additional six-percent of Base Pay shall be awarded as compensation for the Battalion Chief and the Company Officer assigned to the Training Division.

Section 21.10 Longevity
Employees shall be awarded longevity compensation according to the following table:

5 - 9 completed years of service	2% of Base Pay
10-11 completed years of service	3% of Base Pay
12-15 completed years of service	4% of Base Pay
16-19 completed years of service	5% of Base Pay
20-24 completed years of service	6% of Base Pay
25-29 completed years of service	7% of Base Pay
30+ completed years of service	10% of Base Pay

Section 21.11 Line personnel assigned to a Fire Inspector position will be awarded an additional 6% of Base pay as defined in Article 1.2.

Section 21.12 Deputy Fire Marshal will be assigned pay at an equivalent to Fire Fighter 4. Upon completion of Fire Fighter 1 certification, (s)he will be assigned pay at an equivalent to Fire Fighter 5.

Section 21.13 Fire Investigation Team members Standby
Off-duty standby assignments shall be for a fixed, predetermined period of time. Employees formally placed on off-duty standby status by the Fire Chief or Deputy Fire Chief shall be compensated on the basis of ten percent (10%) of straight time pay. If the employee is actually called back to work, the off-duty standby premium shall cease at that time. Thereafter, normal overtime rules apply. Standby time at the 10% rate shall be that defined period of off-duty time during which an employee is required by the Department to remain on pager communications or at home in a state of readiness to respond to duty. During training periods, carrying of pager will not be an assigned standby time.

VACATION

ARTICLE 22

Section 22.1 Beginning January 1, 2013, bargaining unit Employees working the 24-hour shift shall accrue vacation at the following rates:

YEARS OF EMPLOYMENT	MONTHLY ACCRUAL HOURS	ANNUAL VACATION HOURS
1st - 2nd year of employment	12	144
3rd - 5th year of employment	14	168
6th - 9th year of employment	17	204
10th - 13th year of employment	21	252
14th - 17th year of employment	22.5	270
18th - 21st year of employment	24.5	294
22nd - 24th year of employment	25.5	306
25th year or more of employment	26	312

Section 22.2 Beginning January 1, 2013, bargaining unit Employees working the 40-hour workweek shall accrue vacation at the following rates:

YEARS OF EMPLOYMENT	MONTHLY ACCRUAL HOURS	ANNUAL VACATION HOURS
1st - 2nd year of employment	11.6	139.2
3rd - 4th year of employment	12	144
5th - 7th year of employment	13.6	163.2
8th - 10th year of employment	14.25	171
11th - 13th year of employment	15	180
14th - 16th year of employment	16.25	195
17th - 19th year of employment	17.6	211.2
20th - 24th year of employment	19	228
25th year or more of employment	19.27	231.2

Section 22.3 Bargaining unit Employees shall accrue vacation leave monthly as outlined above. An Employee shall be eligible to utilize accrued vacation upon successful completion of six months of continuous service. Employees must receive prior approval for all vacation leave.

Section 22.4 Vacation and Holiday time for 24-hour shift personnel shall not be scheduled for less than six hours.

Section 22.5 Employees shall not be allowed to carry over more than 300 hours of vacation leave from December 31st to January 1st of the following year unless specifically authorized by the Fire Chief. Any vacation leave accrued beyond 300 hours on December 31st, will be deducted from the employee's accrued vacation bank. Deducted hours shall be reinstated after a written explanation is submitted to the Fire Chief on or before February 28th, including any reason for exceeding the limit and a plan detailing when the employee shall utilize the available leave down to an allowable level. Upon termination of employment, no

payment for vacation accumulation shall exceed two times the terminated Employee's annual vacation accrual.

Section 22.6 Upon transfer from 24-hour shift to day shift an Employee's vacation time shall be converted by multiplying the vacation accumulation by eight tenths (.8). Upon transfer from day shift to the 24-hour shift an Employee's vacation time shall be converted by multiplying the vacation accumulation by one and twenty-five hundredths (1.25). If an employee is transferred to day shift for a period of four (4) months or less and does not use any accrued vacation leave while on day shift, no conversion shall take place.

Section 22.7 Employees may use vacation leave on an emergency basis to attend to family matters of an emergent nature. The leave will be deducted from an employee's vacation leave account, or holiday account if necessary. If the Employer must replace the Employee utilizing emergency leave with personnel on overtime, the amount deducted from their leave account will be at one and one-half times the hours used.

HOLIDAYS

ARTICLE 23

Section 23.1 All Employees on the 24-hour shift shall receive 120 hours off in lieu of Holidays. Holiday time will be credited to the employee on 1/1 of each calendar year. Employees hired after 1/1 shall accrue Holiday time on a prorated monthly basis. Unless specifically waived in writing by the Fire Chief, no Employee may carry over more than 24 hours from December 31st to January 1st of the following year. Those holiday hours exceeding 24 hours shall automatically be converted at the employee's regular rate of pay during the next payroll period.

Section 23.2 All Employees on the 40-hour workweek shall observe Holidays as provided in the City of Kirkland's Personnel Ordinance. The City Holiday Schedule is as follows:

Holiday	Date to be Observed
New Year's Day	January 1st
M.L. King, Jr. Birthday	3rd Monday of January
President's Day	3rd Monday of February
Memorial Day	Last Monday of May
Independence Day	July 4th
Labor Day	1st Monday of September
Veteran's Day	November 11th
Thanksgiving Day	4th Thursday of November
Day after Thanksgiving Day	4th Friday of November
Half-day Christmas Eve	Last regular work day before Christmas Day
Christmas Day	December 25th
Half-day New Year's Eve	Last regular work day before New Year's Day
One Floating Holiday	Employee's choice
Community Service Day	Employee's choice

Note: Any regular Holiday which falls on a Saturday shall be observed on the preceding Friday. Any regular holiday which falls on a Sunday shall be observed on the following Monday.

Employees covered under Section 23.1 and 23.2 shall receive respectively 10 hours and 8 hours of Community Service Day Leave. Utilization of the Community Service Day shall be for purposes of participation and volunteering for legitimate non-profit organizations, community service organizations, or public agencies. Authorization and scheduling shall be in accordance with the same procedures as a Floating Holiday.

Section 23.3 Employees covered under Section 23.1 may, at their request, receive cash compensation in lieu of holiday hours off. Requests for cash compensation shall be submitted prior to May 31st and November 15th of each year and will be included in their June 23rd and December 8th paychecks. Such request shall be in written form, specify the number of hours being converted (not to exceed 60 hours each request), and once received by administration, shall be non-revocable. Such compensation shall be at the Employee's regular hourly rate.

Section 23.4 Time off shall be scheduled consistent with the guidelines provided in Directive 3.001.

Section 23.5 Bargaining unit members who change work shifts and come under the City Personnel Ordinance for holidays shall have any unearned holiday time removed from their vacation account. Any earned but unused holiday time will be compensated for at the time of transfer. Employees using unearned holiday time prior to termination shall have a like amount deducted from their final paycheck. Accrued holiday time will be prorated at 10 hours per month when going from twenty-four (24) hour shift to forty (40) hour workweek.

MEDICAL AND DENTAL COVERAGE

ARTICLE 24

Section 24.1 Maintenance of Benefits
For the plans listed in Section 24.2 of this article, the City shall pay in accordance with the rates provided by the LEOFF Trust (as outlined in Appendix A), and annually for the term of the collective bargaining agreement. Appendix A also outlines the agreed upon responsibilities and liabilities between the City and the LEOFF Trust regarding the administration of health benefits for Employees. The participation agreement shall be substantially similar for the length of the contract.

Section 24.2 Health Insurance

Medical Insurance – The Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of Employee coverage and one hundred percent (100%) of the premium necessary for the purchase of Trust eligible dependent coverage, through the LEOFF Trust, specifically Plan B (as outlined in Appendix A, sections A1 through A4) or ~~Group Health~~ Kaiser Permanente plan, or its equivalent for each Employee of the bargaining unit.

Dental– The Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of Employee coverage and one hundred percent (100%) of the premium necessary for the purchase of Trust eligible dependent coverage through LEOFF Trust, specifically Plan 3 (as outlined in Appendix A, section A9) for each Employee of the bargaining unit.

Vision Insurance - The LEOFF Trust provides vision coverage to Employees and Trust eligible dependents through the medical plan, therefore it is not necessary for the Employer to pay separate premiums to purchase vision coverage for each Employee of the bargaining unit.

In the event the LEOFF Trust eliminates Plan B or any of the plans listed in this section, the parties will meet to find substantially equivalent benefits in plan design and costs.

Section 24.3 HRA VEBA

The Employer will make contributions as per Appendix A, sections A5 through A7 to an HRA(VEBA) in the amount of $2,000/year for employee only coverage or $3,000/year for family coverage if the Employee enrolls on LEOFF Trust Plan B. If Employee is enrolled on ~~Group Health~~ Kaiser Permanente, the Employer will contribute $600/year into the HRA(VEBA). Contributions to the HRA(VEBA) will be made by the Employer and are subject to the rules and limitations contained within the Internal Revenue Code.

Section 24.4 Flexible Spending Account

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

Contributions to the flexible spending account can be made by the employee as a payroll deduction subject to the rules and limitations contained within the Internal Revenue Code.

Section 24.5
The Employer operates an Employee Health Center as part of the City's self-insured High Deductible Health Plan. Employees covered by this bargaining agreement shall not be eligible to utilize the services provided by the Employee Health Center.

Section 24.6 Retiree Medical – The City shall not sponsor a retiree medical plan. Retiree coverage is offered through the LEOFF Trust. The Employer does not make any contributions to this plan nor does it have any liability for the actions or practices of the Trust.

Section 24.7 Life Insurance – The Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of Employee term life insurance coverage that has a policy value of two (2) times the annual base rate of pay of the Employee, up to a guaranteed issue amount of $250,000. The Employee is responsible for any taxes associated with this benefit.

Section 24.8 In the event an Employee is killed in the course of his/her official duty, the City agrees to continue to provide and pay for existing medical and dental coverage to the surviving dependents for a period of one year or until re-marriage of the surviving spouse occurs, whichever occurs first.

EDUCATION

ARTICLE 25

Section 25.1 The Employer agrees to reimburse Employees for the cost of tuition or registration for approved courses, provided, those courses are taken while the Employee is employed by the City and that the Employee completes the course and maintains a 2.5 grade point average. Reimbursement is limited to State tuition if courses are taken at private colleges or universities.

Section 25.2 Employees shall supply Human Resources, documentation of their intent to attend college courses during the next academic year, including the number of credits they expect to accrue and the projected cost of those credits by June 15th of each calendar year.

Section 25.3 Employees shall be granted time off with pay for the purpose of attending approved educational courses providing that adequate manpower is available. Once time off has been approved, Employees shall be given at least six hours notice if the approved time off is being revoked.

Section 25.4 Approved classes, for the purposes of this Article, shall mean those classes directly related toward achieving credits for a job-related AA or BA Degree from an accredited institution.

Section 25.5 With approval, the Employer agrees to reimburse Employees for the cost of preparatory courses, materials and certification testing for ICC Fire Inspector 1, provided the certification is taken while the Employee is employed by the City of Kirkland and that the Employee completes the testing and obtains the certification.

MUNICIPAL EMPLOYEES BENEFIT TRUST

ARTICLE 26

Effective January 1, 1987, fire department Employees will become members of the Kirkland Municipal Employees Benefit Trust Fund. The initial sign-up for the individuals electing to participate will occur in December 1986 or earlier. Continuing participation in the Fund will be in accordance with the MEBT by-laws and will not be contingent upon future negotiations.

TOBACCO FREE WORK ENVIRONMENT

ARTICLE 27

The City of Kirkland shall provide a Tobacco Free environment for employees of the bargaining unit. Employees in the Bargaining Unit shall not use any tobacco products inside any City of Kirkland facility or on any Fire Department vehicle.

SUBSTANCE ABUSE POLICY

ARTICLE 28

The Employer and the Union agree to abide by the Substance Abuse Policy as signed, agreed and amended as required by the parties on August 23, 2000 or as modified by mutual agreement.

PHYSICAL FITNESS POLICY

ARTICLE 29

The Employer and the Union agree to abide by the Physical Fitness Policy outlined in Kirkland Fire Department Directive 3.016 dated December 6, 2007, or as modified and agreed upon by the Employer and the Union.

TRAINING

ARTICLE 30

Section 30.1 Assignment to the Training Division shall be made by the Fire Chief or his designee from an individual who holds the rank of Battalion Chief and from an individual who holds the rank of Captain, who's not on probation.

Section 30.2 The Chief may assign a Captain and a Battalion Chief to the Training Division on a rotating basis for periods of six months to twenty-four months. In general, it is the intent to rotate the individual through the position at approximately twenty-four month intervals. The time frames may be waived if the Employee and the Fire Chief agree.

Section 30.3 It is the intent that appointments to the Training Division will come first from those who volunteer for the position. After the completion of a 24 month rotation, the incumbent has the option of volunteering for up to an additional 24 months. The rotation shall be filled by the Captain or Battalion Chief who volunteers, that has the most time in grade and has not previously filled the position. If that does not occur, the volunteer with the most time in grade shall fill the position. While assigned to the Training Division, all benefits, seniority, and time in grade considerations will still apply.

30.3.a In the event there are no volunteers, the Fire Chief shall select a Captain or Battalion Chief with the least time in grade who has not previously been assigned at their current rank. If all Captains

or Battalion Chiefs have fulfilled a previous assignment, the Fire Chief shall select the individual who has had the most time since completion of the previous assignment at their current rank.

30.3.b. In the event of an assignment, if a volunteer comes forward prior to the completion of the 24 months, the volunteer shall be allowed to fill the position as long as the assigned has served at least six months and agrees.

Section 30.4 The Captain or Battalion Chief assigned to the Training Division may, at the Fire Chief's discretion, be used to fill in for Company Officers when the Officer is assigned to a training function such as Recruit Academy or special training projects.

Section 30.5 Bargaining unit Employees assigned to the Training Division shall normally be assigned a regular schedule consisting of four consecutive ten-hour days per week. Alternative schedules not exceeding forty hours per week will be allowed with the mutual agreement of the Employer, the affected Employee and the Union. The Employer may change the workweek to a five-day schedule if the Training Division is down to one person for a period expected to exceed one month or if the Employee is assigned to a Recruit Academy.

Section 30.6 Employees assigned, as an instructor at a Recruitment Academy, shall provide a timesheet for all hours worked. Those hours, which exceed a 40-hour workweek, shall be paid in compliance with Article 12.1.

Section 30.7 The City will make every effort to announce any new appointments prior to the selection of annual vacation. In the event a rotation must occur after annual vacation picks, employees who are returning to a 24 hour shift will be allowed to select annual vacation irrespective of time off availability. These employees will have up to thirty days to provide their supervisor with their selections.

FIRE PREVENTION BUREAU

ARTICLE 31

Section 31.1 Fire Inspector's typical assignment of line personnel is 36 months. Alternative assignments of line personnel may be for a period of 24 to 36 months. The alternative length of assignment is to be agreed upon by the City, Affected employee and Local 2545. Assignment shall be made, if possible on a staggered basis. Based upon organizational needs, the City may elect to extend the incumbent assignment for up to 12 additional months; subject to the approval of the City, affected Employee and the Union.

This section shall not affect the Deputy Fire Marshal.

31.1.a To be eligible for assignment to Fire Inspector an individual must be a Kirkland Firefighter Level 4 or greater, or Kirkland Fire Lieutenant and possess the ability to obtain and maintain an ICC Fire Inspector 1 Certificate. Candidate must annually complete the mandated RFTD training.

31.1.b Selection process for Fire Inspector will consist of an adequate sized pool of a minimum of two (2) eligible candidates will participate in the testing process.

31.1.c A combination assessment center and written open book examination weighted as percentages of the total score as follows:

31.1.c.(1) written examination 30%
31.1.c.(2) oral interview 30%
31.1.c.(3) customer dispute resolution 30%
31.1.c.(4) plan review 10%
31.1.c.(5) assessment center evaluators will not be employees of the City of Kirkland or the Regional Fire Training Division
31.1.c.(6) notification of the examination will be per Section 5.4

31.1.d If no adequate sized pool of candidates exists for the position of Fire Inspector, the following will occur;

31.1.d.(1) The position will open to Firefighter 3;
31.1.d.(2) If still no adequate sized pool of candidates exists, the incumbent Fire Inspector will be offered an extension for a period of 12 to 36 months; or an applicant [Pool of one] meeting the minimum qualification, who volunteers, may be assigned to the position.
31.1.d.(3) [Involuntary assignment] If still no adequate sized pool of candidates exists, the appointment of a firefighter meeting minimum qualifications based on least seniority for a period of 24 months may be assigned to the position.
31.1.d.(4) The examination/selection process would be waived for step (2) and (3).

Section 31.2 In the event a Fire Lieutenant is assigned to the Fire Inspector position, a firefighter from the current Fire Lieutenant Eligibility Register may be assigned to fill the temporarily vacant line position, as a temporary assignment to Lieutenant. The City may select from the top three candidates on the register to fill the vacancy. The assignment shall be for up to 12 months. In the event the current register expires prior to the 12 months, another candidate shall be selected from the "new" register for a period of up to 12 months.

31.2.a In the event a Firefighter is selected or assigned to the Fire Inspector position they shall receive pay commensurate with a probationary Lieutenant; 110% of Base Pay; plus the provisions of section 21.11.

Section 31.3 Deputy Fire Marshal: Upon vacancy, the position shall be filled as a Fire Inspector, subject to the provisions provided in Article 31.

Section 31.4 Assistant Fire Marshal: When the staffing level in the Fire prevention Bureau increases above the current staffing level, two Fire inspectors (Inspector/Deputy Fire Marshal), the position of Assistant Fire Marshal shall be established; the Employer agrees to recognize the Union as the exclusive representative on matters concerning wages, hours, and working conditions for the position of Assistant Fire Marshal; and that applicants for the vacancy shall come exclusively from within the bargaining unit.

Assistant Fire Marshal's typical assignment is 48 months, and based upon organizational needs, the City may elect to decrease or extend the incumbent assignment. To be eligible for assignment to Assistant Fire Marshal an individual must possess the ability to obtain and maintain the requirements of the position. Candidate must annually complete the mandated training. Assignment to Assistant Fire

Marshal shall not preclude an employee from other promotional opportunities but shall be subject to the provisions under Article 5 (Promotions and Vacancies).

31.4.a The Assistant Fire Marshal shall hold the rank of Captain; and the title and duties of Assistant Fire Marshal; and shall be subject to the provisions in Articles 12.2.e (excluding regular assigned days unless approved by their direct supervisor), 21.3, 21.10, and 21.11.

31.4.b Selection process: The Fire Chief shall first select from those applicants who currently hold the position of Captain.

31.4.b.1 If there are no applicants, the Fire Chief shall declare a Captain vacancy exists in the position of Assistant Fire Marshal; and shall promote from the current Fire Captain Eligibility Register to the position of Assistant Fire Marshal; and shall be subject to the provisions within Article (5.1b,) (5.2c,) and (5.3,). If there are no applicants from the current Fire Captain Eligibility Register modifications to the promotional requirements may be made upon mutual agreement between the Union and the City.

Section 31.5 Fire Marshal: Upon vacancy of the current Fire Marshal incumbent, the Employer agrees to recognize the Union as the exclusive representative on matters concerning wages, hours, and working conditions for the position of Fire Marshal; and that applicants for the vacancy shall come exclusively from within the bargaining unit.

Fire Marshal's typical assignment is 60 months, and based upon organizational needs, the City may elect to decrease or extend the incumbent assignment. To be eligible for assignment to Fire Marshal an individual must possess the ability to obtain and maintain the requirements of the position. Candidate must annually complete the mandated training. Assignment to Fire Marshal shall not preclude an employee from other promotional opportunities.

31.5.a The Fire Marshal shall hold the rank of Battalion Chief; and the title and duties of Fire Marshal; and shall be subject to the provisions in Articles 12.2.e (excluding regular assigned days unless approved by their direct supervisor), 21.4, 21.10, and 21.11.

31.5.b.1 Selection process: The Fire Chief shall first select from those applicants who currently hold the position of Battalion Chief.

31.5.b.2 If there are no applicants, the Fire Chief shall declare a Battalion Chief vacancy exists in the position of Fire Marshal; and shall promote from the current Battalion Chief Eligibility Register to the position of Fire Marshal; and shall be subject to the provisions within Article (5.1c,) (5.2c,) and (5.3,). If there are no applicants from the current Battalion Chief Eligibility Register modifications to the promotional requirements may be made upon mutual agreement between the Union and the City.

Section 31.6 Bargaining unit Employees assigned to the Fire Prevention Bureau shall normally be assigned a regular schedule consisting of four consecutive ten-hour days per week. Alternative schedules not exceeding forty hours per week will be allowed with the mutual agreement of the Employer, the affected Employee and the Union.

FIREFIGHTER PARAMEDIC

ARTICLE 32

Section 32.1 Kirkland IAFF members are eligible to apply for Paramedic positions within the City of Redmond. If selected, they will remain employees of the City of Kirkland during Paramedic school and during that time will retain their current wage and benefits.

Section 32.2 After completion of Paramedic school, the employee will be required to leave employment with the City of Kirkland, and become an employee with the City of Redmond. Upon completion of the Paramedic certification, the employee will have a six month period in which the employee has return rights. If the City of Redmond determines that the employee is not meeting the requirements of a Paramedic they shall either 1) become a Redmond Firefighter (no probation) or 2) be allowed to return to the City of Kirkland in their former position provided that they have not been terminated from employment from the City of Redmond for just cause. The employee will return to the City of Kirkland with all seniority and steps as if they had never left. Once Paramedic certification is completed and the employee has six months time as a Paramedic, the option to return to Kirkland is no longer available. Should an employee exercise the return rights under this Section, the least senior newly hired employee who is displaced by the return would have the rights prescribed under Article 7.2.

EMERGENCY MEDICAL SERVICES OFFICER

ARTICLE 33

Section 33.1: Emergency Medical Services (EMS) Officer: The position of EMS Officer shall hold the rank of Fire Captain; the Employer agrees to recognize the Union as the exclusive representative on matters concerning wages, hours, and working conditions for the position; and that applicants for the vacancy shall come exclusively from within the bargaining unit.

Section 33.2: Volunteer applicants for the assignment to EMS Officer will commit to fulfilling the position for a minimum period of 36 months prior to reassignment; and remain in assignment until an alternative Captain vacancy exists; however, assignment to EMS Officer shall not preclude an employee from other promotional opportunities but shall be subject to the provisions under Article 5 (Promotions and Vacancies). Based upon organizational needs, the City may elect to extend the incumbent assignment.

To be eligible for assignment to EMS Officer an individual must possess the ability to obtain and maintain the requirements of the position of Fire Captain. Candidate must annually complete the mandated training.

33.2.a The EMS Officer shall hold the rank of Captain; and the title and duties of EMS Officer; and shall be subject to the provisions in Articles 12.2.e (excluding regular assigned days unless approved by their direct supervisor), 21.3, 21.10, and 21.11.

33.2.b.i Selection process: [Step 1] The Fire Chief shall first select from those volunteer applicants who currently hold the position of Captain.

33.2.b.ii [Step 2] If a minimum pool of two (2) eligible candidates does not exist, the Fire Chief may elect to consider applicants from the current Fire Captain Eligibility Register to the position of EMS Officer; which shall be subject to the provisions within Article (5.1b,) (5.2c,) and (5.3,).

If there are no applicants from the current Fire Captain Eligibility Register, modifications to the promotional requirements may be made upon mutual agreement between the Union and the City.

Section 33.3: Bargaining unit Employees assigned to EMS Officer shall normally be assigned a regular schedule consisting of four, ten-hour days per week. Alternative schedules not exceeding forty hours per week will be allowed with the mutual agreement of the Employer, the affected Employee and the Union.

EMERGENCY MEDICAL TRANSPORT

ARTICLE 34

Section 34.1: Emergency Medical Transport: The Employer and the Union recognize the IAFF as the exclusive bargaining representative for Emergency Medical Transport; and this change in work is a mandatory subject of bargaining; and agree to maintain a primary emphasis of patient care and delivery of emergency medical services.

Section 34.2: The Department shall develop and maintain a Fee for Transport policy; recognizing current emergency medical practices. The Emergency Medical Transport Program shall have no direct impact to the delivery of patient care or the interaction between the responder and the patient.

34.2a: Kirkland Fire Department Administration shall be responsible for the direct collection of any necessary documentation, electronic data entry and fee collections; responders shall not collect fees or additional billing information other than typical personal patient information in written and electronic format and attempt to obtain a signature on the transport-authorization form.

34.2b: Patient care shall continue to be paramount and at the full discretion of the responding officer, taking into consideration currently established best practices and EMS guidelines. A patient's ability to pay or refusal to sign a transport agreement shall not limit the responder's discretion to transport or provide care.

34.2c: The responder shall maintain the discretion to utilize private transport agencies when determined to be medically necessary, situationally appropriate, by patient request, or determined to be the best utilization of resources.

PERFORMANCE OF DUTY

ARTICLE 35

Section 35.1 The Employer and the Union shall work together to meet the proficiency requirements of the department; to provide the public with efficient and courteous service and to encourage good attendance of Employees on regular duty.

Section 35.2 Evaluations

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

Evaluation may occur in two forms:

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

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

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

Evaluation shall not, by itself, constitute disciplinary action – disciplinary action must be specifically identified as such, in writing, consistent with Section 33.3.

Employees will be given a copy of the evaluation. Employees will be required to sign the evaluation, acknowledging its receipt. Employees may elect to provide a written response to the evaluation, which will be retained with the evaluation in the employee's personnel file.

Section 35.3 Discipline / Corrective Action

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

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

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

- demotion; or
- discharge.

The intent of progressive discipline is to assist the employee with performance improvement or to correct misconduct. Both the sequencing and the steps of progressive discipline are determined on a case-by-case basis, given the nature of the problem and may result in more progressive discipline for cause.

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

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

The Employer will notify the Union in writing within three (3) working days after any notice of written warning, suspension, demotion, or discharge. The failure to provide such notice shall not affect such discharge but will extend the period within which the affected employee may file a grievance. All communication surrounding this action is to be treated as confidential and sensitive.

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

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

The Employer shall endeavor to correct employee errors or misjudgments in private, with appropriate Union representation if requested by the employee.

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

35.3.a That the Employer did forewarn employee of possible consequences of conduct;

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

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

35.3.d That the Employer conducted its investigation objectively;

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

35.3.f That the Employer applied its rules, orders, and penalties without discrimination under the circumstances; and

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

In order to promote a climate of labor relations that will aid in achieving and maintaining a high level of performance within the department, the Union and the Employees it represents agree that there shall be no strikes or refusals to perform official duties. Any impasse resulting from the terms set forth in this contract will be resolved in mediation or binding arbitration in accordance with Washington State Collective Bargaining Act Laws.

Section 35.4 Vehicle Electronic Mobile Data Device
Subject to the City's requirements under law, the City agrees that it will not review and use electronic mobile data (e.g. Black Box, MDC, AVL) with the intent of generating any complaints against a Kirkland Fire employee. Electronic mobile data may be used as evidence to prove or disprove allegations of misconduct that is reasonably likely to result in discipline made against a Kirkland Fire employee. Absent evidence of misconduct that is reasonably likely to result in discipline, electronic mobile data shall not be used to monitor or evaluate a Kirkland Fire member's performance. Electronic mobile data shall remain confidential between the Employer and the Employee; and shall not be disseminated subject to the City's requirements under law.

MEETINGS AND COMMITTEES

ARTICLE 36

Section 36.1 There shall be regular Labor and Management meetings between the Executive Board of the Union and the Administration of the Fire/Building Department. The purpose of these meetings is to discuss all matters referring to the labor agreement. Department Labor and Management meetings shall occur at least on a quarterly basis. Both parties shall have the authority to make non-binding recommendations to the Union and the City. No additional compensation or overtime shall be paid for attendance at the Labor and Management Meeting.

Section 36.2 Biannual (April and October) Executive Labor Management meetings will be held or as needed upon request by either party, and include City Management and the Local. This will be for the purpose of discussing matters of concern and maintaining the relationship between management and the Local.

Section 36.3 Local 2545 will participate with the City on a joint committee that will collaboratively work with the other City Bargaining Units to develop Citywide policies that may potentially impact wages, hours, and working conditions.

LIABILITY COVERAGE

ARTICLE 37

The City shall provide legal representation to an employee who is sued, where such litigation results from any alleged error or omission of such employee performed or omitted by the employee on behalf of the City in his or her capacity as an employee within the scope of his or her employment with the City.

The City shall provide insurance coverage under its self-insurance program, or any policy or policies obtained by the City in place thereof, indemnifying the employee for loss if the employee becomes legally obligated to pay for damages which result from errors or omissions of the employee performed or omitted by the employee on behalf of the City in his or her capacity as an employee and within the scope of his/her employment with the City.

The obligations of the City under this Article shall not apply to any dishonest, fraudulent, criminal, or malicious act of any employee. As express conditions of the City's obligations under this Article, the employee shall cooperate fully with the City in the defense of any such claim or suit, and the City shall have the sole and exclusive right to compromise, settle, dispose of or litigate any such claim, and shall have no obligation under this Article to pay the amount of any settlement, compromise, or judgment entered into or allowed by the employee without the City's prior written consent.

ENTIRE AGREEMENT

ARTICLE 38

Section 38.1 The agreement expressed here, in writing, constitutes the entire Agreement between the parties and no oral statement shall add to or supersede any of its provisions.

Section 38.2 The parties acknowledge that each has had the unlimited right and opportunity to make demands and proposals with respect to any matter deemed a proper subject for collective bargaining. The results of the exercise of that right are set forth in this Agreement.

TERMS OF AGREEMENT

ARTICLE 39

The terms of this Agreement shall be in full force and effect on ~~January 1, 2015~~ January 1, 2018, and except as otherwise provided herein, this Agreement shall remain in full force and effect through ~~December 31, 2017~~ December 31, 2020. Within 30 days, all current employees at time of signing shall receive retroactive compensation of all back wages and benefit increases effective January 1, 2015 to present.

Signed this _____ day of _____, 20~~16~~17

City of Kirkland, Washington

by _____
Kurt Triplett, City Manager

International Association
of Firefighters, Local #2545

_____
Bryan Vadney, IAFF President

APPROVED AS TO FORM:

_____
William Evans, Assistant City Attorney

Date _____

Appendix "A"
to the
Agreement
by and between
City of Kirkland
and
The IAFF

Medical and Dental Coverage

This Appendix is supplemental to the AGREEMENT by and between the CITY OF KIRKLAND, WASHINGTON, hereinafter referred to as the "Employer", and the IAFF.

A1. LEOFF Health and Wellness Trust Plan B (High Deductible Plan)

LEOFF Health and Wellness Trust Plan B	
	~~In Network~~
~~Deductible~~	~~$1,500 Indiv; $3,000 Family~~
~~Coinsurance (after Ded)~~	~~Plan pays 80%; Member pays 20%~~
~~Total OOP Maximum~~	~~$2,000 per person; $4,000 per family~~
~~Physician Office Visit~~	~~$20 copay~~
~~Professional X-ray/ Lab~~	~~Covered in Full~~
~~Preventive Care~~	~~Covered in Full~~
~~Hospital Inpatient~~	~~Ded then 20%~~
~~Emergency Room~~	~~$100 copay per visit then 20% after Ded~~
~~Acupuncture~~	~~$20 copay (24 visits PCY)~~
~~Ambulance~~	~~Ded then 20%~~
~~Chemical Dependency and Mental Health~~	~~Inpatient - Ded then 20% Outpatient - $20 copay~~
~~Chiropractic Care~~	~~$20 copay 24 visits PCY~~
~~Home Health~~	~~Ded then 20% Limited to 130 visits PCY~~
~~Hospice~~	~~Ded then 20% Limited to 6 months lifetime max.~~
~~Naturopathy~~	~~$20 copay~~
~~Inpatient Rehab & Cardiac Rehab~~	~~Ded then 20% up to 30 days PCY.~~
~~Oupatient Physical, Speech, & Occupational Therapy, & Cardiac Rehab Care and Massage Therapy~~	~~Office Setting - $20 copay Limited to a maximum of 60 visits PCY;~~
~~Skilled Nursing Facility~~	~~Ded then 20% Limited to 60 days PCY~~
~~**Prescription Drugs**~~	
~~Ded/Max OOP~~	~~None~~
~~Retail 30-Day Supply~~	~~$5/$25/$50~~
~~Mail Order 90-Day Supply~~	~~$10/$50/$100~~
~~**Vision**~~	
~~Exam~~	~~one exam PCY Covered in Full~~
~~Hardware~~	~~Covered at 100% up to $300 PCY~~

A2. The LEOFF Plan B will be implemented on January 1, 2017, or as soon thereafter as part of the transition to LEOFF Trust.

A3. An employee and spouse/domestic partner who are both employed by the City cannot enroll in separate family plans.

A4. An employee that elects to waive their medical coverage with the City will receive $100/month that will be added to their paycheck. An employee is eligible for the waiver if and only if their spouse/domestic partner is not an employee of the City, and they have provided the City with proof of other coverage.

Health Reimbursement Account – HRA (VEBA)

A5. In calendar year 2017, employees who enroll in the LEOFF Plan B or the City's ~~Group Health~~ Kaiser Permanente HMO plan, will have contributions deposited into the HRA (VEBA) concurrent with the second payroll in January and the second payroll in July through the duration of the contract. Employees who leave employment prior to July 1st are not eligible for the second contribution.

A6. HRA (VEBA) contributions will be made bi-annually, in the amounts of $1,000 for individuals or $1,500 for families. The total annual contribution that will be made is $2,000 for individuals or $3,000 for family. For purposes of HRA (VEBA) administration "family" is defined as employee plus one or more individual.

A7. Any employee hired after January 1st who enrolls in the LEOFF Plan B will receive prorated contribution amounts based on the quarter in which the employee is eligible for benefits. The contribution will be deposited concurrent with the second payroll of the month in which their benefits become effective.

Hire Date	Individual Coverage	Family Coverage
January 1st – March 31st	$1,000	$1,500
April 1st – June 30th	$500	$750
July 1st – September 30th	$1,000	$1,500
October 1st – December 31st	$500	$750

A8. Any employee enrolled in the LEOFF Plan B that experiences a status change after January 1st, will receive prorated contribution amounts based on the quarter in which the status change occurs. The contribution will be deposited concurrent with the second payroll of the month following the month in which the status change occurs.

Date of Status Change	
January 1st – March 31st	$500
April 1st – June 30th	$250
July 1st – September 30th	$500
October 1st – December 31st	$250

~~Dental~~

A9. Law Enforcement Officers and Firefighters Health and Welfare Trust–Dental Plan 3

~~DENTAL PLAN~~	~~DENTAL PLAN 3 - $25-75/0-0-50/$2500~~
~~COVERED SERVICES~~	
~~Individual/Family Deductible PCY~~	~~$25 PCY / $75 PCY~~
~~Diagnostic/Preventive~~ ~~-cleanings (limited to 2 PCY)~~ ~~-emergency exams (unlimited)~~ ~~-fluoride treatments (limited to 2 applications PCY for members under age 20)~~ ~~-routine oral exams (limited to 2 PCY)~~ ~~-routine x-rays (complete series or panoramic x-ray once per 36 consecutive months)~~ ~~-sealants (limited to permanent teeth for members under age 19)~~ ~~-space maintainers (for members under age 20)~~	~~Covered in Full~~
~~Basic~~ ~~-emergency palliative treatment~~ ~~-endodontic (root canal) treatment (limited to 2 per arch when performed in conjunction with overdentures)~~ ~~-fillings (limited to once per tooth surface every 24 consecutive months)~~ ~~-full mouth debridement~~ ~~-general anesthesia (limited to covered dental procedures at a dental care provider's office when dentally necessary)~~	~~Deductible, then Covered in Full~~

- oral surgery (including simple and surgical extractions) - periodontal maintenance (limited to 4 visits per calendar year) - periodontal scaling (limited to 2 every 12 consecutive months) - periodontal surgery - repair & re-cementing of crowns, inlays, bridgework & dentures	- Deductible, then Covered in Full
Major	
- implants, dentures, partial & fixed bridges (replacements limited to once every 5 calendar years) - inlays, onlays & crowns (replacements limited to once per tooth every 5 years)	Deductible, then 50%
Annual Maximum	$2,500 PCY applies to basic and major services

*Annual deductible waived for Diagnostic/Preventive services

AGREEMENT BETWEEN

the

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL #2545

and the

CITY OF KIRKLAND

January 1, 2018 - December 31, 2020

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PREAMBLE

This Agreement is made by and between the International Association of Firefighters Local No. 2545, hereinafter referred to as the "Union", and the City of Kirkland, a municipal corporation of the State of Washington, hereinafter referred to as the "Employer".

PURPOSE

The purpose of the Employer and the Union in entering into this Agreement is to set forth their complete Agreement with regard to wages, hours, and working conditions for the Employees in the bargaining unit so as to promote the efficiency and effectiveness of fire prevention; medical aid services and fire suppression; public safety; and harmonious relations between the Employer and its Employees; giving recognition to the rights and responsibilities of the Employer, the Union, and the Employees.

DEFINITIONS

ARTICLE 1

As used herein, the following terms are defined as follows:

1.1 Bargaining Unit shall mean all Employees in the Kirkland Fire/Building Department in the classifications of Firefighter, Deputy Fire Marshal, Fire Inspector, Fire Lieutenant, Fire Captain, and Battalion Chief.

1.2 Base Pay shall mean Firefighter 5 pay grade as set forth in the Salaries Article of this Agreement.

1.3 City shall mean the City of Kirkland.

1.4 Department shall mean the Kirkland Fire/Building Department.

1.5 Deputy Fire Marshal shall mean any incumbent as of March 16, 2001 that serves as a full time Deputy Fire Marshal for the City of Kirkland. The Deputy Fire Marshal will assume seniority as defined in Article 1.

1.6 Employee shall mean an individual who meets the following criteria:

- 1.6.a Employed full time by the City of Kirkland.
- 1.6.b Covered by RCW 41.26 (LEOFF Pension System).
- 1.6.c Employed in a Bargaining Unit position defined in this Agreement.

1.7 Employer shall mean the City of Kirkland.

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

1.9 Monthly Salary shall mean the monthly rate of pay so identified and set forth in the Salaries Article 21 of this Agreement.

1.10 Line Personnel shall mean regular full time Employees primarily responsible for fire suppression, medical aid, fire inspections and other related duties.

1.11 Overtime shall mean the time worked in excess of normally scheduled hours of duty.

1.12 Seniority shall mean length of continuous service with the Kirkland Fire/Building Department in a represented Bargaining Unit position.

1.13 Shift shall mean each workday served regardless of length of time the workday may be.

1.14 Time in grade shall mean length of continuous service with the Kirkland Fire / Building Department at their current rank.

1.15 Union shall mean the International Association of Firefighters Union, Local #2545.

1.16 Vacation shall mean a granted period of time off duty earned by members of the bargaining unit during which time they shall continue to receive their basic rate of pay.

UNION RECOGNITION

ARTICLE 2

The Employer agrees to recognize the Union as the exclusive representative on matters concerning wages, hours, and working conditions for all Employees in the bargaining unit.

UNION ACTIVITIES

ARTICLE 3

Section 3.1 The Employer shall make available to the Union 288 hours of paid leave per annum (1/1 – 12/31) for the purpose of allowing elected Union officials, or substitutes appointed by the Union participation in collective bargaining, grievance handling and permissive activities, limited to the following five conferences listed below:.

1. Redmond symposium/ IAFF bi-annual conference
2. IAFF ALTS/HR
3. WSCFF annual (June conference)
4. WSCFF Spring Seminar
5. Fire Ops. 101

3.1.a Notification from the Union President to the Fire Chief not less than seven calendar days in advance when leave will be used.

3.1b No more than 72 hours of union leave shall be covered at the overtime rate of pay.

The Employer retains the right to restrict such leave when an emergency exists or such leave would create a danger to public safety.

Section 3.2 The Employer will grant an Employee, who is a Union representative, reasonable time off with pay for the purpose of attending monthly management meetings, provided such release does not result in the necessity to replace the Employee requesting time off with personnel in compensated status.

Section 3.3 Upon written authorization from an Employee within the bargaining unit, the Employer shall deduct from the wages of that Employee the sum certified as assessments and monthly dues of the Union and shall thereafter forward such sum to the Union during the pay period specified by the Union. Should any Employee not have any monies due him or the amount of such monies is not sufficient to satisfy the assessments, no deduction shall be made for that Employee for that month. The Union shall indemnify, defend, and hold the Employer harmless against any claims made and against any suit instituted against the Employer on account of any check-off of dues for the Union. The Union shall refund to the Employer any amounts paid to it in error on account of the check-off provision upon presentation of proper evidence thereof.

Section 3.4 The Employer agrees to furnish and maintain suitable bulletin boards in convenient places in each station manned by Union firefighters to be used by the Union. The Union shall limit its posting of notices and bulletins to such bulletin boards.

UNION SECURITY

ARTICLE 4

The Employer and the Union recognize the right of all Employees covered hereunder to become and remain members of the Union in good standing, and the Union accepts its responsibility to fairly represent all Employees in the bargaining unit, regardless of membership status.

PROMOTIONS AND VACANCIES

ARTICLE 5

Section 5.1 The following are the requirements to be eligible for promotions within the bargaining unit:

5.1.a To be eligible for promotion to Fire Lieutenant an individual must have completed one year as a Firefighter 5. In addition, an individual shall have and maintain a valid EMT-D certification and shall have earned 60 credit hours from an accredited college towards an associates or bachelors degree.

5.1.b To be eligible for promotion to Fire Captain an individual must have completed one-year full time and currently hold the position of Fire Lieutenant with the Kirkland Fire Department. In addition,

an individual shall have and maintain a valid EMT-D certification and shall have earned 90 credit hours from an accredited college towards an associates or bachelors degree.

5.1.c To be eligible for promotion to Battalion Chief an individual must have completed two years full time and currently hold the position of Fire Captain with the Kirkland Fire Department and shall have earned a minimum of an associates degree from an accredited College or University or have time in service and an equivalent combination of education and experience which provides the necessary skills, knowledge, and ability to successfully perform the duties of the position.

5.1.d To be eligible to take the promotional exams for Lieutenant, Captain and Battalion Chief an individual must meet the above requirements or reasonably be able to satisfy them prior to the expected expiration of the promotional register to be created from the exams. Individuals who pass a promotional exam prior to meeting the requirements for promotion shall have the word "ineligible" listed next to their name on the register until such time as they provide the Fire Chief documentation that they meet all the requirements.

5.1.e Candidates for promotional vacancies within the bargaining unit shall come from an adequately sized pool of eligible candidates from the bargaining unit. An "adequately sized pool" shall be defined as two candidates who meet the qualifications outlined in Sections 5.1.a., 5.1.b., 5.1.c. If an adequately sized pool does not exist, the Employer may adjust the educational requirements outlined in Sections 5.1.a., 5.1.b., 5.1.c. in order to create a pool from within the bargaining unit.

Section 5.2 Promotional exams shall consist of the following:

5.2.a Lieutenant exams shall consist of a professionally prepared, Fire Lieutenant, written exam that will be weighted 40% of the final score. The other 60% shall be divided to include 30% for a tactical exercise and 15% each for two additional "assessment center" type exercises. The two additional exercises shall be selected by the Employer from the following list and shall be administered by a qualified consultant:

- 5.2.a.(1) Prepare and present training class or other presentation.
- 5.2.a.(2) Role play of potential situations.
- 5.2.a.(3) Visual Resume.

The minimum passing score for the tactical exercise is 70% and the overall composite score for the testing process shall be at least 70% to be placed on the promotional register.

5.2.b Fire Captain and Battalion Chief exams shall consist of an assessment center process provided by a qualified consultant. The assessment center score shall make up 100% of the final score. The minimum composite passing score will be 70%.

5.2.c After receiving a minimum composite score of 70%, at time of certification the candidate shall be awarded a ¼ point to his/her score for each complete year of service after 10 years with the Kirkland Fire Department. The ¼ point service credit is intended for the sole purpose of advancing the placement and consideration of the more senior candidates' position on the eligibility list and is not intended to limit the Fire Chief from considering a candidate's previous years of service and experience when exercising the discretions provided in section 5.3 (rule of three).

5.2.d Psychological testing or evaluation methods may be used in the selection process upon mutual agreement between the Union and the City.

5.2.e No Kirkland Fire Department Employee or Regional Fire Training Division Employee will grade or score the exam. However, nothing in this section shall be construed as to limit the Fire Chief or his designee's ability to evaluate or review the results of examinations or conduct interviews

to make promotional decisions. In addition, this section shall not be construed as limiting any powers given to the appointing authority by Civil Service Rules and Regulations.

5.2.f Candidates not present at the appointed time for testing shall fail that portion of the test.

5.2.g After completion of the examination process, candidates shall receive their individual scores, once the civil service appeals process window has lapsed. However, until certified by the Civil Service Commission, those scores may be subject to change.

Section 5.3 Selection of candidates to be appointed to a promotional position within the bargaining unit shall be from a register created from the testing process. The City may select from the top three eligible names on the register to fill each vacancy. In the event a leading candidate is bypassed, the determining factors for the bypass will be provided, in writing, to the candidate. If less than three eligible names remain on a certified register at the time of appointment, the City shall have the authority to invalidate the register and complete another examination process.

Section 5.4 The Employer shall post notices at all stations sixty days prior to any promotional exam the position(s) to be filled and the date(s) of the exam. The Employer agrees to post a reading list for the exam(s), if any are available, as soon as it is received from the testing company.

Section 5.5 Promotional tests for Lieutenant and Captain shall be conducted on alternating years. Promotional lists duration for Battalion Chief shall be governed by applicable Civil Service Rules.

5.5.a The Fire Lieutenants test shall be conducted during the second week of May on alternating years. Once certified, the list shall be valid until a replacement list has been certified, unless invalidated under Section 5.3.

5.5.b The Fire Captains test shall be conducted during the second week of November on alternating years. Once certified, the list shall be valid until a replacement list has been certified, unless invalidated under section 5.3.

5.5.c Alternative test dates may be scheduled if agreed upon by the Employer and the Union.

Section 5.6 When the Employer declares that a vacancy exists, every reasonable effort will be made to fill it as soon as possible. The Employer and the Union agree to follow current Kirkland Civil Service rules and regulations regarding provisional and temporary appointments.

Section 5.7 Advancement through the five Firefighter steps shall be governed by the following:

Firefighter 1 Date of hire to 12 months of successful employment (probationary).

Firefighter 2 Completion of 12 months continuous employment.

Firefighter 3 Completion of 24 month's continuous employment, have and maintain EMT-D certification.

Firefighter 4 Completion of 36 month's continuous employment, have and maintain EMT-D certification.

Firefighter 5 Completion of 48 month's continuous employment, have and maintain EMT-D certification.

Section 5.8 In the unlikely event that an employee's WA State EMT-D certification is suspended or revoked, the City and the Union agree to meet and confer in effort to bargain the impacts on a case-by-case basis.

SAVINGS CLAUSE

ARTICLE 6

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

LAYOFF AND RECALL

ARTICLE 7

Section 7.1 Layoff – In the event of a reduction in force, the Employee(s) with the least seniority shall be laid off first. Should the reduction in force necessitate any reduction in rank for remaining personnel, the last officer(s) promoted in the rank(s) affected shall be the first to be reduced. Reduction in rank will be based on time in grade (classification).

Section 7.2 Recall – In the event of a recall, the last Employee laid off shall be the first Employee recalled. No new Employee shall be hired until all laid off Employees have been given an opportunity to return to work. This obligation shall expire 36 months after such layoff, or after such time as the Employer is unable to contact the Employee being recalled on each of 21 consecutive calendar days, whichever occurs first. Recall to employment shall, at the discretion of the Employer, be subject to the recalled Employee successfully completing a physical examination. Such examination shall be scheduled by and at the expense of the Employer.

Section 7.3 The Employer shall give notice two weeks in advance to any Employee before layoff or shall pay all wages and benefits allowed in this contract for a two week period following notification. Upon passage of a physical examination, the Employer shall allow the recalled Employee to give two weeks notice to their current employer before reporting to duty. The Employee on layoff status shall keep the Employer notified of the address, telephone number, and hours at which he/she can be contacted. Prior to attempting to contact an Employee to be recalled, the Employer will notify the Union.

Section 7.4 Employees recalled from layoff status shall return to the classification they were in prior to layoff. (For purposes of seniority, all continuous service time immediately preceding the layoff will be considered). Any officers reduced in rank due to reduction in force shall be reinstated to the same position, without further testing, when the first vacancies exist.

MANAGEMENT RIGHTS

ARTICLE 8

It is recognized that, except as limited and controlled by the terms of this Agreement, the Employer shall retain the right and authority to operate and direct the affairs of the Employer. Employer shall operate and direct various aspects, including, but not limited to, the right to direct the working forces; to control the Fire Department budget; to plan, direct, and control all the operations and services of the Employer; to determine the methods, means, organization, and number of personnel by which such operations and services are to be conducted. The Employer shall assign and transfer Employees; determine whether goods and services should be made or purchased; recruit, hire, and promote Employees; relieve Employees due to lack of work or other legitimate reasons; demote, suspend, discipline, or discharge Employees for just cause; to make, modify, and enforce reasonable rules and regulations; and to change or eliminate existing methods, equipment, facilities, or levels of service.

The Employer agrees that a continuing duty to bargain exists as to changes in wages, hours, and working conditions as may be required by RCW Chapter 41.56.

RETENTION OF BENEFITS

ARTICLE 9

All uniformly administered rights, benefits, and privileges relating to wages, hours, and working conditions as defined by the Public Employment Relations Commission shall remain in full force during the term of the Agreement.

The Union agrees that a continuing duty to bargain exists regarding changes in wages, hours, and working conditions as defined within RCW 41.56.

GRIEVANCE HANDLING AND DISPUTE RESOLUTION PROCEDURE

ARTICLE 10

In order to address differences in interpretation, application, or violation of any specific terms of the provisions of this contract or an established practice involving wages, hours, and working conditions or to reach a mutual understanding of the intent of such or other dispute, the parties are encouraged to promptly meet and confer to create a resolve, prior to the filing of a grievance if necessary. The timelines for filing a grievance shall become effective at the completion of the meeting(s) between the parties.

Section 10.1 Definitions

A "Grievance" shall be defined as a claim or dispute raised relating to the interpretation, application, or violation of any specific terms or application of the provisions of this contract. All such claims or disputes shall be processed according to the provisions as set forth herein.

A "business day" as defined in Article 10 is defined as Monday through Friday, excluding recognized holidays.

Section 10.2 The Union shall have full access to the grievance procedure on behalf of itself and/or the employees it represents and may introduce a grievance at any step at or above the Deputy Chief. Employees filing a grievance agree to submit in writing a copy of all relevant facts involving the alleged grievance to the Union Executive Board prior to Step I. Upon receiving the written petition, a Union representative shall meet with the Employee and recommend a course of action. If the Union wishes to pursue the grievance, the Union will proceed within the applicable timelines to the next appropriate step.

Section 10.3 A grievance filed by the Union that could be handled either through the contract or through a complaint filed with the Kirkland Civil Service Commission must select the method on how to pursue the complaint. Once this "election of remedies" has been chosen the Union acting on the Employee's behalf, has instituted the first step in the chosen process, the outcome of that process shall be binding and the Employee or the Union shall not be allowed to pursue the other course. This section shall not apply if jurisdiction over the issue is denied by the Civil Service Commission and the definition of a grievance as specified in Section 10.1 is applicable.

Section 10.4 Step I. The Union may present a grievance to the Deputy Chief within 40 business days of when the Union became aware or reasonably should have been aware of its alleged occurrence. The written grievance must state the issue, contractual Article, city/department policy or established practice and cite facts giving rise to the grievance, and remedy sought. The Deputy Chief will attempt to resolve the matter and provide a written response to the Union within 15 business days. If the Union is not satisfied with the solution, then the Union has 15 business days to advance the grievance to Step II by re-submitting the grievance to the Chief or his/her designee in writing.

Section 10.5 Step II. Upon receipt of the written grievance, the Fire Chief will attempt to resolve the matter and provide a written response to the Union within 15 business days. If the Union is not satisfied with the solution, then the Union has 15 business days to advance the grievance to Step III by re-submitting the grievance to the City Manager or his/her designee in writing.

Section 10.6 Step III. Upon receipt of the written grievance The City Manager or his/her designee will attempt to resolve the matter and provide a written response to the Union within 15 business days.

Section 10.9 If the grievance is not resolved by the City Manager or his/her designee to the satisfaction of the Union, the grievance may, within 15 business days of the receipt of the response from the City Manager or his/her designee, be referred for arbitration, to an arbitrator from a list of seven (7) currently active arbitrators from the Federal Mediation and Conciliation Service (FMCS) plus: Gary Axon, Alan Krebs, Eric Lindauer, Howell L. Lankford or additional arbitrators may be added if mutually agreed upon by the City and the Union. If any of the named arbitrators become unavailable, the parties agree to name mutually agreeable replacements ensuring an odd number not to exceed 11. The arbitrator will be selected by allowing the City and the Union to alternately delete one name at a time from the list until only one name remains. The party to start the deletion process will be decided by coin flip. It shall be the function of the Arbitrator to hold a hearing at which the parties may submit their cases concerning the grievance. The Arbitrator shall render his decision based on the interpretation and application of the provisions of this Agreement. The decision shall be final and binding upon the parties to the grievance provided the decision does not involve action by the Employer, which is beyond its jurisdiction. Each party shall be completely responsible for all costs of preparing and presenting its own case, including compensating its own representatives and witnesses; provided however, the Union does not thereby waive any rights provided under RCW 49.48.030. If either party desires a record of the proceedings, it shall solely bear the costs of producing such a record.

Section 10.10 Third Party Dispute Mediation

10.10.a Any grievance or work related dispute between two or more parties may be referred to voluntary third party mediation. With the mutual agreement of all the parties to the dispute, the City will provide access to mediation services through the King County Workplace Mediation or similar program.

10.10.b Voluntary mediation may be sought at any step in the grievance process provided that all parties to the grievance agree. When all parties have mutually agreed in writing to mediation, all grievance timeframes will be held in abeyance until the completion of the mediation process. Mediation shall be deemed "completed" when the mediator notifies the parties that no further mediation will take place. At the completion of the mediation process, all timeframes previously in effect will resume.

HOURS OF DUTY

ARTICLE 11

Section 11.1 Workweek:

11.1.a The workweek for bargaining unit line personnel shall be no more than 48.0 hours per week on an average annual basis. This shall be accomplished by providing two Kelly shifts off after every six scheduled sets, prescheduled on an annual basis; the first months Kelly shifts shall be selected beginning with the employee with the greatest seniority. Once established, any action or changes to shift seniority configuration shall require a new seniority based selection process as provided above.

For example:

A	A	B Kelly Shift	B Kelly Shift	C	C	A
A	B Set-1	B Set-1	C	C	A	A
B Set-2	B Set-2	C	C	A	A	B Set-3
B Set-3	C	C	A	A	B Set-4	B Set-4
C	C	A	A	B Set-5	B Set-5	C
C	A	A	B Set-6	B Set-6	C	C
A	A	B Kelly Shift	B Kelly Shift	C	C	A
A	B Set-1	B Set-1	C	C	A	A
B Set-2	B Set-2	C	C			

11.1.b When a full "set" includes both December 24th and 25th the preceding shift shall share the holiday burden by "flip-flopping" 12/23 & 12/24

Example:

December	22	23	24	25	26	27
Scheduled	C	C	A	A	B	B
Changed to	C	A	C	A	B	B

[This adjustment is needed 3 out of every 8 years]

Section 11.2 The work schedule for bargaining unit line personnel shall be two consecutive 24-hour shifts (48 hour "set"). Employees normally shall work two 24-hour shifts followed by 96 hours off. The shift starting time will be 0700. The shift configuration and shift starting time may be modified by mutual agreement between the Employer and the Union.

The work shift will include one hour for lunch and one hour for dinner. Each on-duty Employee will remain available for an emergency call during these meals breaks.

Training and inspections may be scheduled on a reasonably limited basis between 1800 and 0800 hours to maintain operational skills in night fire suppression, prevention, and inter-departmental cooperation.

Section 11.3 The work schedule for bargaining unit personnel assigned to a 40-hour workweek shall be:

11.3.a 0800-1700 Monday through Friday, or

11.3.b Four consecutive ten hour days

11.3.c 40-hour personnel may have a flexible work week. Time shall be traded in straight time. For example, if an employee works one hour extra one day, they may work one hour less another day that week to total 40 hours for each week but no week can exceed 40 hours unless approval for overtime has been received. Employees shall notify their supervisor prior to use of flex time. Flex time is to be noted on payroll attendance record as it actually occurs.

11.3.d Alternative schedules, not exceeding forty hours per week with mutual agreement of the employer, employee(s), and Union.

11.3.e Regardless of workweek schedule, each employee will have one hour off for lunch. Each on-duty Employee will remain available for an emergency call during these meal breaks.

Section 11.4 Refer to Article 30 relating to personnel assigned to Training. Refer to Article 31 relating to personnel assigned to Fire Prevention Bureau.

Section 11.5 The Employer and Union acknowledge that Fire Station 24 is not currently staffed with career personnel. The Employer is not compelled to staff Fire Station 24. Should the City decide to staff Fire Station 24, the City agrees to staff it in accordance with the Memorandum of Understanding with the Union dated October 2013. The parties may agree to resolve staffing of Fire Station 24 on a long-term basis. The long-term solution for Fire Station 24 may include one of the following:

11.5.a 24-hour 3 platoon method

11.5.b 24-hour 4 platoon method

11.5.c 12-hour call back staffing

11.5.d 12-hour shift, 3 on 4 off

OVERTIME / COMPENSATORY TIME

ARTICLE 12

Section 12.1 Overtime shall be paid at the rate of one and one-half times the hourly rate of pay. For the purpose of calculating hourly overtime rate of pay the formula shall include monthly salary, premium pay (i.e. Hazardous Materials or other premium pays negotiated) and longevity. The hourly rate of pay will be determined by multiplying the Employee's monthly salary by 12 (months) and then dividing that figure by the work week figure from Section 11.1 multiplied by 52.18 (weeks). The final overtime rate of pay will be rounded to the nearest cent.

Section 12.2

12.2.a Overtime for 40-hour personnel shall be paid at the rate of one and one-half times their hourly rate of pay. For the purposes of calculating hourly overtime rate of pay the formula shall include monthly salary, premium pay (i.e. Hazardous Materials or other premium pays negotiated) and longevity. The hourly rate of pay will be determined by multiplying the Employee's monthly salary by 12 (months) and then dividing that figure by the work week figure from Section 11.3 multiplied by 52.18 (weeks) The final overtime rate of pay will be rounded to the nearest cent.

12.2.b 40-hour personnel working overtime during their normal duties are eligible for compensatory time in lieu of overtime. Compensatory time may not be earned if the employee is working overtime as defined in 12.2.e. Compensatory time shall accrue at one and one-half times the hours worked and shall be measured in fifteen minute increments or major fraction thereof.

12.2.c 40-hour personnel may bank up to 40 hours of compensatory time at any given point. If the 40 hour limit is exceeded, the additional hours above 40 will automatically be converted to overtime and paid out as soon as possible thereafter. Unless specifically waived in writing by the Fire Chief, no Employee may carry over more than 20 hours of compensatory time from October 31st to November 1st. 40 hour personnel may convert up to 40 hours of banked compensatory time into cash for their November 8th pay check. The request for such a payout must be received no later than October 15th of each year. In the event no request is received, all banked compensatory time in excess of 20 hours will be converted into a cash payout in the November 8th check. All compensatory time off shall be used or converted into cash prior to rotation back onto the line. If rotation does not happen before November 8th, cash out should happen at the first reasonable pay check.

12.2.d 40 hour personnel are required to track their approved overtime and compensatory time on a tracking form provided by the City. The tracking form shall be turned into their supervisor with their payroll attendance record each pay period. The employee shall designate whether they wish to be compensated in overtime or compensatory time on the tracking form. If no designation is made, overtime will be paid out in the next appropriate pay period. These hours will be entered in the payroll system and will be separately recorded on their paychecks. When an employee chooses to use Compensatory Time, the time off will be approved by the supervisor in the same manner as vacation or other similar types of leave as per Directive 3.001.

12.2.e Bargaining unit employees assigned to a 40-hour workweek may elect to participate in filling overtime vacancies created by line personnel. A 40-hour employee electing to participate shall be compensated at a rate consistent to line personnel Section 12.1 for the overtime shift(s) worked.

Section 12.3 Employees shall be subject to call back from off duty in an emergency. An Employee called back to duty shall be paid at the overtime rate of pay for two hours or for the actual number of hours worked, whichever is greater.

Section 12.4 Employees held over for an alarm past the termination of their regular shift will be paid overtime for those periods exceeding 15 minutes and thereafter for each 15-minute period or major fraction thereof.

Section 12.5 The City will use bargaining unit Employees for fill-in shifts when needed. Employees called to work such shifts shall be paid at the overtime rate of pay for two hours or for the actual number of hours worked, whichever is greater.

Section 12.6 Overtime will be paid for training required by the Employer if such training occurs outside regularly scheduled hours of duty. Voluntary training will not be subject to overtime pay.

Section 12.7 The Employer may utilize the Deputy Chief of Operations as the Duty Chief for short periods of fill-in while the on-duty Battalion Chief is unavailable or in the event of a need for additional command officers.

Section 12.8 Line personnel assigned as a Training Battalion Chief, Training Captain, or Fire Inspector position may be assigned to operation/line duties at an emergency scene and are eligible for call back shift work. Acceptance of call back that may affect their work schedule must be communicated to their supervisor.

SHIFT CHANGES AND ASSIGNMENTS

ARTICLE 13

Section 13.1 All employees covered by this Agreement and the Union shall receive written notice 30 calendar days in advance of inter-shift assignment and/or work schedule changes. This time limit may be waived at the discretion of the Fire Chief in the case of appointments to a promotional position within the bargaining unit and necessary shift adjustments caused by such appointment. This time limit may also be waived at other times if agreed to by the Employer and the Union.

Section 13.2 Inter-shift swaps shall be allowed on a position for position basis if direct notification is given to the on-duty Battalion Chief prior to the shift swap. For purposes of this section, "positions" shall be defined as: Battalion Chief, Company Officer, Driver, and Firefighter. Inter-shift swaps that are not position for position may be allowed under the following guidelines:

13.2.a The request is approved by the Battalion Chief prior to the swap.

13.2.b The swap does not result in any negative economic impact to the City of Kirkland.

13.2.c If a Firefighter/Acting Officer swaps with an Officer, the payback must occur on a day when there is an Acting Officer position available for the Officer to fill. The same shall hold true for Battalion Chiefs and Captains.

13.2.d Swaps that are not position for position and that have adequate coverage may be cancelled if less than six (6) days notice was given and other leave requests reduce coverage.

13.2.e A bargaining unit member who agrees to an inter-shift swap and is subsequently unable to work shall obtain another Employee to fill the position. If no relief can be obtained, an equal amount of vacation and/or holiday time (if necessary) will be charged against that member. If the Employer must replace the individual on an overtime basis, an amount equal to one and one-half (1 1/2) times vacation and/or holiday time (if necessary) will be charged against that member. This penalty may be waived by the Fire Chief, or his/her designee, if the absence is caused by circumstances the Chief feels are grounds for waiver.

13.2.f Inter-shift swaps are not intended to be used to routinely modify an employee's regularly assigned shift. However, personnel may submit written request for approval by the Deputy Fire Chief for temporary modification of assignment due to special circumstances. It is the employee's responsibility to make up any mandatory training missed as a result of a shift swap.

Section 13.3 Kelly Day swaps will be allowed when:

13.3.a Approval is given by the Battalion Chief prior to the swap.

13.3.b The swap will not result in any economic impact to the City.

Section 13.4 The Employer has no obligation to ensure or facilitate the repayment of shift swaps between employees.

Section 13.5 Special assignments shall not exceed thirty (30) days in any calendar year without negotiations and agreement of the impacts with the Union. Employees assigned to special assignments shall be given thirty (30) days notice of such assignments unless a waiver of such notice is granted by the employee(s) assigned and the Union.

Section 13.6 Temporary assignments may be made to a forty (40) hour work schedule, once in a calendar year, per employee, for periods of up to ninety (90) days only if the Employer and the Employee are in agreement. Notice of such assignments shall adhere to the provisions of Section 13.1.

Section 13.7 Shift Swap – without repayment: To the extent allowed by law, Employees may elect to work in relief of another Employee. In cases of special needs (for example: extended injury or illness, military deployment, other) an Employee may elect work in relief for another Employee without obligation of repayment. Such swap shall not result in any negative economic impact to the City of Kirkland.

Section 13.8 Station Bid Selection: In an effort to provide a fair and equitable assignment of personnel to operational positions within the department, a bid procedure allowing members of the department to express a preference for work assignments is hereby instituted. However, the Fire Chief maintains the right to allocate apparatus and personnel as deemed appropriate for the performance of the department's mission.

13.8.a Employees shall select (bid) station assignments by order of time within their current grade.

13.8.b When a bid vacancy occurs, a notice shall be posted in the stations outlining the nature of the vacancy and the qualifications required to fill the position. Notice of bid positions available shall be posted every sixty (60) days on or about the first of the month. This notice shall include the date and time of closing of the bids, as well as the date, time and place of the next bid committee meeting. A minimum of fifteen (15) calendar days will be allowed for notification of vacancies and filling of bid applications.

13.8.c A Fire Department Bid Committee shall be composed of three (3) representatives appointed by the Union. The Bid Committee shall review submitted bid requests, approve as appropriate, award bid assignments and make recommendation for bid policy change.

13.8.d Beginning the first full set of January 2015, and every thirty-six (36) months thereafter, the Bid Committee shall impose a wholesale re-bid (inter-shifts); unless otherwise agreed by both the Union and Management. Such re-bid shall not occur more than once in any thirty-six (36) month period.

SICK LEAVE

ARTICLE 14

Section 14.1 Under the terms of this collective bargaining agreement the employee is entitled to sick leave and/or other paid time off. The employer must allow an employee to use any or all of the employee's choice of sick leave or other paid time off to care for:

14.1.a Personal illness or physical incapacity which renders the employee unable to perform the duties of his/her position; or care for:

14.1.b A child of the employee with a "Health condition" that requires treatment or supervision, defined as:

14.1.b.(1) Any medical condition requiring treatment or medication that the child cannot self administer; or

14.1.b.(2) Any medical or mental health condition which would endanger the child's safety or recovery without the presence of a parent or guardian; or

14.1.b.(3) Any condition warranting treatment or preventive health care such as physical, dental, optical or immunization services, when a parent must be present to authorize and when sick leave may otherwise be used for the employee's preventive health care; or

14.1.b.(4) Any condition rendering the child "Incapable of self-care" which means that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" (ADLs) or "instrumental activities of daily living" (IADLs). Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, and eating. Instrumental activities of daily living include cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

14.1.c Any other "immediate family" member, as defined in Article 1 of the employee who is incapable of self-care, has a serious health condition or emergency condition, defined as:

14.1.c.(1) Any "Serious health condition" which means an illness, injury, impairment, or physical or mental condition that involves any period of incapacity or treatment connected with impatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment or recovery in connection with such impatient care; or that involves continuing treatment by or under the supervision of a health care provider or a provider of health care services and which includes any period of incapacity (i.e. inability to work, attend school or perform other regular daily activities).

14.1.c.(2) Any individual "Incapable of self-care" which means that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" (ADLs) or "instrumental activities of daily living" (IADLs). Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, and eating. Instrumental activities of daily living include cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

14.1.c.(3) Any "Emergency condition" means a health condition that is a sudden, generally unexpected occurrence or set of circumstances related to one's health demanding immediate action, and is typically very short term in nature.

Others not listed may qualify for the use of sick leave with the direct written approval of the Fire Chief and such approval shall not be unreasonably withheld.

Section 14.2 This section applies to members of the bargaining unit covered under the LEOFF I Retirement System.

14.2.a Employees absent due to injury or illness shall be covered by LEOFF I pension which shall be administered by the City of Kirkland Disability Board.

14.2.b LEOFF I personnel may use up to five shifts (120 hours) annually, for the purposes provided in subsection 14.1.b and 14.1.c.

14.2.c Dependent Leave: Personnel will be granted an additional 48 hours of sick leave per occurrence for the birthing process, receiving of an adopted child, or foster care placement.

Section 14.3 This section applies to members of the bargaining unit covered under the LEOFF II Retirement System on shift.

14.3.a Upon appointment as Firefighter I, shift personnel shall have 288 hours of paid sick leave credited to him/her. If an Employee terminates during the first year of employment, any paid sick leave hours used in excess of the prorated amount of 24 hours per month shall be deducted from the Employee's final paycheck.

14.3.b Employee's sick leave with pay shall accrue at the rate of 24 hours per month beginning with the 13^{th} month.

14.3.c Sick leave shall be cumulative to a maximum of 1440 hours.

14.3.d Any employee changing from 24-hour shift to 40-hour workweek shall use the following sick leave conversion formula:

$$\frac{\text{Employee 24-hour bank} \times 960}{1440}$$

14.3.e Dependent Leave: 48 hours of sick leave may be used per occurrence for the birthing process, the receiving of an adopted child; or foster care placement. If an Employee must leave while on duty, the hours absent will not be counted against the leave allowed in this section.

Section 14.4 This section applies to members of the bargaining unit covered under the LEOFF II Retirement System day (40-hour schedule) personnel.

14.4.a Employee with less than five years of employment shall accrue sick leave at a rate of 16 hours per month.

14.4.b Employees with more than five years of employment shall accrue sick leave at a rate of the daily work schedule per month. (i.e. 8-hour daily work schedule shall earn 8 hours per month, 9 hours work schedule earn 9 hours per month, etc.)

14.4.c Sick leave shall be cumulative to a maximum of 960 hours

14.4.d Any employee changing from 40-hour workweek to 24-hour shift shall use the following sick leave conversion formula:

$$\frac{\text{Employee 40-hour bank} \times 1440}{960}$$

14.4.e Dependent Leave: 40 hours of sick leave may be used per occurrence for the birthing process, the receiving of an adopted child, or foster care placement. If an Employee must leave while on duty, the hours absent will not be counted against the leave allowed in this section

Section 14.5 This section shall apply to all members of the Bargaining Unit covered under the LEOFF II. Retirement System

14.5.a Conversion of Sick Leave Cashout to Retiree Medical Account

Upon normal or disability retirement from the City, the employer shall make contributions into the WSCFF Employee Benefit Trust (MERP), or other IRS qualifying program designated by the Union in an amount equal to fifty percent of his/her maximum allowable shift rate sick leave. Sick leave cashout shall be converted at a rate of fifty cents ($0.50) on the dollar, of the employee's regular rate of pay (sick leave hours x regular rate of pay x $0.50) and shall not exceed Ten Thousand Dollars ($10,000) in 2008, and Ten Thousand and Five Hundred Dollars ($10,500) in 2009 and 2010. The trust fund is established in accordance with applicable federal and state laws, and the City shall contribute the monies on a pre-tax basis. The monies contributed to the trust fund shall only be used for retiree health insurance premiums or health service expenses.

14.5.b. Certification of illness or disability by a physician may be required for such leaves of three shifts or more for shift personnel and for one calendar week or more for day personnel, and may be required for shorter periods upon request by the Fire Chief. Certification shall be on a form (LEOFF II- Return to Duty Form, w\FIRE\DISABIL/9-17-98/LP.mjd) provided by the Employer and signed by a physician stating that the Employee has been sick or injured and is now able to return to work and perform the required duties.

Section 14.6 Well Child Leave

14.6.a Well Child Sick Leave may be used for the care of a newborn or adopted child or foster care placement, notwithstanding dependent leave as defined above. An employee requesting to use Sick Leave to care for a well child after birth, adoption, or foster care placement shall comply with the following rules:

1. The employee must take the leave within one year of the birth, adoption, or placement of the child.
2. Employees will not be eligible for intermittent usage of Well Child Sick Leave to care for a well child after birth, adoption, or foster care placement.
3. An employee can request up to 12 weeks of leave.
4. In order to use sick leave as noted in this section, an employee must maintain a minimum sick leave bank equal to 18 months of their accrual rate.

14.6.b The following types of leave may be used during the period of time the employee is on Well Child Sick Leave to care for a well child after birth, adoption, or foster care placement:

1. An employee must first use accrued vacation or holiday leave for up to three weeks of the Well child Leave requested.
2. At the completion of up to three weeks of Vacation Leave, an employee may use an equal amount of accrued sick leave.
3. At the completion of the three weeks of accrued sick leave, an employee may use vacation, holiday, or leave without pay for the remainder of the maximum 12 week period.

Section 14.7 Certification of Sick Leave for an "Immediate family" member (as defined in Article 1): The Fire Chief may require an Employee to certify in writing the circumstances requiring the use of Sick Leave for an "Immediate family" member.

FAMILY MEDICAL LEAVE (FMLA)

ARTICLE 15

Section 15.1 Family Medical Leave shall be governed by Article 15, the provisions of the Family Medical Leave Act of 1993 and applicable state laws:

15.1.a Initiation of Family Medical Leave shall be at the request of the employee and/or any time the Employer has reasonable knowledge of a qualifying event. Each time the Employer determines a potential qualifying event exists, the Employer shall notify the employee, in writing, of potential qualifying event, initiation of leave and include an informational fact sheet of statutory provisions.

15.1.b Certification of illness or disability of the employee by a health care provider may be required for such leaves of three shifts or more for shift personnel and for one calendar week or more for day personnel, and may be required for shorter periods upon request by the Fire Chief. Certification shall be on a form (LEOFF II- Return to Duty Form, w\FIRE\DISABIL/9-17-98/LP.mjd) provided by the Employer and signed by a health care provider stating that the Employee has been sick or injured and is now able to return to work and perform his/her required duties.

15.1.c In the event Family Medical Leave is initiated for an "Immediate family" member (as defined in Article 1) the Fire Chief may require an Employee to certify in writing the circumstances requiring the use of leave.

Section 15.2 Dependent leave for personnel shall be governed and prescribed by Articles 14.2.c, 14.3.e, and 14.4.e; which may be used per occurrence for the birthing process or in the receiving of an adopted child.

BEREAVEMENT LEAVE

ARTICLE 16

Section 16.1 At the request of the Employee, leave due to death in the immediate family shall be granted by the Employer. Such leave shall not exceed two shifts for any one incident. Employees notified of a death while on duty shall be immediately excused from work for the shift. Such time shall not be counted as one of the two shifts off. Any time beyond this amount required because of travel or extenuating circumstances or time requested for a person other than specified may be granted with the approval of the Fire Chief or his/her designee, with this time being deducted from the employee's accumulated sick leave. Members of the immediate family are defined in Article 1.

Section 16.2 Employees that work a forty-hour workweek, bereavement leave shall be granted to an employee in an amount not to exceed five days per year for death in the employee's immediate family. This paid leave is not cumulative from year to year. Any time beyond this amount required because of travel or extenuating circumstances for time requested, or a person other than specified may be granted with the approval of the Fire Chief or his/her designee, with this time being deducted from the employee's accumulated sick leave.

COURT AND JURY LEAVE

ARTICLE 17

Section 17.1 Employees called to jury duty for Superior or District Court shall be granted leave for those hours the court requires them. Unless otherwise required by the court, Employees will work their normal shifts on Fridays, Saturdays, and Sundays. Employees shall also report for their assigned duties on other days when released by the court prior to 1000 hours, but shall be released from job duties at 2100 if they are scheduled for jury duty the following day.

Section 17.2 Employees on jury duty leave will receive full pay. Jury duty pay received by the Employee, while acting as a juror on their regularly scheduled duty day, shall be turned over to the City.

Section 17.3 An Employee required by Subpoena or City Directive to appear before a Court as a defendant or witness as a result of an incident that occurred during the performance of the Employee's official City duties will be excused from duty with pay for those hours the Court requires them. If the Employee is called while off duty to appear, the Employee will be paid at the overtime rate of pay**.** Overtime hours shall be limited to travel time from the Employee's Fire Station to the Court, the actual time the Employee is required by the Court and travel time back to the Fire Station. If overtime is submitted to the City, any fee or reimbursement received by an Employee from the Court shall be turned over to the City.

Section 17.4 Employees shall notify the Employer in writing, with documentation, within 72 hours of being called for any duty described in this Article.

Section 17.5 All Employees on the 40-hour work week shall be granted court or jury duty leave as provided in the City of Kirkland Personnel Ordinance.

L.E.O.F.F. II

ARTICLE 18

Section 18.1 The sections of this Article shall apply to those Employees under the LEOFF II Retirement System.

Section 18.2 Accumulated leave may be used to supplement on-duty disability payments received from the Department of Labor and Industries as set forth in RCW 41.04. Firefighters receiving disability payments through Workers' Compensation will receive their normal rate of pay. All Worker's Compensation checks shall be turned over to the City until all accrued leave has been exhausted. Once accrued leave has been exhausted, the employee's obligation to turn Worker's Compensation checks over to the City shall cease and the City's' obligation of salary to the employee shall be discontinued until the employee is released by the treating physician fit for duty.

Section 18.3 The City shall make a monthly payment to the Washington State Council of Firefighter's Employee Benefit Trust (MERP), or other IRS qualifying program designated by the Union, in an amount equal to $75 per employee covered by this agreement. This Trust shall remain separate and apart from any City retiree health insurance funding program unless changed by mutual agreement of the parties to the agreement. These payments shall be included as salary for purpose of calculating retirement benefits consistent with the Washington State Department of Retirement System rules and the Internal Revenue Code.

LIGHT DUTY

ARTICLE 19

Section 19.1 When an Employee is unable to perform regular duties due to job related injury or illness, and the Employee is receiving the Employer supplement as outlined in RCW 41.04.520, the Employee may be required to perform light duty tasks within the Fire Department, subject to the approval of the treating physician.

Section 19.2 When an Employee is unable to perform regular duties due to non job-related injury or illness and appropriate alternative work, as defined by the Fire Chief, is available, the Employee may request assignment to light duty tasks within the Fire Department, subject to the approval of the treating physician.

Section 19.3 The Employer and the Employee shall confer and agree to an alternative schedule. The limit of time an Employee may be assigned to light duty due to injuries covered in this Article shall be determined by applicable statutes or at the discretion of the Fire Chief, whichever is longer.

Section 19.4 LEOFF I employees are not eligible for light duty assignments in accordance with the RCW.

HEALTH , WELLNESS AND SAFETY

ARTICLE 20

Section 20.1 Joint Health and Wellness Committee

20.1.a The City and the Union recognize the vital need of health and safety within the Fire Department. For this reason the City and the Union acknowledge and agree to meet or exceed current Safety Standards for Firefighters including infectious disease control and operational practices such as safe staffing levels and best practices for fire fighter safety. Further, the City and Union agree to meet and confer for the purposes of bargaining any health and safety policy or practice requiring immediate implementation (such as, but not limited to HIV, Hepatitis, MRSA, or company staffing or safe practice).

20.1.b Beginning May 2008, the City and Union agree to establish a Joint Health and Wellness Committee (JHWC) that shall comprise of the Fire Chief and his designee, two representatives from the Union Executive Board and one certified peer fitness trainer jointly appointed by Labor and Management. The JHWC shall act proactively anticipating and responding to workplace hazards and shall have the responsibility to recommend changes to the collective bargaining agreement and/or operational changes for immediate implementation regarding items concerning health, wellness, and safety. Generally, the JHWC shall refer to recognized health and safety standards and best practices when recommending changes to the Labor agreement or operational policies and procedures. Widely recognized agencies for health and wellness shall be used to develop recommendations and shall include but not necessarily be limited to:

CDC- Center for Disease Control
IAFC- International Association of Fire Chiefs
IAFF- International Association of Fire Fighters
NIOSH- National Institute of Occupational Safety and Health
USFA- United States Fire Administration
DHS- Department of Homeland Security
NFPA- National Fire Protection Association

Section 20.2 Occupational Exposures

20.2.a The parties recognize that infectious disease exposures to employees are a threat to the public welfare and safety. It is the goal to maximize the protection against infectious diseases for all uniformed members while providing fire, rescue, and emergency medical services to the public without regard to known or suspected diagnoses of communicable disease in any patient or victim.

The City and Union agree to recognize blood-borne and air-borne pathogens including viral and bacterial illnesses and infections (such as, but not limited to HIV, Hepatitis, TB, SARS, Influenza, and MRSA) as duty-related occupational exposures for the purpose of; providing immunizations; determining antibodies and resistance; recognizing and documenting these illnesses as occupational exposures, and agree to advocate such designation to the Department of Labor and Industries.

20.2.b In the case of a member who is occupationally exposed the City will provide for the cost of post exposure monitoring. Test results will be provided to each individual for their follow up care or treatment if necessary. Necessary records will be provided to Labor and Industry for their disposition of the case. A copy of this record will be maintained in a secured medical file in Human Resources.

20.2.c An employee, who dies from occupational exposure or from complications thereof, will receive all benefits afforded from a work-related injury or illness, within the control and authority of the City.

Section 20.3

20.3.a The City and Union agree to develop a wellness fitness initiative and be partners in pursuing funding through the budget process. The Joint Health and Wellness Committee (20.1) shall establish a department wellness fitness program that is educational and rehabilitative, and non punitive. Furthermore, it shall use the components and resources of the IAFF/IAFC Joint Labor Management Wellness/Fitness Initiative as a guideline and closely follows or meets the intent of the initiative. The program shall include:

Candidate Physical Ability Testing (CPAT)
Confidential Wellness Medical Physicals
Daily Physical Fitness Program, including certified peer fitness training
Rehabilitation and Behavioral Health as needed
Annual Fitness Evaluation, conducted by certified peer fitness trainers

The Department wellness fitness program will be submitted in the budget process in order to seek funding to implement other aspects of the program which have a cost element.

20.3.b Pending budget approval, during the term of the Agreement, the City agrees to initiate the comprehensive wellness and medical program as provided by Washington Institute of Sports Medicine and Health. This program shall be exclusively confidential between the program administrator and the Employee, and shall include:

Wellness Medical Physical Exam
Individual Action Plan for overall improved Health
Early Health Risk Identification
Early Disease Detection
Early intervention and Remediation

Unless otherwise recommended by Washington Institute of Sports Medicine and Health, participation shall be mandatory for all LEOFF employees in at least one wellness and medical assessment during the term of the Agreement in order to establish a "base-line" for individual and group recommendations.

Section 20.4 Respiratory Protection Policy

20.4.a This Article shall meet the statutory requirements provided under WAC 296-842 (medical evaluations) and shall be governed by the Joint Health and Wellness Committee (20.1) as provided above. The Joint Health and Wellness Committee (JHWC) shall recommend, to the Fire Chief, a licensed health care professional (LHCP) to implement and regularly administer the department's respiratory protection program.

20.4.b All bargaining unit employees may be required to wear respiratory protection while performing their duties and, as such, shall be subject to annual medical evaluations as provided by the licensed health care professional. The employer shall provide medical evaluations for employees at no cost.

20.4.c Any specific medical findings shall be exclusively confidential between the licensed health care provider and the Employee. The licensed health care provider shall advise the Employer whether the employee is fit for duty or not fit for duty. The parties shall provide all confidentiality protections provided under the HIPAA 1996 statute.

20.4.d Subsequent medical evaluations may be required if medical signs and symptoms (such as breathing difficulties, extreme fatigue) are observed in the workplace or reported by the employee. Recommendations for re-evaluations shall be made immediately to the on-duty Battalion Chief. Any employee recommended for re-evaluation shall be immediately relieved from duty and shall remain on paid Sick Leave. The Battalion Chief shall provide a written statement and all documented finding to the Joint health and Wellness Committee (JHWC) for their review of the situation.

Section 20.5 The Union shall appoint one representative to be added as a regular member on the Fire Department Safety Committee established by Department Policy 5.101.

Section 20.6 Safe Staffing and Practices for fire ground safety: The JHWC will develop safe fire ground practices which will ensure the safe operations of personnel in fire's hazardous environment. When funding and/or resources are needed to meet safe staffing practices, the JHWC shall develop budget recommendations for the Fire Chief, which may be included in a service package request, during the City's budget process, if an immediate need exists, the city manager will be notified by the Fire Chief. The City Council has ultimate approving authority on all budget requests.

SALARIES

ARTICLE 21

Section 21.1 Monthly salary for Firefighter I through IV is calculated as a percentage of Firefighter V (Base Pay). The following percentages shall be effective for new hires with a start date on or after November 1, 2013:

- Firefighter I: 74% of Base Pay
- Firefighter II: 77% of Base Pay
- Firefighter III: 83% of Base Pay
- Firefighter IV: 91% of Base Pay

Section 21.2 Upon promotion to Fire Lieutenant an Employee shall be on probation as provided by Civil Service rules and regulations. During this probationary period the Fire Lieutenant A pay grade shall be 110% of Base Pay. Upon completion of the probationary period Fire Lieutenant B pay grade shall be 115% of Base Pay.

Section 21.3 Upon promotion to Fire Captain an Employee shall be on probation as provided by Civil Service rules and regulations. During this probationary period the Fire Captain A pay grade shall be 118% of Base Pay. Upon completion of the probationary period Fire Captain B pay grade shall be 125% of Base Pay.

Section 21.4 Upon promotion to Battalion Chief an Employee shall be on probation as provided by Civil Service rules and regulations. During this probationary period the Battalion Chief A pay grade shall be 133% of Base Pay. Upon completion of the probationary period Battalion Chief B pay grade shall be 140% of Base Pay.

Section 21.5

21.5.a A Firefighter who is assigned the duties of Fire Lieutenant for a minimum of six hours per 24-hour shift shall be paid the Fire Lieutenant A pay grade for the actual hours worked as a Fire Lieutenant.

21.5.b A Fire Captain who is assigned the duties of a Battalion Chief for a minimum of six hours per 24-hour shift shall be paid the Battalion Chief A pay grade or the actual hours worked as a Battalion Chief.

Section 21.6

21.6.a .Effective January 1, 2018, the monthly rate of Base Pay shall be increased by three (3%) through December 31, 2018.

21.6.b Effective January 1, 2019, the monthly rate of Base Pay shall be increased by three (3%) (2% COLA plus 1% market adjustment) through December 31, 2019.

21.6.c Effective January 1, 2020, the monthly rate of Base Pay shall be increased by three (3%) (2% COLA plus 1% market adjustment) through December 31, 2020.

Section 21.7 An additional two percent of Base Pay shall be awarded as compensation for Employees who are members of the Hazardous Materials Team. Payments will be rounded to the nearest whole dollar. Management retains the right to determine how many and which specific Employees shall be members of the Hazardous Materials Team. Employees shall be appointed to the team from a pool of eligible applicants from the bargaining unit. Management retains the right to reserve one position on the team for a non-bargaining unit Department representative.

Section 21.8 An additional two percent of Base Pay shall be awarded as compensation for Employees who are assigned as SCBA Specialist. Payments will be rounded to the nearest whole dollar. Management retains the right to determine how many and which specific Employees are assigned as SCBA Specialist.

Section 21.9 An additional six-percent of Base Pay shall be awarded as compensation for the Battalion Chief and the Company Officer assigned to the Training Division.

Section 21.10 Longevity
Employees shall be awarded longevity compensation according to the following table:

5 - 9 completed years of service	2% of Base Pay
10-11 completed years of service	3% of Base Pay
12-15 completed years of service	4% of Base Pay
16-19 completed years of service	5% of Base Pay
20-24 completed years of service	6% of Base Pay
25-29 completed years of service	7% of Base Pay
30+ completed years of service	10% of Base Pay

Section 21.11 Line personnel assigned to a Fire Inspector position will be awarded an additional 6% of Base pay as defined in Article 1.2.

Section 21.12 Deputy Fire Marshal will be assigned pay at an equivalent to Fire Fighter 4. Upon completion of Fire Fighter 1 certification, (s)he will be assigned pay at an equivalent to Fire Fighter 5.

Section 21.13 Fire Investigation Team members Standby
Off-duty standby assignments shall be for a fixed, predetermined period of time. Employees formally placed on off-duty standby status by the Fire Chief or Deputy Fire Chief shall be compensated on the basis of ten percent (10%) of straight time pay. If the employee is actually called back to work, the off-duty standby premium shall cease at that time. Thereafter, normal overtime rules apply. Standby time at the 10% rate shall be that defined period of off-duty time during which an employee is required by the Department to remain on pager communications or at home in a state of readiness to respond to duty. During training periods, carrying of pager will not be an assigned standby time.

VACATION

ARTICLE 22

Section 22.1 Beginning January 1, 2013, bargaining unit Employees working the 24-hour shift shall accrue vacation at the following rates:

YEARS OF EMPLOYMENT	MONTHLY ACCRUAL HOURS	ANNUAL VACATION HOURS
1st - 2nd year of employment	12	144
3rd - 5th year of employment	14	168
6th - 9th year of employment	17	204
10th - 13th year of employment	21	252
14th - 17th year of employment	22.5	270
18th - 21st year of employment	24.5	294
22nd - 24th year of employment	25.5	306
25th year or more of employment	26	312

Section 22.2 Beginning January 1, 2013, bargaining unit Employees working the 40-hour workweek shall accrue vacation at the following rates:

YEARS OF EMPLOYMENT	MONTHLY ACCRUAL HOURS	ANNUAL VACATION HOURS
1st - 2nd year of employment	11.6	139.2
3rd - 4th year of employment	12	144
5th - 7th year of employment	13.6	163.2
8th - 10th year of employment	14.25	171
11th - 13th year of employment	15	180
14th - 16th year of employment	16.25	195
17th - 19th year of employment	17.6	211.2
20th - 24th year of employment	19	228
25th year or more of employment	19.27	231.2

Section 22.3 Bargaining unit Employees shall accrue vacation leave monthly as outlined above. An Employee shall be eligible to utilize accrued vacation upon successful completion of six months of continuous service. Employees must receive prior approval for all vacation leave.

Section 22.4 Vacation and Holiday time for 24-hour shift personnel shall not be scheduled for less than six hours.

Section 22.5 Employees shall not be allowed to carry over more than 300 hours of vacation leave from December 31st to January 1st of the following year unless specifically authorized by the Fire Chief. Any vacation leave accrued beyond 300 hours on December 31st, will be deducted from the employee's accrued vacation bank. Deducted hours shall be reinstated after a written explanation is submitted to the Fire Chief on or before February 28th, including any reason for exceeding the limit and a plan detailing when the employee shall utilize the available leave down to an allowable level. Upon termination of employment, no

payment for vacation accumulation shall exceed two times the terminated Employee's annual vacation accrual.

Section 22.6 Upon transfer from 24-hour shift to day shift an Employee's vacation time shall be converted by multiplying the vacation accumulation by eight tenths (.8). Upon transfer from day shift to the 24-hour shift an Employee's vacation time shall be converted by multiplying the vacation accumulation by one and twenty-five hundredths (1.25). If an employee is transferred to day shift for a period of four (4) months or less and does not use any accrued vacation leave while on day shift, no conversion shall take place.

Section 22.7 Employees may use vacation leave on an emergency basis to attend to family matters of an emergent nature. The leave will be deducted from an employee's vacation leave account, or holiday account if necessary. If the Employer must replace the Employee utilizing emergency leave with personnel on overtime, the amount deducted from their leave account will be at one and one-half times the hours used.

HOLIDAYS

ARTICLE 23

Section 23.1 All Employees on the 24-hour shift shall receive 120 hours off in lieu of Holidays. Holiday time will be credited to the employee on 1/1 of each calendar year. Employees hired after 1/1 shall accrue Holiday time on a prorated monthly basis. Unless specifically waived in writing by the Fire Chief, no Employee may carry over more than 24 hours from December 31st to January 1st of the following year. Those holiday hours exceeding 24 hours shall automatically be converted at the employee's regular rate of pay during the next payroll period.

Section 23.2 All Employees on the 40-hour workweek shall observe Holidays as provided in the City of Kirkland's Personnel Ordinance. The City Holiday Schedule is as follows:

Holiday	Date to be Observed
New Year's Day	January 1st
M.L. King, Jr. Birthday	3rd Monday of January
President's Day	3rd Monday of February
Memorial Day	Last Monday of May
Independence Day	July 4th
Labor Day	1st Monday of September
Veteran's Day	November 11th
Thanksgiving Day	4th Thursday of November
Day after Thanksgiving Day	4th Friday of November
Half-day Christmas Eve	Last regular work day before Christmas Day
Christmas Day	December 25th
Half-day New Year's Eve	Last regular work day before New Year's Day
One Floating Holiday	Employee's choice
Community Service Day	Employee's choice

Note: Any regular Holiday which falls on a Saturday shall be observed on the preceding Friday. Any regular holiday which falls on a Sunday shall be observed on the following Monday.

Employees covered under Section 23.1 and 23.2 shall receive respectively 10 hours and 8 hours of Community Service Day Leave. Utilization of the Community Service Day shall be for purposes of participation and volunteering for legitimate non-profit organizations, community service organizations, or public agencies. Authorization and scheduling shall be in accordance with the same procedures as a Floating Holiday.

Section 23.3 Employees covered under Section 23.1 may, at their request, receive cash compensation in lieu of holiday hours off. Requests for cash compensation shall be submitted prior to May 31st and November 15th of each year and will be included in their June 23rd and December 8th paychecks. Such request shall be in written form, specify the number of hours being converted (not to exceed 60 hours each request), and once received by administration, shall be non-revocable. Such compensation shall be at the Employee's regular hourly rate.

Section 23.4 Time off shall be scheduled consistent with the guidelines provided in Directive 3.001.

Section 23.5 Bargaining unit members who change work shifts and come under the City Personnel Ordinance for holidays shall have any unearned holiday time removed from their vacation account. Any earned but unused holiday time will be compensated for at the time of transfer. Employees using unearned holiday time prior to termination shall have a like amount deducted from their final paycheck. Accrued holiday time will be prorated at 10 hours per month when going from twenty-four (24) hour shift to forty (40) hour workweek.

MEDICAL AND DENTAL COVERAGE

ARTICLE 24

Section 24.1 Maintenance of Benefits
For the plans listed in Section 24.2 of this article, the City shall pay in accordance with the rates provided by the LEOFF Trust (as outlined in Appendix A), and annually for the term of the collective bargaining agreement. Appendix A also outlines the agreed upon responsibilities and liabilities between the City and the LEOFF Trust regarding the administration of health benefits for Employees. The participation agreement shall be substantially similar for the length of the contract.

Section 24.2 Health Insurance

Medical Insurance – The Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of Employee coverage and one hundred percent (100%) of the premium necessary for the purchase of Trust eligible dependent coverage, through the LEOFF Trust, specifically Plan B (as outlined in Appendix A, sections A1 through A4) or Kaiser Permanente plan, or its equivalent for each Employee of the bargaining unit.

Dental– The Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of Employee coverage and one hundred percent (100%) of the premium necessary for the purchase of Trust eligible dependent coverage through LEOFF Trust, specifically Plan 3 (as outlined in Appendix A, section A9) for each Employee of the bargaining unit.

Vision Insurance - The LEOFF Trust provides vision coverage to Employees and Trust eligible dependents through the medical plan, therefore it is not necessary for the Employer to pay separate premiums to purchase vision coverage for each Employee of the bargaining unit.

In the event the LEOFF Trust eliminates Plan B or any of the plans listed in this section, the parties will meet to find substantially equivalent benefits in plan design and costs.

Section 24.3 HRA VEBA

The Employer will make contributions as per Appendix A, sections A5 through A7 to an HRA(VEBA) in the amount of $2,000/year for employee only coverage or $3,000/year for family coverage if the Employee enrolls on LEOFF Trust Plan B. If Employee is enrolled on Kaiser Permanente, the Employer will contribute $600/year into the HRA(VEBA). Contributions to the HRA(VEBA) will be made by the Employer and are subject to the rules and limitations contained within the Internal Revenue Code.

Section 24.4 Flexible Spending Account

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

Contributions to the flexible spending account can be made by the employee as a payroll deduction subject to the rules and limitations contained within the Internal Revenue Code.

Section 24.5
The Employer operates an Employee Health Center as part of the City's self-insured High Deductible Health Plan. Employees covered by this bargaining agreement shall not be eligible to utilize the services provided by the Employee Health Center.

Section 24.6 Retiree Medical – The City shall not sponsor a retiree medical plan. Retiree coverage is offered through the LEOFF Trust. The Employer does not make any contributions to this plan nor does it have any liability for the actions or practices of the Trust.

Section 24.7 Life Insurance – The Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of Employee term life insurance coverage that has a policy value of two (2) times the annual base rate of pay of the Employee, up to a guaranteed issue amount of $250,000. The Employee is responsible for any taxes associated with this benefit.

Section 24.8 In the event an Employee is killed in the course of his/her official duty, the City agrees to continue to provide and pay for existing medical and dental coverage to the surviving dependents for a period of one year or until re-marriage of the surviving spouse occurs, whichever occurs first.

EDUCATION

ARTICLE 25

Section 25.1 The Employer agrees to reimburse Employees for the cost of tuition or registration for approved courses, provided, those courses are taken while the Employee is employed by the City and that the Employee completes the course and maintains a 2.5 grade point average. Reimbursement is limited to State tuition if courses are taken at private colleges or universities.

Section 25.2 Employees shall supply Human Resources, documentation of their intent to attend college courses during the next academic year, including the number of credits they expect to accrue and the projected cost of those credits by June 15th of each calendar year.

Section 25.3 Employees shall be granted time off with pay for the purpose of attending approved educational courses providing that adequate manpower is available. Once time off has been approved, Employees shall be given at least six hours notice if the approved time off is being revoked.

Section 25.4 Approved classes, for the purposes of this Article, shall mean those classes directly related toward achieving credits for a job-related AA or BA Degree from an accredited institution.

Section 25.5 With approval, the Employer agrees to reimburse Employees for the cost of preparatory courses, materials and certification testing for ICC Fire Inspector 1, provided the certification is taken while the Employee is employed by the City of Kirkland and that the Employee completes the testing and obtains the certification.

MUNICIPAL EMPLOYEES BENEFIT TRUST

ARTICLE 26

Effective January 1, 1987, fire department Employees will become members of the Kirkland Municipal Employees Benefit Trust Fund. The initial sign-up for the individuals electing to participate will occur in December 1986 or earlier. Continuing participation in the Fund will be in accordance with the MEBT by-laws and will not be contingent upon future negotiations.

TOBACCO FREE WORK ENVIRONMENT

ARTICLE 27

The City of Kirkland shall provide a Tobacco Free environment for employees of the bargaining unit. Employees in the Bargaining Unit shall not use any tobacco products inside any City of Kirkland facility or on any Fire Department vehicle.

SUBSTANCE ABUSE POLICY

ARTICLE 28

The Employer and the Union agree to abide by the Substance Abuse Policy as signed, agreed and amended as required by the parties on August 23, 2000 or as modified by mutual agreement.

PHYSICAL FITNESS POLICY

ARTICLE 29

The Employer and the Union agree to abide by the Physical Fitness Policy outlined in Kirkland Fire Department Directive 3.016 dated December 6, 2007, or as modified and agreed upon by the Employer and the Union.

TRAINING

ARTICLE 30

Section 30.1 Assignment to the Training Division shall be made by the Fire Chief or his designee from an individual who holds the rank of Battalion Chief and from an individual who holds the rank of Captain, who's not on probation.

Section 30.2 The Chief may assign a Captain and a Battalion Chief to the Training Division on a rotating basis for periods of six months to twenty-four months. In general, it is the intent to rotate the individual through the position at approximately twenty-four month intervals. The time frames may be waived if the Employee and the Fire Chief agree.

Section 30.3 It is the intent that appointments to the Training Division will come first from those who volunteer for the position. After the completion of a 24 month rotation, the incumbent has the option of volunteering for up to an additional 24 months. The rotation shall be filled by the Captain or Battalion Chief who volunteers, that has the most time in grade and has not previously filled the position. If that does not occur, the volunteer with the most time in grade shall fill the position. While assigned to the Training Division, all benefits, seniority, and time in grade considerations will still apply.

30.3.a In the event there are no volunteers, the Fire Chief shall select a Captain or Battalion Chief with the least time in grade who has not previously been assigned at their current rank. If all Captains

or Battalion Chiefs have fulfilled a previous assignment, the Fire Chief shall select the individual who has had the most time since completion of the previous assignment at their current rank.

30.3.b. In the event of an assignment, if a volunteer comes forward prior to the completion of the 24 months, the volunteer shall be allowed to fill the position as long as the assigned has served at least six months and agrees.

Section 30.4 The Captain or Battalion Chief assigned to the Training Division may, at the Fire Chief's discretion, be used to fill in for Company Officers when the Officer is assigned to a training function such as Recruit Academy or special training projects.

Section 30.5 Bargaining unit Employees assigned to the Training Division shall normally be assigned a regular schedule consisting of four consecutive ten-hour days per week. Alternative schedules not exceeding forty hours per week will be allowed with the mutual agreement of the Employer, the affected Employee and the Union. The Employer may change the workweek to a five-day schedule if the Training Division is down to one person for a period expected to exceed one month or if the Employee is assigned to a Recruit Academy.

Section 30.6 Employees assigned, as an instructor at a Recruitment Academy, shall provide a timesheet for all hours worked. Those hours, which exceed a 40-hour workweek, shall be paid in compliance with Article 12.1.

Section 30.7 The City will make every effort to announce any new appointments prior to the selection of annual vacation. In the event a rotation must occur after annual vacation picks, employees who are returning to a 24 hour shift will be allowed to select annual vacation irrespective of time off availability. These employees will have up to thirty days to provide their supervisor with their selections.

FIRE PREVENTION BUREAU

ARTICLE 31

Section 31.1 Fire Inspector's typical assignment of line personnel is 36 months. Alternative assignments of line personnel may be for a period of 24 to 36 months. The alternative length of assignment is to be agreed upon by the City, Affected employee and Local 2545. Assignment shall be made, if possible on a staggered basis. Based upon organizational needs, the City may elect to extend the incumbent assignment for up to 12 additional months; subject to the approval of the City, affected Employee and the Union.

This section shall not affect the Deputy Fire Marshal.

31.1.a To be eligible for assignment to Fire Inspector an individual must be a Kirkland Firefighter Level 4 or greater, or Kirkland Fire Lieutenant and possess the ability to obtain and maintain an ICC Fire Inspector 1 Certificate. Candidate must annually complete the mandated RFTD training.

31.1.b Selection process for Fire Inspector will consist of an adequate sized pool of a minimum of two (2) eligible candidates will participate in the testing process.

31.1.c A combination assessment center and written open book examination weighted as percentages of the total score as follows:

31.1.c.(1) written examination 30%
31.1.c.(2) oral interview 30%
31.1.c.(3) customer dispute resolution 30%
31.1.c.(4) plan review 10%
31.1.c.(5) assessment center evaluators will not be employees of the City of Kirkland or the Regional Fire Training Division
31.1.c.(6) notification of the examination will be per Section 5.4

31.1.d If no adequate sized pool of candidates exists for the position of Fire Inspector, the following will occur;

31.1.d.(1) The position will open to Firefighter 3;
31.1.d.(2) If still no adequate sized pool of candidates exists, the incumbent Fire Inspector will be offered an extension for a period of 12 to 36 months; or an applicant [Pool of one] meeting the minimum qualification, who volunteers, may be assigned to the position.
31.1.d.(3) [Involuntary assignment] If still no adequate sized pool of candidates exists, the appointment of a firefighter meeting minimum qualifications based on least seniority for a period of 24 months may be assigned to the position.
31.1.d.(4) The examination/selection process would be waived for step (2) and (3).

Section 31.2 In the event a Fire Lieutenant is assigned to the Fire Inspector position, a firefighter from the current Fire Lieutenant Eligibility Register may be assigned to fill the temporarily vacant line position, as a temporary assignment to Lieutenant. The City may select from the top three candidates on the register to fill the vacancy. The assignment shall be for up to 12 months. In the event the current register expires prior to the 12 months, another candidate shall be selected from the "new" register for a period of up to 12 months.

31.2.a In the event a Firefighter is selected or assigned to the Fire Inspector position they shall receive pay commensurate with a probationary Lieutenant; 110% of Base Pay; plus the provisions of section 21.11.

Section 31.3 Deputy Fire Marshal: Upon vacancy, the position shall be filled as a Fire Inspector, subject to the provisions provided in Article 31.

Section 31.4 Assistant Fire Marshal: When the staffing level in the Fire prevention Bureau increases above the current staffing level, two Fire inspectors (Inspector/Deputy Fire Marshal), the position of Assistant Fire Marshal shall be established; the Employer agrees to recognize the Union as the exclusive representative on matters concerning wages, hours, and working conditions for the position of Assistant Fire Marshal; and that applicants for the vacancy shall come exclusively from within the bargaining unit.

Assistant Fire Marshal's typical assignment is 48 months, and based upon organizational needs, the City may elect to decrease or extend the incumbent assignment. To be eligible for assignment to Assistant Fire Marshal an individual must possess the ability to obtain and maintain the requirements of the position. Candidate must annually complete the mandated training. Assignment to Assistant Fire

Marshal shall not preclude an employee from other promotional opportunities but shall be subject to the provisions under Article 5 (Promotions and Vacancies).

31.4.a The Assistant Fire Marshal shall hold the rank of Captain; and the title and duties of Assistant Fire Marshal; and shall be subject to the provisions in Articles 12.2.e (excluding regular assigned days unless approved by their direct supervisor), 21.3, 21.10, and 21.11.

31.4.b Selection process: The Fire Chief shall first select from those applicants who currently hold the position of Captain.

31.4.b.1 If there are no applicants, the Fire Chief shall declare a Captain vacancy exists in the position of Assistant Fire Marshal; and shall promote from the current Fire Captain Eligibility Register to the position of Assistant Fire Marshal; and shall be subject to the provisions within Article (5.1b,) (5.2c,) and (5.3,). If there are no applicants from the current Fire Captain Eligibility Register modifications to the promotional requirements may be made upon mutual agreement between the Union and the City.

Section 31.5 Fire Marshal: Upon vacancy of the current Fire Marshal incumbent, the Employer agrees to recognize the Union as the exclusive representative on matters concerning wages, hours, and working conditions for the position of Fire Marshal; and that applicants for the vacancy shall come exclusively from within the bargaining unit.

Fire Marshal's typical assignment is 60 months, and based upon organizational needs, the City may elect to decrease or extend the incumbent assignment. To be eligible for assignment to Fire Marshal an individual must possess the ability to obtain and maintain the requirements of the position. Candidate must annually complete the mandated training. Assignment to Fire Marshal shall not preclude an employee from other promotional opportunities.

31.5.a The Fire Marshal shall hold the rank of Battalion Chief; and the title and duties of Fire Marshal; and shall be subject to the provisions in Articles 12.2.e (excluding regular assigned days unless approved by their direct supervisor), 21.4, 21.10, and 21.11.

31.5.b.1 Selection process: The Fire Chief shall first select from those applicants who currently hold the position of Battalion Chief.

31.5.b.2 If there are no applicants, the Fire Chief shall declare a Battalion Chief vacancy exists in the position of Fire Marshal; and shall promote from the current Battalion Chief Eligibility Register to the position of Fire Marshal; and shall be subject to the provisions within Article (5.1c,) (5.2c,) and (5.3,). If there are no applicants from the current Battalion Chief Eligibility Register modifications to the promotional requirements may be made upon mutual agreement between the Union and the City.

Section 31.6 Bargaining unit Employees assigned to the Fire Prevention Bureau shall normally be assigned a regular schedule consisting of four consecutive ten-hour days per week. Alternative schedules not exceeding forty hours per week will be allowed with the mutual agreement of the Employer, the affected Employee and the Union.

FIREFIGHTER PARAMEDIC

ARTICLE 32

Section 32.1 Kirkland IAFF members are eligible to apply for Paramedic positions within the City of Redmond. If selected, they will remain employees of the City of Kirkland during Paramedic school and during that time will retain their current wage and benefits.

Section 32.2 After completion of Paramedic school, the employee will be required to leave employment with the City of Kirkland, and become an employee with the City of Redmond. Upon completion of the Paramedic certification, the employee will have a six month period in which the employee has return rights. If the City of Redmond determines that the employee is not meeting the requirements of a Paramedic they shall either 1) become a Redmond Firefighter (no probation) or 2) be allowed to return to the City of Kirkland in their former position provided that they have not been terminated from employment from the City of Redmond for just cause. The employee will return to the City of Kirkland with all seniority and steps as if they had never left. Once Paramedic certification is completed and the employee has six months time as a Paramedic, the option to return to Kirkland is no longer available. Should an employee exercise the return rights under this Section, the least senior newly hired employee who is displaced by the return would have the rights prescribed under Article 7.2.

EMERGENCY MEDICAL SERVICES OFFICER

ARTICLE 33

Section 33.1: Emergency Medical Services (EMS) Officer: The position of EMS Officer shall hold the rank of Fire Captain; the Employer agrees to recognize the Union as the exclusive representative on matters concerning wages, hours, and working conditions for the position; and that applicants for the vacancy shall come exclusively from within the bargaining unit.

Section 33.2: Volunteer applicants for the assignment to EMS Officer will commit to fulfilling the position for a minimum period of 36 months prior to reassignment; and remain in assignment until an alternative Captain vacancy exists; however, assignment to EMS Officer shall not preclude an employee from other promotional opportunities but shall be subject to the provisions under Article 5 (Promotions and Vacancies). Based upon organizational needs, the City may elect to extend the incumbent assignment.

To be eligible for assignment to EMS Officer an individual must possess the ability to obtain and maintain the requirements of the position of Fire Captain. Candidate must annually complete the mandated training.

33.2.a The EMS Officer shall hold the rank of Captain; and the title and duties of EMS Officer; and shall be subject to the provisions in Articles 12.2.e (excluding regular assigned days unless approved by their direct supervisor), 21.3, 21.10, and 21.11.

33.2.b.i Selection process: [Step 1] The Fire Chief shall first select from those volunteer applicants who currently hold the position of Captain.

33.2.b.ii [Step 2] If a minimum pool of two (2) eligible candidates does not exist, the Fire Chief may elect to consider applicants from the current Fire Captain Eligibility Register to the position of EMS Officer; which shall be subject to the provisions within Article (5.1b,) (5.2c,) and (5.3,).

If there are no applicants from the current Fire Captain Eligibility Register, modifications to the promotional requirements may be made upon mutual agreement between the Union and the City.

Section 33.3: Bargaining unit Employees assigned to EMS Officer shall normally be assigned a regular schedule consisting of four, ten-hour days per week. Alternative schedules not exceeding forty hours per week will be allowed with the mutual agreement of the Employer, the affected Employee and the Union.

EMERGENCY MEDICAL TRANSPORT

ARTICLE 34

Section 34.1: Emergency Medical Transport: The Employer and the Union recognize the IAFF as the exclusive bargaining representative for Emergency Medical Transport; and this change in work is a mandatory subject of bargaining; and agree to maintain a primary emphasis of patient care and delivery of emergency medical services.

Section 34.2: The Department shall develop and maintain a Fee for Transport policy; recognizing current emergency medical practices. The Emergency Medical Transport Program shall have no direct impact to the delivery of patient care or the interaction between the responder and the patient.

34.2a: Kirkland Fire Department Administration shall be responsible for the direct collection of any necessary documentation, electronic data entry and fee collections; responders shall not collect fees or additional billing information other than typical personal patient information in written and electronic format and attempt to obtain a signature on the transport-authorization form.

34.2b: Patient care shall continue to be paramount and at the full discretion of the responding officer, taking into consideration currently established best practices and EMS guidelines. A patient's ability to pay or refusal to sign a transport agreement shall not limit the responder's discretion to transport or provide care.

34.2c: The responder shall maintain the discretion to utilize private transport agencies when determined to be medically necessary, situationally appropriate, by patient request, or determined to be the best utilization of resources.

PERFORMANCE OF DUTY

ARTICLE 35

Section 35.1 The Employer and the Union shall work together to meet the proficiency requirements of the department; to provide the public with efficient and courteous service and to encourage good attendance of Employees on regular duty.

Section 35.2 Evaluations

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

Evaluation may occur in two forms:

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

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

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

Evaluation shall not, by itself, constitute disciplinary action – disciplinary action must be specifically identified as such, in writing, consistent with Section 33.3.

Employees will be given a copy of the evaluation. Employees will be required to sign the evaluation, acknowledging its receipt. Employees may elect to provide a written response to the evaluation, which will be retained with the evaluation in the employee's personnel file.

Section 35.3 Discipline / Corrective Action

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

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

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

- demotion; or
- discharge.

The intent of progressive discipline is to assist the employee with performance improvement or to correct misconduct. Both the sequencing and the steps of progressive discipline are determined on a case-by-case basis, given the nature of the problem and may result in more progressive discipline for cause.

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

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

The Employer will notify the Union in writing within three (3) working days after any notice of written warning, suspension, demotion, or discharge. The failure to provide such notice shall not affect such discharge but will extend the period within which the affected employee may file a grievance. All communication surrounding this action is to be treated as confidential and sensitive.

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

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

The Employer shall endeavor to correct employee errors or misjudgments in private, with appropriate Union representation if requested by the employee.

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

35.3.a That the Employer did forewarn employee of possible consequences of conduct;

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

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

35.3.d That the Employer conducted its investigation objectively;

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

35.3.f That the Employer applied its rules, orders, and penalties without discrimination under the circumstances; and

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

In order to promote a climate of labor relations that will aid in achieving and maintaining a high level of performance within the department, the Union and the Employees it represents agree that there shall be no strikes or refusals to perform official duties. Any impasse resulting from the terms set forth in this contract will be resolved in mediation or binding arbitration in accordance with Washington State Collective Bargaining Act Laws.

Section 35.4 Vehicle Electronic Mobile Data Device
Subject to the City's requirements under law, the City agrees that it will not review and use electronic mobile data (e.g. Black Box, MDC, AVL) with the intent of generating any complaints against a Kirkland Fire employee. Electronic mobile data may be used as evidence to prove or disprove allegations of misconduct that is reasonably likely to result in discipline made against a Kirkland Fire employee. Absent evidence of misconduct that is reasonably likely to result in discipline, electronic mobile data shall not be used to monitor or evaluate a Kirkland Fire member's performance. Electronic mobile data shall remain confidential between the Employer and the Employee; and shall not be disseminated subject to the City's requirements under law.

MEETINGS AND COMMITTEES

ARTICLE 36

Section 36.1 There shall be regular Labor and Management meetings between the Executive Board of the Union and the Administration of the Fire/Building Department. The purpose of these meetings is to discuss all matters referring to the labor agreement. Department Labor and Management meetings shall occur at least on a quarterly basis. Both parties shall have the authority to make non-binding recommendations to the Union and the City. No additional compensation or overtime shall be paid for attendance at the Labor and Management Meeting.

Section 36.2 Biannual (April and October) Executive Labor Management meetings will be held or as needed upon request by either party, and include City Management and the Local. This will be for the purpose of discussing matters of concern and maintaining the relationship between management and the Local.

Section 36.3 Local 2545 will participate with the City on a joint committee that will collaboratively work with the other City Bargaining Units to develop Citywide policies that may potentially impact wages, hours, and working conditions.

LIABILITY COVERAGE

ARTICLE 37

The City shall provide legal representation to an employee who is sued, where such litigation results from any alleged error or omission of such employee performed or omitted by the employee on behalf of the City in his or her capacity as an employee within the scope of his or her employment with the City.

The City shall provide insurance coverage under its self-insurance program, or any policy or policies obtained by the City in place thereof, indemnifying the employee for loss if the employee becomes legally obligated to pay for damages which result from errors or omissions of the employee performed or omitted by the employee on behalf of the City in his or her capacity as an employee and within the scope of his/her employment with the City.

The obligations of the City under this Article shall not apply to any dishonest, fraudulent, criminal, or malicious act of any employee. As express conditions of the City's obligations under this Article, the employee shall cooperate fully with the City in the defense of any such claim or suit, and the City shall have the sole and exclusive right to compromise, settle, dispose of or litigate any such claim, and shall have no obligation under this Article to pay the amount of any settlement, compromise, or judgment entered into or allowed by the employee without the City's prior written consent.

ENTIRE AGREEMENT

ARTICLE 38

Section 38.1 The agreement expressed here, in writing, constitutes the entire Agreement between the parties and no oral statement shall add to or supersede any of its provisions.

Section 38.2 The parties acknowledge that each has had the unlimited right and opportunity to make demands and proposals with respect to any matter deemed a proper subject for collective bargaining. The results of the exercise of that right are set forth in this Agreement.

TERMS OF AGREEMENT

ARTICLE 39

The terms of this Agreement shall be in full force and effect on January 1, 2018, and except as otherwise provided herein, this Agreement shall remain in full force and effect through December 31, 2020. Within 30 days, all current employees at time of signing shall receive retroactive compensation of all back wages and benefit increases effective January 1, 2015 to present.

Signed this _____ day of _____, 2017

City of Kirkland, Washington

by _____
Kurt Triplett, City Manager

International Association
of Firefighters, Local #2545

_____
Bryan Vadney, IAFF President

APPROVED AS TO FORM:

_____
William Evans, Assistant City Attorney

Date _____

Appendix "A"
to the
Agreement
by and between
City of Kirkland
and
The IAFF

Medical and Dental Coverage

This Appendix is supplemental to the AGREEMENT by and between the CITY OF KIRKLAND, WASHINGTON, hereinafter referred to as the "Employer", and the IAFF.

A1. LEOFF Health and Wellness Trust Plan B (High Deductible Plan)

A2. The LEOFF Plan B will be implemented on January 1, 2017, or as soon thereafter as part of the transition to LEOFF Trust.

A3. An employee and spouse/domestic partner who are both employed by the City cannot enroll in separate family plans.

A4. An employee that elects to waive their medical coverage with the City will receive $100/month that will be added to their paycheck. An employee is eligible for the waiver if and only if their spouse/domestic partner is not an employee of the City, and they have provided the City with proof of other coverage.

Health Reimbursement Account – HRA (VEBA)

A5. In calendar year 2017, employees who enroll in the LEOFF Plan B or the City's Kaiser Permanente HMO plan, will have contributions deposited into the HRA (VEBA) concurrent with the second payroll in January and the second payroll in July through the duration of the contract. Employees who leave employment prior to July 1st are not eligible for the second contribution.

A6. HRA (VEBA) contributions will be made bi-annually, in the amounts of $1,000 for individuals or $1,500 for families. The total annual contribution that will be made is $2,000 for individuals or $3,000 for family. For purposes of HRA (VEBA) administration "family" is defined as employee plus one or more individual.

A7. Any employee hired after January 1st who enrolls in the LEOFF Plan B will receive prorated contribution amounts based on the quarter in which the employee is eligible for benefits. The contribution will be deposited concurrent with the second payroll of the month in which their benefits become effective.

Hire Date	Individual Coverage	Family Coverage
January 1st – March 31st	$1,000	$1,500
April 1st – June 30th	$500	$750
July 1st – September 30th	$1,000	$1,500
October 1st – December 31st	$500	$750

A8. Any employee enrolled in the LEOFF Plan B that experiences a status change after January 1st, will receive prorated contribution amounts based on the quarter in which the status change occurs. The contribution will be deposited concurrent with the second payroll of the month following the month in which the status change occurs.

Date of Status Change	
January 1st – March 31st	$500
April 1st – June 30th	$250
July 1st – September 30th	$500
October 1st – December 31st	$250

A9. Law Enforcement Officers and Firefighters Health and Welfare Trust – Dental Plan 3

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Deputy City Manager

Date: November 17, 2017

Subject: eCityGov Alliance Interlocal Agreement Ratification

RECOMMENDATION:

Council approves a resolution ratifying the amended and restated interlocal agreement that governs the eCityGov Alliance, which simplifies the governance structure and updates the document to recognize current operating procedures. Approval of the resolution on the Consent Calendar will ratify the changes.

BACKGROUND DISCUSSION:

The eCityGov Alliance (Alliance) was formed in 2002 as a mechanism to provide web-based services to the public. Members of the Alliance collaborate on solutions that provide a consistent and efficient way for customers to access public services. Kirkland has been a leader in the Alliance since its inception. Since that time, the Alliance has evolved from addressing a variety of emerging information technology needs on a regional basis (at one point, there were seven lines of business ranging from MyParksandRec.com to NWMaps), to focusing on specific needs that continue to meet the needs of customers and the member agencies very well (MyBuildingPermit.com [MBP], GovJobsToday, and NWProperties). This evolution has occurred as commercial offerings have replaced Alliance product lines, for example, Google Maps and GIS browsers replacing NWMaps, and as the interests of the Alliance principal members (Bellevue, Issaquah, Kenmore, Kirkland, Sammamish, and Snoqualmie) have diverged, with some principals pursuing initiatives on their own that are not of interest to other members. The most widely-used product is MyBuildingPermit.com that provides a central portal for development services customers to apply for and track permits, schedule inspections and make payments. MBP is strongly supported by the Master Builders Association because it provides one-stop shopping and has easy to use application forms for permits issued by any of the participating agencies.

As a result of this evolution, the structure of the Alliance continues to evolve to better meet the needs of its members. The Alliance Executive Board, currently chaired by Deputy City Manager Tracey Dunlap, has been working for the last year to update and adapt the interlocal agreement that governs the Alliance. Many of the updates reflect how the Alliance has actually been operating for the past few years. Most of the updates to the agreement can and have been approved by the Executive Board, but selected elements require ratification by each principal's legislative body. The attached memorandum from the Alliance highlights those changes and approval of the proposed resolution by the City Council as part of the consent calendar will ratify those changes.

Attachment A - Memorandum from eCityGov Alliance

ATTACHMENT A

eCityGov.net
e-powered Government Services

TO: eCityGov Alliance Executive Board

FROM: Tracey Dunlap, Chair, eCityGov Alliance Executive Board

DATE: November 17, 2017

SUBJECT: AMENDED AND RESTATED INTERLOCAL AGREEMENT ESTABLISHING ECITYGOV ALLIANCE

Background

On Monday, January 30, 2017, the Executive Board of the eCityGov Alliance voted to reorganize the Alliance to better support MyBuildingPermit, the primary Alliance program, and to create a more nimble, flexible, streamlined structure to facilitate the Alliance goals and work tasks.

As part of the Alliance reorganization, the Executive Board worked with Pacifica Law Group LLP to revise the current Interlocal Agreement (ILA). Many of the ILA edits were minor and were made to provide improved clarity. More significant revisions were also made to the "terms and conditions of membership" and "principal contributions" sections of the ILA, which require approval by each Principal's City Council per Section 17 of the ILA ("Amendment of Agreement").[1]

The fundamental restructuring of the ILA does not lend itself to a strike and edit version, however, a synopsis of the benefits and discussion of substantive changes to the ILA to better support the reorganization is provided below, with language from key sections shown in *italics*. Each Principal's legal counsel and Executive Board Member have had the opportunity to review the revisions and the Executive Board approved the changes by Resolution 2017-06 on October 27, 2017 (a copy is attached).

The primary benefits of the Alliance reorganization fall into three main areas. The amended and restated ILA:

- Simplifies the governance structure to save valuable time and streamline decision making,
- Better supports the MyBuildingPermit program,
- Ensures the cost allocation method is equitable for each program, and
- Creates a more flexible structure to enable Principals to collaborate on future initiatives.

[1] Per section 17 of the ILA, the ILA may be amended by Supermajority Vote of the Executive Board except that any amendment affecting the following requires consent of the legislative authorities of all Principals – (a) expansion of the scope and services provided by the Alliance beyond the scope of expansion authorized therein, (b) the terms and conditions of membership of the Executive Board, (c) voting rights of Executive Board Members, (d) powers of the Executive Board, (e) Principal contribution responsibilities inconsistent with the language of the ILA, (f) hold harmless and indemnification provisions, (g) provisions regarding duration, termination or withdrawal, and (h) the provisions of Section 17 regarding amendments to the ILA. Items (a), (c), (d), and (f) through (h) were not substantively revised by the proposed amendments.

ILA Substantive Changes to Simplify the Governance Structure:

The Executive Board determined that the Operations Board is no longer needed as several Alliance programs have been discontinued over the last two years and the MyBuildingPermit Management Team oversees the daily operations of MyBuildingPermit program. The Operations Board has not met since 2016 and Executive Board supports removing the Operations Board from the ILA to reduce complexity, improve decision making, save time, and streamline internal communications.

- All references to the Operations Board were removed from the ILA.

ILA Substantive Changes to Better Support MyBuildingPermit:

The Executive Board recognizes that the primary focus of the Alliance is MyBuildingPermit and that more than half of the MyBuildingPermit members are Subscribers. The Executive Board agreed that the Alliance would benefit from hearing Subscriber viewpoints as strategic decisions are made and supports updating the ILA to enable the addition of non-voting Subscriber seats to the Board.

- ILA, Section 8.c was updated to enable the Executive Board to add by Supermajority Vote one or more non-voting seats to the Executive Board to represent Subscribers.

c. Qualifications to Serve on Executive Board.

i. Voting Executive Board Members. To serve as a voting Board Member of the Executive Board, a person must be the Chief Executive Officer of the appointing Principal (e.g., for a Principal that is a city, the Mayor or City Manager, or equivalent), or its deputy or equivalent.

ii. Non-Voting Subscriber Representative(s) Qualifications for Board. In the event the Board determines (by Supermajority Vote) to add one or more non-voting seat(s) to the Board to represent one or more Subscriber, the Board shall determine the qualifications required for such non-voting Board Member(s).

- ILA, Section 8.e stipulates that the Executive Board will determine the process to select and replace any non-voting Subscriber representatives.

e. Term of Office; Vacancies.

i. Voting Executive Board Members. Executive Board Members shall serve on the Executive Board for so long as they hold a position that qualifies them for the seat, unless the agency they represent elects to appoint another individual. Any vacancies shall be promptly filled by the appointing Principal.

ii. Non-Voting Subscriber Representative(s) on Board. In the event the Board determines (by Supermajority Vote) to add one or more non-voting seat(s) to the Board to represent one or more Subscriber, the Board shall determine the process to select and replace the Subscriber representative.

ILA Substantive Changes to Update Cost Allocation Method to Ensure Equitable Distribution of Costs and to Create Greater Flexibility for Future Initiatives:

The Executive Board recognizes that the primary cost allocation method outlined in the current ILA is Principal population, which does not reflect the existing cost allocation methodology for the largest Alliance program, MyBuildingPermit, which is based on permit revenue. Therefore, the Board supports revising the ILA to enable the Executive Board to determine the most appropriate cost allocation method for each program and to adopt it by a Supermajority vote. Further, the current ILA does not provide the flexibility needed for Principals to invest in new initiatives/programs when all Principals do not want to participate. Therefore, the Executive Board supports revising the ILA to create a more nimble structure that allows two or more Principals to invest in mutual interests together and to make equitable adjustments for those Principals that do not wish to participate.

- ILA, Section 13.g (Section 12.g of the amended and restated ILA due to renumbering) was updated to state that the Board can establish other cost allocation methods by Supermajority Vote that are considered equitable to all other Principals and appropriate for the applicable Programs and Services. This Section was also revised to provide more flexibility for the Executive Board to adjust the cost methodology for non-participating Principals. The ILA now specifies that the Executive Board can make equitable adjustments for Principals who do not use or deploy certain Programs and Services offered by the Alliance.

g. Cost Allocation. The costs of funding the approved Alliance budget, net of all estimated revenue chargeable to Subscribers and all other revenues, shall be generally allocated between all Principals based on their relative Population. The Board can establish other cost allocation methods by Supermajority Vote that are considered equitable to all other Principals and appropriate for the applicable Programs and Services. Nothing in this Agreement shall be construed to prohibit the Executive Board from including factors in addition to Principal Population or making other equitable adjustments in the cost allocation formulas, including but not limited to adjustments for Principals who do not use or deploy certain Programs and Services offered by the Alliance pursuant to Section 6.g.

The proposed changes to the ILA are needed to streamline the governance structure and add flexibility to address the evolving Principal interests. Thank you for considering the revised ILA and we look forward to providing any additional information that you need.

RESOLUTION R-5287

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED INTERLOCAL AGREEMENT ESTABLISHING ECITYGOV ALLIANCE.

WHEREAS, eCityGov Alliance (the "Alliance") was established pursuant to the Interlocal Cooperation Act (Chapter 39.34 RCW) and Interlocal Agreement originally executed in 2002 and thereafter amended in 2005, 2007, 2009, and 2014 (as amended, the "Original Agreement"); and

WHEREAS, the City of Kirkland (the "City") is a party to the Original Agreement and a Principal (as defined in the Original Agreement) of the Alliance; and

WHEREAS, the Executive Board of the Alliance (the "Executive Board") has found that it is in the best interest of the Alliance to amend and restate the Original Agreement to strengthen and modify the governance and corporate structure of the Alliance and to update other provisions of the Original Agreement, while ensuring the Alliance maintains all of its current rights and responsibilities; and

WHEREAS, the Original Agreement provides that its terms may be amended upon approval through a Supermajority Vote (as defined in the Original Agreement) of the Executive Board, provided that certain amendments require the consent of the legislative authorities of each Principal; and

WHEREAS, on October 27, 2017, the Executive Board adopted Resolution 2017-06 approving a form of Amended and Restated Interlocal Agreement Establishing eCityGov Alliance (the "Amended and Restated Agreement") and requesting that the current Principals of the Alliance consider and approve the execution and delivery of the Amended and Restated Agreement as required therein; and

WHEREAS, the City Council now desires to approve the execution and delivery of the Amended and Restated Agreement.

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

Section 1. The City hereby approves the Amended and Restated Agreement in substantially the form attached hereto as Exhibit A and incorporated herein by this reference. The City Manager is hereby authorized and directed to execute, on behalf of the City, the Amended and Restated Agreement, in a form substantially similar to that attached as Exhibit A.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2017.

Signed in authentication thereof this ____ day of _____, 2017.

_____
Amy Walen, Mayor

Attest:

_____
Kathi Anderson, City Clerk

R-5287
Exhibit A

AMENDED AND RESTATED INTERLOCAL AGREEMENT ESTABLISHING ECITYGOV ALLIANCE

R-5287
Exhibit A

AMENDED AND RESTATED INTERLOCAL AGREEMENT ESTABLISHING ECITYGOV ALLIANCE

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AMENDED AND RESTATED INTERLOCAL AGREEMENT ESTABLISHING ECITYGOV ALLIANCE

AMENDED AND RESTATED INTERLOCAL AGREEMENT ESTABLISHING ECITYGOV ALLIANCE (the "Agreement"), incorporating all exhibits hereto, is entered into as of _____, 2017, by and among the municipal corporations organized under the laws of the State of Washington (the "State") which are signatories to this Agreement (hereinafter referred to as the "Principals"), is entered into pursuant to the Interlocal Cooperation Act, chapter 39.34 of the Revised Code of Washington ("RCW"). This Agreement is intended to amend and restate the Amended and Restated Interlocal Agreement Establishing eCityGov Alliance which became effective on March 1, 2014.

RECITALS

WHEREAS, eCityGov Alliance (the "Alliance") was established pursuant to the Interlocal Cooperation Act and Interlocal Agreement originally executed in 2002, and later amended in 2005, 2007, 2009, and 2014 (as amended, the "Original Agreement"); and

WHEREAS, the Alliance was formed to provide for the joint development, oversight and delivery of regionally coordinated online public sector services, technical solutions, and business solutions; and

WHEREAS, the Original Agreement established the Alliance as a separate legal entity; and

WHEREAS, the creation of an intergovernmental entity and joint instrumentality in the form of a governmental nonprofit corporation whose members are Principals enable each Principal to participate in the joint oversight and management of programs and services offered by the Alliance, enable each Principal's use of these programs and services, provide economies of scale, create a mechanism for cross-agency collaboration, and provide more seamless public access to member agency services; and

WHEREAS, it is anticipated that additional government agencies will elect to join the Alliance over time, and that some may wish to do so as subscribers to the Alliance's services rather than as Principals; and

WHEREAS, the Principals now desire to strengthen and modify the governance and corporate structure of the Alliance and update other provisions of the Original Agreement, while ensuring the Alliance maintains all its current rights and responsibilities except as modified herein; and

WHEREAS, this Agreement is authorized by the Interlocal Cooperation Act and Nonprofit Corporation Act set forth in chapters 39.34 and 24.06 RCW, respectively;

NOW THEREFORE, in consideration of the promises and agreements contained in this Agreement and subject to the terms and conditions set forth, it is mutually understood and agreed by the parties as follows:

SECTION 1. CONFIRMATION OF ECITYGOV ALLIANCE AS A NONPROFIT CORPORATION.

The Alliance is hereby confirmed as a nonprofit corporation under chapter 24.06 RCW as authorized by the Interlocal Cooperation Act (chapter 39.34 RCW), and as such the Alliance shall continue to have all rights and responsibilities assigned it by the Principals as contemplated and accomplished pursuant to the Original Agreement, including but not limited to the responsibility for developing, owning, operating, and managing the Alliance programs and services on behalf of the Principals and its Subscribers. Nothing herein shall be deemed to prevent the Alliance from any further reorganization permitted by applicable law, including without limitation the conversion to a municipal corporation.

SECTION 2. TERM OF AGREEMENT; REPLACEMENT OF ORIGINAL AGREEMENT.

This Agreement shall be of perpetual duration, subject to termination provisions contained herein.

SECTION 3. DEFINITIONS.

a. Agreement. The "Agreement" is this Amended and Restated Interlocal Agreement Establishing eCityGov Alliance, as it may hereafter be amended, restated or modified, together with all exhibits and appendices hereto, as they may hereafter be amended, restated, or modified.

b. Alliance. The "Alliance" is the eCityGov Alliance, a nonprofit corporation owned and governed by its Principals.

c. Alternate. An "Alternate" refers to the designated individual representing a Principal or a Subscriber on the Executive Board in the event that the Board Member is not available to attend.

d. Articles of Incorporation. The "Articles of Incorporation" or "Articles" are terms defining aspects of the Alliance corporate formation under RCW 39.34.030(3)(b) and consistent with RCW 24.06.025, as they may hereafter be amended by the Executive Board.

e. Board Member. A "Board Member" or "Executive Board Member" is the individual representing a Principal on the Executive Board or his/her designated Alternate, and also includes any individual appointed to represent a Subscriber or Subscribers as a non-voting *ex officio* Board Member.

f. Bylaws. The "Bylaws" as adopted and amended from time to time by the Executive Board shall govern the operations of the Executive Board and the officers thereof.

g. Executive Board. The "Executive Board" or "Board" is the body described in Section 8 and shall be the governing body of the Alliance.

h. Executive Director. The "Executive Director" is the chief operating officer for the Alliance appointed by and serving at the pleasure of the Executive Board.

i. Fiscal Agent. The "Fiscal Agent" refers to that agency or government that holds and manages the Alliance's funds, and performs accounting and other services for the Alliance as required per separate contract between the Fiscal Agent and the Alliance, and in accordance with the requirements of chapter 39.34 RCW.

j. Operations Policy. The "Operations Policy" refers to the separate operational documents adopted by the Executive Board, that may be amended from time to time, which describes how data will be shared between the Participants and the Alliance, and sets forth operating procedures and rules for the Alliance Programs and Services.

k. Original Agreement. The "Original Agreement" is the Interlocal Agreement establishing the eCityGov Alliance, originally executed in 2002, and later amended and/or restated in 2005, 2007, 2009, and 2014.

l. Participants. All Principals and all Subscribers, as they may be so constituted from time to time, are collectively referred to as the "Participants," and individually referred to as a "Participant."

m. Population. "Population" is the residential population of a Principal, according to the most recent annual report issued by the State Office of Financial Management determining the population of each city for purposes of taxation and allocation of certain state shared revenues in the following calendar year, or, for Principals who are not cities, such other official federal or state agency report that the Board determines provides sufficiently equivalent information.

n. Principal. A "Principal" is a municipal corporation formed under the laws of the State which has accepted the terms of and is a party to this Agreement and has paid its share of initial costs as may be required by the Executive Board as a condition to becoming a Principal. Principals shall receive access to all Programs and Services offered by the Alliance, according to such terms and conditions as may be established by the Executive Board.

o. Program Committee. A "Program Committee" is a team of staff from Participant agencies tasked with developing proposals for, and assisting in the implementation of, Program Work Plans, under the guidance and direction of the Executive Director.

p. Program Work Plan. A "Program Work Plan" is a document describing the goals, staffing, milestones, budget, and task list to accomplish a specified Program or Service within a specified period (typically a budget period). Program Work Plans shall be approved by the Executive Board per Section 7.m.

q. Programs and Services. "Programs and Services" are online public programs and services, technical solutions, and business solutions operated, provided, or sponsored by the Alliance. As of the date of this Agreement, the Programs and Services are those described in Exhibit A, which is incorporated herein by this reference. Programs and Services offered by the Alliance may be expanded as described in Section 6.d.

r. Quorum. A "quorum" shall have the meaning set forth in Section 8.g hereof.

s. Simple Majority Vote. A "Simple Majority Vote" of the Executive Board means the affirmative vote of a majority (more than 50%) of the Principals present and voting, calculated by both Weighted Votes present and by number of the Executive Board Members present.

t. State. "State" means the State of Washington.

u. Subscriber. A "Subscriber" is a municipal corporation formed under the laws of the State, or another corporation or entity which has agreed to pay the Alliance for services according to such terms and conditions as may be established by the Executive Board and evidenced by separate contract between the Alliance and such entity. A Principal may convert or be converted to Subscriber status as provided herein, and a Subscriber that meets the definition of a Principal may be converted to Principal status as described herein.

v. Supermajority Vote. A "Supermajority Vote" means the affirmative vote of not less than sixty-six percent (66%) of the total Weighted Votes of the Executive Board, and not less than sixty-six percent (66%) of the total number of the Executive Board Members.

w. Weighted Vote. A "Weighted Vote" means a vote in which the vote of each Board Member representing a Principal is counted according to the proportional Population of each Principal in relationship to the total Population of all Principals.

SECTION 4. GUIDING PRINCIPLES.

It shall be the policy of the Alliance to adhere to the following principles to the best of its abilities and as is reasonably practical for the purposes of managing and operating the Alliance:

a. Cost sharing is equitable;

b. Risk is shared;

c. Mission is not diluted;

d. Focus is on providing strong and effective products;

e. Roles and responsibilities are clearly defined;

f. Benefit is clear and direct to Participants;

g. Control and flexibility is retained by Participants;

h. Business drives technology;

i. Decision making is transparent and efficient;

j. Innovation is supported; and

k. Effectiveness and efficiency of Programs and Services is periodically confirmed by Executive Board review and consideration of options.

SECTION 5. PURPOSES OF ALLIANCE.

The Alliance shall have the following purposes:

a. Create regionally coordinated portal(s) for the delivery of public sector services via the Internet.

b. Provide citizens and businesses a variety of services and information in a manner that is coordinated among participating jurisdictions and efficiently integrated with internal operations.

c. Provide a forum for the sharing of resources in the development and deployment of future public sector services, forging partnerships with other public and private entities that seek to enhance services, information and business process, and create a mechanism for cross-boundary staff collaboration, training, and work coordination for Alliance services and products.

d. Create economies of scale among Participants, by coordinating and cooperating in joint purchasing, application development and other projects, from which the Participants benefit.

SECTION 6. ALLIANCE PROGRAMS AND SERVICES.

a. Generally. The Alliance has the responsibility to develop, own, operate, maintain, license, acquire, and manage such Programs and Services as are provided by the Alliance, further described in Exhibit A and for managing the operations of the Alliance. It is expressly contemplated that this scope of services includes:

i. The implementation, operation, and maintenance of replacement or upgrades of the Alliance Programs and Services as necessary or appropriate.
ii. The development and adoption of rules for access, use, and maintenance of the Alliance by Participants and other users of Programs and Services.
iii. Any additional Programs and Services as may be approved per Section 6.d.
iv. Other responsibilities reasonably necessary for the development, operation, and maintenance of the Alliance.
v. Other related or ancillary services.

b. The Alliance is authorized to create and maintain a cooperative purchasing process, including but not limited to the creation of a small works roster and shared procurement portal. For so long as the Alliance maintains these operations, the Alliance shall be the lead agency for purposes of complying with the requirements of RCW 39.04.155, as it now exists or as hereafter amended, and as authorized by RCW 39.34.030, as it exists now or as hereafter amended.

c. Limitation on Authority. The Alliance shall have no authority to set local policies, levy or collect taxes, or take audit or enforcement action on behalf of any Participant.

d. Expansion of Scope of Services. As of the effective date of this Agreement, the Alliance offers those Programs and Services as described in Exhibit A. Upon Supermajority Vote of the Executive Board, the Alliance may provide additional Programs and Services that are consistent with the purpose of the Alliance set forth in Section 5.

e. Operating Policies and Rules for Use of Portal. In order to protect sensitive or confidential data, and assure the relationship between the Alliance and Participants remains fully functional and secure, the Executive Board shall adopt an Operations Policy. It is understood and agreed that the access and use of Alliance Programs and Services by any Participant is conditioned on that party's compliance with the Operations Policy. The Operations Policy will be regularly reviewed and updated by the Executive Board as necessary or appropriate.

f. Access by Principals to all Programs and Services. All Principals shall be entitled to use all Alliance Programs and Services, subject to the Principals compliance with the Operations Policy.

g. Requirement of Principals Use of Alliance Programs and Services**.** No Principal is required to use or deploy all Programs and Services offered by the Alliance**.** Nothing in this Agreement shall be interpreted to preclude a Participant from using or deploying competing services or programs similar in functionality to Programs and Services offered by the Alliance.

SECTION 7. ALLIANCE POWERS.

Through its Executive Board**,** the Alliance shall have all powers allowed by law for interlocal agencies created under RCW 39.34.030 and chapter 24.06 RCW, as they now exist or may hereafter be amended, and as authorized, amended, or removed by the Executive Board, as provided for in this Agreement, and including but not limited to the following:

a. Recommend action to the legislative bodies of the Participants;

b. Review and adopt budgets for the Alliance and approve budget expenditures;

c. Establish policies for cost allocation and expenditures of budget items for the Alliance;

d. Review and adopt a personnel policy for the Alliance (if applicable);

e. Review and approve operating policies for the Alliance and its Programs and Services;

f. Establish a fund or special fund or funds as authorized by RCW 39.34.030 for the operation of the Alliance;

g. Conduct regular and special meetings as may be designated by the Executive Board consistent with the State Open Public Meetings Act (chapter 42.30 RCW) as now or hereafter amended;

h. Maintain and manage records in accordance with the State Public Records Act (chapter 42.56 RCW) as now or hereafter amended, and other applicable state and federal laws and regulations;

i. Determine what Programs and Services shall be offered through the Alliance and under what terms they shall be offered, consistent with Section 6;

j. Retain and terminate an Executive Director;

k. Appoint and terminate a Fiscal Agent to hold and manage the Alliance's funds;

l. Approve strategic plans;

m. Approve Program Work Plans and receive periodic briefings on progress in implementing same;

n. Approve the addition of new Principals and new Subscribers and the terms of their participation in the Alliance and receipt of Alliance Programs and Services;

o. Enter into agreements with third parties for goods and services necessary to fully implement the purposes of this Agreement;

p. Establish fees and charges for services provided to Participants or other parties, including but not limited to users of Alliance Programs and Services;

q. Direct and supervise the activities of any Program Committee and any advisory board established by the Executive Board and the Executive Director;

r. Hear and resolve disputes between Participants and resolve other management issues;

s. Accept loans or grants of funds from any federal, state, local or private agencies and receive and distribute such funds;

t. Receive all funds allocated to the Alliance by Participants;

u. Purchase, take, receive, lease, take by gift, or otherwise acquire, own, hold, improve, use, and otherwise deal in and with real or personal property, or any interest therein, in the name of Alliance;

v. Sell, convey, lease, exchange, transfer, license, and otherwise dispose of all of its property and assets;

w. Sue and be sued, complain and defend, in all courts of competent jurisdiction in Alliance's name;

x. Make and alter Bylaws for the administration and regulation of its affairs;

y. Any and all other lawful acts necessary to further the Alliance's goals and purposes; and

z. Except as expressly provided above, the Alliance shall not have the power or authority to issue debt in its own name.

The Alliance, as a joint instrumentality of its Principals under chapter 39.34 RCW, shall have no powers or authority that is not held by cities in the State.

SECTION 8. EXECUTIVE BOARD: COMPOSITION AND OPERATION.

a. Composition. The Executive Board shall be composed of one (1) Board Member from each Principal. Such representatives are referred to as Board Members or Executive Board Members. The Executive Board may, by Supermajority Vote, add one or more non-voting *ex officio* Board Members to represent a Subscriber or Subscribers as provided below.

b. Powers. The Executive Board shall have final decision making authority upon all policy issues and shall exercise the powers described in Section 7**.** The Executive Board may delegate responsibility for execution of Executive Board policies and directives and for day-to-day operational decision-making to the Executive Director, including the hiring and supervision of additional staff positions authorized by the Executive Board, subject to Section 11.

c. Qualifications to Serve on Executive Board.

i. Voting Executive Board Members. To serve as a voting Board Member of the Executive Board, a person must be the Chief Executive Officer of the appointing Principal (e.g., for a Principal that is a city, the Mayor or City Manager, or equivalent), or its deputy or equivalent.

ii. Non-Voting Subscriber Representative(s) Qualifications for Board. In the event the Board determines (by Supermajority Vote) to add one or more non-voting seat(s) to the Board to represent one or more Subscriber, the Board shall determine the qualifications required for such non-voting Board Member(s).

d. Conditions for Serving on Executive Board. All Executive Board Members and their Alternates shall serve without compensation from the Alliance. However, the Alliance may pay for or reimburse Executive Board Members and Alternates for reasonable out-of-pocket costs related to service on the Executive Board.

e. Term of Office; Vacancies.

i. Voting Executive Board Members. Executive Board Members shall serve on the Executive Board for so long as they hold a position that qualifies them for the seat, unless the agency they represent elects to appoint another individual. Any vacancies shall be promptly filled by the appointing Principal.

ii. Non-Voting Subscriber Representative(s) on Board. In the event the Board determines (by Supermajority Vote) to add one or more non-voting seat(s) to the Board to represent one or more Subscriber, the Board shall determine the process to select and replace the Subscriber representative.

f. Alternates. Each Executive Board Member shall appoint a single Alternate designated in writing. Alternates must be in a senior management position within their agency

and be able to make decisions on behalf of the Principle represented. Written notice of the appointment of an Alternate shall be provided to the Chair prior to the Alternate attending a meeting of the Board.

g. Quorum. A simple majority (more than 50%) of the Executive Board Members representing Principals (or their Alternates) in number (excluding any Executive Board Member which per Section 16 has given notice of withdrawal or which has been terminated by vote of the Executive Board) shall constitute a quorum of the Executive Board for purposes of taking action.

h. Voting. The Executive Board shall strive to operate by consensus. All Executive Board decisions on items not listed in Section 8.i shall require a Simple Majority Vote for approval. A Board Member may not split his or her vote on an issue. No voting by proxies or mail-in ballots is allowed. Voting by a designated Alternate is not considered a vote by proxy. A Board Member representing a Principal that has given notice of withdrawal or which has been terminated by vote of the Executive Board shall be authorized to cast votes at the Executive Board only on budget items to be implemented prior to the withdrawal or termination date.

i. Items Requiring a Supermajority Vote for Approval:

i. Adoption or amendment of the Bylaws or amendment of the Articles of Incorporation.
ii. Admission of a new Principal.
iii. Creating a non-voting seat for a Subscriber or Subscribers on the Executive Board.
iv. Adding new Programs and Services.
v. Appointing or removing the Executive Director.
vi. Approving changes in the cost allocation consistent with Section 12.g to consider factors other than Population.
vii. Reinstatement of a Principal that had been converted to a Subscriber due to delinquency in making payments described in Section 12.i.
viii. Merger, consolidation, sale of all or substantially all assets of the Alliance described in Section 15.
ix. Amendment of this Agreement, except for those amendments requiring approval of all legislative bodies of the Principals per Section 17.
x. Termination or dissolution of the Alliance described in Section 18.
xi. Any other actions requiring a Supermajority Vote under chapter 24.06 RCW (including, but not limited to, amending the Articles of Incorporation, approval of a merger or consolidation, disposition of substantially all or all of the property and assets of the Alliance, dissolution of the Alliance, and revocation of a voluntary dissolution).

j. Officers. The Executive Board shall have four officers, a Chair, Vice-Chair, Secretary, and Treasurer. It will be the function of the Chair to preside at the meetings of the

Executive Board. New officers are elected biennially at the April mandatory meeting and shall commence two (2) year term on May 1. The Chair and Vice-Chair must be Board Members. In the event of a vacancy in the Chair position, the Vice-Chair shall assume the Chair for the balance of the term of the departed Chair. In the event of a vacancy in the Vice-Chair position, the Executive Board shall elect a new Vice-Chair to serve to the balance of the term of the departed Vice-Chair. An officer elected to fill the unexpired term of his or her predecessor shall not be precluded from serving one or more full annual terms of office following the end of such unexpired term. Any officer appointed by the Executive Board may be removed by vote of the Executive Board, with or without cause, in which event the Executive Board shall promptly elect a new officer who shall serve until the next regular officers' board term begins. The Executive Board may appoint persons other than Board Members of the Executive Board to serve as Secretary and Treasurer of the Alliance. The duties of all officers shall be further described in the Bylaws.

k. Staffing. The Executive Director shall assign agency staff to support the Executive Board as he or she deems appropriate.

l. Meetings. The Executive Board shall meet as often as it deems necessary and not less than once a year, at a time and place designated by the Chair of the Executive Board or by a majority of its Board Members. Regular meetings shall be held pursuant to a schedule adopted by the Executive Board. Special meetings may be called by the Chair or a majority of Executive Board Members upon giving all other Executive Board Members notice of such meeting in accordance with chapter 42.30 RCW (which, as of the date of this Agreement, requires written notice to be provided to each Board Member at least twenty-four (24) hours prior to the meeting). Notwithstanding the foregoing, the Chair or Board Members calling a special meeting will, in good faith, attempt to provide at least ten (10) days prior written notice of a special meeting, however, failure to do so will not invalidate any otherwise legal action taken at a meeting where the proper notice was provided in accordance with chapter 42.30 RCW. In an emergency, the Executive Board may dispense with written notice requirements for special meetings, but must, in good faith, implement best efforts to provide fair and reasonable notice to all Executive Board Members. Members of the Executive Board may participate in a meeting through the use of any means of communication by which all Board Members and members of the public participating in such meeting can hear each other during the meeting. Any Executive Board Member participating in a meeting by such means is deemed to be present in person at the meeting for all purposes including, but not limited to, establishing a quorum.

m. Parliamentary Authority. Robert's Revised Rules of Order shall govern any proceeding of the Executive Board to the extent not inconsistent with this Agreement or the bylaws adopted by the Executive Board.

SECTION 9. CONVERSION OF STATUS OF PRINCIPALS; ADDITION OF NEW PRINCIPALS OR SUBSCRIBERS.

a. Loss of Principal Status. As described in Sections 12.d and 12.i hereof, a Principal shall be converted to Subscriber for failure to approve its share of the budget or for delinquency in payment of charges and fees. On the date of such conversion, said former Principal shall:

i. lose its representation on the Executive Board;
ii. lose its right to receive a share of the Alliance assets upon dissolution of the Alliance;
iii. become subject to payment of charges and fees in accordance with the then applicable payment formula for Subscribers; and
iv. be bound by the terms of the then current Subscriber service contract.

The conversion of a Principal to Subscriber shall not discharge or relieve any Principal of its obligations to the Alliance or any other Participant.

b. Election to Convert to Subscriber: A Principal may elect to convert to Subscriber status effective the first day of the next budget period by giving notice of its intent to the Executive Board not less than nine (9) months in advance of such effective date. Such conversion shall be effective as proposed without further action of the Executive Board, barring any basis for terminating the Principal and action thereon by the Executive Board.

c. New Principals: Subject to the terms of subsection (i) below, a municipal corporation otherwise meeting the qualifications of a Principal in Section 3.n hereof may be admitted to the Alliance upon Supermajority Vote of the Executive Board and its approval and execution of a document confirming the same. Similarly, a Subscriber may apply to the Executive Board to be converted to Principal status. As a condition of becoming a Principal, whether by conversion or new admission, the Executive Board may require payment or other contributions or actions by the new Principal as the Executive Board may deem appropriate, and may set such start date for service as it deems appropriate, it being the intention that the addition of new Principals shall not cause then-existing Principals or Subscribers to incur additional costs.

If accurate data on the Population of an agency otherwise qualified to be a Principal is not readily available to the satisfaction of the Board, then such agency may not be admitted as a Principal until and unless this Agreement is amended in order to provide a mechanism for the calculation of: (1) the Weighted Vote of such agency; and (2) the calculation of the cost allocation as between the agency and other Principals per Section 12.g.

d. New Subscribers. The determination of whether to accept Subscribers shall be made by the Executive Board in a manner similar, and subject to such terms and conditions, as that for accepting new Principals, it being the intention that the addition of new Subscribers shall not cause then-existing Principals or Subscribers to incur additional costs.

SECTION 10. STAFFING AND PROGRAM COMMITTEES.

a. Generally. The Alliance shall be staffed in such manner as the Executive Board determines, including but not limited to the use of employees from Principals, consultants or other service providers, purchase of services from Principals or others, or hiring staff, or any combination of the foregoing.

b. Program Committees. As may be directed by the Executive Board, Participants shall designate staff to participate in Program Committees tasked with assisting the Executive Director in the development and implementation of Program Work Plans. Program Work Plans shall be submitted for Executive Board consideration, and implemented consistent with the conditions of Executive Board action.

c. Program Work Plan Implementation Disputes. Program Committees shall submit any unresolved Program Work Plan implementation disputes to the Executive Board for its decision.

SECTION 11. ALLIANCE EXECUTIVE DIRECTOR.

a. Alliance Executive Director Appointment, Responsibilities and Authority. The Executive Board shall be responsible for the appointment and termination of an Executive Director of the Alliance. The Executive Director shall:

i. Be responsible and report to the Executive Board and advise it from time to time on budget and other appropriate matters in order to fully implement the purposes of this Agreement;
ii. Develop and submit to the Executive Board a proposed budget;
iii. Administer the Alliance in its day-to-day operations consistent with the policies adopted by the Executive Board; and
iv. Appoint persons to fill other staff positions, subject to confirmation by the Executive Board as the Board may require.

b. Qualifications, Retention, and Termination. The Executive Director shall have experience in technical, financial, and administrative fields and his or her appointment shall be on the basis of merit only. The Executive Director is an "at will" position and may be terminated from his or her position as Executive Director upon the Supermajority Vote of the Executive Board, without cause.

c. Legal Counsel, Accountants and Auditors. Only the Executive Board shall be authorized to approve the hire or to retain legal counsel and independent accountants and auditors. Once approved by the Executive Board, the Chair, Executive Director, or other person designated by the Executive Board can sign contracts or service agreements on behalf of the

Alliance for purposes of this subsection. Other consultants may be designated in such manner as the Executive Board may determine subject to Sections 7 and 8.

d. Contracts and Support Services. Except as provided in 11.c and subject to such additional requirements as may be set forth in the Bylaws, the Executive Director shall as necessary contract with appropriate local governments or other third parties for staff, supplies, and services.

e. Fiscal Agent and Administrative Services. The Executive Board may contract with a Participant or Participants to provide Fiscal Agent and financial management services for the Alliance, including but not limited to records, payroll, accounting, purchasing, and data processing.

SECTION 12. BUDGET; COST ALLOCATION; PAYMENT OF CHARGES: DELINQUENCIES; RESERVE FUNDS.

a. Budget Fiscal Year. The budget fiscal year for the Alliance shall be either the calendar year, or two calendar years as the Executive Board may determine. The "budget period" corresponds to the fiscal year or years so determined by the Board.

b. Budget Approval. The Executive Director shall develop the proposed operating budget. The Executive Director and Executive Board shall use best efforts to meet the scheduled budget dates set forth in this Section but failure to meet such dates shall not constitute a breach of this Agreement.

i. The Executive Director shall present a proposed budget to the Executive Board by no later than **June 30** prior to the commencement of the budget period, together with any Program Committee recommendations with respect to the proposed budget.

ii. By no later than **August 31**, the Executive Board shall (1) review and revise the draft budget as it deems appropriate; (2) approve the draft budget (including proposed charges to Participants and any user fees); and (3) forward the same to Principals. The approved draft budget, and all proposed fees and charges shall be forwarded to Subscribers no later than **September 15**.

iii. The final budget shall be adopted by vote of the Executive Board effective no later than **December 31** prior to commencement of the budget period, after receiving information as to:

1. which Subscribers will be continuing to contract with the Alliance; and
2. which Principals have or will approve their shares of the Alliance budget, based on action or information from such Principals received by the Alliance no later than **December 1**.

iv. Vote Required to Approve Budget. A Simple Majority Vote of the Executive Board is required to approve the draft and final budget.

c. Payment of Charges. The Executive Board shall determine the timing of payments by Participants.

d. Failure of a Principal to Approve Budget Share. Failure of a Principal to approve its share of the budget before the commencement of the budget period shall result in the Principal being converted to Subscriber status effective as of the first day of the budget period for which it did not approve its budget share.

e. Notification of Final Adopted Budget. Promptly following final adoption of the budget by the Executive Board, the Executive Director shall provide notice to all Principals and Subscribers as to the terms of the final adopted budget, including their share of Alliance costs, charges and fees, and the payment schedule.

f. Budget Modifications. Modifications to the budget shall be approved by a Simple Majority Vote of the Executive Board as necessary from time to time to account for changes in expenditures and revenues.

g. Cost Allocation. The costs of funding the approved Alliance budget, net of all estimated revenue chargeable to Subscribers and all other revenues, shall be generally allocated between all Principals based on their relative Population. The Board can establish other cost allocation methods by Supermajority Vote that are considered equitable to all other Principals and appropriate for the applicable Programs and Services. Nothing in this Agreement shall be construed to prohibit the Executive Board from including factors in addition to Principal Population or making other equitable adjustments in the cost allocation formulas, including but not limited to adjustments for Principals who do not use or deploy certain Programs and Services offered by the Alliance pursuant to Section 6.g.

h. Subscriber Charges and User Fees. The Alliance shall impose such reasonable Subscriber charges as the Executive Board may determine, and may also impose user fees on others for use of Alliance Programs and Services, in order to recoup costs of Alliance operations, reserves and any other Alliance costs.

i. Delinquencies. Alliance policies and practices with respect to providing notice of, and charging interest on, late payments owing to the Alliance from Principals and Subscribers shall be established by action of the Executive Board, subject to Section 9. If such fees and interest penalties (if any), are not paid in full within 60 days of the original due date, then the Principal delinquent in payment of fees shall upon such 60th day be deemed immediately converted to the status of a Subscriber and subject to penalty as described in Section 9. A Principal that has been converted to Subscriber status per the preceding sentence may appeal to the Executive Board to be reinstated as a Principal, and approval of any such appeal shall require

Supermajority Vote of the Executive Board. In the event a Principal converted to Subscriber status by non-payment of fees shall not have paid in full all fees and interest owing by six (6) months after the original due date, then the Executive Board may terminate provision of the Alliance's services to that former Principal. After one (1) year, the nonpaying former Principal shall be deemed to have withdrawn from this Agreement, but the termination of services shall not absolve the former Principal of its obligation to pay all fees and charges past due, together with any interest charges owing per Board policy.

j. Reserve Funds. The Executive Board may establish and fund reserve funds to support operations or capital investments for the Alliance, at levels the Executive Board determines to be appropriate.

k. Use of Funds. Consistent with any use imposed on particular funds by statute, ordinance, Executive Board resolution, contract, this Agreement and the Bylaws, the Alliance may use any available funds for any purpose authorized by this Agreement in connection with an authorized project.

SECTION 13. FISCAL AGENT; RETAINED AUTHORITY AND RESPONSIBILITY OF PARTICIPANTS.

a. Fiscal Agent. The Alliance may have a lead administering agency, designated by the Executive Board, to carry out administrative functions and act as the Fiscal Agent for the Alliance. The Fiscal Agent, if any, will have all power and authority necessary or appropriate to: (i) deposit, manage and expend monies from Alliance funds in furtherance of the purposes of this Agreement; and (ii) carry out the provisions of any applicable service level agreement ("SLA") between the Fiscal Agent and the Alliance. The Fiscal Agent may cease serving as the Fiscal Agent upon six months written notice to the Executive Board or as otherwise provided in the SLA.

b. Retained Authority and Responsibilities. Notwithstanding subsection 13.a above, each Participant shall retain the responsibility and authority for its operational departments and for such equipment and services as are required at its place of operation to connect to Alliance online Programs and Services, including but not limited to each Participant's computer and data systems managing processes. Each Participant shall also retain the responsibility and authority for managing and maintaining the security and privacy of all data that the Participant links to Alliance online Programs and Services. Inter-connecting equipment and services will not be included in Alliance budget and operational program, except as the Executive Board may determine.

SECTION 14. OWNERSHIP OF PROPERTY.

a. Ownership of Property. The Alliance shall own its real, personal, and intellectual properties (collectively, "Alliance properties") and shall manage such Alliance properties pursuant to this Agreement.

b. Loaned Property. If any Participant provides equipment or furnishings for Alliance use, the title to the same shall rest with the respective Participant unless that equipment or furnishing is acquired by the Alliance.

c. Data. Each Participant shall retain ownership of its own data and property that may be used in connection with Alliance Programs and Services or other Alliance operations.

d. License Rights to Alliance Intellectual Property. Each Principal has a license to use the Alliance intellectual property, for so long as such Principal remains a Principal of the Alliance in good standing. This license right shall survive termination of this Agreement, for any Principal that is a party in good standing to this Agreement as of the date of termination of the Alliance. No Principal may use licensed Alliance intellectual properties in a manner that competes with the Alliance. Subscribers shall have such license rights to use Alliance intellectual property as may be prescribed by separate agreement between the Alliance and a Subscriber.

e. Intellectual Property Developed at Request and Expense of Alliance. Any software code or other intellectual property developed, created, or improved at the request and expense of the Alliance, including without limitation work undertaken by city or other Principal or Subscriber agency staff pursuant to a contract with the Alliance, is the property of the Alliance.

f. Work Product/Confidentiality. All work product including records, data, information, development notes, discs, magnetic media, files, designs, sketches, finished or unfinished documents or other documents, material or data created in performance of this Agreement is the property of the Alliance. All such work product shall be kept confidential by all the Principals and Subscribers and the Principal's and Subscriber's employees and agents and shall not be made available to any individual or organization by any Principal or Subscriber without the prior written consent of the Executive Board or unless required pursuant to court order, the Public Records Act or other applicable law.

SECTION 15. MERGER OR CONSOLIDATION, OR SALE OF ALL OR SUBSTANTIALLY ALL ASSETS.

Approval of the merger or consolidation of the Alliance with another entity per chapter 24.06 RCW, or the sale of all or substantially all assets of the Alliance, shall require a Supermajority Vote.

SECTION 16. WITHDRAWAL BY, OR TERMINATION OF, A PRINCIPAL.

a. Notice and Timing. Any Principal may withdraw its membership and terminate its participation in this Agreement by providing written notice to the Executive Board on or before December 31 in any year, and the Executive Board shall promptly inform all other Principals of such notice. That withdrawal shall become effective on the last day of the next calendar year.

b. Rights of Departing Principal. Departing Principals shall have rights to copies of all data held by the Alliance relating specifically to the Principal. Any Principal withdrawing from the Alliance forfeits its interests in any of the property or intellectual property owned by the Alliance and any future revenues associated with Alliance products and/or services.

c. The termination and/or withdrawal of a Principal shall not discharge or relieve any Principal of its obligations to the Alliance or other Participants incurred prior to the effective date of the Principal's withdrawal. In particular but without limitation, a Principal converted to Subscriber status due to delinquency per Section 12.i. shall be obligated to pay its full allocation of the approved Alliance budget for the budget year in which the Principal was delinquent.

SECTION 17. AMENDMENT OF AGREEMENT.

This Agreement may be amended upon approval of a Supermajority Vote of the Executive Board except that any amendment affecting the following shall require consent of the legislative authorities of all Principals:

a. Expansion of the scope of services provided by the Alliance beyond the scope of expansion authorized in Section 6.d;

b. The terms and conditions of membership on the Executive Board;

c. Voting rights of Executive Board Members;

d. Powers of the Executive Board;

e. Principal contribution responsibilities inconsistent with Section 12.g;

f. Hold harmless and indemnification requirements;

g. Provisions regarding duration, termination or withdrawal; and

h. The conditions of this Section.

This Section shall not be construed to require legislative authority consent for the addition of a new Principal or agreement to serve an additional Subscriber, or to expand or contract the services purchased by any Principal or Subscriber or offered by the Alliance as authorized in Section 6.d.

SECTION 18. TERMINATION OF AGREEMENT; DISSOLUTION OF ALLIANCE.

a. Generally. This Agreement may be terminated upon the approval of a Supermajority Vote of the Executive Board. The termination shall be by direction of the Executive Board to wind up business by a date specified by the Executive Board, which date shall be at least one (1) year following the date of the vote to terminate. Upon the final termination date, this Agreement shall be fully terminated.

b. Distribution of Property on Termination of Agreement. Upon termination of this Agreement, all property acquired during the life of this Agreement remaining in ownership of the Alliance shall be disposed of in the following manner:

i. Real or Personal Property. All real or personal property purchased pursuant to this Agreement and all unexpended funds or reserve funds, net of all outstanding Alliance liabilities, shall be distributed to those Principals still participating in the Alliance on the day prior to the termination date. Said property shall be apportioned between Principals based on the ratio that the average of each Principal's contributions to the operating budget over the preceding five (5) years bears to the total of all then remaining Principals' operating budget contributions paid during such five-year period. The Executive Board shall have the discretion to allocate the real or personal property and funds as it deems appropriate, and the apportionment, determined consistent with the preceding sentence, need not be exact.

ii. Intellectual Property Rights. Principals and Subscribers shall retain the right after termination of the Alliance to their respective specific data then held by the Alliance or its vendors. Upon termination of the Alliance, each Principal will be provided a then-current version of software and data templates (absent any confidential data) for any and all Alliance Programs or Services so that each Principal may continue its non-exclusive use of such Program or Service. Any use or sale of such software or data templates by any Principal after termination of the Alliance shall not limit or otherwise impact the rights of other Principals without their express consent. Notwithstanding the foregoing, the Executive Board may determine to sell intellectual property owned by the Alliance upon termination, in which case each Principal shall receive a share of the proceeds of sale consistent with the allocation described in subsection "i" above. Any such sale will not limit or otherwise impact the Principals' rights to use the software and data

templates provided after termination of the Alliance. The terms of this subsection shall survive expiration or termination of this Agreement.

iii. Loaned Property. In the event of dissolution or termination of the Alliance, assigned or loaned assets shall be returned to the lending entity.

iv. Allocation of Liabilities. In the event outstanding liabilities of the Alliance exceed the value of personal and real property and funds on hand, all Principals shall contribute to retirement of those liabilities in the same manner as which they would share in the distribution of properties and funds per subsection "i" above.

c. Notwithstanding the foregoing, this Agreement may not be terminated if to do so would abrogate or otherwise impair any outstanding obligations of the Alliance, unless provision is made for those obligations.

SECTION 19. DISPUTE RESOLUTION.

a. Whenever any dispute arises between a Principal or the Principals or between the Principals and the Alliance (referred to collectively in this Section as the "parties") under this Agreement which is not resolved by routine meetings or communications, the parties agree to seek resolution of such dispute by the process described in this Section, which shall also be binding on Subscribers entering into new or amended contracts for service with the Alliance after the effective date of this Agreement**.** The terms of this provision shall not apply to disputes arising in connection with the implementation of Program Work Plans.

b. The parties shall seek in good faith to resolve any such dispute or concern by meeting, as soon as feasible. The meeting shall include the Chair of the Executive Board, the Executive Director, and a representative(s) of the Principal(s), if a Principal(s) is involved in the dispute, and/or a person designated by the Subscriber(s), if a Subscriber(s) is involved in the dispute.

c. If the parties do not come to an agreement on the dispute or concern, any party may request mediation through a process to be mutually agreed to in good faith between the parties within 30 days, which may include binding or nonbinding decisions or recommendations (whichever is mutually agreed to). The mediator(s) shall be mutually agreed upon and shall be skilled in the legal and business aspects of the subject matter of this Agreement. The parties shall share equally the costs of mediation and assume their own costs.

SECTION 20. INSURANCE.

The Executive Board and Executive Director shall take such steps as are reasonably practicable to minimize the liability of the Participants, including but not limited to the utilization of sound business practice. The Executive Board shall determine which, if any, insurance policies may be

reasonably practicably acquired to cover the operations of the Alliance and the activities of the parties pursuant to this Agreement (which may include Directors and Officers, Commercial General Liability, Auto, Workers' Compensation, Stop Gap/ Employer's Liability, errors and omissions, crime/ fidelity insurance, CyberRisk), and shall direct the acquisition of same.

SECTION 21. INDEMNIFICATION AND HOLD HARMLESS.

a. Provisions regarding the "Fiscal Agent" in this Section shall apply when a Principal is acting as Fiscal Agent. In the event the Fiscal Agent appointed by the Executive Board is not a Principal or government agency, the agreement between the Alliance and the Fiscal Agent shall establish the applicable indemnification and hold harmless provisions.

b. Each Principal shall indemnify and hold other Principals, their officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees and costs ("Damages"), arising out of that Principal's acts or omissions in connection with the performance of its obligations under this Agreement, except to the extent the injuries or damages are caused by another Principal.

c. Each Principal shall indemnify and hold the Alliance and its officers, officials, employees and volunteers harmless from any and all Damages arising out of that Principal's acts or omissions in connection with the performance of its obligations under this Agreement, except to the extent the injuries and damages are caused by the Alliance.

d. As provided in its Articles of Incorporation, the Alliance shall indemnify and hold each Principal its officers, officials, employees and volunteers harmless from any and all Damages arising out of the Alliance's acts or omissions in connection with the performance of its obligations under this Agreement, except to the extent the injuries and damages are caused by any Principal.

e. Subscribers entering into new or amended service contracts with the Alliance after the effective date of this Agreement shall be required to agree to indemnify and hold each Principal and the Alliance and the Fiscal Agent, their officers, officials, employees and volunteers harmless from any and all Damages arising out of the Subscriber's acts or omissions in connection with its use of the Alliance Programs and Services.

f. Further, the Alliance and each Principal shall indemnify, and hold the Fiscal Agent harmless from any and all Damages arising out of that Principal's or the Alliance's acts or omissions in connection with the performance of their respective obligations under this Agreement, except to the extent the injuries and damages are caused by the Fiscal Agent.

g. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of a party

hereto and the Alliance, its officers, officials, employees, and volunteers, the party's liability hereunder shall be only to the extent of the party's negligence. It is further specifically and expressly understood that the indemnification provided in this Section 21 constitutes each party's waiver of immunity under Industrial Insurance Title 51 RCW, solely for the purpose of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this Section shall survive the expiration or termination of this Agreement.

h. Each party shall give the other parties proper notice as provided in Section 23, of any claim or suit coming within the purview of these indemnities. Termination of this Agreement, a Principal's withdrawal from the Alliance, or a Principal's conversion to Subscriber status (collectively for purposes of this subparagraph "Termination"), shall not affect the continuing obligations of each of the parties as indemnitors hereunder with respect to those indemnities and which shall have occurred prior to such Termination.

SECTION 22. INTERGOVERNMENTAL COOPERATION.

The Alliance shall cooperate with local, state and federal governmental agencies in order to maximize the utilization of any grant funds for equipment and operations and to enhance the effectiveness of the Alliance's operations and minimize costs of service delivery.

SECTION 23. NOTICE.

Notices required to be given to the Alliance under the terms of this Agreement shall be directed to the following unless all Principals are otherwise notified in writing:

Chair, Alliance Executive Board
c/o his/her Principal agency's address

Notices to Principals or Subscribers, Board Members or Alternates required hereunder may be given by mail, overnight delivery, facsimile or email (with confirmation of transmission), telegram, or personal delivery. Each Principal shall provide the Chair of the Alliance Executive Board written notice of the address for providing notice to said Principal. Any Principal wishing to change its mail or email address shall promptly notify the Chair of the Executive Board. Notice or other written communication shall be deemed to be delivered at the time when the same is postmarked in the mail or overnight delivery services, sent by facsimile or email (with confirmation of transmission), sent by telegram, or received by personal delivery.

SECTION 24. VENUE.

The venue for any action related to this Agreement shall be in the Superior Court in and for King County, Washington at Seattle, or if applicable, in Federal District Court, Western District of Washington.

SECTION 25. FILING.

As provided by RCW 39.34.040, this Agreement shall be filed prior to its entry in force with the county auditor or, alternatively, listed by subject on a public agency's website (including the Alliance) or other electronically retrievable public source.

SECTION 26. NO THIRD PARTY BENEFICIARIES.

There are no third-party beneficiaries to this Agreement. No person or entity other than a party to this Agreement shall have any rights hereunder or any authority to enforce its provisions, and any such rights or enforcement must be consistent with and subject to the terms of this Agreement.

SECTION 27. SEVERABILITY.

The invalidity or any clause, sentence, paragraph, subdivision, section, or portion of this agreement shall not affect the validity of the remainder of this Agreement.

SECTION 28. RATIFICATION.

All prior acts taken by the Principals and the Alliance consistent with this Agreement are hereby ratified and confirmed.

SECTION 29. EXECUTION, COUNTERPARTS AND EFFECTIVE DATE.

This Agreement may be executed in any number of counterparts, each of which shall be an original, but those counterparts will constitute one and the same instrument. This Agreement shall be executed on behalf of each Principal by its duly authorized representative following approval of this Agreement by motion, resolution or ordinance. This Agreement may be amended as provided in Section 17 hereof.

This Agreement shall be deemed adopted and effective as of _____, 2017, subject to: execution of the authorized representative of each Principal and filing and/or posting of this

Agreement as required by chapter 39.34 RCW. Upon the effective date of this Agreement the Original Agreement shall be amended and restated as provided herein.

IN WITNESS WHEREOF, this Agreement has been executed by each party on the dates set forth below.

CITY OF BELLEVUE

_____
City Manager
Date:_____

Approved as to form
City Attorney

_____

CITY OF KENMORE

_____
City Manager
Date: _____

Approved as to form
City Attorney

_____

CITY OF ISSAQUAH

_____
Mayor
Date: _____

Approved as to form
City Attorney

_____

CITY OF SAMMAMISH

_____
City Manager
Date: _____

Approved as to form
City Attorney

_____

CITY OF KIRKLAND

_____
City Manager
Date: _____

Approved as to form
City Attorney

_____

CITY OF SNOQUALMIE

_____
Mayor
Date: _____

Approved as to form
City Attorney

_____
_____

EXHIBIT A: CURRENT SCOPE OF ALLIANCE PROGRAMS AND SERVICES.

As of the date of this Agreement, the Alliance offers the following Programs and Services for subscription by Principals and Subscribers:

MyBuildingPermit.com: Provides one-stop online development service applications, inspection scheduling, permit status information, and tip sheets for government agencies in the Puget Sound region. Services include online over-the-counter and plan review applications including building, clearing & grading, electrical, fire, land use, mechanical, plumbing, right-of-way, sign, utilities; construction tip sheets & checklists; online permit status & history; and online inspection scheduling.

NWProperty.net: Provides a comprehensive listing of commercial property for sale and lease, demographic reports, and public data. Includes the ability to find available commercial property; interactive mapping tool; business demographics; city-wide demographics; and property data and more.

GovJobsToday.com: Allows job-seekers to view and apply for public sector jobs, in the Puget Sound region, at one convenient location. Includes online job applications; regional government job listings; online review and screening; secure, on-line application status, and compensation and classification data.

CITY OF KIRKLAND
City Attorney's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3030
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kevin Raymond, City Attorney

Date: November 30, 2017

Subject: AN ORDINANCE RELATED TO TERM OF EXISTENCE OF HOUGHTON COMMUNITY MUNICIPAL CORPORATION

RECOMMENDATION:

Council pass the attached ordinance updating Chapter 2.16 of the Kirkland Municipal Code ("KMC") to evidence the continued term of existence of the Houghton community municipal corporation. By taking action on this legislation through adoption of the consent calendar, the Council is approving this ordinance.

BACKGROUND DISCUSSION:

Pursuant to provisions of state law, the City established a community municipal corporation known as the Houghton Community Council in 1968. As part of that establishment, the former city of Houghton became part of a consolidated city of Kirkland. RCW 35.14.060 requires that the registered voters residing within the area of the corporation approve its continued existence by election every four years and for additional terms of four years each.

It is noted that the present HCC term of existence expires on the first Monday in January 2018. An election asking HCC registered voters to consider an additional four-year extension of the corporation through the first Monday in January 2022 was passed November 7, 2017.

ORDINANCE O-4630

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CODIFICATION OF THE TERM OF EXISTENCE OF THE HOUGHTON COMMUNITY MUNICIPAL CORPORATION.

WHEREAS, the Houghton Community Municipal Corporation was established in accordance with state law in 1968; and

WHEREAS, as provided for in RCW 35.14.060, the registered voters residing within the corporation service area voted on November 7, 2017, to continue the corporation for a new four-year corporation term extending until the first Monday in January 2022.

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

Section 1. A new Section 2.16.130 of the Kirkland Municipal Code is hereby created to read as follows:

2.16.130 Term extended.

Pursuant to the approval of the voters within the Houghton community municipal corporation as expressed at a general election held November 7, 2017, the existence of the Houghton municipal community shall be extended for an additional four-year term to end on the first Monday in January, 2022.

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2017.

Signed in authentication thereof this ____ day of _____, 2017.

_____
Amy Walen, Mayor

Attest:

_____
Kathi Anderson, City Clerk

Approved as to Form:

_____
Kevin Raymond, City Attorney

CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Rob Jammerman, Development Engineering Manager
Kathy Brown, Public Works Director

Date: November 27, 2017

Subject: ORDINANCE TO AMEND CHAPTER 27.04 OF THE KIRKLAND MUNICIPAL CODE (KMC) RELATED TO THE INCREASES FOR TRANSPORTATION IMPACT FEES.

RECOMMENDATION:

City Council approve an ordinance amending KMC Section 27.04.120(b) and 27.04.150 to change the inflation index used to increase transportation impact fees.

Approval of the consent calendar will authorize these actions.

BACKGROUND:

KMC Section 27.04.120 provides, in part:

"(b) The fees on the schedule in Section 27.04.150 shall be indexed to provide for an automatic fee increase each January 1st beginning in the year 2017. A six-year moving average of the Washington State Department of Transportation Construction Cost Index will be used to determine the increase in fees for each year to reflect increased project costs."

Though not reproduced here, KMC Section 27.04.150 also references this index.

Staff has become aware that the Washington State Department of Transportation no longer publishes the Construction Cost Index (CCI-WSDOT) and after researching other similar construction cost indexes, recommends that the language be modified to refer to the index used for the Park Impact fees. The proposed language would read:

"(b) The fees on the schedule in Section 27.04.150 shall be indexed to provide for an automatic fee increase each January 1st beginning in the year 2017. The June to June Seattle-Tacoma-Bremerton Area Consumer Price Index (CPI-W) will be used to determine the increase in fees for each year to reflect increased project costs, unless a more applicable industry standard construction cost index is established by the City Manager."

The final phrase regarding an alternate standard is suggested in recognition that staff will continue to research whether there is a better transportation-specific measure that could be applied in future. In the meantime, adopting the CPI-W at this time allows the Transportation impact fees to be increased administratively effective 1/1/18. The applicable CPI-W for 2018 is 3%, which is consistent with the measure that will be applied to Park impact fees. Staff believes this is a more applicable measure to use at this time rather than using other indexes, which were trending lower than the CPI-W. Staff is also planning to update CIP project cost estimates in 2018 and will determine whether a full update of the impact fees is warranted based on the results of that effort.

ORDINANCE O-4631

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE REVIEW OF SCHEDULE AND FEE INCREASES FOR TRANSPORTATION IMPACT FEES AND AMENDING KIRKLAND MUNICIPAL CODE SECTIONS 27.04.120 AND 27.04.150.

WHEREAS, KMC Section 27.04.120 and KMC Section 27.04.150 require that transportation impact fees be indexed to provide for an automatic fee increase each January 1st using the Washington State Department of Transportation Construction Cost Index ("CCI"); and

WHEREAS, the Washington State Department of Transportation no longer publishes the Construction Cost Index, which requires the City to use another index to calculate the upcoming automatic fee increase; and

WHEREAS, the June to June Seattle-Tacoma-Bremerton Area Consumer Price Index ("CPI-W") is the index currently used to calculate the automatic park impact fee increase, which could also be used as the index for the increase to the transportation impact fee scheduled to occur this January 1, 2018; and

WHEREAS, there may be an index that better reflects cost increases in the transportation industry than the CPI-W, but initial research has not identified such an index and a new fee increase index is needed prior to January 1, 2018; and

WHEREAS, the Council has concluded that delegating the authority to the City Manager to find such an index now and as appropriate in the future.

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

Section 1. Kirkland Municipal Code Section 27.04.120 is amended to read as follows:

27.04.120 Review of schedule and fee increases.

(a) The schedule in Section 27.04.150 will be amended to reflect changes to the twenty-year transportation project list as part of adoption of amendments to the capital facilities plan in Chapter XIII of Title 17 of this code (the comprehensive plan). Amendments to the schedule for this purpose shall be adopted by the council.

(b) The fees on the schedule in Section 27.04.150 shall be indexed to provide for an automatic fee increase each January 1st beginning in the year 2017. ~~A six-year moving average of the Washington State Department of Transportation Construction Cost Index will be used to determine the increase in fees for each year to reflect increased project costs.~~ The June to June Seattle-Tacoma-Bremerton Area Consumer Price Index (CPI-W) will be used to determine the increase in fees for each year to reflect increased project costs, unless a more applicable industry standard construction cost index is established by the City Manager. In the event that the fees on the schedule in Section

27.04.150 are increased during the preceding calendar year due to changes to the twenty-year transportation project list pursuant to subsection (a) of this section, the fees will not be indexed the following January. The finance and administration department shall compute the fee increase and the new schedule shall become effective immediately after the annual fee increase calculation.

(c) A new rate study, which establishes the schedule in Section 27.04.150, shall be updated every three years, unless the city determines that circumstances do not warrant an update.

Section 2. Kirkland Municipal Code Section 27.04.150 is amended to read as follows:

27.04.150 Transportation impact fee schedule.

The impact fee schedule below is based on the city's latest rate study. As authorized under Section 27.04.120(b), the schedule may automatically increase each January 1st based on the ~~Washington State Department of Transportation Construction Cost~~ The June to June Seattle-Tacoma-Bremerton Area Consumer Price Index. See the public works department's fee schedule for the current impact fee.

Land Uses	**Unit of Measure**	**ITE Land Use Code**	**Fee Per Unit**
			persons
Cost per Person Trip End > Trip Length			$3,454.15
Residential			
Detached Housing	dwelling	210	$5,009.00
Attached and Stacked Housing	dwelling	220, 221, 230, 233	$2,855.00
Senior Housing	dwelling	See Note 1	$1,427.00
Nursing Home	bed	620	$742.00
Congregate Care/Assisted Living	dwelling	253, 254	$573.00
Commercial – Services			
Drive-In Bank	sq. ft./GFA	912	$28.53
Walk-In Bank	sq. ft./GFA	911	$17.53
Day Care Center	sq. ft./GFA	565	$22.29
Hotel	room	310	$3,434.00
All Suites Motel	room	311	$2,290.00
Service Station/Minimart	VFP	945	$12,167.00
Movie Theater	screens	445	$32,107.00
Health Club	sq. ft./GFA	492	$9.88
Racquet Club	sq. ft./GFA	491	$2.97
Marina	berth	420	$638.00

Land Uses	Unit of Measure	ITE Land Use Code	Fee Per Unit
Commercial – Institutional			
Elementary School/Jr. High School	student	520, 522	$289.00
High School	student	530	$282.00
University/College	student	550	$553.00
Church	sq. ft./GFA	560	$2.45
Hospital	sq. ft./GFA	610	$4.48
Commercial – Restaurant			
Quality Restaurant	sq. ft./GFA	931	$17.17
High-Turnover Restaurant	sq. ft./GFA	932	$22.98
Fast Food Restaurant w/o Drive-Through	sq. ft./GFA	933	$31.49
Fast Food Restaurant w/ Drive-Through	sq. ft./GFA	934	$39.31
Industrial			
Light Industry/High Technology	sq. ft./GFA	110	$5.80
Industrial Park	sq. ft./GFA	130	$5.08
Warehousing/Storage	sq. ft./GFA	150	$1.91
Commercial – Retail			
Shopping Center	sq. ft./GLA	820	$4.94
Auto Parts Sales	sq. ft./GFA	843	$6.98
Auto Care Center	sq. ft./GLA	942	$4.46
Car Sales – New/Used	sq. ft./GFA	841	$11.61
Convenience Market	sq. ft./GFA	851	$40.20
Discount Club	sq. ft./GFA	857	$12.68
Freestanding Discount Store	sq. ft./GFA	815	$9.19
Hardware/Paint Store	sq. ft./GFA	816	$7.33
Home Improvement Superstore	sq. ft./GFA	862	$3.42
Nursery/Garden Center	sq. ft./GFA	817	$9.94
Pharmacy (with Drive-Through)	sq. ft./GFA	881	$10.34
Quick Lubrication Vehicle Shop	service bay	941	$4,249.00
Supermarket	sq. ft./GFA	850	$15.34
Tire Store	service bay	848	$5,217.00

Land Uses	Unit of Measure	ITE Land Use Code	Fee Per Unit
Miscellaneous Retail	sq. ft./GLA	820	$4.94
Commercial – Office			
General Office Building	sq. ft./GFA	710	$7.96
Medical Office/Clinic	sq. ft./GFA	720	$14.97

Notes:
VFP = Vehicle Fueling Positions (maximum number of vehicles that can be fueled simultaneously)
GLA = Gross Leasable Area
GFA = Gross Floor Area
For uses with unit of measure in square feet trip rate is given as trips per one thousand square feet.
Note 1. Senior housing rate is one-half of attached and stacked housing rate.

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

Section 4. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2017.

Signed in authentication thereof this _____ day of _____, 2017.

_____
Amy Walen, Mayor

Attest:

_____
Kathi Anderson, City Clerk

Approved as to Form:

_____
Kevin Raymond, City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4631

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE REVIEW OF SCHEDULE AND FEE INCREASES FOR TRANSPORTATION IMPACT FEES AND AMENDING KIRKLAND MUNICIPAL CODE SECTIONS 27.04.120 AND 27.04.150.

SECTION 1. Amends Kirkland Municipal Code Section 27.04.120 related to the review of schedule and fee increases for transportation impact fees.

SECTION 2. Amends Kirkland Municipal Code Section 27.04.150 relating to the transportation impact fee schedule.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2017.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
Kathi Anderson, City Clerk

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Ellen Miller-Wolfe, Economic Development Manager
Philly Marsh, Special Projects Coordinator

Date: November 29, 2017

Subject: Approval of Matching Funds for 2018 Port of Seattle Economic Development Grant

RECOMMENDATION:

It is recommended that the City Council approve the attached fiscal note, which identifies and authorizes the expenditure of $32,500 as a 50% match for Port of Seattle grant funding of $65,000. This is the second such Port grant the City is seeking. The City match, totaling $32,500, will be funded with a one-time reallocation of $20,833 in existing 2017/2018 appropriations to the Economic Development Division and with $11,667 from the Tour Dock Reserve that was previously allocated for the 2017 Port grant but not spent. Approval of the consent calendar by the Council adopts the fiscal note.

BACKGROUND DISCUSSION:

The City participated in a Port of Seattle Economic Development Grant in 2017. Accomplishments of that grant included an engineering study of the downtown marina to assess the capacity of the marina including space for additional slips and also infrastructure to lengthen the boating season and to improve the safety of the facility. The funds also enabled new and continuing efforts of the Innovation Triangle (IT) including attendance at SelectUSA and other trade shows, website, marketing, and data development.

At its August 2, 2017 meeting, the City Council gave its approval to the Mayor to sign a letter of support for Kirkland's application for additional funding in 2018 from the Port of Seattle Economic Development Partnership Program totaling $65,000. The letter of support was required by the Port as a condition of receiving the funds.

The Innovation Triangle partners will implement a 2017/18 Action Plan utilizing cash and in-kind contributions. Key projects include:

- Marketing
- Attendance at Select USA, Department of Commerce premier business recruitment trade show
- Post-Select USA event to familiarize SelectUSA companies and others with Eastside Innovation Triangle assets

- Global Passport Program to enable regional hard and software businesses to receive training in import/export tools and attend World Mobile Congress in Barcelona, Spain
- Innovation Triangle presence at New Space, DICE and game development conferences

There is no change to City of Kirkland participation in all aspects of the Innovation Triangle Action Plan, and the outlay of City matching funds for Port projects is the same as was reported to Council in August, 2017. However, due to a new Port of Seattle stipulation that one city be responsible for each program and the costs associated with it, Kirkland funding will cover the following grant projects:

- A Foreign and Domestic Soft Landing Program will be developed and launched. The soft landing program was a request of many of the firms the IT interviewed at the SelectUSA trade show. The program consists of two parts; Part A, a suite of services that includes but is not limited to translation, visa and immigration support, business training and coaching, legal assistance with regulatory approval and product certifications, relocation assistance, market research and connections with the local business and academic communities. The Innovation Triangle will accomplish this through developing a directory of three or more regional firms or organizations who agree to assist Innovation Triangle clients with these services.

  Part B consists of a contract with a lead generation firm who will provide the Innovation Triangle with 30 or more certified leads that could potentially take advantage of the soft landing program, and, most importantly, develop a permanent lead generation management system for use by Innovation Triangle partners.
- A Financial Feasibility Study will follow up on the previous downtown moorage studies that determined demand, and engineering feasibility. The study will develop funding strategies for rehabilitation, partial or complete build-out of the downtown marina and provision of related amenities.
- The City of Kirkland also will develop and implement a regional marketing campaign to complement the tourism-funded marketing that is limited by regulation to attracting visitors from 50 miles and beyond the city. Tools may include but not be limited to short videos, advertisements, brochures and other tourism collateral to attract visitors living nearby as well support the redevelopment efforts in Totem Lake and downtown Kirkland.

ATTACHMENT A

FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Ellen Miller-Wolfe, Economic Development Manager

Description of Request

Recognize revenues from a 2017-2018 Port of Seattle Economic Development Partnership Program reimbursement grant of up to $65,000 and provide a 50% match per terms and conditions of the program. The City match, totaling $32,500, will be funded with a one-time reallocation of $20,833 in existing 2017 and 2018 appropriations to the Economic Development Division and with $11,667 from the Tour Dock Reserve.

Legality/City Policy Basis

Fiscal Impact

Net increase in revenues to the General Fund of $65,000. Net use of $339 from the Tour Dock Reserve. The remaining project budget will come from unused allocations of the Tour Dock Reserve for the Marina Park Pier Expansion study ($11,328).

Recommended Funding Source(s)

Reserve

Description	2018 Est End Balance	Prior Auth. 2017-18 Uses	Prior Auth. 2017-18 Additions	Amount This Request	Revised 2018 End Balance	2018 Target
Tour Dock Reserve	327,408	(25,500)		339	302,247	

Prior use of $25,500 for the Marina Park Pier Expansion study.

Revenue/Exp Savings

$2,137 of existing 2017 appropriations in the Economic Development Division to be used for this purpose are an unused portion of the City match for 2016-2017 Port of Seattle Economic Development Partnership Program.

Other Source

$65,000 reimbursement grant from the Port of Seattle Economic Development Program.

Other Information

Prepared By	Doug Honma-Crane, Budget Analyst	Date	November 30, 2017

CITY OF KIRKLAND
Department of Parks & Community Services
123 5th Avenue, Kirkland, WA 98033 425.587.3300
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Lynn Zwaagstra, Director
Michael Cogle, Deputy Director
Leslie R. Miller, Human Services Administrator

Date: November 30, 2017

Subject: Remittance of Duck Dash Raffle Tax Receipts to Selected Agency

RECOMMENDATION

That the City Council approves the remittance of the Duck Dash raffle receipts from 2017 to Friends of Youth's New Ground Totem Lake program.

By taking action on this memo during approval of the consent calendar, City Council is hereby approving this recommendation.

BACKGROUND DISCUSSION

The Kirkland Rotary Club held its annual Puget Sound Duck Dash in August 2017. The Club raises funds through this event to support local charities.

All organizations that have raffles in Kirkland are required to collect and remit a raffle tax to the City. Gross revenues less cash paid as/for prizes are used to determine the taxable amount. When a raffle is conducted by a charitable or nonprofit organization, no taxes are imposed on the first ten thousand dollars (per calendar year) of gross receipts. The raffle tax due is based on the taxable amount times a rate of five percent.

At the June 1, 1999 City Council meeting, the Council requested that staff and the Human Services Advisory Committee review options and make recommendations for a process to distribute raffle tax revenues to human service agencies. Since that time, the City has honored this request by distributing raffle tax collected to local nonprofit or charitable organizations as requested by the event organizer.

City staff is proposing that the 2017 Kirkland Rotary Duck Dash raffle tax in the amount of $589.15 be paid to Friends of Youth as requested by the Kirkland Rotary Club. Friends of Youth's New Ground Transitional Living Programs provide safe housing, supportive case management services, life skills training, educational and employment guidance, counseling and parenting education for homeless young adults.

Council Meeting: 12/12/2017
Agenda: Other Business
Item #: 8. h. (5).

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Archie Ferguson, Fleet Manager
Kathy Brown, Public Works Director

Date: November 28, 2017

Subject: SURPLUS OF EQUIPMENT RENTAL VEHICLE/EQUIPMENT

RECOMMENDATION:

It is recommended that City Council approve the surplus of the Equipment Rental vehicles/equipment identified in this memo and thus remove them from the City's Equipment Rental Replacement Schedule.

Approval of the consent calendar will authorize these vehicle surplus actions.

BACKGROUND DISCUSSION:

The surplus of vehicles and equipment which have been replaced with new vehicles or equipment, or which no longer meet the needs of the City, is consistent with the City's Equipment Rental Replacement Schedule Policy. Under this policy, if approved by City Council, vehicles or equipment are sold or disposed of in accordance with the Kirkland Municipal Code, Chapter 3.86, Sale and Disposal of Surplus Personal Property.

The criteria for replacement are reviewed annually for each vehicle by Fleet Management prior to making a recommendation. Among the replacement criteria considered are:

- wear and tear on the engine, drive train, and transmission
- condition of the structural body and major component parts
- the vehicle's frequency and nature of past repairs
- changes in the vehicle's mission as identified by the Department which it serves
- changes in technology
- vehicle right-sizing
- the impact of future alternative fuels usage
- specific vehicle replacement funding accrued

The decision to replace a vehicle requires the consensus of the Fleet Management staff and the Department which it serves. Vehicles should be replaced close to the point to where major repairs and expenses occur in order to maximize their usefulness without sacrificing resale value with consideration given to the vehicle's established accounting life.

The accounting life of a vehicle is the number of years of anticipated useful life to City operations. They are determined by historical averages and replacement cycles of actual City

vehicles. The accounting life provides a timeline basis for the accrual of vehicle Replacement Reserve charges, and, at the end of which, there should be sufficient funds in the Replacement Reserve Fund to purchase a similar replacement vehicle. The accounting life is a guideline only, and the actual usage of vehicles typically vary from averages.

The City of Kirkland standard accounting life for a vehicle, which is also consistent with the industry standard, is 8 years or 80,000 miles, whichever comes first. This life is also supported by FleetAnswers.com which recently published Municipal Vehicle Replacement Trends. Among cities, the average age of replacement for cars is 6.7 years, for class 1-5 trucks it is 7.7 years, and for police vehicles it is 4 years. The City's standard for Fire Engines/Pumpers and for Fire Ladder/Aerial apparatus is 18 years.

The following equipment is recommended for surplus with this memo:

Fleet #	Year	Make & Model	VIN/Serial Number	License	Mileage
F105	2013	Ford Interceptor	1FAHP2MT5DG124766	54275D	46280

F105 was originally assigned to the Fire Administration Division within the Fire Department. Primarily due to vehicle right-sizing and changes in the vehicle's mission as identified by the Fire Department, it needs to be replaced. In the City's 2017-2018 Budget process, it was determined that F105 should be surplused, and that a new vehicle would be funded in conjunction with its elimination.

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Greg Piland, Purchasing Agent

Date: November 29, 2017

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF December 12, 2017.

This report is provided to apprise the Council of recent and upcoming procurement activities where the cost is estimated or known to be in excess of $50,000. The "Process" column on the table indicates the process being used to determine the award of the contract.

The City's major procurement activities initiated since the last report dated November 8, 2017 are as follows:

	Project	Process	Estimate/Price	Status
1.	NE 75th ST Greenway Project	Architect and Engineer Roster	$221,921.00	Contract awarded to Toole Design Group, LLC of Silver Spring, MD based on qualifications per RCW 39.80.
2.	2017 Citywide School Walk Route Enhancements Project	Architect and Engineer Roster	$199,157.00	Amended contract awarded to WHPacific, Inc. of Bothell, WA based on qualifications per RCW 39.80.
3.	Holmes Point Storm Drain Replacement Project	Invitation for Bids	$309,760.00	Contract awarded to R.L. Alia Company of Renton, WA.
4.	Edith Moulton Park Improvements Project	Invitation for Bids	$1,570,886.50	Contract awarded to Allied Construction Associates, Inc. of Everett, WA.

Please contact me if you have any questions regarding this report.

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Michael Olson, Director of Finance and Administration
Tom Mikesell, Financial Planning Manager
Eli Panci, Senior Financial Analyst
Lori Wile, Budget Analyst

Date: November 30, 2017

Subject: **2017-2018 MID-BIENNIAL BUDGET ADJUSTMENT**

RECOMMENDATION:

Council approves the attached ordinance adjusting the budget for the 2017-2018 biennium and related resolution pertaining to the City's fiscal policies.

BACKGROUND DISCUSSION:

At the November 8, 2017 Council Study Session, the City Council was presented with a financial update and a series of adjustments to the 2017-2018 Budget. In addition, a public hearing on the mid-biennium budget adjustments and a public hearing and update on the 2017-2022 Capital Improvements Program were held. The adjustments discussed, and feedback received, at those meetings are incorporated in the budget adjustments ordinance presented for adoption. The City's budget is adopted at the fund level which sets the total biennial expenditure authority for each fund. A list of the mid-biennial operating budget adjustments is included as Attachment A. It is organized by adjustment type within each fund and identifies the funding source for each item. A summary of the 2017-2018 budget by fund type is included in the table below.

Fund Type	Current 17-18 Budget	Appropriation Change	Revised 17-18 Budget
General Government:			
General Fund	221,086,638	5,481,865	226,568,503
Other Operating Funds	32,947,278	162,441	33,109,719
Internal Service Funds	79,253,602	608,233	79,861,835
Non-Operating Funds	195,329,924	24,395,565	219,725,489
Utilities			
Water/Sewer	102,355,803	-	102,355,803
Surface Water	45,092,819	778,500	45,871,319
Solid Waste	36,503,963	-	36,503,963
Total Budget	**712,570,027**	**31,426,604**	**743,996,631**

Total adjustments result in a net budget increase (appropriation change) of $31,426,604. When reviewing the budget adjustments in Attachment A, it is important to note the distinction between a

budget adjustment and an appropriation change. In simple terms, not all budget adjustments will require a change in the appropriation.

For example, a budget increase that is funded from an expenditure decrease somewhere else in the budget has the effect of changing the City's spending plan, but does not result in any net new resources needing appropriation. Similarly, an adjustment funded from existing reserves does not require an appropriation increase, since the City appropriates its reserves as part of the biennial budget. In contrast, an adjustment that is funded with new internal or external revenues requires an appropriation increase to accommodate the increase in total resources. The following table demonstrates the linkage between the total appropriation change and the total adjustment for the General Fund; the mechanics are similar for other adjustments in Attachment A.

General Fund	
Total Adjustment	6,993,391
less Reserves	(1,033,614)
less Expenditure offsets	(477,912)
Total Appropriation Change	5,481,865

Total budget adjustments as described in Attachment A reflect the following broad categories:

- *Council Directed/Other Requests and Previously Approved Adjustments* – This category includes any additional changes identified by Council and formalizing previously approved actions (fiscal notes, etc). Some of these requests have been approved by the Council since the budget was adopted, but the formal appropriation adjustment is occurring as part of the mid-biennial budget update. Adjustments subsequent to the November 8 meeting include:

    - **Recognize Higher Affordable Housing In-Lieu Fee Revenue** – Subsequent to the November 8 meeting, an additional $340,949 of affordable housing in-lieu fee revenue has been received. The recommended budget adjustments have been increased to include this higher revenue amount to allow expenditure for the intended purposes of the fee payments.

    - **Finn Hill Middle School Field Maintenance** – One-time funding of $24,273 from 2017 Sales Taxes above budget to provide maintenance costs for the upper playfield at Finn Hill Middle School in 2018 rather than use of the Park Levy City/School partnership fund.

    - **Port of Seattle Economic Development Partnership Grant** – One-time funding of $97,500 for Innovation Triangle Action Plan projects, a financial feasibility study for the downtown marina, and a regional marketing campaign. This is funded with $65,000 of Port of Seattle grant revenue matched with $20,833 in expenditure offsets and $11,667 from the Tour Dock Reserve.

- *Housekeeping Items* – Necessary adjustments to budget accounts, fund balances, etc. Major adjustments in this category include:

    - **Police Department Patrol Vehicles –** The 2017-2018 Budget includes transfers from the General Fund to the Fleet Fund to purchase new Patrol vehicles. Though the purchase has already been made, an adjustment is necessary to provide the offsetting appropriation authority in the Fleet Fund.

- **Eastside Metro Training Group (EMTG) –** This adjustment recognizes the additional revenue generated by services provided to EMTG, which will be used to cover the associated costs.

- *2018 Service Packages* – As discussed during the budget study session, the City Manager requested departments to restrict service packages for 2018 to items that are: 1) Funded with new revenue or offsetting expenditure reductions; 2) related to the 2017-2018 City Work Plan; and/or 3) one-time investments that improve efficiency or address work backlogs. The service packages recommended by the City Manager are fully funded through expenditure offsets, available one-time cash or reserves, or external funding. The following additional funding recommendations were added by the City Manager subsequent to the November 8 meeting:

  - **City Manager's Office Temporary Assistant City Manager** – One-time funding of $236,283, to fund a temporary Assistant City Manager in the City Manager's Office in 2018 while one Deputy City Manager position is on special assignment as the Interim Executive Director of the eCityGov Alliance. This is funded with a combination of $190,234 in contributions from the Alliance, $11,512 from the Development Technology Reserve, and $34,537 from 2017 Sales Taxes above budget. The full Service Package detail is included as Attachment B.

  - **Urban Forester 0.5 FTE Increase** – A one-time use of $63,709 from 2017 Sales Tax revenues above budget to fund a temporary 0.5 FTE increase to the existing Urban Forester position to accomplish urban forestry goals. This one time increase is proposed at this time to allow tree policy work to be done concurrently with the review and adoption of the Finn Hill Neighborhood Plan, the Holmes Point Overlay update, and the Geologic Hazard regulatory update process. Tree regulation and retention are important elements of each of these initiatives. In addition Council has expressed interest in a city-wide review of tree regulations and this resource will help the Planning Department, Planning Commission and Council with that review. Whether the enhanced Urban Forester level of effort will continue beyond 2018 will be part of the 2019/2020 budget process.

  A summary of the service package recommendations and funding sources is included as Attachment C. Detail on the individual service packages can be found in the November 8, 2017 Council memo.

- *2017-2022 CIP* - Proposed updates to the 2017-2022 Capital Improvements Program presented to the City Council at the Study Session on June 20 and the Regular Meeting on November 8, are formalized as part of this process through adoption of the changes impacting 2017-2018. The revised 2017-2022 CIP will require changes to capital projects fund appropriations as summarized by category below:

Total Funded CIP for 2017-2018				
Category	**Adopted CIP**	**Revised CIP**	**Difference**	**Appropriation Change**
Transportation	44,282,900	60,986,600	16,703,700	15,422,361
Parks	6,154,000	10,238,300	4,084,300	2,126,600
Public Safety	16,808,700	16,809,100	400	-
General Government				
Technology	5,262,800	5,262,800	-	-
Facilities	978,600	2,478,600	1,500,000	1,500,000
Subtotal	**73,487,000**	**95,775,400**	**22,288,400**	**19,048,961**
Surface Water Management	5,573,000	8,578,500	3,005,500	728,500
Water/Sewer	12,164,000	13,000,000	836,000	-
Utilities Subtotal	**17,737,000**	**21,578,500**	**3,841,500**	**728,500**
Grand Total	**91,224,000**	**117,353,900**	**26,129,900**	**19,777,461**

Changes to the 2017-2018 Budget based on the 2017-2022 CIP process described above result in an increase in appropriation of $19,777,461 in the current biennium and are included in the budget adjustment ordinance attached to this memorandum.

The attached ordinance (Ordinance O-4632) adopts the revised 2017-2018 Budget as proposed by the City Manager.

REET Report on Expanded Uses

RCW 82.46.015 requires the adoption of a report on the usage of Real Estate Excise Tax (REET) in the operating and capital budgets to qualify the City to use REET for expanded uses under recent legislation, including maintenance of capital projects and use of up to $1 million for acquisition, construction, improvement, or rehabilitation of facilities to provide housing for the homeless. The first report of this type was presented as part of the 2017-2018 Biennial Budget deliberations and adoption. This information is included as Exhibit A to the budget ordinance.

Resolution to Update Fiscal Policies

At the November 8th City Council meeting, potential revisions to the City Fiscal Policies were presented as part of the Development Fee adoption and the 2017-2022 CIP Update. These included the following proposals:

- An evaluation every two years, as part of the Biennial Budget process, of credit card fees and cash discounts as they relate to payments for City services; and,
- A revised REET reserve policy that sets annual reserve levels at $1 million per quarter percent of the tax.

In addition, based on Council feedback, a third revision is proposed that prioritizes the full payment of annual operating budget commitments, including approved maintenance of capital projects and debt service payments, from REET funds. A redlined version of the Fiscal Policies is included as Attachment D. A proposed amendment of the City's fiscal policies including these changes is presented for Council action in the attached resolution, R-5288. An alternative would be to increase the reserve required by the amount of REET spent annually on operating costs. For example, if the City used $400,000 per year of REET on maintenance, the reserve could be $1.2 million for each REET 1 and REET 2.

City of Kirkland
2017-2018 Budget
2017 Year End Budget Adjustment Summary

Adjustment Type	Dept.	Description	Adjustments	Appropriation Adjustment	Funding Source				Funding Source/Notes
					Internal Transf./Chrg.	Reserves	Offset	External Revenue	
General Fund (010)									
Council & Other	CC	Transit Oriented Development Study - Kingsgate P&R	10,000	-	-	10,000	-	-	Council Special Projects Reserve
Council & Other	CC	AWC Membership Dues Increase	1,531	-	-	1,531	-	-	Fund Balance
Council & Other	CC	Studio East Contribution	40,000	-	-	40,000	-	-	Council Special Projects Reserve
Council & Other	CM	Innovation Triangle Adjustment	6,383	-	-	6,383	-	-	Fund Balance
Council & Other	CM	Neighborhood Services Coordinator MSP	77,852	-	-	10,772	67,080	-	Offsets/Undistributed Personnel Costs
Council & Other	CM	Capital Funding to Economic Dvlp & Neighborhood Prof Svcs	50,595	50,595	50,595	-	-	-	Transfer from Fund 310
Council & Other	CM	Eastside Rail Corridor Regional Branding	9,000	-	-	9,000	-	-	Council Special Projects Reserve
Council & Other	CM	Port of Seattle Economic Development Partnership	97,500	65,000	-	339	32,161	65,000	Grant
Housekeeping	ND	Sale of 505 Market St Building	2,415,155	2,415,155	-	-	-	2,415,155	Landsale Proceeds
Housekeeping	ND	IT COLA Reimbursement from GF	125,710	-	-	125,710	-	-	Undistributed Personnel Costs
Council & Other	PK	Parks Recreation Salary Manager Adjustment	19,354	-	-	19,354	-	-	Undistributed Personnel Costs
Council & Other	PK	Jaspers Dog Park	6,000	6,000	-	-	-	6,000	Private Contribution
Council & Other	PK	Parks MSP for EAM Implementation	25,552	25,552	25,552	-	-	-	CIP Engineering Charges
Council & Other	PK	Finn Hill Middle School Field Maintenance	24,273	24,273	-	-	-	24,273	Sales Tax
Council & Other	PW	Downtown Holiday Tree Extension	7,000	-	-	7,000	-	-	Council Special Projects Reserve
Council & Other	PB	Temporary .25 Increase of Urban Forester	7,942	-	-	7,942	-	-	Forestry Reserve
Council & Other	PB	Purchase of affordable housing unit per fiscal note	211,702	211,702	-	-	-	211,702	Affordable Housing Fees in Lieu
Council & Other	PB	Plans Examiner Overtime	30,000	-	-	30,000	-	-	Development Reserves
Council & Other	PB	Plans Examiner II Temporary RGG 0011 BLD	211,461	-	-	211,461	-	-	Development Reserves
Council & Other	PB	Applications Analyst - Temp. Extension for Dev. Svcs.	18,684	-	-	18,684	-	-	Development Reserves
Council & Other	PB	Development Kiosk Printer and Blubeam Licenses	3,220	-	-	3,220	-	-	Development Reserves
Council & Other	PB	Recognize affordable housing fee in lieu revenue Xfr to ARCH	819,820	819,820	-	-	-	819,820	Affordable Housing Fees in Lieu
Housekeeping	PD	Sale of PD Cell Phones	7,099	7,099	-	-	-	7,099	Sale of Assets
Housekeeping	PD	RSO Grant Adjustment	6,533	6,533	-	-	-	6,533	Grant
Housekeeping	FD	EMTG Revenue Adjustment	51,650	51,650	-	-	-	51,650	Charges for Services
Housekeeping	FD	Restoring IAFF MERP Budget	91,800	-	-	91,800	-	-	Undistributed Personnel Costs
Housekeeping	ND	General Fund Housekeeping	289,027	15,530	-	-	273,497	15,530	Engineering Dvlp & Offsets
Council & Other	Many	Service Packages	1,843,610	1,577,549	-	160,887	105,174	1,577,549	Various Sources
Council & Other	Many	Internal Charges resulting from Service Packages	90,938	33,000	-	57,938	-	33,000	Fund Balance/Sales Tax
Council & Other	ND	Undistributed Personnel Costs	394,000	172,407	-	221,593	-	172,407	Unobligated RV/Fund Balance
General Fund Total			**6,993,391**	**5,481,865**	**76,147**	**1,033,614**	**477,912**	**5,405,718**	
OTHER FUNDS									
Lodging Tax Fund (112)									
Council & Other	CM	Internal Charges resulting from Service Packages	83	-	-	83	-	-	Fund Balance
Council & Other	ND	Undistributed Personnel Costs	1,001	-	-	1,001	-	-	Fund Balance
Lodging Tax Fund Total			**1,084**	**-**	**-**	**1,084**	**-**	**-**	

Adjustment Type	Dept.	Description	Adjustments	Appropriation Adjustment	Funding Source				Funding Source/Notes
					Internal Transf./Chrg.	Reserves	Offset	External Revenue	
Street Operating Fund (117)									
Council & Other	PW	PSE LED Light Rebate	134,358	134,358	-	-	-	134,358	Utility Rebate
Council & Other	PW	Street Tree Inventory	8,000	-	-	8,000	-	-	Fund Balance
Council & Other	PW	Sign Printer Room HVAC Upgrade	9,421	-	-	9,421	-	-	Fund Balance
Housekeeping	PW	CGG 0014 Closure of Facilities Energy Efficiency - Return to 117	4,000	4,000	4,000	-	-	-	Internal Charges
Council & Other	PW	CST0088 Closure	95,000	-	-	95,000	-	-	Fund Balance
Housekeeping	PW	Street Fund Housekeeping	11,500	-	-	-	11,500	-	Internal Charges
Council & Other	PW	Service Packages	3,000	-	-	3,000	-	-	Fund Balance
Council & Other	PW	Internal Charges resulting from Service Packages	2,794	-	-	2,794	-	-	Fund Balance
Council & Other	ND	Undistributed Personnel Costs	18,415	-	-	18,415	-	-	Fund Balance
Street Operating Fund Total			**286,488**	**138,358**	**4,000**	**136,630**	**11,500**	**134,358**	
Cemetery Operating Fund (122)									
Council & Other	ND	Undistributed Personnel Costs	311	-	-	311	-	-	Fund Balance
Cemetery Operating Fund Total			**311**	**-**	**-**	**311**	**-**	**-**	
Parks Maintenance Fund (125)									
Council & Other	PK	Internal Charges resulting from Service Packages	1,077	-	-	1,077	-	-	Fund Balance
Council & Other	ND	Undistributed Personnel Costs	6,358	-	-	6,358	-	-	Fund Balance
Parks Maintenance Fund Total			**7,435**	**-**	**-**	**7,435**	**-**	**-**	
Parks Levy Fund (128)									
Housekeeping	PK	Robidoux Grant	10,250	10,250	-	-	-	10,250	Grant
Council & Other	PK	Jaspers Dog Park	6,000	-	-	-	6,000	-	Expenditure Offset
Housekeeping	PK	Parks MSP for EAM Implementation	8,807	8,807	8,807	-	-	-	Grant
Council & Other	PK	Temporary EAM Resources	5,026	5,026	5,026	-	-	-	Internal Charges
Council & Other	PK	Internal Charges resulting from Service Packages	886	-	-	886	-	-	Fund Balance
Council & Other	ND	Undistributed Personnel Costs	5,897	-	-	5,897	-	-	Fund Balance
Parks Levy Fund			**36,866**	**24,083**	**13,833**	**6,783**	**6,000**	**10,250**	
Real Estate Excise Tax Fund (190)									
Council & Other	ND	Additional REET Revenue	4,000,000	4,000,000	-	-	-	4,000,000	Real Estate Excise Tax
Housekeeping	ND	CIP Housekeeping	942,004	942,004	942,004	-	-	-	Transfer In
Council & Other	ND	CIP Update	9,969,561	-	-	9,969,561	-	-	Reserves
Real Estate Excise Tax Fund Total			**14,911,565**	**4,942,004**	**942,004**	**9,969,561**	**-**	**4,000,000**	
General Capital Projects Fund (310)									
Housekeeping	PW	CIP Housekeeping	112,401	-	-	50,595	61,806	-	Project Closure
Council & Other	PW	CIP Update	5,837,600	3,626,600	3,182,200	1,485,000	726,000	444,400	
General Capital Projects Fund Total			**5,950,001**	**3,626,600**	**3,182,200**	**1,535,595**	**787,806**	**444,400**	
Transportation Capital Projects Fund (320)									
Housekeeping	PW	CIP Housekeeping	822,721	404,600	-	-	418,121	404,600	Project Closure
Council & Other	PW	CIP Update	15,955,198	15,422,361	15,422,361	-	532,837	-	
Transportation Capital Projects Fund			**16,777,919**	**15,826,961**	**15,422,361**	**-**	**950,958**	**404,600**	

Adjustment Type	Dept.	Description	Adjustments	Appropriation Adjustment	Funding Source				Funding Source/Notes
					Internal Transf./Chrg.	Reserves	Offset	External Revenue	
Water/Sewer Utility Operating Fund (411)									
Council & Other	PW	Sewer Comp Plan Update - expanded Rose Hill sewer study	50,000	-	-	-	50,000	-	Offsetting Expenditures
Council & Other	PW	Internal Charges resulting from Service Packages	2,726	-	-	2,726	-	-	Fund Balance
Council & Other	ND	Undistributed Personnel Costs	17,945	-	-	17,945	-	-	Fund Balance
Water/Sewer Utility Operating Fund Total			**70,671**	**-**	**-**	**20,671**	**50,000**	**-**	
Water/Sewer Capital Fund (413)									
Housekeeping	PW	CIP Housekeeping	107,783	-	-	-	107,783	-	Project Closure
Council & Other	PW	CIP Update	845,647	-	-	576,000	269,647	-	
Water/Sewer Capital Fund Total			**953,430**	**-**	**-**	**576,000**	**377,430**	**-**	
Surface Water Operating Fund (421)									
Housekeeping	PW	Temporary .25 Increase of Urban Forester	7,942	-	-	7,942	-	-	Fund Balance
Council & Other	PW	Department of Ecology Capacity Grant	50,000	50,000	-	-	-	50,000	Grant
Council & Other	PW	Internal Charges resulting from Service Packages	4,652	-	-	4,652	-	-	Fund Balance
Council & Other	ND	Undistributed Personnel Costs	30,555	-	-	30,555	-	-	Fund Balance
Surface Water Operating Fund Total			**93,149**	**50,000**	**-**	**43,149**	**-**	**50,000**	
Surface Water Capital Fund (423)									
Housekeeping	PW	CIP Housekeeping	306,739	-	-	-	306,739	-	Project Closure
Council & Other	PW	CIP Update	1,900,500	728,500	-	1,172,000	-	728,500	
Surface Water Capital Fund Total			**2,207,239**	**728,500**	**-**	**1,172,000**	**306,739**	**728,500**	
Solid Waste Fund (431)									
Council & Other	PW	Solid Waste Intern	18,499	-	-	18,499	-	-	Fund Balance
Council & Other	PW	Solid Waste Environmental Education Outreach Specialist Temp 0.25 F	59,475	-	-	59,475	-	-	Fund Balance
Council & Other	PW	Service Packages	32,720	-	-	32,720	-	-	Fund Balance
Council & Other	PW	Internal Charges resulting from Service Packages	355	-	-	355	-	-	Fund Balance
Council & Other	ND	Undistributed Personnel Costs	2,951	-	-	2,951	-	-	Fund Balance
Solid Waste Fund Total (431)			**114,000**	**-**	**-**	**114,000**	**-**	**-**	
Equipment Rental Fund (521)									
Housekeeping	PW	Maint Center Radio Base Station Replacement	5,000	-	-	5,000	-	-	Reserves
Housekeeping	PW	PD Patrol Vehicles	193,181	193,181	193,181	-	-	-	GF Transfer
Council & Other	PW	Service Packages	72,000	32,951	-	39,049	-	32,951	Fund Balance/Interest
Council & Other	PW	Internal Charges resulting from Service Packages	944	-	-	944	-	-	Fund Balance
Council & Other	ND	Undistributed Personnel Costs	7,318	-	-	7,318	-	-	Fund Balance
Equipment Rental Fund Total			**278,443**	**226,132**	**193,181**	**52,311**	**-**	**32,951**	

Adjustment Type	Dept.	Description	Adjustments	Appropriation Adjustment	Funding Source				Funding Source/Notes
					Internal Transf./Chrg.	Reserves	Offset	External Revenue	
Information Technology Fund (522)									
Housekeeping	IT	IT COLA Reimbursement from GF	125,710	125,710	125,710	-	-	-	GF Transfer
Housekeeping	IT	Lucity IT Positions Jan-Jun	128,199	128,199	128,199	-	-	-	CIP Engineering Charges
Council & Other	IT	Extend Temporary Service Desk Analyst	24,034	-	-	4,003	20,031	-	Reserves & Offsetting Salary/Ben
Housekeeping	IT	Restoring OT Pay	40,000	-	-	40,000	-	-	Fund Balance
Council & Other	IT	Service Packages	140,453	128,192	128,192	12,261	-	-	Fund Bal/Int Chrg/Sal Savings
Council & Other	ND	Undistributed Personnel Costs	34,559	-	-	34,559	-	-	Fund Balance
Information Technology Fund Total			**492,955**	**382,101**	**382,101**	**90,823**	**20,031**	**-**	
Facilities Fund (527)									
Council & Other	PW	Facilities Leaderperson Out of Class	1,614	-	-	1,614	-	-	Fund Balance
Council & Other	CM	Internal Charges resulting from Service Packages	1,006	-	-	1,006	-	-	Fund Balance
Council & Other	ND	Undistributed Personnel Costs	7,231	-	-	7,231	-	-	Fund Balance
Facilities Fund Total			**7,231**	**-**	**-**	**7,231**	**-**	**-**	
TOTAL OTHER FUNDS			**42,191,407**	**25,944,739**	**20,139,680**	**13,736,204**	**2,510,464**	**5,805,059**	
TOTAL ALL FUNDS			**49,184,798**	**31,426,604**	**20,215,827**	**14,769,818**	**2,988,376**	**11,210,777**	

CITY OF KIRKLAND
2017-18 MID-BIENNIAL SERVICE PACKAGE REQUEST

TITLE	City Manager's Office Reorganization	

DEPARTMENT	DIVISION	FUND
City Manager's Office	Executive	General Fund

COUNCIL GOALS

☐ Environment	☐ Parks and Open Spaces	☐ Financial Stability	☐ Balanced Transportation	☐ Housing
☐ Human Services	☐ Dependable Infrastructure	☐ Economic Development	☐ Neighborhoods	☐ Public Safety

DESCRIPTION

Create a temporary Assistant City Manager position in City Manager's Office due to Deputy City Manager assignment as Executive Director of eCityGov Alliance.

JUSTIFICATION

The eCityGov Alliance (Alliance) was formed in 2002 as a mechanism to provide web-based services to the public. Members of the Alliance collaborate on solutions that provide a consistent and efficient way for customers to access public services. Kirkland has been a leader in the Alliance since its inception and Deputy City Manager Tracey Dunlap is currently the Chair of the Alliance Board. The Executive Director of the Alliance resigned abruptly in October 2017, placing at risk several key Alliance milestones such as bringing King County into mybuildingpermit.com in January of 2018. To prevent the potential unraveling of the Alliance, Kirkland proposed, and the Alliance Executive Board approved, Deputy City Manager Marilynne Beard's appointment as Interim Executive Director through December 31, 2017 to run the Alliance and assess the Alliance's needs and initiatives. As a result of the initial assessment, both Deputy City Managers are recommending that the interim appointment continue, potentially well into 2018.

Given the importance of the Alliance to our customers and the region, the City Manager recommends continuing the appointment through 2018. Marilynne has announced her intention to retire in July of 2019 and has agreed to continue in this role. The majority of the Deputy City Manager salary will be reimbursed by the Alliance based on the budgeted Executive Director salary. The remaining funding will come from a combination of permit technology reserves (which fund Kirkland's Alliance membership dues) and one-time revenues. The Alliance opportunity therefore creates an acceleration of a planned change to create a clearer hierarchy and division of duties in the City Manager's Office. Given the workload that needs to be shifted to accommodate the assignment, the City Manager further recommends authorizing a temporary Assistant City Manager through 2018. Under the proposed new structure the remaining Deputy City Manager would focus on internal operations similar to a chief operating officer. The Assistant City Manager would focus on external and community relations, economic development, communications and day-to-day supervision and management of City Manager's Office staff similar to a Chief of Staff. This temporary position will be primarily funded by the salary savings of the Deputy City Manager now being paid for by the Alliance. This position will be posted internally first. Depending on who is selected for the Assistant City Manager, more savings may accrue. If there is no suitable internal candidate, the position would then be posted externally. In 2019, upon Marilynne's retirement, the temporary position would be deleted and the Deputy City Manager position reclassified down to an ongoing Assistant City Manager.

Is this Service Package tied to a CIP Project? ☐ **No** ☐ **Yes** **CIP #** _____

NUMBER OF POSITIONS REQUESTED	Ongoing	0.00	One-Time	1.00	

	2017		2018		
COST SUMMARY	**Ongoing**	**One-Time**	**Ongoing**	**One-Time**	**Total**
Personnel Services	$ -	$ -	$ -	$ 236,283	$ 236,283
Supplies & Services	$ -	$ -	$ -	$ -	$ -
Capital Outlay	$ -	$ -	$ -	$ -	$ -
Total Service Package Cost	**$ -**	**$ -**	**$ -**	**$ 236,283**	**$236,283**
Expenditure Savings	$ -	$ -	$ -	$ -	$ -
Offsetting Revenue	$ -	$ -	$ -	$ 236,283	$ 236,283
Net Service Package Cost	**$ -**	**$ -**	**$ -**	**$ -**	**$0**

2017-18 MID-BIENNIAL SERVICE PACKAGE REQUEST

TITLE	City Manager's Office Reorganization	0

PERSONNEL SERVICES

Ongoing Positions	-	Start Month	January	One time Positions	1.0

	2017		2018		Biennial	
Expenditure Type	**Ongoing**	**One Time**	**Ongoing**	**One Time**	**Ongoing**	**One Time**
Salaries	-	-	-	175,365	-	175,365
Benefits	-	-	-	60,918	-	60,918
Other	-	-	-	-	-	-
Subtotal Personnel Services	**-**	**-**	**-**	**236,283**	**-**	**236,283**

NON-PERSONNEL COSTS

	2017		2018		Biennial	
Expenditure Type	**Ongoing**	**One Time**	**Ongoing**	**One Time**	**Ongoing**	**One Time**
Supplies	-	-	-	-	-	-
Services	-	-	-	-	-	-
Vehicle Purchase	-	-	-	-	-	-
Capital	-	-	-	-	-	-
Subtotal Other	**-**	**-**	**-**	**-**	**-**	**-**

Total Before Offsets	**-**	**-**	**-**	**236,283**	**-**	**236,283**

REVENUE OFFSETS

	2017		2018		Biennial	
Revenue Type	**Ongoing**	**One Time**	**Ongoing**	**One Time**	**Ongoing**	**One Time**
E Gov Alliance	-	-	-	190,234	-	190,234
2017 Sales Tax	-	-	-	34,537	-	34,537
Development Technolgy Reserve	-	-	-	11,512	-	11,512
	-	-	-	-	-	-
Subtotal New Revenue	**-**	**-**	**-**	**236,283**	**-**	**236,283**

EXPENDITURE OFFSETS

	2017		2018		Biennial	
Expenditure Type	**Ongoing**	**One Time**	**Ongoing**	**One Time**	**Ongoing**	**One Time**
	-	-	-	-	-	-
	-	-	-	-	-	-
	-	-	-	-	-	-
	-	-	-	-	-	-
Subtotal Expenditure Offsets	**-**	**-**	**-**	**-**	**-**	**-**

NET SERVICE PACKAGE COST

	2018		2018		Biennial	
	Ongoing	**One Time**	**Ongoing**	**One Time**	**Ongoing**	**One Time**
	-	-	-	-	-	-
Total	**-**		**-**		**-**	

City of Kirkland
2017 Mid-Bi Budget Review
2018 Service Package Requests

		2018 Department Request					2018 City Manager Recommended					Funding Source				
Pkg. #		FTE	Temp	Ongoing	One-time	Total	FTE	Temp	Ongoing	One-time	Total	Internal Transf./ Chrg	Balance/ Reserves	Offset	External Revenue	Total Funding
GENERAL FUND																
City Manager's Office																
18GCM01	Legislative Tracking System	-	-	5,500	-	5,500	-	-	5,500	-	5,500	-	-	-	5,500	5,500
18GCM02	Constituent Relationship Management (CRM)	-	-	12,000	55,000	67,000	-	-	12,000	55,000	67,000	-	-	-	67,000	67,000
18GCM03	Innovation Internships	-	-	-	65,887	65,887	-	-	-	65,887	65,887	-	-	-	65,887	65,887
18GCM04	City Manager's Office Reorganization	-	1.00	-	236,283	236,283	-	1.00	-	236,283	236,283	-	11,512	-	224,771	236,283
Subtotal City Manager's Office		**-**	**1.00**	**17,500**	**357,170**	**374,670**	**-**	**1.00**	**17,500**	**357,170**	**374,670**	**-**	**11,512**	**-**	**363,158**	**374,670**
Human Resources																
18GHR01	Recruitment Strategies - Nat'l Background Checks, Advertising and Resources	-	-	29,550	-	29,550	-	-	29,550	-	29,550	-	-	7,560	21,990	29,550
Subtotal Human Resources		**-**	**-**	**29,550**	**-**	**29,550**	**-**	**-**	**29,550**	**-**	**29,550**	**-**	**-**	**7,560**	**21,990**	**29,550**
Parks & Community Services																
18GPK01	One-Time Park Security Enhancements	-	-	3,000	95,000	98,000	-	-	-	58,500	58,500	-	-	-	58,500	58,500
18GPK02	Designated Off-Leash Areas in Parks Feasibility Study	-	-	-	8,021	8,021	-	-	-	8,021	8,021	-	-	-	8,021	8,021
18GPK03	Marina Reservation System	-	-	11,904	27,663	39,567	-	-	-	-	-	-	-	-	-	-
18GPK04	Parks and Community Services Cost Recovery	-	-	-	50,500	50,500	-	-	-	50,500	50,500	-	-	-	50,500	50,500
Subtotal Parks & Community Services		**-**	**-**	**14,904**	**181,184**	**196,088**	**-**	**-**	**-**	**117,021**	**117,021**	**-**	**-**	**-**	**117,021**	**117,021**
Public Works																
18GPW01	Development Engineering Additional Overtime	-	-	-	21,948	21,948	-	-	-	21,948	21,948	-	21,948	-	-	21,948
18GPW02	Temporary Development Engineer	-	1.00	-	122,427	122,427	-	1.00	-	122,427	122,427	-	122,427	-	-	122,427
18GPW03	Holmes Point Development Standards Update	-	-	-	150,000	150,000	-	-	-	150,000	150,000	-	-	-	150,000	150,000
18GPW04	Capital Project Cost Estimating	-	-	-	50,000	50,000	-	-	-	50,000	50,000	-	-	-	50,000	50,000
Subtotal Public Works		**-**	**1.00**	**-**	**344,375**	**344,375**	**-**	**1.00**	**-**	**344,375**	**344,375**	**-**	**144,375**	**-**	**200,000**	**344,375**
Finance & Administration																
18GFA01	Public Disclosure Reserve	-	-	-	100,000	100,000	-	-	-	100,000	100,000	-	-	-	100,000	100,000
Subtotal Finance & Administration		**-**	**-**	**-**	**100,000**	**100,000**	**-**	**-**	**-**	**100,000**	**100,000**	**-**	**-**	**-**	**100,000**	**100,000**
Planning & Building																
18GPB01	Temporary Code Enforcement Officer	-	1.00	-	124,766	124,766	-	1.00	-	124,766	124,766	-	-	-	124,766	124,766
18GPB02	"Speedometer" Permit Review Time Reporting Tool	-	-	-	5,000	5,000	-	-	-	5,000	5,000	-	5,000	-	-	5,000
18GPB03	Temporary 0.1 FTE Senior Planner Increase	-	0.10	-	13,828	13,828	-	0.10	-	13,828	13,828	-	-	13,828	-	13,828
18GPB04	Planning Intern	-	-	-	12,768	12,768	-	-	-	12,768	12,768	-	-	12,768	-	12,768
18GPB05	Urban Forester 0.5 FTE Increase	-	0.50	-	63,709	63,709	-	0.50	-	63,709	63,709	-	-	-	63,709	63,709
Subtotal Planning & Building		**-**	**1.60**	**-**	**220,071**	**220,071**	**-**	**1.60**	**-**	**220,071**	**220,071**	**-**	**5,000**	**26,596**	**188,475**	**220,071**
Police																
18GPD01	Police Officer Overhire	-	2.00	-	68,613	68,613	-	2.00	-	68,613	68,613	-	-	61,099	7,514	68,613
18GPD02	Telestaff Upgrade	-	-	633	7,722	8,355	-	-	633	7,722	8,355	-	-	-	8,355	8,355
18GPD03	Contract Jail Costs	-	-	-	250,000	250,000	-	-	-	250,000	250,000	-	-	-	250,000	250,000
Subtotal Police		**-**	**2.00**	**633**	**326,335**	**326,968**	**-**	**2.00**	**633**	**326,335**	**326,968**	**-**	**-**	**61,099**	**265,869**	**326,968**
Fire																
18GFD01	WCIA Training for Fire Department Supervisors	-	-	-	13,000	13,000	-	-	-	13,000	13,000	-	-	9,919	3,081	13,000
18GFD02	Wildland Equipment and Training	-	-	-	39,755	39,755	-	-	-	39,755	39,755	-	-	-	39,755	39,755
18GFD03	Office of Emergency Management Upgrades	-	-	600	136,000	136,600	-	-	600	136,000	136,600	-	-	-	136,600	136,600
18GFD04	Telestaff Upgrade	-	-	633	7,722	8,355	-	-	633	7,722	8,355	-	-	-	8,355	8,355
18GFD05	Fire Overtime Variable Benefits	-	-	-	133,245	133,245	-	-	-	133,245	133,245	-	-	-	133,245	133,245
Subtotal Fire		**-**	**-**	**1,233**	**329,722**	**330,955**	**-**	**-**	**1,233**	**329,722**	**330,955**	**-**	**-**	**9,919**	**321,036**	**330,955**
GENERAL FUND TOTAL		**-**	**5.60**	**63,820**	**1,858,857**	**1,922,677**	**-**	**5.60**	**48,916**	**1,794,694**	**1,843,610**	**-**	**160,887**	**105,174**	**1,577,549**	**1,843,610**

City of Kirkland
2017 Mid-Bi Budget Review
2018 Service Package Requests

		2018 Department Request					2018 City Manager Recommended					Funding Source				
Pkg. #		FTE	Temp	Ongoing	One-time	Total	FTE	Temp	Ongoing	One-time	Total	Internal Transf./ Chrg	Balance/ Reserves	Offset	External Revenue	Total Funding
Street Operating Fund																
18SPW01	Pool Vehicle Upfit for Transportation Operations Supervisor	-	-	-	3,000	3,000	-	-	-	3,000	3,000	-	3,000	-	-	3,000
Subtotal Street Operating Fund		**-**	**-**	**-**	**3,000**	**3,000**	**-**	**-**	**-**	**3,000**	**3,000**	**-**	**3,000**	**-**	**-**	**3,000**
Solid Waste Fund																
18WPW01	Solid Waste Vehicle Purchase	-	-	8,029	24,691	32,720	-	-	8,029	24,691	32,720	-	32,720	-	-	32,720
Subtotal Solid Waste Fund		**-**	**-**	**8,029**	**24,691**	**32,720**	**-**	**-**	**8,029**	**24,691**	**32,720**	**-**	**32,720**	**-**	**-**	**32,720**
Equipment Rental (Fleet) Fund																
18EPW01	Fleet Garage Portable Jack System Replacement	-	-	-	72,000	72,000	-	-	-	72,000	72,000	-	39,049	-	32,951	72,000
Subtotal Equipment Rental (Fleet) Fund		**-**	**-**	**-**	**72,000**	**72,000**	**-**	**-**	**-**	**72,000**	**72,000**	**-**	**39,049**	**-**	**32,951**	**72,000**
Information Technology Fund																
18IIT01	Increased Funding for Lucity Support	-	-	-	22,731	22,731	-	-	-	22,731	22,731	22,731	-	-	-	22,731
18IIT02	Professional Services to Support Frontier Cable Franchise Negotiations	-	-	-	25,000	25,000	-	-	-	25,000	25,000	25,000	-	-	-	25,000
18IIT03	Redundant Internet Connection	-	-	4,727	1,843	6,570	-	-	4,727	1,843	6,570	6,570	-	-	-	6,570
18IIT04	Increased Bandwidth to Support Cloud Services	-	-	19,800	1,000	20,800	-	-	19,800	1,000	20,800	20,800	-	-	-	20,800
18IIT05	Increased Costs for Microsoft Software and Associated Services	-	-	38,091	7,000	45,091	-	-	38,091	7,000	45,091	45,091	-	-	-	45,091
18IIT06	Intern to Support 2018 PC Deployment	-	-	-	12,261	12,261	-	-	-	12,261	12,261	-	12,261	-	-	12,261
18IIT07	Regional Study of Fiber in the Cross Kirkland Corridor	-	-	-	8,000	8,000	-	-	-	8,000	8,000	8,000	-	-	-	8,000
Subtotal Information Technology Fund		**-**	**-**	**62,618**	**77,835**	**140,453**	**-**	**-**	**62,618**	**77,835**	**140,453**	**128,192**	**12,261**	**-**	**-**	**140,453**
TOTAL OTHER FUNDS		**-**	**-**	**70,647**	**177,526**	**248,173**	**-**	**-**	**70,647**	**177,526**	**248,173**	**128,192**	**87,030**	**-**	**32,951**	**248,173**
TOTAL ALL FUNDS		**-**	**5.60**	**134,467**	**2,036,383**	**2,170,850**	**-**	**5.60**	**119,563**	**1,972,220**	**2,091,783**	**128,192**	**247,917**	**105,174**	**1,610,500**	**2,091,783**

CITY OF KIRKLAND

FISCAL POLICIES

BACKGROUND AND PURPOSE

The stewardship of public funds is one of the greatest responsibilities given to the officials and managers of the City of Kirkland. Therefore, the establishment and maintenance of wise fiscal policies enables city officials to protect public interests and ensure public trust.

This document incorporates past financial practices in defining the current policies to be used by the City to meet its obligations and operate in a financially prudent manner. These policies have been established to provide general fiscal guidelines and are intended to provide sound direction in the management of the City's financial affairs.

OPERATING BUDGET POLICIES

The municipal budget is the central financial planning document that embodies all operating revenue and expenditure decisions. It establishes the level of services to be provided by each department within the confines of anticipated municipal revenues.

- The City Council will adopt a biennial budget which will reflect estimated revenues and expenditures for the ensuing two years. A mid-biennium review and update will take place as prescribed by law during the first year of the biennium.
- The City Council will establish municipal service levels and priorities for the ensuing two years prior to and during the development of the preliminary budget.
- The City Manager shall incorporate the Council's priorities in the formulation of the preliminary and final budget proposal.
- Adequate maintenance and replacement of the City's capital plant and equipment will be provided for in the biennial budget.
- The biennial budget will be balanced with resources in that biennium.

REVENUE AND EXPENDITURE POLICIES

Annual revenues are conservatively estimated as a basis for preparation of the biennial budget and City service programs.

Expenditures approved by the City Council in the biennial budget define the City's spending limits for the upcoming biennium. Beyond legal requirements, the City will maintain an operating philosophy of cost control and responsible financial management.

- The City will maintain revenue and expenditure categories according to state statute and administrative regulation.
- Current revenues will be sufficient to support current expenditures.
- All revenue forecasts will be performed utilizing accepted analytical techniques.
- All fees for services shall be reviewed and adjusted (where necessary) at least every three years to ensure that rates are equitable and cover the total cost of service, or that percentage of total service cost deemed appropriate by the City.

- Credit card fee surcharges, cash discounts and online payment methods shall be reviewed and evaluated every two years as part of the biennial budget process to ensure that the cost of service is being covered and the City is taking advantage of improving technology.
- Revenues of a limited or indefinite term will be used for capital projects or one-time operating expenditures to ensure that no ongoing service program is lost when such revenues are reduced or discontinued.
- Grant applications to fund new service programs with state or federal funds will be reviewed by the City, as they become available, with due consideration being given to whether locally generated revenues will be required to support these programs when outside funding is no longer available.
- The City of Kirkland will establish and maintain Special Revenue Funds which will be used to account for proceeds from a substantial restricted or committed revenue source used to finance designated activities which are required by statute, ordinance, resolution or executive order.
- Biennial expenditures will be maintained within the limitations of biennial revenues. The City will not use short-term borrowing to finance current operating needs without full financial analysis and prior approval of the City Council.
- In order to ensure the continuity of services, the City will budget no more sales tax revenue than was received in the prior year as a hedge against possible future economic events.
- Net interest income revenue will be used to finance one-time capital or time-limited goods or services including debt service on councilmanic bond issues.
- All authorized positions will be budgeted for a full year (or biennium) unless specifically designated by the City Council as a partial-year position.
- In the event that budget reductions are needed in order to balance revenues and expenditures, the City Council will provide policy direction to staff as to the priority order and combination for using the following strategies:
  - Raise revenue
  - Reduce expenditures
  - Use reserves
- The use of reserves to balance the budget will only be used to address short term temporary revenue shortfalls and expenditure increases.
- The biennial budget will be formally amended by the City Council as needed to acknowledge unforeseen expenditures. All requests for funding will be analyzed by the Finance and Administration Department. The Council will be provided with a discussion of the legality and/or policy basis of the expenditure, the recommended funding source, an analysis of the fiscal impact and a review of all reserves and previously approved amendments since budget adoption.
- A request will not be approved at the same meeting at which it is introduced unless it is deemed an urgent community issue by a supermajority vote of the City Council. Requests made to Council outside of the formal budget adjustment process will be analyzed and presented to the Council for approval at the next regular Council meeting that allows sufficient time for staff to prepare an analysis and recommendation.
- Annual expenditures from the Excise Tax Capital Improvement Fund will be prioritized such that available resources are sufficient to meet all operating budget commitments for the year. Subject to review and approval by the City Council, projected shortfalls in the Excise Tax Capital Improvement Fund in any given year will be balanced with offsetting reductions to capital budget commitments, or use of available reserves, prior to any reduction in transfers to the operating budget.

ENTERPRISE FUND POLICIES

The City will establish enterprise funds for City services when 1) the intent of the City is that all costs of providing the service should be financed primarily through user charges; and/or 2) the City Council determines that it is appropriate to conduct a periodic review of net income for capital maintenance, accountability, or other public policy purposes.

- Enterprise funds will be established for City-operated utility services.
- Enterprise fund expenditures will be established at a level sufficient to properly maintain the fund's infrastructure and provide for necessary capital development.
- Each enterprise fund will maintain an adequate rate structure to cover the costs of all operations, including maintenance, depreciation, capital and debt service requirements, reserves (as established by fiscal policy or bond covenant), and any other cost deemed necessary.
- Rates may be offset from available fund cash after requirements are met for cash flow and scheduled reserve contributions.
- Enterprise fund services will establish and maintain reserves for general contingency and capital purposes consistent with those maintained for general governmental services.
- Revenue bonds shall be issued only when projected operating revenues are insufficient for the enterprise's capital financing needs.
- The City will insure that net operating revenues of the enterprise constitute a minimum of 1.5 times the annual debt service requirements.
- The City will limit the maturities of all utility revenue bond issues to 30 years or less.

CASH MANAGEMENT AND INVESTMENT POLICIES

Careful financial control of the City's daily operations is an important part of Kirkland's overall fiscal management program. Achieving adequate cash management and investment control requires sound financial planning to ensure that sufficient revenues are available to meet the current expenditures of any one operating period. Once steps are taken to ensure that the City maintains a protected cash position in its daily operations, it is to the municipality's advantage to prudently invest idle funds until such time as they are required to make expenditures.

- The City's idle cash will be invested on a continuous basis in accordance with the City's adopted investment policies.
- The City will maintain a formal investment policy which is reviewed and endorsed by state and/or national professional organizations. The complete policy can be found in the appendix of this document.
- The City will invest all funds (in excess of current requirements) in a manner that is in conformance with federal, state and other legal requirements based upon the following order of priority: 1) safety; 2) liquidity and 3) return on investment.
- Investments with City funds shall not be made for purposes of speculation.
- The City is prohibited from investing in derivative financial instruments for the City's managed investment portfolio.
- Proper security measures will be taken to safeguard investments. The City's designated banking institution will provide adequate collateral to insure City funds.

- The City's investment portfolio will be reviewed every three years by a qualified portfolio valuation service to assess the portfolio's degree of risk and compliance with the adopted investment policies.
- An analysis of the City's cash position will be prepared at regular intervals throughout the fiscal year.
- The City Council will be provided with quarterly reports on the City's investment strategy and performance.
- Sufficient cash shall be maintained to provide adequate funds for current operating expenditures.
- Where permitted, the City will pool its cash resources from various funds ("Treasurer's Cash") for investment purposes.
- Net investment income from Treasurer's Cash will be allocated in accordance with KMC 5.24.060 considering 1) average cash balance of the participating fund and 2) the minimum cash balance needs of each fund as determined by the Director of Finance and Administration. Net investment income is the amount of annual investment proceeds after first providing for all costs and expenses incurred in the administration of the common investment fund and an allocation of earned interest is made to certain funds as required by the State and Council-directed obligations are met for General Fund purposes.
- The City of Kirkland will select its official banking institution through a formal bidding process in order to provide the City with the most comprehensive, flexible, and cost-effective banking services available.

ACCOUNTING, FINANCIAL REPORTING AND AUDITING POLICIES

The City of Kirkland will establish and maintain a high standard of accounting practices. Accounting and budgetary systems will, at all times, conform to Generally Accepted Accounting Principles, the State of Washington Budgeting Accounting Reporting System (BARS) and local regulations.

- A comprehensive accounting system will be maintained to provide all financial information necessary to effectively operate the City.
- The City will meet the financial reporting standards set by the Governmental Accounting Standards Board.
- Full disclosure will be provided in all City financial reports and bond representations.
- An annual audit will be performed by the State Auditor's Office and include the issuance of a financial opinion.

RESERVE AND FUND BALANCE POLICIES

Adequate fund balance and reserve levels are a necessary component of the City's overall financial management strategy and a key factor in external agencies' measurement of the City's financial strength.

Maintenance of fund balance for each accounting fund assures adequate resources for cash flow and to mitigate short-term effects of revenue shortages.

City and state regulations have been established to allow the City of Kirkland to create and maintain specific reserve funds. Prudent use of reserve funds enables the City to defray future costs, take advantage of matching funds, and beneficial (but limited) opportunities. Reserve funds provide the City with the ability to exercise flexible financial planning in developing future capital projects. Reserve funds are necessary to enable the City to deal with unforeseen emergencies or changes in condition.

- The City will establish minimum fund balance targets for each fund based on the cash flow requirements of the fund. The City will include all fund balances in the biennial budget.

- The minimum fund balance will be attained and maintained through expenditure management, revenue management and/or contributions from the General Fund.
- All expenditures drawn from reserve accounts shall require prior Council approval unless previously authorized by the City Council for expenditure in the biennial budget or otherwise provided for by City policies.

Reserve Purposes and Targets

- A Contingency Reserve Fund shall be maintained in accordance with RCW 35A.33.145 to meet any municipal expense, the necessity or extent of which could not have been reasonably foreseen at the time of adopting the biennial budget. The target balance will be set at 80 percent of the statutory maximum of $0.375 per $1,000 of assessed valuation.
- The City will maintain a General Operating Reserve at an amount equivalent to five percent of the tax-supported general government budgets (General Fund, Street Operating Fund and Parks Maintenance Fund) for the second year of the biennium. The General Operating Reserve is available to address unforeseen revenue shortfalls or expenditure needs that occur during the current biennium.
- The City will maintain a Revenue Stabilization Reserve to address temporary revenue losses due to economic cycles or other time-limited causes. The Revenue Stabilization Reserve will be maintained at ten percent of selected General Fund revenue sources which, in the judgment of the Director of Finance and Administration, are subject to volatility. The Revenue Stabilization Reserve may be used in its entirety; however, replenishment will be a priority, consistent with adopted policies.
- The City will maintain a Council Special Project Reserve, which is available to the City Council to fund special one-time projects that were unforeseen at the time the budget was prepared. When the reserve is used, it is replenished from the General Fund year-end fund balance to a target balance of $250,000.
- The City will maintain a General Capital Contingency to address unforeseen project expenditures or external revenue shortfalls in an amount equivalent to ten percent of the funded two-year CIP budget, less proprietary fund projects.
- In establishing targets for the reserves defined above, voted property tax levies will be excluded from the calculations, since the levies are not intended to burden the General Fund and are expected to absorb unexpected costs from levy proceeds.
- The City Manager may authorize the use of capital funding reserves up to an aggregate total of $100,000 per year in increments not to exceed $25,000. The City Manager will provide regular reports to the City Council at a regular Council meeting if this authorization is used. Capital funding reserves include: General Capital Contingency, Street Improvement Reserve, REET Reserves, Impact Fee Reserves, Water/Sewer Capital Contingency, Water/Sewer Construction Reserve, Surface Water Capital Contingency, and Surface Water Construction Reserve.
- The City will maintain a Capital Improvement Project ~~Grant Match~~ Reserve as a means of assuring the availability of cash resources to leverage external funding when the opportunity arises and to provide flexibility for project scope changes and unanticipated costs. The reserve will be maintained in the Real Estate Excise Tax Capital Reserve Fund and will provide for $1 million of Real Estate Excise Tax revenue from the first quarter percent of the tax and $1 million of revenue from the second quarter percent of the Real Estate Excise Tax. These amounts will be ~~and~~ maintained through excise tax revenue received over and above the annual allocation to the Capital Improvement Plan.
- The City will maintain a Building and Property Reserve with a minimum balance of $600,000. This reserve is used for property purchases, building improvements and other property-related

transactions. It can also be used as a general purpose reserve to fund Council-approved unanticipated expenditures.

- The City will maintain fully funded reserves for the replacement of vehicles and personal computers. Contributions will be made through assessments to the using funds and maintained on a per asset basis.
- Additional reserve accounts may be created to account for monies for future known expenditures, special projects, or other specific purposes.
- All reserves will be presented in the biennial budget.

Reserve Replenishment

- Reserve replenishments occur in two ways during periods of economic recovery:
  - Planned - A specific amount is included in the adopted budget, and
  - Unplanned - Ending fund balances are higher than budgeted, either due to higher than budgeted revenues or under-expenditures.
- Planned amounts are included as part of the adopted budget. Planned replenishments toward 80% of the target level shall be set to at least 1% of the General Fund adopted expenditures less reserves.
- Unplanned amounts available at the end of each biennium (if any) should help replenish to target faster. A high percentage (up to all) uncommitted funds available at the end of a biennium should be used for reserve replenishment until reserves meet 80% of target and the revenue stabilization reserve is at 100% of target. Some or all of those unplanned funds may be used in place of planned (budgeted) amounts in the following biennium to the extent it meets or exceeds the 1% budgeted amount.
- Once reserves reach 80% of target and revenue stabilization reserve is at 100%, funds may be used to meet other one time or on-going needs. Additional funds should be used to fund a variety of needs, based on the following process:
  - Set 50% of available cash toward reserves until they are at 100% of target.
  - The remaining 50% shall be available for one or more of the following needs, depending on the nature of the funds available (one-time or on-going) and in the following order of priority:
    - Fund liabilities related to sinking funds for public safety and information technology equipment,
    - Maintain current service levels,
    - Fund one-time projects or studies,
    - Increase funding for capital purposes,
    - Restore previous program service reductions,
    - Potential program and service enhancements.
- In terms of priority for replenishing the individual reserves, the following guidelines shall be used:
  - If the Council Special Projects reserve is below target, replenish to target at the start of each biennium.
  - If the revenue stabilization reserve is below target, prioritize replenishing the reserve.
  - To the extent cash is from volatile revenues above budgeted amounts, those funds should be applied to revenue stabilization reserve first.
  - If unplanned funds are available because planned reserve uses did not occur, those funds should be returned to the source reserve.

- The source of uncommitted funds should be taken into consideration (for example, interest earnings over budget could be applied to the capital contingency, since they are one of the designated sources for this reserve).
- The degree to which an individual reserve is below target (for example, the reserve that is furthest from its target level on a percentage basis might receive a larger share of the funds).
- Decisions on how replenishments are allocated to specific reserves will be based on where available funds came from and on each reserve's status at the time the decision is made.
- The replenishment policy will provide a mechanism whereby Council may take action to suspend replenishment policies if it was found that special conditions existed warranting such action.

DEBT MANAGEMENT POLICIES

The amount of debt issued by the City is an important factor in measuring its financial performance and condition. Proper use and management of borrowing can yield significant advantages. From a policy perspective, the City of Kirkland uses debt in two ways: (1) as a mechanism to equalize the costs of needed improvements to both present and future citizens; and (2) as a mechanism to reduce the immediate costs of substantial public improvements.

- The City will maintain a formal Debt Management Policy which is reviewed and endorsed by state and/or national professional organizations. The complete policy can be found in the appendix of this document.
- City Council approval is required prior to the issuance of debt.
- An analytical review shall be conducted prior to the issuance of debt.
- The City will continually strive to maintain its bond rating by improving financial policies, budget forecasts and the financial health of the City so its borrowing costs are minimized and its access to credit is preserved.
- All debt issued by the City will include a written opinion by bond counsel affirming that the City is authorized to issue the proposed debt.
- The City of Kirkland will not use long-term debt to support current operations.
- Long-term borrowing will only be used for capital improvements that cannot be financed from current revenues.
- Non-capital furnishings, supplies, and personnel will not be financed from bond proceeds.
- Interest, operating and/or maintenance expenses will be capitalized only for enterprise activities; and will be strictly limited to those expenses incurred prior to actual operation of the facilities.
- The general obligation debt of Kirkland will not exceed an aggregated total of 7.5% of the assessed valuation of the taxable property within the City.
- The following individual percentages shall not be exceeded in any specific debt category:
  - General Debt -- 2.5% of assessed valuation
  - Non-Voted -- 1.5% Limited Tax General Obligation (LTGO) Bonds
  - Voted -- 1.0% Unlimited Tax General Obligation Bonds
  - Utility Debt -- 2.5% of assessed valuation
  - Open Space and Park Facilities -- 2.5% of assessed valuation
- The City's policy is to plan and direct the use of debt so that debt service payments will be a predictable and manageable part of the Operating Budget.

- Short-term borrowing will only be used to meet the immediate financing needs of a project for which long-term financing has been secured but not yet received.
- Assessment bonds will be considered in place of general obligation bonds, where possible, to assure the greatest degree of public equity.
- Limited Tax General Obligation (LTGO) bonds will be issued only if:
  - A project requires funding not available from alternative sources;
  - Matching fund monies are available which may be lost if not applied for in a timely manner; or
  - Emergency conditions exist.
- The issuance of bonds shall be financed for a period not to exceed a conservative estimate of the asset's useful life.
- General Obligation bonds will be issued with maturities of 30 years or less unless otherwise approved by Council.
- The maturity of all assessment bonds shall not exceed statutory limitations. RCW 36.83.050.
- The City will use refunding bonds, where appropriate, when restructuring its current outstanding debt.

CAPITAL IMPROVEMENT POLICIES

Kirkland's City government is accountable for a considerable investment in buildings, parks, roads, sewers, equipment and other capital investments. The preservation, maintenance, and future improvement of these facilities are a primary responsibility of the City. Planning and implementing sound capital improvement policies and programs today will help the City avoid emergencies and major costs in the future, therefore:

- The City will establish and implement a comprehensive multi-year Capital Improvement Program.
- The Capital Improvement Program will be prepared biennially concurrent with the development of the biennial budget. A mid-biennium review and update will take place during the first year of the biennium.
- The City Council will designate annual ongoing funding levels for each of the major project categories within the Capital Improvement Program.
- Financial analysis of funding sources will be conducted for all proposed capital improvement projects.
- A Capital Improvement Budget will be developed and adopted by the City Council as part of the biennial budget and will be amended during the mid-biennial budget review process (during the first year of the biennium) to reflect any changes in the updated Capital Improvement Program.
- The Capital Improvement Program will be consistent with the Capital Facilities Element of the Comprehensive Plan.
- The City Manager may authorize the reallocation of CIP project funds between CIP projects within a CIP category up to $50,000 per instance. Funding may only be reallocated within a CIP category (i.e. between Transportation projects, or Parks projects, or Public Safety projects, etc.) when one project is over budget and, in the same period, a second project within the same CIP category has been completed and is closing out under budget. The City Manager will provide regular reports to the City Council at a regular Council meeting if this authorization is used.

ORDINANCE O-4632

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2017-2018.

WHEREAS, the City Council finds that the proposed adjustments to the Biennial Budget for 2017-2018 reflect revenues and expenditures that are intended to ensure the provision of vital municipal services at acceptable levels;

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

Section 1. The Mid-Biennial 2017 adjustments to the Biennial Budget of the City of Kirkland for 2017-2018 are hereby adopted.

Section 2. In summary form, the totals of estimated revenues and appropriations for each separate fund and the aggregate totals for all such funds combined are as follows:

Funds	Current Budget	Adjustments	Revised Budget
General	221,086,638	5,481,865	226,568,503
Lodging Tax	989,747	-	989,747
Street Operating	21,614,124	138,358	21,752,482
Cemetery Operating	969,615	-	969,615
Parks Maintenance	3,438,466	-	3,438,466
Parks Levy	5,935,326	24,083	5,959,409
Contingency	5,675,121	-	5,675,121
Impact Fees	14,917,216	-	14,917,216
Excise Tax Capital Improvement	31,547,542	4,942,004	36,489,546
Limited General Obligation Bonds	7,205,293	-	7,205,293
Unlimited General Obligation Bonds	1,468,097	-	1,468,097
General Capital Projects	59,210,960	3,626,600	62,837,560
Transportation Capital Projects	73,876,171	15,826,961	89,703,132
Water/Sewer Operating	68,416,084	-	68,416,084
Water/Sewer Debt Service	956,438	-	956,438
Utility Capital Projects	32,983,281	-	32,983,281
Surface Water Management	27,734,939	50,000	27,784,939
Surface Water Capital Projects	17,357,880	728,500	18,086,380
Solid Waste	36,503,963	-	36,503,963
Health Benefits	25,295,960	-	25,295,960
Equipment Rental	23,259,147	226,132	23,485,279
Information Technology	15,948,935	382,101	16,331,036
Facilities Maintenance	14,749,560	-	14,749,560
Firefighter's Pension	1,429,524	-	1,429,524
	712,570,027	31,426,604	743,996,631

Section 3. The REET Report of the City of Kirkland for 2018-2019, as set out in Exhibit "A" attached and incorporated by this reference as though fully set forth, is adopted as the REET Report of the City of Kirkland for 2018-2019, including with respect to the use by the City of Kirkland of REET revenues.

Section 4. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2017.

Signed in authentication thereof this ____ day of _____, 2017.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Michael Olson, Director of Finance and Administration
Tom Mikesell, Financial Planning Manager

Date: November 30, 2017

Subject: RCW 82.46.015 Real Estate Excise Tax Funding Report

The purpose of this memo is to report on Real Estate Excise Tax (REET) usage in the operating and capital budgets. RCW 82.46.015 requires that this report be adopted with the operating budget to qualify the City to use REET for maintenance of capital projects in the 2018 Operating Budget, and for the use of REET 2 funds for Homelessness and Affordable Housing in the Capital Budget in 2017 and 2018.

Background

In 2011, the legislature approved the temporary use of up to $1,000,000 of REET revenue for operations and maintenance of capital projects. This temporary provision expired on December 31, 2016. In the 2015 state legislative session, legislation was approved to allow the use of REET for maintenance of REET-eligible capital projects, up to the greater of $100,000 or twenty-five percent of available funds, but not to exceed $1,000,000 per year. Unlike the prior legislation, this authority is ongoing.

More recently, in the 2017 3rd Special Session, legislation approved an additional expansion of REET 2, for acquisition, construction, improvement, or rehabilitation of facilities to provide housing for the homeless, subject to the same cap provided above.

These expanded uses come with specific reporting requirements. Each year a city using REET for any of these expanded uses must adopt a report that satisfies four requirements. The requirements, and data to meet each requirement for the City of Kirkland, are included below.

1) Demonstrate that a city "has or will have adequate funding from all sources of public funding to pay for all capital projects, as defined in RCW 82.46.010, identified in its capital facilities plan for the succeeding two-year period".

   The City of Kirkland's Capital Improvement Plan for 2018 and 2019, the "succeeding two-year" time period covered by the reporting requirement, totals $102.9 million as shown in the following table.

Capital Projects - 2018-2019 (in thousands)

Program	2018	2019	Two year total
Transportation	27,432	30,395	57,827
Surface Water	3,761	5,016	8,777
Water/Sewer	5,095	6,620	11,715
Parks	3,235	6,000	9,235
General Government	13,540	1,833	15,373
Total	**53,063**	**49,864**	**102,927**

The planned revenue sources to fully fund the Capital Program in 2018 and 2019 are detailed in the table on the following page.

2018 -2019 Capital Program Funding Sources
Revenues (in thousands)

Dedicated Revenue	2018	2019	2-Year Total
Transportation			
Gas Tax	622	634	**1,256**
Gas Tax (Transportation Package)	150	200	**350**
Business License Fees	270	270	**540**
Real Estate Excise Tax (REET) 1	410	422	**832**
Real Estate Excise Tax (REET) 2	1,342	1,279	**2,621**
Street & Pedestrian Safety Levy	2,652	2,679	**5,331**
Transportation Impact Fees	3,410	1,750	**5,160**
King County Park Levy	300	300	**600**
Walkable Kirkland	400	400	**800**
Utility Rates	500	500	**1,000**
Utility Reserves	306	207	**513**
Solid Waste Street Preservation	300	300	**600**
REET 2 Reserve	7,844	980	**8,824**
REET 1 Reserve	275	1,385	**1,660**
Carryover PY Funds	533	-	**533**
Debt	1,485	6,015	**7,500**
External Sources	6,633	13,074	**19,706**
Subtotal Transportation	**27,432**	**30,395**	**57,826**
Parks			
Real Estate Excise Tax 1	868	1,438	**2,306**
Impact Fees	999	2,891	**3,890**
Parks Levy	524	1,000	**1,524**
King County Park Levy	-	-	**-**
REET 1 Reserve	-	509	**509**
Surface Water Reserves	-	-	**-**
Park Facilities Sinking Fund	146	162	**308**
Carryover PY Funds	698	-	**698**
Subtotal Parks	**3,235**	**6,000**	**9,235**
General Government: Technology, Facilities & Public Safety			
General Fund Contributions for:			
Public Sfty. Equip. Sinking Fund	133	725	**858**
Technology Equip. Sinking Fund	1,197	209	**1,406**
Utility Rates	256	256	**512**
Health Fund Transfer	-	-	**-**
Facilities Life Cycle Reserve	554	529	**1,083**
REET 1 Reserves	3,700	-	**3,700**
General Fund Cash	1,937	114	**2,051**
Carryover PY Funds	63	-	**63**
REET 1	4,200	-	**4,200**
REET 2 Reserves	1,000	-	**1,000**
Facilities Expansion Reserve	30	-	**30**
Land Sales Proceeds	470	-	**470**
Subtotal General Government	**13,540**	**1,833**	**15,373**
Utilities			
Utility Connection Charges	865	865	**1,730**
Utility Rates - Surface Water	1,872	1,916	**3,788**
Utility Rates - Water/Sewer	4,070	4,355	**8,425**
Reserves	1,320	1,500	**2,820**
External Sources	729	3,000	**3,729**
Subtotal Utilities	**8,856**	**11,636**	**20,492**
Total Revenues	**53,063**	**49,864**	**102,927**

2) Identify how REET revenues were used by the city or county during the prior two-year period:

The following table shows 2016 actual and 2017 projected uses of REET 1:

		2016 Actual	2017 Projected	Two Year Total
REET 1				
Maintenance Uses				
	CKC Maintenance	63,500	63,500	127,000
	Parks Maintenance	109,266	152,033	261,299
	Subtotal - Maintenance Uses	**172,766**	**215,533**	**388,299**
Capital Uses				
Transportation Program				
ST 0006	Annual Street Preservation Program	-	5,000	5,000
ST 0006-005	Totem Lake Blvd Roadway Repair	-	260,000	260,000
ST 9999	Regional Inter-Agency Coordination	82,000	82,000	164,000
NM 0012 001	NE 116th Street Crosswalk Upgrade	-	16,000	16,000
NM 0057	Annual Sidewal Maintenance Program	70,000	-	70,000
NM 0086	NE 124th St/124th Ave NE Ped. Bridge (Totem Lake Non-Motorized)	234,000	-	234,000
NM 0095	124th Avenue NE Sidewalk Improvements	95,200	-	95,200
NM 0115	CKC Emergent Projects Opportunity Fund	100,000	-	100,000
TR 0118	General Parking Lot Improvements	720,000	100,000	820,000
TR 0119	Kirkland Citywide Intelligent Transportation System Study	-	35,000	35,000
	Subtotal Transportation Program	**1,301,200**	**498,000**	**1,799,200**
Parks Program				
PK 0049	Open Space, Park Land & Trail Acq Grant Match Program		100,000	100,000
PK 0066	Park Play Area Enhancements	50,000	40,000	90,000
PK 0119 100	Juanita Beach Park Bathhouse Replacement		715,000	715,000
PK 0121	Green Kirkland Forest Restoration Program	75,000	75,000	150,000
PK 0123	Peter Kirk Pool Liner Replacement	125,000	-	125,000
PK 0133 300	Neighborhood Park Land Acquisition		800,000	800,000
PK 0133 401	Edith Moulton Park Redevelopment	135,000	304,300	439,300
PK 0135 200	Juanita Heights Park Expansion	200,000		
PK 0139 200	Totem Lake Park Master Plan & Development (Phase I)	535,000	100,000	635,000
	Subtotal Parks Program	**1,120,000**	**2,134,300**	**3,054,300**
Public Safety Facilities Program				
PS 3002 000	Fire Station 24 Land Acquisition		772,153	772,153
	Subtotal Capital Uses	**2,421,200**	**3,404,453**	**5,625,653**
Total REET 1 Uses		**2,593,966**	**3,619,986**	**6,013,952**

The following table shows 2016 actual and 2017 projected uses of REET 2, and summarizes total REET uses in 2016 and 2017:

		2016 Actual	2017 Projected	Two Year Total
REET 2				
Maintenance Uses				
	Temporary Grounds Crew	82,329	-	82,329
	Subtotal - Maintenance Uses	**82,329**	**-**	**82,329**
Capital Uses				
Transportation Program				
NM 0007	Cross Kirkland Corridor Connection-NE 52nd Street Sidewalk	60,000	40,000	100,000
NM 0012 001	NE 116th Street Crosswalk Upgrade	-	34,000	34,000
NM 0012 002	NE 124th Street Crosswalk Upgrade	80,000	-	80,000
NM 0057	Annual Sidewalk Maintenance Program	110,000	-	110,000
NM 0064 001	Park Lane Pedestrian Improvements	-	67,400	67,400
NM 0084	South Kirkland TOD/CKC Multi-Modal Connection	132,600	-	132,600
NM 0086 100	NE 124th St/124th Ave NE Ped Bridge Design & Construction	93,100	41,000	134,100
NM 0087	Citywide School Walk Route Enhancements	550,000	530,000	1,080,000
NM 0095	124th Avenue NE Sidewalk Improvements	146,800	205,000	351,800
NM 0110	Citywide Accessibility Transition Plan	50,000	-	50,000
NM 0113 001	Citywide Greenways Network Project- NE 75th Street	42,500	-	42,500
NM 0118	NE 128th Street / 139th Avenue NE Non-Motorized Imps	-	101,000	101,000
NM 7777	Annual Non-Motorized CAO/SWDM Surface Water Support	-	1,400,000	1,400,000
ST 0006	Annual Street Preservation Program	570,000	170,000	740,000
ST 0006-005	Totem Lake Blvd Roadway Repair	-	560,000	560,000
ST 0080	Annual Striping Program	400,000	500,000	900,000
TR 0098	NE 132nd St/ 116th Way NE (I-405) Intersect'n Imp	-	138,000	138,000
TR 0111 003	Intelligent Transportation System, Phase II	360,000	80,000	440,000
TR 0116	Annual Signal Maintenance Program	150,000	150,000	300,000
TR 0117	Citywide Traffic Management Safety Improvements	-	100,000	100,000
TR 0117 001	Flashing Yellow Signal Head Safety Improvements	50,000		50,000
TR 0117 002	Vision Zero Safety Improvement	50,000	50,000	100,000
TR 0117 003	Neighborhood Traffic Control	50,000	-	50,000
TR 0119	Kirkland Citywide Intelligent Transportation System Study	-	40,000	40,000
TR 0127	NE 132nd Street Roundabout	-	54,000	54,000
TR 7777	Annual Traffic CAO/SWDM Surface Water Support	-	500,000	500,000
	Subtotal Transportation Program	**2,895,000**	**4,760,400**	**7,655,400**
General Governmental Facilities Program				
GG 0100	Affordable Housing and Homelessness Investment	**-**	500,000	500,000
	Subtotal Capital Uses	**2,895,000**	**5,260,400**	**8,155,400**
Total REET 2 Uses		**2,977,329**	**5,260,400**	**8,237,729**

Total REET Uses		**5,571,295**	**8,889,537**	**14,460,832**

3) Identify how funds authorized for allowed expanded purposes will be used during the succeeding two-year period.

The 2017-2018 Operating Budget includes amounts for approved expanded purposes in 2018. As this is the second year of a two year budget, any amounts for 2019 will be presented in the fall of next year for approval by the City Council.

The following table includes the amount budgeted in 2018 and an estimate for 2019 based on current plans.

	2018	2019*	Total
REET 1			
CKC Maintenance	63,500	63,500	127,000
Park Maintenance	113,013	113,013	226,026
Park Maintenance for Hazen Hill Park	15,300	15,300	30,600
Park Maintenance for Edith Moulton Park	23,720	23,720	47,440
Subtotal REET 1	**215,533**	**215,533**	**431,066**
REET 2			
GG 0100 - Affordable Housing and Homelessness Investment	1,000,000	-	1,000,000
Subtotal REET 2	**1,000,000**	**-**	**1,000,000**
Total - REET Expanded Uses	**1,215,533**	**215,533**	**1,431,066**

*FY 2019 Figures represent a continuation of amounts approved in the 2017-2018 Biennial Budget, and are subject to review as part of the 2019-2020 Biennial Budget process.

4) Identify what percentage of funding for capital projects within the city or county is attributable to REET compared to all other sources of capital project funding.

As shown in the table under Requirement 1, years 2018 and 2019 in the Capital Budget includes $102.9 million from all sources. Of this amount, 24.9 percent is from REET revenue either projected for 2017 -2018 or collected in prior years.

As stated earlier, this report must be adopted as part of the regular, public budget process. To meet this requirement, staff recommends this report be referenced as an attachment to the mid-biennial budget adjustments adoption ordinance presented to the City Council on December 12th, 2017.

It is worth noting that staff consulted with the Municipal Research and Services Center in the fall of 2016 concerning the format for this report. In brief, it is the position of MRSC that the various reporting elements may be already covered through the adoption of the operating budget, the capital budget and the capital facilities plan. Though the pieces of information included in this report, by their very nature, are drawn from these separate documents, staff opted for a format that ties them together in one place.

PUBLICATION SUMMARY
OF ORDINANCE O-4632

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2017-2018.

SECTION 1. Adjusts the 2017-2018 Biennial Budget of the City of Kirkland.

SECTION 2. Sets forth, in summary form, the totals of estimated revenues and appropriations for each separate fund and the aggregate totals for all such funds combined.

SECTION 3. Adopts the REET Report of the City of Kirkland for 2018-2019.

SECTION 4. Provides a severability clause for the ordinance.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2017.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
Kathi Anderson, City Clerk

RESOLUTION R-5288

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE FISCAL POLICIES FOR THE CITY OF KIRKLAND.

WHEREAS, the stewardship of public funds is one of the greatest responsibilities given to the officials and managers of the City of Kirkland; and

WHEREAS, the establishment of and maintenance of wise fiscal policies enables City officials to protect public interests and ensure public trust; and

WHEREAS, most of the City of Kirkland's Fiscal Policies represent long-standing principles, traditions, and practices that have guided the City management in the past and are intended to ensure that the City is financially able to meet its immediate and long-term objectives; and

WHEREAS, the City of Kirkland's Fiscal Policies need to be amended to revise reserve policies in connection with the Real Estate Excise Tax Capital Reserve Fund, establish prioritization for use of these funds and allow for review of credit card fee practices.

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

Section 1. The City Council hereby adopts the City of Kirkland's Fiscal Policies a copy of which is attached hereto and by this reference incorporated herein.

Section 2. The City of Kirkland's Fiscal Policies are intended to provide general fiscal guidelines and to provide sound direction in the management of the City's financial affairs.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2017.

Signed in authentication thereof this ____ day of _____, 2017.

_____
Amy Walen, Mayor

Attest:

_____
Kathi Anderson, City Clerk

R-5288
Exhibit A

CITY OF KIRKLAND

FISCAL POLICIES

BACKGROUND AND PURPOSE

The stewardship of public funds is one of the greatest responsibilities given to the officials and managers of the City of Kirkland. Therefore, the establishment and maintenance of wise fiscal policies enables city officials to protect public interests and ensure public trust.

This document incorporates past financial practices in defining the current policies to be used by the City to meet its obligations and operate in a financially prudent manner. These policies have been established to provide general fiscal guidelines and are intended to provide sound direction in the management of the City's financial affairs.

OPERATING BUDGET POLICIES

The municipal budget is the central financial planning document that embodies all operating revenue and expenditure decisions. It establishes the level of services to be provided by each department within the confines of anticipated municipal revenues.

- The City Council will adopt a biennial budget which will reflect estimated revenues and expenditures for the ensuing two years. A mid-biennium review and update will take place as prescribed by law during the first year of the biennium.
- The City Council will establish municipal service levels and priorities for the ensuing two years prior to and during the development of the preliminary budget.
- The City Manager shall incorporate the Council's priorities in the formulation of the preliminary and final budget proposal.
- Adequate maintenance and replacement of the City's capital plant and equipment will be provided for in the biennial budget.
- The biennial budget will be balanced with resources in that biennium.

REVENUE AND EXPENDITURE POLICIES

Annual revenues are conservatively estimated as a basis for preparation of the biennial budget and City service programs.

Expenditures approved by the City Council in the biennial budget define the City's spending limits for the upcoming biennium. Beyond legal requirements, the City will maintain an operating philosophy of cost control and responsible financial management.

- The City will maintain revenue and expenditure categories according to state statute and administrative regulation.
- Current revenues will be sufficient to support current expenditures.
- All revenue forecasts will be performed utilizing accepted analytical techniques.
- All fees for services shall be reviewed and adjusted (where necessary) at least every three years to ensure that rates are equitable and cover the total cost of service, or that percentage of total service cost deemed appropriate by the City.

- Credit card fee surcharges, cash discounts and online payment methods shall be reviewed and evaluated every two years as part of the biennial budget process to ensure that the cost of service is being covered and the City is taking advantage of improving technology.
- Revenues of a limited or indefinite term will be used for capital projects or one-time operating expenditures to ensure that no ongoing service program is lost when such revenues are reduced or discontinued.
- Grant applications to fund new service programs with state or federal funds will be reviewed by the City, as they become available, with due consideration being given to whether locally generated revenues will be required to support these programs when outside funding is no longer available.
- The City of Kirkland will establish and maintain Special Revenue Funds which will be used to account for proceeds from a substantial restricted or committed revenue source used to finance designated activities which are required by statute, ordinance, resolution or executive order.
- Biennial expenditures will be maintained within the limitations of biennial revenues. The City will not use short-term borrowing to finance current operating needs without full financial analysis and prior approval of the City Council.
- In order to ensure the continuity of services, the City will budget no more sales tax revenue than was received in the prior year as a hedge against possible future economic events.
- Net interest income revenue will be used to finance one-time capital or time-limited goods or services including debt service on councilmanic bond issues.
- All authorized positions will be budgeted for a full year (or biennium) unless specifically designated by the City Council as a partial-year position.
- In the event that budget reductions are needed in order to balance revenues and expenditures, the City Council will provide policy direction to staff as to the priority order and combination for using the following strategies:
    - Raise revenue
    - Reduce expenditures
    - Use reserves
- The use of reserves to balance the budget will only be used to address short term temporary revenue shortfalls and expenditure increases.
- The biennial budget will be formally amended by the City Council as needed to acknowledge unforeseen expenditures. All requests for funding will be analyzed by the Finance and Administration Department. The Council will be provided with a discussion of the legality and/or policy basis of the expenditure, the recommended funding source, an analysis of the fiscal impact and a review of all reserves and previously approved amendments since budget adoption.
- A request will not be approved at the same meeting at which it is introduced unless it is deemed an urgent community issue by a supermajority vote of the City Council. Requests made to Council outside of the formal budget adjustment process will be analyzed and presented to the Council for approval at the next regular Council meeting that allows sufficient time for staff to prepare an analysis and recommendation.
- Annual expenditures from the Excise Tax Capital Improvement Fund will be prioritized such that available resources are sufficient to meet all operating budget commitments for the year. Subject to review and approval by the City Council, projected shortfalls in the Excise Tax Capital Improvement Fund in any given year will be balanced with offsetting reductions to capital budget commitments, or use of available reserves, prior to any reduction in transfers to the operating budget.

ENTERPRISE FUND POLICIES

The City will establish enterprise funds for City services when 1) the intent of the City is that all costs of providing the service should be financed primarily through user charges; and/or 2) the City Council determines that it is appropriate to conduct a periodic review of net income for capital maintenance, accountability, or other public policy purposes.

- Enterprise funds will be established for City-operated utility services.
- Enterprise fund expenditures will be established at a level sufficient to properly maintain the fund's infrastructure and provide for necessary capital development.
- Each enterprise fund will maintain an adequate rate structure to cover the costs of all operations, including maintenance, depreciation, capital and debt service requirements, reserves (as established by fiscal policy or bond covenant), and any other cost deemed necessary.
- Rates may be offset from available fund cash after requirements are met for cash flow and scheduled reserve contributions.
- Enterprise fund services will establish and maintain reserves for general contingency and capital purposes consistent with those maintained for general governmental services.
- Revenue bonds shall be issued only when projected operating revenues are insufficient for the enterprise's capital financing needs.
- The City will insure that net operating revenues of the enterprise constitute a minimum of 1.5 times the annual debt service requirements.
- The City will limit the maturities of all utility revenue bond issues to 30 years or less.

CASH MANAGEMENT AND INVESTMENT POLICIES

Careful financial control of the City's daily operations is an important part of Kirkland's overall fiscal management program. Achieving adequate cash management and investment control requires sound financial planning to ensure that sufficient revenues are available to meet the current expenditures of any one operating period. Once steps are taken to ensure that the City maintains a protected cash position in its daily operations, it is to the municipality's advantage to prudently invest idle funds until such time as they are required to make expenditures.

- The City's idle cash will be invested on a continuous basis in accordance with the City's adopted investment policies.
- The City will maintain a formal investment policy which is reviewed and endorsed by state and/or national professional organizations. The complete policy can be found in the appendix of this document.
- The City will invest all funds (in excess of current requirements) in a manner that is in conformance with federal, state and other legal requirements based upon the following order of priority: 1) safety; 2) liquidity and 3) return on investment.
- Investments with City funds shall not be made for purposes of speculation.
- The City is prohibited from investing in derivative financial instruments for the City's managed investment portfolio.
- Proper security measures will be taken to safeguard investments. The City's designated banking institution will provide adequate collateral to insure City funds.

- The City's investment portfolio will be reviewed every three years by a qualified portfolio valuation service to assess the portfolio's degree of risk and compliance with the adopted investment policies.
- An analysis of the City's cash position will be prepared at regular intervals throughout the fiscal year.
- The City Council will be provided with quarterly reports on the City's investment strategy and performance.
- Sufficient cash shall be maintained to provide adequate funds for current operating expenditures.
- Where permitted, the City will pool its cash resources from various funds ("Treasurer's Cash") for investment purposes.
- Net investment income from Treasurer's Cash will be allocated in accordance with KMC 5.24.060 considering 1) average cash balance of the participating fund and 2) the minimum cash balance needs of each fund as determined by the Director of Finance and Administration. Net investment income is the amount of annual investment proceeds after first providing for all costs and expenses incurred in the administration of the common investment fund and an allocation of earned interest is made to certain funds as required by the State and Council-directed obligations are met for General Fund purposes.
- The City of Kirkland will select its official banking institution through a formal bidding process in order to provide the City with the most comprehensive, flexible, and cost-effective banking services available.

ACCOUNTING, FINANCIAL REPORTING AND AUDITING POLICIES

The City of Kirkland will establish and maintain a high standard of accounting practices. Accounting and budgetary systems will, at all times, conform to Generally Accepted Accounting Principles, the State of Washington Budgeting Accounting Reporting System (BARS) and local regulations.

- A comprehensive accounting system will be maintained to provide all financial information necessary to effectively operate the City.
- The City will meet the financial reporting standards set by the Governmental Accounting Standards Board.
- Full disclosure will be provided in all City financial reports and bond representations.
- An annual audit will be performed by the State Auditor's Office and include the issuance of a financial opinion.

RESERVE AND FUND BALANCE POLICIES

Adequate fund balance and reserve levels are a necessary component of the City's overall financial management strategy and a key factor in external agencies' measurement of the City's financial strength.

Maintenance of fund balance for each accounting fund assures adequate resources for cash flow and to mitigate short-term effects of revenue shortages.

City and state regulations have been established to allow the City of Kirkland to create and maintain specific reserve funds. Prudent use of reserve funds enables the City to defray future costs, take advantage of matching funds, and beneficial (but limited) opportunities. Reserve funds provide the City with the ability to exercise flexible financial planning in developing future capital projects. Reserve funds are necessary to enable the City to deal with unforeseen emergencies or changes in condition.

- The City will establish minimum fund balance targets for each fund based on the cash flow requirements of the fund. The City will include all fund balances in the biennial budget.

- The minimum fund balance will be attained and maintained through expenditure management, revenue management and/or contributions from the General Fund.
- All expenditures drawn from reserve accounts shall require prior Council approval unless previously authorized by the City Council for expenditure in the biennial budget or otherwise provided for by City policies.

Reserve Purposes and Targets

- A Contingency Reserve Fund shall be maintained in accordance with RCW 35A.33.145 to meet any municipal expense, the necessity or extent of which could not have been reasonably foreseen at the time of adopting the biennial budget. The target balance will be set at 80 percent of the statutory maximum of $0.375 per $1,000 of assessed valuation.
- The City will maintain a General Operating Reserve at an amount equivalent to five percent of the tax-supported general government budgets (General Fund, Street Operating Fund and Parks Maintenance Fund) for the second year of the biennium. The General Operating Reserve is available to address unforeseen revenue shortfalls or expenditure needs that occur during the current biennium.
- The City will maintain a Revenue Stabilization Reserve to address temporary revenue losses due to economic cycles or other time-limited causes. The Revenue Stabilization Reserve will be maintained at ten percent of selected General Fund revenue sources which, in the judgment of the Director of Finance and Administration, are subject to volatility. The Revenue Stabilization Reserve may be used in its entirety; however, replenishment will be a priority, consistent with adopted policies.
- The City will maintain a Council Special Project Reserve, which is available to the City Council to fund special one-time projects that were unforeseen at the time the budget was prepared. When the reserve is used, it is replenished from the General Fund year-end fund balance to a target balance of $250,000.
- The City will maintain a General Capital Contingency to address unforeseen project expenditures or external revenue shortfalls in an amount equivalent to ten percent of the funded two-year CIP budget, less proprietary fund projects.
- In establishing targets for the reserves defined above, voted property tax levies will be excluded from the calculations, since the levies are not intended to burden the General Fund and are expected to absorb unexpected costs from levy proceeds.
- The City Manager may authorize the use of capital funding reserves up to an aggregate total of $100,000 per year in increments not to exceed $25,000. The City Manager will provide regular reports to the City Council at a regular Council meeting if this authorization is used. Capital funding reserves include: General Capital Contingency, Street Improvement Reserve, REET Reserves, Impact Fee Reserves, Water/Sewer Capital Contingency, Water/Sewer Construction Reserve, Surface Water Capital Contingency, and Surface Water Construction Reserve.
- The City will maintain a Capital Improvement Project Reserve as a means of assuring the availability of cash resources to leverage external funding when the opportunity arises and to provide flexibility for project scope changes and unanticipated costs. The reserve will be maintained in the Real Estate Excise Tax Capital Reserve Fund and will provide for $1 million of Real Estate Excise Tax revenue from the first quarter percent of the tax and $1 million of revenue from the second quarter percent of the Real Estate Excise Tax. These amounts will be maintained through excise tax revenue received over and above the annual allocation to the Capital Improvement Plan.
- The City will maintain a Building and Property Reserve with a minimum balance of $600,000. This reserve is used for property purchases, building improvements and other property-related transactions. It can also be used as a general purpose reserve to fund Council-approved unanticipated expenditures.

- The City will maintain fully funded reserves for the replacement of vehicles and personal computers. Contributions will be made through assessments to the using funds and maintained on a per asset basis.
- Additional reserve accounts may be created to account for monies for future known expenditures, special projects, or other specific purposes.
- All reserves will be presented in the biennial budget.

Reserve Replenishment

- Reserve replenishments occur in two ways during periods of economic recovery:
  - Planned - A specific amount is included in the adopted budget, and
  - Unplanned - Ending fund balances are higher than budgeted, either due to higher than budgeted revenues or under-expenditures.
- Planned amounts are included as part of the adopted budget. Planned replenishments toward 80% of the target level shall be set to at least 1% of the General Fund adopted expenditures less reserves.
- Unplanned amounts available at the end of each biennium (if any) should help replenish to target faster. A high percentage (up to all) uncommitted funds available at the end of a biennium should be used for reserve replenishment until reserves meet 80% of target and the revenue stabilization reserve is at 100% of target. Some or all of those unplanned funds may be used in place of planned (budgeted) amounts in the following biennium to the extent it meets or exceeds the 1% budgeted amount.
- Once reserves reach 80% of target and revenue stabilization reserve is at 100%, funds may be used to meet other one time or on-going needs. Additional funds should be used to fund a variety of needs, based on the following process:
  - Set 50% of available cash toward reserves until they are at 100% of target.
  - The remaining 50% shall be available for one or more of the following needs, depending on the nature of the funds available (one-time or on-going) and in the following order of priority:
    - Fund liabilities related to sinking funds for public safety and information technology equipment,
    - Maintain current service levels,
    - Fund one-time projects or studies,
    - Increase funding for capital purposes,
    - Restore previous program service reductions,
    - Potential program and service enhancements.
- In terms of priority for replenishing the individual reserves, the following guidelines shall be used:
  - If the Council Special Projects reserve is below target, replenish to target at the start of each biennium.
  - If the revenue stabilization reserve is below target, prioritize replenishing the reserve.
  - To the extent cash is from volatile revenues above budgeted amounts, those funds should be applied to revenue stabilization reserve first.
  - If unplanned funds are available because planned reserve uses did not occur, those funds should be returned to the source reserve.
  - The source of uncommitted funds should be taken into consideration (for example, interest earnings over budget could be applied to the capital contingency, since they are one of the designated sources for this reserve).

- The degree to which an individual reserve is below target (for example, the reserve that is furthest from its target level on a percentage basis might receive a larger share of the funds).
- Decisions on how replenishments are allocated to specific reserves will be based on where available funds came from and on each reserve's status at the time the decision is made.
- The replenishment policy will provide a mechanism whereby Council may take action to suspend replenishment policies if it was found that special conditions existed warranting such action.

DEBT MANAGEMENT POLICIES

The amount of debt issued by the City is an important factor in measuring its financial performance and condition. Proper use and management of borrowing can yield significant advantages. From a policy perspective, the City of Kirkland uses debt in two ways: (1) as a mechanism to equalize the costs of needed improvements to both present and future citizens; and (2) as a mechanism to reduce the immediate costs of substantial public improvements.

- The City will maintain a formal Debt Management Policy which is reviewed and endorsed by state and/or national professional organizations. The complete policy can be found in the appendix of this document.
- City Council approval is required prior to the issuance of debt.
- An analytical review shall be conducted prior to the issuance of debt.
- The City will continually strive to maintain its bond rating by improving financial policies, budget forecasts and the financial health of the City so its borrowing costs are minimized and its access to credit is preserved.
- All debt issued by the City will include a written opinion by bond counsel affirming that the City is authorized to issue the proposed debt.
- The City of Kirkland will not use long-term debt to support current operations.
- Long-term borrowing will only be used for capital improvements that cannot be financed from current revenues.
- Non-capital furnishings, supplies, and personnel will not be financed from bond proceeds.
- Interest, operating and/or maintenance expenses will be capitalized only for enterprise activities; and will be strictly limited to those expenses incurred prior to actual operation of the facilities.
- The general obligation debt of Kirkland will not exceed an aggregated total of 7.5% of the assessed valuation of the taxable property within the City.
- The following individual percentages shall not be exceeded in any specific debt category:
  - General Debt -- 2.5% of assessed valuation
  - Non-Voted -- 1.5% Limited Tax General Obligation (LTGO) Bonds
  - Voted -- 1.0% Unlimited Tax General Obligation Bonds
  - Utility Debt -- 2.5% of assessed valuation
  - Open Space and Park Facilities -- 2.5% of assessed valuation
- The City's policy is to plan and direct the use of debt so that debt service payments will be a predictable and manageable part of the Operating Budget.
- Short-term borrowing will only be used to meet the immediate financing needs of a project for which long-term financing has been secured but not yet received.

- Assessment bonds will be considered in place of general obligation bonds, where possible, to assure the greatest degree of public equity.
- Limited Tax General Obligation (LTGO) bonds will be issued only if:
  - A project requires funding not available from alternative sources;
  - Matching fund monies are available which may be lost if not applied for in a timely manner; or
  - Emergency conditions exist.
- The issuance of bonds shall be financed for a period not to exceed a conservative estimate of the asset's useful life.
- General Obligation bonds will be issued with maturities of 30 years or less unless otherwise approved by Council.
- The maturity of all assessment bonds shall not exceed statutory limitations. RCW 36.83.050.
- The City will use refunding bonds, where appropriate, when restructuring its current outstanding debt.

CAPITAL IMPROVEMENT POLICIES

Kirkland's City government is accountable for a considerable investment in buildings, parks, roads, sewers, equipment and other capital investments. The preservation, maintenance, and future improvement of these facilities are a primary responsibility of the City. Planning and implementing sound capital improvement policies and programs today will help the City avoid emergencies and major costs in the future, therefore:

- The City will establish and implement a comprehensive multi-year Capital Improvement Program.
- The Capital Improvement Program will be prepared biennially concurrent with the development of the biennial budget. A mid-biennium review and update will take place during the first year of the biennium.
- The City Council will designate annual ongoing funding levels for each of the major project categories within the Capital Improvement Program.
- Financial analysis of funding sources will be conducted for all proposed capital improvement projects.
- A Capital Improvement Budget will be developed and adopted by the City Council as part of the biennial budget and will be amended during the mid-biennial budget review process (during the first year of the biennium) to reflect any changes in the updated Capital Improvement Program.
- The Capital Improvement Program will be consistent with the Capital Facilities Element of the Comprehensive Plan.
- The City Manager may authorize the reallocation of CIP project funds between CIP projects within a CIP category up to $50,000 per instance. Funding may only be reallocated within a CIP category (i.e. between Transportation projects, or Parks projects, or Public Safety projects, etc.) when one project is over budget and, in the same period, a second project within the same CIP category has been completed and is closing out under budget. The City Manager will provide regular reports to the City Council at a regular Council meeting if this authorization is used.

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Michael Olson, Director of Finance and Administration
Tom Mikesell, Financial Planning Manager
Doug Honma-Crane, Budget Analyst

Date: November 30, 2017

Subject: Adoption of the 2017 to 2022 Capital Improvement Program

RECOMMENDATION:

City Council approves the attached resolution adopting the 2017-2022 Capital Improvement Program (CIP).

BACKGROUND:

The 2017-2022 CIP was originally adopted by Council at the December 12, 2016 Council Meeting. The Council was presented with updates to the 2017-2022 CIP at a Study Session held on June 20. In addition a public hearing was held on November 8, 2017. On November 8, 2017, Council was presented with an update of the changes to the 2017-2022 CIP reflecting Council directions and staff recommendations to that point. At that meeting, Council directed staff to finalize the 2017-2022 CIP and bring it forward for Council adoption on December 12, 2017.

Revisions to the 2017-2022 CIP as presented at the November 8 meeting include the following:

Transportation Program

New projects

- **ST 0088 001 - Neighborhood Street Light Program** – New project totaling $198,000 in 2017 to provide street lighting to neighborhoods in the greatest need with locations to be selected through a prioritization process, funded with available balances from the closure of ST 0088 000- Arterial Streetlight LED Conversion.

Note that the intent of this project is to provide a neighborhood street light selection process similar to the Neighborhood Safety Program (NSP). Street light projects will be proposed by neighborhood associations, evaluated against criteria developed by City staff, and final selection made by the NSP neighborhood panel or a similar group. Details of the street light program will be developed in partnership with KAN and Neighborhood Associations in early 2018 following Council adoption of the CIP.

Unfunded Projects

The following projects are added to the unfunded list as directed by Council at the November 8th Regular Meeting. These projects were highlighted as part of the 6th Street Corridor Study.

- **NM 0111 – 108th Avenue NE Bicycle Lanes Upgrade** –$845,000 to improve and complete bicycle facilities along 108th Avenue NE.

- **PT 0005 – 108th Avenue NE Transit Queue Jump – Phase I –** $4,875,000 for the first phase of a project to widen 108th Avenue NE to create a transit lane to bypass queues. Phase I provides a northbound queue jump lane for transit in the vicinity of the NE 68th Street/108th Avenue NE intersection.

- **PT 0006 – 108th Avenue NE Transit Queue Jump – Phase II** – $5,640,000 for the second phase of a project to widen 108th Avenue NE to create a transit lane to bypass queues. Phase 2 provides a northbound queue between NE 55th Street and NE 60th Street.

- **TR 0128 - 6th Street S/5th Place/CKC Transit Signal Priority** – $2,600,000 for transit signal priority at the CKC trail intersection on 6th Street, including a new 3-leg signal and the removal of on-street parking with a signal controlled crossing to give transit priority in both northbound and southbound directions.

- **TR 0129 – NE 53rd Street Intersection Improvements** – $4,345,000 for a new traffic signal on 108th Avenue NE at NE 53rd Street with the design, development and engineering consideration of the complicated offset alignment of NE 53rd and NE 52nd Streets, including an adjacent protected crosswalk and nearby transit stops serving Northwest University, Emerson High School, and the neighborhood.

- **TR 0117 004 – NE 68th Street Intersection Improvements/Access Management -** $4,375,000 for a project to add a 6th Street S./NE 68th Street southbound to westbound right-turn pocket, extend bike lanes with green bike boxes, widen sidewalks and consolidate pedestrian crossing. The project also includes mitigation of crash risks that occur at driveways and other roadway conflict points within the corridor. Mitigations will be tailored to specific situations based on crash data, but could include limiting certain turning movements, consolidating driveways, or other measures.

This list of projects does not include all project concepts that were articulated in the 6th Street Corridor Study. There are other projects such as transit on the CKC that have not yet been conceptually designed or cost estimates developed. The Council will be formally adopting the 6th Street Corridor Study in early 2018. Other project concepts in the Study will then be incorporated into future CIP lists over time.

Surface Water Management Program

Modified Projects

- **SD 0091 - Holmes Point Drive Pipe Replacement** – Reduces project by $73,000, with funds returning to the Surface Water Construction Reserve, in recognition of lower than expected Award of Bid at November 21 Council meeting.

Water/Sewer Program

Modified projects

- **WA 0161 - Kirkland Way Watermain Replacement** – Funding of $65,000 from the Water/Sewer Construction Reserve to maintain a 10% contingency in the 2017 Water Systems Projects, as approved during the Award of Bid.

- **SS 0071 - 6th St Sewermain Replacement** – Project funding increased by $80,000 from Water Sewer Construction Reserve due to revised scope identified during project design. Modification approved by fiscal note at September 5, 2017 City Council meeting.

Parks Program

Modified Projects

- **PK 0133 - Dock & Shoreline Renovations** - Increases project funding by $444,400 in 2017, funded with a recent Washington Resource Conservation Office Boating Facilities grant.

The overall funded CIP totals $239,793,925 for the six-year period. A summary of the proposed CIP is included as Attachment A to the resolution which adopts the updated 2017-2022 CIP. The following table summarizes the CIP by project category.

	6-Year Funded CIP	Unfunded Future City Revenues	External/New Revenues	Total CIP
Transportation	125,486,600	181,060,600	185,917,500	492,464,700
Parks	23,198,525	64,043,000	67,000,000	154,241,525
Public Safety	18,394,700	369,100	38,560,400	57,324,200
General Government				
Technology	8,727,600	559,000	-	9,286,600
Facilities	4,083,000	-	-	4,083,000
Subtotal	**179,890,425**	**246,031,700**	**291,477,900**	**717,400,025**
Surface Water Mgmt	21,207,500	15,569,200	-	36,776,700
Water/Sewer	38,696,000	37,984,800	16,456,000	93,136,800
Utilities Subtotal	**59,903,500**	**53,554,000**	**16,456,000**	**129,913,500**
Grand Total Proposed CIP	**239,793,925**	**299,585,700**	**307,933,900**	**847,313,525**
Adopted 2017-2022 CIP:	**193,121,225**	**283,634,700**	**303,679,900**	**780,435,825**
Difference	**46,672,700**	**15,951,000**	**4,254,000**	**66,877,700**

RESOLUTION R-5289

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE 2017-2022 SIX-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF KIRKLAND.

WHEREAS, the City Manager together with the department heads for the City of Kirkland have prepared and recommended to the City Council a Six-Year Capital Improvement Program for the years 2017-2022; and

WHEREAS, the City Council adopted a two-year review cycle for the Six-Year Capital Improvement Program to be reflected in the 2017-2018 Budget;

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

Section 1. The Kirkland City Council hereby adopts and approves the 2017-2022 Six-Year Capital Improvement Program including capital improvement projects as attached hereto and by this reference incorporated herein.

Section 2. Actual appropriation of funds to carry out each scheduled year's capital improvements shall be made as a part of the biennial City Budget for such years.

Section 3. The Six-Year Capital Improvement Program hereby adopted shall be reviewed and updated biennially to provide an ongoing Six-Year Capital Improvement Program.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2017.

Signed in authentication thereof this ____ day of _____, 2017.

_____
Amy Walen, Mayor

Attest:

_____
Kathi Anderson, City Clerk

City of Kirkland
2017-2022 Updated Capital Improvement Program

TRANSPORTATION PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2017	2018	2019	2020	2021	2022	2017-2022 Total	Funding Sources						
										Current Revenue	Street Levy	Impact Fees	Walkable Kirkland	Reserve	Debt	External/ Pending Source
ST 0006	*Annual Street Preservation Program*		*930,000*	*1,936,600*	*1,720,000*	*1,750,000*	*1,750,000*	*1,750,000*	*9,836,600*	*9,594,000*				*242,600*		
ST 0006 003	*Street Levy Street Preservation*		*2,326,000*	*2,698,300*	*2,379,000*	*2,406,000*	*2,433,000*	*2,460,000*	*14,702,300*		*14,356,000*			*346,300*		
ST 0006 004	*Central Way Street Preservation*				*214,000*				*214,000*	*30,000*						*184,000*
ST 0006 005	*Totem Lake Blvd Roadway Repair*		*820,000*	*1,300,000*	*1,850,000*				*3,970,000*	*820,000*						*3,150,000*
ST 0059 101	124th Ave NE Roadway Improvements (North Section) Design		1,195,400						1,195,400			161,500				1,033,900
ST 0060+	*118th Avenue NE Roadway Extension*		*4,200,000*						*4,200,000*							*4,200,000*
ST 0080	*Annual Striping Program*		*500,000*	*500,000*	*500,000*	*500,000*	*500,000*	*500,000*	*3,000,000*	*2,900,000*				*100,000*		
ST 0083 102	100th Avenue NE Roadway Improvements				5,000,000	5,485,000			10,485,000	833,000		1,375,000	80,000	263,000		7,934,000
ST 0088 001	**Neighborhood Street Light Program**		**198,000**						**198,000**					**198,000**		
ST 0089	Juanita Drive Auto Improvements						3,300,000	3,300,000	6,600,000	1,076,000		150,000		79,000		5,295,000
ST 9999	Regional Inter-Agency Coordination	164,000	82,000	82,000	82,000	82,000	82,000	82,000	492,000	492,000						
NM 0006 100	Street Levy-Safe School Walk Routes	150,000					150,000	150,000	300,000		300,000					
NM 0006 200	Street Levy-Pedestrian Safety		150,000	150,000	150,000	150,000	150,000	150,000	900,000		900,000					
NM 0006 201	Neighborhood Safety Program Improvements	400,000	200,000	200,000	200,000	200,000			800,000				800,000			
NM 0007	Cross Kirkland Corridor Connection-NE 52nd Street Sidewalk	682,000	454,900						454,900					40,000		414,900
NM 0012 001	NE 116th Street Crosswalk Upgrade		200,000	230,000					430,000	394,000			36,000			
NM 0012 003	132nd Avenue NE Crosswalk Upgrade			250,000					250,000	250,000						
NM 0012 004	Central Way Crosswalk Upgrade				50,000	50,000			100,000	100,000						
NM 0057	Annual Sidewalk Maintenance Program				200,000	200,000	200,000	200,000	800,000	740,000				60,000		
NM 0064 001	*Park Lane Pedestrian Improvements*	*3,308,800*	*67,400*						*67,400*					*67,400*		
NM 0081+	*CKC to Redmond Central Connector*			*1,500,000*	*1,000,000*				*2,500,000*							*2,500,000*
NM 0086 100	*NE 124th St/124th Ave NE Ped Bridge Design & Construction*	*750,000*	*4,810,000*	*6,250,000*	*5,390,000*				*16,450,000*	*1,164,800*		*3,950,000*		*615,300*		*10,719,900*
NM 0087	*Citywide School Walk Route Enhancements*	*1,000,000*	*864,200*	*1,269,000*	*850,000*	*400,000*	*300,000*	*300,000*	*3,983,200*	*363,000*	*300,000*	*300,000*	*198,200*	*1,822,000*		*1,000,000*
NM 0087 001	North Kirkland/JFK School Walk Route Enhancments				500,000	500,000			1,000,000	14,600	300,000		100,000			585,400
NM 0089	*Lake Front Pedestrian and Bicycle Improvements*	*1,000,000*	*261,000*						*261,000*							*261,000*
NM 0090	*Juanita Drive 'Quick Wins'*	*686,600*	*1,276,400*						*1,276,400*			*200,000*		*350,400*		*726,000*
NM 0090 001	Juanita Drive Multi-Modal (On-Street) Improvements					525,000			525,000	100,000		225,000		200,000		
NM 0092	Active Transportation Plan Update		75,000						75,000	75,000						
NM 0095	*124th Avenue NE Sidewalk Improvements*	*420,000*	*530,000*	*1,150,000*					*1,680,000*	*30,000*		*350,080*	*178,000*	*846,920*		*275,000*
NM 0098	Kirkland Ave Sidewalk Improvements				300,000	200,000			500,000	489,000				11,000		
NM 0109	Citywide Trail Connections (Non-CKC)					275,000			275,000			275,000				
NM 0109 001	Finn Hill Connections			250,000					250,000	125,000			125,000			
NM 0109 002	Lake Front Promenade Design Study					75,000			75,000	75,000						
NM 0110 001	Citywide Accessibility Improvements			100,000	100,000	100,000	100,000	100,000	500,000	300,000			100,000	100,000		
NM 0113	Citywide Greenways Networks					250,000	250,000	250,000	750,000	15,000		375,000		360,000		
NM 0113 001	Citywide Greenways Network Project-NE 75th Street	250,000	250,000						250,000	50,000		200,000				
NM 0113 002	Citywide Greenways Network Project-128th Avenue NE			400,000	400,000				800,000	182,000			70,000	98,000		450,000
NM 0115	CKC Emergent Projects Opportunity Fund		100,000	100,000					200,000	200,000						
NM 0118	NE 128th Street / 139th Avenue NE Non-Motorized Imps		800,000						800,000	263,200			32,800			504,000
NM 0119	Downtown Pedestrian Access Study		50,000						50,000	50,000						
NM 0120	*108th Ave NE Sidewalk Impr. at Edith Moulton Park*		*399,000*						*399,000*					*399,000*		
NM 0122	**120th Avenue NE Non-Motorized Improvements**		**55,000**	**455,000**					**510,000**							**510,000**
NM 0123	**Totem Lake Public Improvements Phase I**			**7,500,000**					**7,500,000**					**6,015,000**	**1,485,000**	
NM 0124	**Totem Lake Public Improvements Phase II**				**7,500,000**				**7,500,000**					**1,485,000**	**6,015,000**	
NM 7777	*Annual Non-Motorized CAO/SWDM Surface Water Support*		*1,400,000*						*1,400,000*					*1,400,000*		
PT 0001 000	Citywide Transit Study		300,000						300,000	300,000		-				
TR 0079 001#	NE 85th St/114th Ave Intersection Improvements Phase II		1,800,000						1,800,000							1,800,000
TR 0082#	Central Way/Park Place Center Traffic Signal		200,000						200,000							200,000
TR 0091 101	NE 124th St/124th Ave NE Intersection Improvements Design		398,500						398,500			53,900				344,600
TR 0092	NE 116th St / 124th Ave NE Dual Left Turn Lanes	150,000	976,500	248,500					1,225,000			435,000				790,000
TR 0093+	*NE 132nd St/Juanita H.S. Access Rd Intersection Imp*				*1,260,000*				*1,260,000*							*1,260,000*
TR 0098	NE 132nd St/ 116th Way NE (I-405) Intersect'n Imp		238,000	62,000					300,000			100,000		200,000		
TR 0100 100#	6th Street & Central Way Intersection Improvements Phase 2		1,866,800						1,866,800							1,866,800
TR 0103#	Central Way/4th Street Intersection Improvements		31,000						31,000							31,000
TR 0104#	6th Street/4th Ave Intersection Improvements		580,000						580,000							580,000
TR 0105#	Central Way/5th Street Intersection Improvements		564,000						564,000							564,000
TR 0111 003	*Intelligent Transportation System, Phase II*	*3,311,000*	*80,000*						*80,000*					*80,000*		
TR 0116	Annual Signal Maintenance Program		150,000	150,000	200,000	200,000	200,000	200,000	1,100,000	374,000				726,000		
TR 0117	Citywide Traffic Management Safety Improvements		100,000	100,000	100,000	100,000	100,000	100,000	600,000					600,000		
TR 0117 002	Vision Zero Safety Improvement		50,000	50,000	50,000	50,000	50,000	50,000	300,000	50,000				250,000		
TR 0117 003	Neighborhood Traffic Control			50,000		50,000		50,000	150,000	34,000				116,000		
TR 0118	General Parking Lot Improvements	720,000	100,000						100,000					100,000		
TR 0119	Kirkland Citywide Intelligent Transportation System Study		75,000						75,000	35,000				40,000		
TR 0120	Kirkland Intelligent Transportation System Phase 3			450,000	400,000	450,000	450,000	450,000	2,200,000	248,400				237,600		1,714,000
TR 0122	Totem Lake Intersection Improvements		3,031,100						3,031,100			2,199,600				831,500
TR 0127	NE 132nd Street Roundabout		320,000						320,000	54,000						266,000
TR 7777	Annual Traffic CAO/SWDM Surface Water Support		500,000						500,000					500,000		
Total Funded Transportation Projects		**12,992,400**	**33,555,200**	**27,431,400**	**30,395,000**	**13,998,000**	**10,015,000**	**10,092,000**	**125,486,600**	**21,821,000**	**16,156,000**	**10,350,080**	**1,720,000**	**17,948,520**	**7,500,000**	**49,991,000**

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= Projects to be funded with development-related revenues

TRANSPORTATION PROJECTS

Unfunded Projects in the Capital Facilities Plan Years 7-20

Project Number	Project Title	Total
ST 0059 102	124th Ave NE Roadway Improvements (North Section) ROW	2,050,800
ST 0059 103	124th Ave NE Roadway Improvements (North Section) Construction	6,753,800
ST 0063	120th Avenue NE Roadway Improvements	4,500,000
ST 0072	NE 120th Street Roadway Improvements (West Section)	15,780,600
ST 0077	*NE 132nd St Rdwy Imprv.-Phase I (West Section)*	*1,739,000*
ST 0078	*NE 132nd St Rdwy Imprv-Phase II (Mid Section)*	*408,000*
ST 0079	*NE 132nd St Rdwy Imprv-Phase III (East Section)*	*1,444,000*
ST 0081	Totem Lake Area Development Opportunity Program	500,000
NM 0012 999	Crosswalk Upgrade Program	4,100,000
NM 0086 003	CKC Roadway Crossings	3,370,100
NM 0090 100	Juanita Drive Bicycle and Pedestrian Improvements	10,650,000
NM 0111	**108th Avenue NE Bicycle Lanes Upgrade**	**845,000**
NM 0113 999	Citywide Greenway Network	4,450,000
NM 0117 000	On-Street Bicycle Network Phase I	1,120,000
NM 8888 100~	On-street Bicycle Network	3,280,000
NM 9999 100~	Sidewalk Completion Program	6,096,800
PT 0002	Public Transit Speed and Reliability Improvements	500,000
PT 0003	Public Transit Passenger Environment Improvements	500,000
PT 0005	**108th Avenue NE Transit Queue Jump - Phase I**	**4,875,000**
PT 0006	**108th Avenue NE Transit Queue Jump - Phase II**	**5,640,000**
TR 0091 102	NE 124th St/124th Ave NE Intersection Improvements ROW	55,300
TR 0091 103	NE 124th St/124th Ave NE Intersection Improvements Construction	1,144,200
TR 0094	*NE 132nd St/108th Avenue NE Intersect'n Imp*	*800,000*
TR 0095	*NE 132nd St/Fire Stn Access Dr Intersect'n Imp*	*480,000*
TR 0096#	*NE 132nd St/124th Ave NE Intersect'n Imp*	*7,400,000*
TR 0097	*NE 132nd St/132nd Ave NE Intersect'n Imp*	*1,150,000*
TR 0125	Kirkland ITS Implementation Phase 4	2,620,000
TR 0128	**6th Street S/5th Place/CKC Transit Signal Priority**	**2,600,000**
TR 0129	**NE 53rd Street Intersection Improvements**	**4,345,000**
Capacity Projects Subtotal		**99,197,600**
ST 0006 ^	Annual Street Preservation Program	22,750,000
ST 0006 003 ^	Street Levy Street Preservation	31,107,000
ST 0080 ^	Annual Striping Program	6,500,000
ST 9999 ^	Regional Inter-Agency Coordination	1,066,000
NM 0006 201 ^	Neighborhood Safety Program Improvements	3,000,000
NM 0057 ^	Annual Sidewalk Maintenance Program	2,600,000
TR 0116 ^	Annual Signal Maintenance Program	2,600,000
TR 0117 ^	Citywide Traffic Management Safety Improvements	1,400,000
TR 0117 002	Vision Zero Safety Improvement	650,000
TR 0117 003	Neighborhood Traffic Control	325,000
Non-Capacity Projects Subtotal		**71,998,000**
Total Transportation Master Plan Projects Yrs 7-20		**171,195,600**

Unfunded Projects in the Capital Facilities Plan Years 7-20 and Transportation Improvement Plan

NM 0024 201	Cross Kirkland Corridor Opportunity Fund	500,000
NM 0031	Crestwoods Park/CKC Corridor Ped/Bike Facility	2,505,000
NM 0080	Juanita-Kingsgate Pedestrian Bridge at I-405	4,500,000
NM 0106	Citywide CKC Connection	360,000
NM 0107	CKC to Downtown Surface Connection	2,000,000
Capital Facilities Projects Not in TMP Subtotal		**9,865,000**
Total Capital Facilities Plan Projects Yrs 7-20		**181,060,600**

Unfunded Transportation Improvement Plan/External Funding Candidates

Project Number	Project Title	Total
ST 0056	132nd Avenue NE Roadway Improvements	25,170,000
ST 0061	119th Avenue NE Roadway Extension	5,640,000
ST 0062	NE 130th Street Roadway Improvements	10,000,000
ST 0064	124th Avenue NE Roadway Extension	30,349,000
ST 0073	120th Avenue NE Roadway Extension	16,392,000
ST 0086	Finn Hill Emergency Vehicle Access Connection	900,000
NM 0030	NE 90th Street/I-405 Pedestrian/Bicycle Overpass	3,740,700
NM 0032	93rd Avenue Sidewalk	1,047,900
NM 0043	NE 126th St Nonmotorized Facilities	4,277,200
NM 0046	18th Avenue SW Sidewalk	2,255,000
NM 0050	NE 80th Street Sidewalk	859,700
NM 0054	13th Avenue Sidewalk	446,700
NM 0055	122nd Ave NE Sidewalk	866,700
NM 0058	111th Avenue Non-Motorized/Emergency Access Connection	2,000,000
NM 0062	19th Avenue Sidewalk	814,200
NM 0074	90th Ave NE Sidewalk	353,400
NM 0086	Cross Kirkland Corridor Non-motorized Improvements	65,742,000
TR 0067	Kirkland Way/CKC Bridge Abutment/Intersection Imprv	6,917,000
TR 0114	Slater Avenue NE Traffic Calming - Phase I	247,000
TR 0117 004	**NE 68th Street Intersection Improvements/Access Management**	**4,375,000**
TR 0123	Slater Avenue NE (132nd Avenue NE)/NE 124th Street	2,124,000
TR 0124	*116th Avenue NE/NE 124th Street Intersection Improvements*	*1,400,000*
Subtotal Unfunded Transportation Improvement Plan/External Funding Candidates		**185,917,500**
Grand Total Unfunded Transportation Projects		**366,978,100**

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= Projects to be funded with development-related revenues

^ = Future, unfunded portion of projects funded in years 1-6

~ = Annual Programs with Candidate projects

Potential Non-Motorized Projects Under Placeholders; Not Included in Totals

Project Number	Project Title	Total
NM 8888 100 On-Street Bicycle Network Candidate Projects:		
NM 0001	116th Ave NE (So. Sect.) Non-Motorz'd Facil-Phase II	3,378,000
NM 0036	NE 100th Street Bike lane	1,644,300
NM 9999 100 Sidewalk Completion Program Candidate Projects:		
NM 0026	NE 90th Street Sidewalk (Phase II)	706,200
NM 0037	130th Avenue NE Sidewalk	833,600
NM 0045	NE 95th Street Sidewalk (Highlands)	571,500
NM 0047	116th Avenue NE Sidewalk (South Rose Hill)	840,000
NM 0048	NE 60th Street Sidewalk	500,000
NM 0049	112th Ave NE Sidewalk	527,600
NM 0061	NE 104th Street Sidewalk	1,085,000
NM 0063	Kirkland Way Sidewalk	414,500
NM 0071	NE 132nd Street Sidewalk Improvement	363,000
NM 0072	NE 132nd Street Sidewalk at Finn Hill Middle School	840,000
NM 0075	84th Ave NE Sidewalk	4,052,800
NM 0076	NE 140th St Sidewalk - Muir Elem Walk Rt Enhan. Phase 1	1,131,000
NM 0077	NE 140th St Sidewalk - Keller Elem Walk Rt Enhan. - N	1,185,000
NM 0078	NE 140th St Sidewalk - Keller Elem Walk Rt Enhan. - S	747,000
NM 0079	NE 140th St Sidewalk - Muir Elem Walk Rt Enhan. Phase 2	648,000
NM 0088	NE 124th Street Sidewalk	376,000
NM 0097	132nd NE Sidewalk	732,000
NM 0101	7th Avenue Sidewalk	208,000
NM 0102	NE 120th Street Sidewalk	548,000
NM 0103	120th Avenue NE Sidewalk	556,000
NM 0104	NE 122nd Place/NE 123rd Street Sidewalk	1,294,000
NM 0105	120th Avenue NE Sidewalk	812,000

City of Kirkland
2017-2022 Updated Capital Improvement Program

SURFACE WATER MANAGEMENT UTILITY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2017	2018	2019	2020	2021	2022	2017-2022 Total	Funding Source			
										Current Revenue	Reserve	Debt	External Source
SD 0046 001	Regional Detention in Forbes Creek Basin - Phase I						609,000	1,314,800	1,923,800	1,923,800			
SD 0047	Annual Replacement of Aging/Failing Infrastructure		200,000	200,000	200,000	200,000	200,000	200,000	1,200,000	1,200,000			
SD 0049	Forbes Creek/108th Ave NE Fish Passage Imp				230,400	196,000			426,400	426,400			
SD 0053	Forbes Creek/Coors Pond Channel Grade Controls						324,900	344,600	669,500	669,500			
SD 0054	Forbes Creek/Cross Kirkland Corridor Fish Passage Improvements						324,900	344,600	669,500	669,500			
SD 0063	Everest Creek - Slater Ave at Alexander St					661,900	241,800		903,700	903,700			
SD 0076	NE 141st Street/111th Avenue NE Culvert Repair	257,600	683,900						683,900	683,900			
SD 0081	Neighborhood Drainage Assistance Program (NDA)		50,000		50,000		50,000		150,000	50,000	100,000		
SD 0084	Market Street Storm Main Rehabilitation			268,400	616,600				885,000	885,000			
SD 0085 002	**Cross Kirkland Corridor Water Quality Retrofit - CKC Rain Garden**			**78,500**					**78,500**				**78,500**
SD 0087	Silver Spurs Flood Reduction			77,000					77,000	77,000			
SD 0088	*Comfort Inn Pond Modifications*	*407,000*	*659,100*	*404,000*					*1,063,100*	*354,100*	*709,000*		
SD 0089	NE 142nd Street Surface Water Drainage Improvements			194,000					194,000	194,000			
SD 0090	Goat Hill Drainage Ditch and Channel Stabilization					243,400	89,600		333,000	333,000			
SD 0091	*Holmes Point Drive Pipe Replacement*	*300,400*	*332,600*						*332,600*	*205,600*	*127,000*		
SD 0092	Juanita Creek Culvert at NE 137th Street		149,800	535,300					685,100	685,100			
SD 0093	Pleasant Bay Apartments Line Replacement		252,600	69,400					322,000	322,000			
SD 0094	NE 114th Place Stormline Replacement					270,400			270,400	270,400			
SD 0097	Champagne Creek Stabilization			402,900	408,100				811,000	811,000			
SD 0098	*Champagne Creek Stormwater Retrofit*			*170,000*					*170,000*	*80,000*			*90,000*
SD 0099	Goat Hill Drainage Conveyance Capacity				460,900	194,100			655,000	655,000			
SD 0100	Brookhaven Pond Modifications					354,200	298,800		653,000	653,000			
SD 0105	Property Acquisition Opportunity Fund		50,000	50,000	50,000	50,000	50,000	50,000	300,000		300,000		
SD 0105 001	**118th Ave NE Property Acquisition**		**900,000**						**900,000**		**900,000**		
SD 0106 001	CKC Surface Water Drainage at Crestwoods Park Design/Construction	300,000	350,000						350,000		350,000		
SD 0107+	*132nd Square Park Surface Water Retrofit Facility*			*560,000*	*3,000,000*	*1,000,000*			*4,560,000*				*4,560,000*
SD 0108	**Maintenance Center Surface Water Pollution Prevention Plan (SWPPP) Upgrades**			**600,000**					**600,000**		600,000		
SD 0109	**Holmes Point Drive Pipe Replacement-Phase 2 Outfall**			**151,000**					**151,000**		151,000		
SD 0110	**120th Avenue NE Stormwater Pipe Replacement**		**140,000**						**140,000**		**140,000**		
SD 7777	*Surface Water CAO/SWDM Support*		*1,050,000*						*1,050,000*		*1,050,000*		
Total Funded Surface Water Management Utility Projects		**1,265,000**	**4,818,000**	**3,760,500**	**5,016,000**	**3,170,000**	**2,189,000**	**2,254,000**	**21,207,500**	**12,052,000**	**4,427,000**	**0**	**4,728,500**

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SURFACE WATER MANAGEMENT UTILITY PROJECTS

Unfunded Projects:

Project Number	Project Title	Total
SD 0045	Carillon Woods Erosion Control Measures	549,600
SD 0046 999	Regional Detention in Forbes and Juanita Creek Basins	8,076,200
SD 0051	Forbes Creek/King County Metro Access Road Culvert Enhancement	1,290,900
SD 0061	Everest Park Stream Channel/Riparian Enhancements	1,095,500
SD 0085 001	Cross Kirkland Water Quality	920,000
SD 0095	NE 141st Street Stormwater Pipe Installation	170,000
SD 0101	Holmes Point Pipe Replacement at Champagne Creek Basin	240,000
SD 0102	Juanita Drive Culvert Replacement	665,000
SD 0103	Lakeview Drive Conveyance Modification	2,562,000
Total Unfunded Surface Water Management Utility Projects		**15,569,200**

City of Kirkland
2017-2022 Updated Capital Improvement Program

WATER/SEWER UTILITY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2017	2018	2019	2020	2021	2022	2017-2022 Total	Funding Source			
										Current Revenue	Reserve	Debt	External Source
WA 0102	104th Ave NE Watermain Replacement			504,800	181,200				686,000	686,000			
WA 0134	5th Ave S / 8th St S Watermain Replacement				183,800	389,200			573,000	573,000			
WA 0139	6th Street South Watermain Replacement		119,000	719,000					838,000	838,000			
WA 0153	3rd Street Watermain Improvement	440,000	317,000						317,000	317,000			
WA 0154	*4th Street Watermain Replacement Phase 2*	*290,000*	*209,000*						*209,000*	*174,000*	*35,000*		
WA 0155	120th Avenue NE Watermain Improvement		437,000	273,000					710,000	710,000			
WA 0156	122nd Avenue NE Watermain Improvement		505,600	190,400					696,000	696,000			
WA 0157	8th Avenue W Watermain Improvement			421,800	288,200				710,000	710,000			
WA 0158	NE 112th Street Watermain Improvement			365,000					365,000	365,000			
WA 0159	NE 113th Place Watermain Improvement			373,000					373,000	373,000			
WA 0160	126th Avenue NE Watermain Improvement			272,700	717,300				990,000	990,000			
WA 0161	*Kirkland Way Watermain Replacement*	*400,000*	*65,000*						*65,000*		*65,000*		
WA 7777	Annual Water CAO/SWDM Support		500,000						500,000		500,000		
WA 8888	Annual Watermain Replacement Program						400,200	933,000	1,333,200	1,333,200			
WA 9999	Annual Water Pump Station/System Upgrade Pgm						400,200	934,000	1,334,200	1,334,200			
SS 0051	6th Street S Sewermain Replacement		146,100	818,900					965,000	965,000			
SS 0052	108th Avenue NE Sewermain Replacement			711,400	3,236,100	1,558,500			5,506,000	5,506,000			
SS 0062	NE 108th Street Sewermain Replacement					3,390,300	3,179,200		6,569,500	5,169,500	1,400,000		
SS 0069	*1st Street Sewermain Replacement*	*354,200*	*3,715,800*						*3,715,800*	*2,065,800*	*1,650,000*		
SS 0070	*5th Street Sewermain Replacement*	*419,500*	*1,110,500*						*1,110,500*	*864,500*	*246,000*		
SS 0071	*6th Street Sewermain Replacement*	*287,000*	*80,000*						*80,000*		*80,000*		
SS 0072	Kirkland Avenue Sewermain Replacement			285,000	2,013,400				2,298,400	898,400	1,400,000		
SS 0077 001	West of Market Sewermain Replacement - Phase I					225,000	2,500,000	2,500,000	5,225,000	5,225,000			
SS 0085	**Slater Avenue NE Sewer Main Replacement**			**160,000**					**160,000**		**160,000**		
SS 7777	Annual Sewer CAO/SWDM Support		700,000						700,000		700,000		
SS 8888	Annual Sanitary Pipeline Replacement Program						400,200	933,000	1,333,200	1,333,200			
SS 9999	Annual Sanitary Pump Station/System Upgrade Pgm						400,200	933,000	1,333,200	1,333,200			
Total Funded Water/Sewer Utility Projects		**2,190,700**	**7,905,000**	**5,095,000**	**6,620,000**	**5,563,000**	**7,280,000**	**6,233,000**	**38,696,000**	**32,460,000**	**6,236,000**	**0**	**0**

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WATER/SEWER UTILITY PROJECTS

Unfunded Projects:

Project Number	Project Title	Total
WA 0052	108th Avenue NE Watermain Replacement	1,584,000
WA 0057	116th Avenue NE Watermain Replacement	2,731,000
WA 0067	North Reservoir Pump Replacement	611,000
WA 0096	NE 83rd Street Watermain Replacement	450,000
WA 0098	126th Ave NE/NE 83rd & 84th St/128th Ave NE Watermain Replacement	1,197,000
WA 0103	NE 113th Place/106th Ave NE Watermain Replacement	841,000
WA 0104	111th Ave NE/NE 62nd St-NE 64th St Watermain Replacement	1,493,000
WA 0108	109th Ave NE/NE 58th St Watermain Replacement	504,000
WA 0109	112th Ave NE Watermain Replacement	1,179,000
WA 0111	NE 45th St And 110th/111th Ave NE Watermain Replacement	1,303,000
WA 0113	116th Ave NE/NE 70th-NE 80th St Watermain Replacement	2,222,100
WA 0118	112th -114th Avenue NE/NE 67th-68th Street Watermain Replacement	3,360,100
WA 0119	109th Ave NE/111th Way NE Watermain Replacement	2,304,000
WA 0120	111th Avenue Watermain Replacement	182,000
WA 0122	116th Avenue NE/NE 100th Street Watermain Replacement	1,506,000
WA 0123	NE 91st Street Watermain Replacement	453,000
WA 0124	NE 97th Street Watermain Replacement	685,000
WA 0126	North Reservoir Outlet Meter Addition	72,300
WA 0127	650 Booster Pump Station	1,603,000
WA 0128	106th Ave NE-110th Ave NE/NE 116th St-NE 120th St Watermain Replacement	2,305,000
WA 0129	South Reservoir Recoating	981,000
WA 0130	11th Place Watermain Replacement	339,000
WA 0131	Supply Station #1 Improvements	61,500
WA 0132	7th Avenue/Central Avenue Watermain Replacement	907,000
WA 0133	Kirkland Avenue Watermain Replacement	446,000
WA 0135	NE 75th Street Watermain Replacement	711,000
WA 0136	NE 74th Street Watermain Replacement	193,000
WA 0137	NE 73rd Street Watermain Replacement	660,000
WA 0138	NE 72nd St/130th Ave NE Watermain Replacement	1,476,000
WA 0145	6th Street South Watermain Replacement	585,100
WA 0146	6th Street/Kirkland Way Watermain Replacement	693,000
WA 0147	106th Avenue NE Watermain Replacement	661,500
WA 0149	Lake Washington Blvd Watermain Replacement	655,000
WA 0165	**3rd Street Watermain Replacement - Phase 2**	**512,000**
SS 0068	124th Avenue NE Sewermain Replacement	1,315,000
SS 0077 999	West Of Market Sewermain Replacement	16,456,000
SS 0080	20th Avenue Sewermain Replacement	812,000
SS 0083	111th Avenue NE Sewer Main Rehabilitation	725,000
SS 0084	Reclaimed Water (Purple Pipe) Opportunity Fund	5,000,000
Subtotal Unfunded Water/Sewer Utility Projects		**59,774,600**
Funding Available from Annual Programs for Candidate Projects		***5,333,800***
Net Unfunded Water/Sewer Utility Projects		**54,440,800**

Notes

Bold = New projects

City of Kirkland
2017-2022 Updated Capital Improvement Program

PARK PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2017	2018	2019	2020	2021	2022	2017-2022 Total	Funding Source				
										Current Revenue (REET)	Park Levy	Impact Fees	Reserves	External Source
PK 0049	Open Space, Park Land & Trail Acq Grant Match Program		100,000						100,000				100,000	
PK 0056	*Forbes Lake Park Development*	*1,058,200*	*450,000*						*450,000*				*450,000*	
PK 0066	Park Play Area Enhancements		50,000	50,000	75,000	75,000	75,000	75,000	400,000	320,000		80,000		
PK 0087 101	Waverly Beach Park Renovation Phase 2				250,000	1,000,000			1,250,000		873,000	377,000		
PK 0119 100	*Juanita Beach Park Bathhouse Replacement*	*1,200,000*	*1,715,000*						*1,715,000*				*1,715,000*	
PK 0121	Green Kirkland Forest Restoration Program		75,000	75,000	75,000	75,000	100,000	100,000	500,000	500,000				
PK 0123 100	*Peter Kirk Pool Liner*	*125,000*	*135,000*						*135,000*				*135,000*	
PK 0133 100	*Dock & Shoreline Renovations*		*444,400*		250,000	100,000	250,000	250,000	1,294,400		850,000			444,400
PK 0133 200	*City-School Playfield Partnership*		*488,600*	*500,000*					*988,600*		*988,600*			
PK 0133 300	*Neighborhood Park Land Acquisition*		*1,886,000*	*24,000*	*600,000*	*734,000*	*1,035,000*	*1,135,000*	*5,414,000*		*1,710,000*	*2,904,000*	*800,000*	
PK 0133 401	*Edith Moulton Park Redevelopment*	*1,115,000*	*376,300*						*376,300*				*376,300*	
PK 0138	Everest Park Restroom/Storage Building Replacement	75,000			803,000				803,000	803,000				
PK 0139 101	Totem Lake Park Acquisition		550,000						550,000		200,000		200,000	150,000
PK 0139 102	Totem Lake/CKC Land Acquisition		190,000						190,000		190,000			
PK 0139 200	Totem Lake Park Master Plan & Development (Phase I)	660,000	200,000	2,190,000	3,285,225	724,000			6,399,225	678,000		4,514,000	1,207,225	
PK 0147	Parks Maintenance Center			250,000	500,000	750,000			1,500,000	1,425,000		75,000		
PK 0151	Park Facilities Life Cycle Projects		168,000	146,000	162,000	151,000	162,000	169,000	958,000		458,000		500,000	
PK 0152	**O.O. Denny Park Improvements**		**175,000**						**175,000**				**175,000**	
Total Funded Park Projects		**4,233,200**	**7,003,300**	**3,235,000**	**6,000,225**	**3,609,000**	**1,622,000**	**1,729,000**	**23,198,525**	**3,726,000**	**5,269,600**	**7,950,000**	**5,658,525**	**594,400**

Notes

Italics = Modification in timing and/or cost (see Project Modification/Deletion Schedule for more detail)

Bold = New projects

PARK PROJECTS

Unfunded Projects:

Project Number	Project Title	Total
PK 0056 100	Forbes Lake Park Trail Improvements Phase 2	4,000,000
PK 0095 100	Heritage Park Development - Phase III & IV	2,500,000
PK 0097	Reservoir Park Renovation	500,000
PK 0108	McAuliffe Park Development	7,000,000
PK 0113"	Spinney Homestead Park Renovation	493,000
PK 0114	Mark Twain Park Renovation	750,000
PK 0114 101	Mark Twain Park Renovation (Design)	75,000
PK 0115"	Terrace Park Renovation	515,000
PK 0116	Lee Johnson Field Artificial Turf Installation	1,750,000
PK 0119 002	Juanita Beach Park Development (Phase 2)	1,308,000
PK 0119 200	Juanita Beach Park Development (Phase 3)	10,000,000
PK 0122 100	Community Recreation Facility Construction	67,000,000
PK 0124	Snyder's Corner	1,000,000
PK 0126	Watershed Park Master Planning & Park Development	1,100,000
PK 0127	Kiwanis Park Master Planning & Park Development	1,100,000
PK 0128	Yarrow Bay Wetlands Master Planning & Park Development	1,600,000
PK 0129	Heronfield Wetlands Master Planning & Development	1,600,000
PK 0131	Park and Open Space Acquisition Program	3,000,000
PK 0133 100	Dock & Shoreline Renovations	1,500,000
PK 0134 100	132nd Pk Playfields	712,000
PK 0135 100	Juanita Heights Park Expansion	1,000,000
PK 0136	Kingsgate Park Master Planning and Park Development	1,150,000
PL 0139 300	Totem Lake Park Development - Phase 2	2,440,000
PK 0139 400	Totem Lake Park Development - Phase 3	13,000,000
PK 0141 000	South Norway Hill Park Improvements	750,000
PK 0142 000	Doris Cooper Houghton Beach Park Restroom Replacement	850,000
PK 0143 000	Marsh Park Restroom Replacement	700,000
PK 0144 000	Cedar View Park Improvements	150,000
PK 0145 000	Environmental Education Center	2,000,000
PK 0148	Forbes House Renovation	414,000
PK 0149	Taylor Playfields- Former Houghton Landfill Site Master Plan	300,000
PK 0150	North Kirkland Community Center Renovation	786,000
Total Unfunded Parks Projects		**131,043,000**

Notes

" = Moved from funded status to unfunded status

City of Kirkland

2017-2022 Updated Capital Improvement Program

PUBLIC SAFETY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2017	2018	2019	2020	2021	2022	2017-2022 Total	Funding Source		
										Reserve	Debt	External Source
FIRE												
PS 0062	Defibrillator Unit Replacement					176,900			176,900	176,900		
PS 0066	Thermal Imaging Cameras	11,000					112,200		112,200	112,200		
PS 0076	*Personal Protective Equipment*		-		*604,800*			*2,300*	*607,100*	*607,100*		
PS 0080	Emergency Generators	60,000		60,000		60,000		60,000	180,000	180,000		
PS 2000	*Fire Equipment Replacement*		*30,700*	*16,400*	*20,900*	*15,800*	*15,800*	*35,300*	*134,900*	*134,900*		
POLICE												
PS 1000	*Police Equipment Replacement*		*134,800*	*116,900*	*98,800*	*166,800*	*106,300*	*109,700*	*733,300*	*733,300*		
FACILITIES												
PS 3001	*Fire Station 25 Renovation*		*3,817,000*						*3,817,000*	*3,817,000*		
PS 3002 000	*Fire Station 24 Land Acquisition*	*2,500,000*	*2,500,000*						*2,500,000*	*2,500,000*		
PS 3002 002	Fire Station 24 Replacement			10,133,300					10,133,300	9,663,000		470,300
Total Funded Public Safety Projects		**2,571,000**	**6,482,500**	**10,326,600**	**724,500**	**419,500**	**234,300**	**207,300**	**18,394,700**	**17,924,400**	**0**	**470,300**

Notes

Italics = Modification in timing and/or cost (see Project Modification/Deletion Schedule for more detail)

Public Safety Unfunded Projects:

Project Number	Project Title	Total
FIRE		
PS 0068	Local Emergency/Public Communication AM Radio	119,100
POLICE		
PS 1200	Police Strategic Plan Implementation	250,000
FACILITIES		
PS 3003"	*Fire Station 27 Land Acquisition*	*6,000,000*
PS 3004	Fire Station 21 Expansion & Remodel	3,885,400
PS 3005	Fire Station 22 Expansion & Remodel	5,812,600
PS 3006	Fire Station 26 Expansion & Remodel	6,763,900
PS 3007	Fire Station 27 Replacement	16,098,500
Total Unfunded Public Safety Projects		**38,929,500**

Notes

Italics = Modification in timing and/or cost (see Project Modification/Deletion Schedule for more detail)

" = Moved from funded status to unfunded status

City of Kirkland
2017-2022 Updated Capital Improvement Program

GENERAL GOVERNMENT PROJECTS - Technology

Funded Projects:

Project Number	Project Title	Prior Year(s)	2017	2018	2019	2020	2021	2022	2017-2022 Total	Funding Source		
										Reserves/ Prior Yr	Debt	External Source
IT 0100	Network Server Replacements		203,700	33,000	71,400	46,400	244,700	8,000	607,200	607,200		
IT 0110	Network Infrastructure		51,100	119,000	114,000	1,006,600	49,100	45,600	1,385,400	1,385,400		
IT 0120	Network Storage, Backup & Archiving		80,000	1,099,400		18,400	20,100	80,000	1,297,900	1,297,900		
IT 0130	Network Phone Systems						250,000		250,000	250,000		
IT 0140	Network Security				75,000	30,000	30,000	75,000	210,000	210,000		
IT 0200	Geographic Information Systems		275,000	285,000	285,000	285,000	285,000	285,000	1,700,000	1,700,000		
IT 0302	Court Customer Service Systems Improvements		154,400						154,400	154,400		
IT 0303	Sharepoint and Trim Upgrade		123,800	63,300					187,100	187,100		
IT 0402	Financial System Replacement		2,500,000						2,500,000	2,500,000		
IT 0500	Copier Replacements		39,000	30,500	34,000	34,600	36,000	55,900	230,000	230,000		
IT 0702	EAM Maintenance Management System Replacement	1,239,600	205,600						205,600	205,600		
Total Funded General Government Projects - Technology		**1,239,600**	**3,632,600**	**1,630,200**	**579,400**	**1,421,000**	**914,900**	**549,500**	**8,727,600**	**8,727,600**	**0**	**0**

Technology Unfunded Projects:

Project Number	Project Title	Total
IT 0201	GIS Community Information Portal	100,000
IT 0301	Open Data Solution Implementation	229,800
IT 0602	Business Intelligence/Standard Reporting Tool	132,200
IT 0701	Fleet Management Systems Replacement	80,000
IT 0902	Customer Relationship Management System	17,000
Total Unfunded General Government Projects - Technology		**559,000**

City of Kirkland
2017-2022 Updated Capital Improvement Program

GENERAL GOVERNMENT PROJECTS - Facilities

Funded Projects:

Facilities Sinking Fund

Project Number	Project Title	Prior Year(s)	2017	2018	2019	2020	2021	2022	2017-2022 Total	Funding Source			
										Current Revenue	Reserve	Debt	External Source
GG 0008	Electrical, Energy Management & Lighting Systems			38,800	28,800		34,700	131,500	233,800		233,800		
GG 0009	Mechanical/HVAC Systems Replacements		176,400	223,300	314,800	78,200	20,000	10,500	823,200		823,200		
GG 0010	Painting, Ceilings, Partition & Window Replacements		20,900	4,100	144,700	244,700	28,800	8,400	451,600		451,600		
GG 0011	Roofing, Gutter, Siding and Deck Replacements		126,100	231,700		74,000	7,100		438,900		438,900		
GG 0012	Flooring Replacements		101,700	55,600	40,200	209,400	188,800	39,800	635,500		635,500		
Subtotal Funded General Government Projects - Facilities Sinking Fund		**-**	**425,100**	**553,500**	**528,500**	**606,300**	**279,400**	**190,200**	**2,583,000**	**-**	**2,583,000**	**-**	**-**

Other Projects

Project Number	Project Title	Prior Year(s)	2017	2018	2019	2020	2021	2022	2017-2022 Total	Funding Source			
										Current	Reserve	Debt	External
GG 0100	**Affordable Housing and Homelessness Investment**		**500,000**	**1,000,000**					**1,500,000**		**1,500,000**		
Subtotal Funded General Government - Other Projects		**-**	**500,000**	**1,000,000**	-	-	-	-	**1,500,000**	**-**	**1,500,000**	**-**	**-**

Total Funded General Government Projects - Facilities	**-**	**925,100**	**1,553,500**	**528,500**	**606,300**	**279,400**	**190,200**	**4,083,000**	**-**	**4,083,000**	**-**	**-**

Notes

Italics = Modification in timing and/or cost (see Project Modification/Deletion Schedule for more detail)
Bold = New projects
+ = Moved from unfunded status to funded status
" = Moved from funded status to unfunded status

Note: No Unfunded Facilities Projects

MEMORANDUM

Date: **December 1, 2017**

To: **Kurt Triplett, City Manager**

From: **Eric Shields, AICP, Planning Director**

Subject: **2017 Comprehensive Plan and Zoning Amendments**

RECOMMENDATION

City Council consider the recommendations of approval from the Planning Commission and (where applicable) the Houghton Community Council and adopt the individual ordinances and resolutions as noted below.

BACKGROUND DISCUSSION

The proposed ordinances are the culmination of four concurrent planning projects that involve amendments to the Comprehensive Plan, Zoning Code, Zoning Map, Municipal Code and Design Guidelines. A fifth project, adoption of a new plan for the Finn Hill Neighborhood has also been in preparation and will be brought to the Council for adoption in January of next year.

Also, for one of the projects (Houghton/Everest Neighborhood Center study), the Zoning Code, Zoning Map and Design Guidelines amendments will not be completed until early next year and are expected to be submitted for Council consideration in January.

Except for special circumstances (such as the adoption of a sub-area plan), the Growth Management Act limits amendment of the Comprehensive Plan to once per year. Each year the City considers a variety of plan amendments that typically include code and map amendments as well. These are brought to the City Council for adoption at the end of the year after study sessions and public hearings by the Planning Commission and Houghton Community Council. In 2017, two citizen initiated Comprehensive Plan amendment requests (CAR's) were reviewed as well.

This year's proposed amendments are listed below. Further information about each group of proposed amendments is provided in separate accompanying memoranda.

A. Annual City-Initiated Comprehensive Plan Amendments

- Ordinance O-4624: Comprehensive Plan amendments;

B. Citizen Initiated Comprehensive Plan and Zoning Amendments

- Ordinance O-4625: Alavi CAR Comprehensive Plan and Zoning amendments;
- Ordinance O-4626: Johnson CAR Comprehensive Plan and Zoning amendments;

C. Totem Lake

- Ordinance O-4627: Zoning amendments

- Ordinance O-4628: Comprehensive Plan and Zoning amendments;

D. Houghton/Everest Neighborhood Center Comprehensive Plan amendments

- Ordinance #4629: Comprehensive Plan amendments

CITY OF KIRKLAND
Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425.587.3600- www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Joan Lieberman-Brill, AICP, Senior Planner
Jeremy McMahan, Planning Manager
Eric Shields, AICP, Planning Director

Date: November 30, 2017

Subject: 2017 City Initiated Comprehensive Plan Amendment (CAM17-00395)

RECOMMENDATION

Adopt Ordinance # 4624 amending the Comprehensive Plan and Zoning Map, consistent with the recommendation of the Planning Commission and Houghton Community Council.

BACKGROUND DISCUSSION

The amendments are included as Exhibit A to Ordinance #4624.

Each year staff proposes city initiated amendments to the Comprehensive Plan as appropriate. Pursuant to the Growth Management Act, every year the Capital Facilities Plan (CFP) must be reconciled with the Capital Improvement Plan. During this cycle there are no new state legislation or major Kirkland policy initiatives to incorporate into the Plan. Except for special circumstances, the City may amend the Plan only once per year, so that the cumulative effect of the various proposals can be ascertained and changes are internally consistent.

On September 25, 2017, the Planning Commission (PC) and Houghton Community Council (HCC) held a joint public hearing on the proposed amendments, and unanimously recommended adoption.

Since then, as anticipated by the PC and HCC, the proposed CFP has been revised further to integrate changes directed by City Council at their November 8 meeting to consider Capital Improvement Plan updates. The changes directed by City Council since the public hearing are shown as red text in Attachment 2.

Attachment 1 to this memorandum is the PC recommendation. This year amendments include updates to all capital facilities project tables contained in the Capital Facilities Element that have changed from 2016 for consistency with the mid-biennial budget and Capital Improvement Plan (Attachment 2), Transportation Element follow-up text amendments recommended by PSRC with the adoption of the 2035 Comprehensive Plan, park property land use redesignations and rezones to match their intended use, and minor housekeeping text amendments to various general elements.

A detailed summary of the proposed amendments is available in the joint PC and HCC October 25 public hearing memorandum.

PUBLIC NOTICE

Notice of the public hearing was provided to the Seattle Times, the Neighborhood Associations and Kirkland Alliance of Neighborhoods. In addition, notice was sent to the Kirkland Chamber of Commerce.

SEPA DETERMINATION

An EIS Addendum was issued on September 21, 2017 to fulfill the environmental review requirements for the proposed amendments to the Comprehensive Plan and associated Zoning Map amendments. The impacts of the proposal are within the range of impacts disclosed and evaluated in the City of Kirkland 2015 Comprehensive Plan Update & Totem Lake Planned Action -Draft and Final Environmental Impact Statement; no new significant impacts have been identified. Therefore, issuance of this EIS Addendum is the appropriate course of action.

CITY COUNCIL ACTION

Following City Council action, the amendment will be considered for final approval by the HCC at its January 22, 2017 meeting.

The City Council may approve the proposed amendments by adopting the following:

- Ordinance #4624 (Amendments to the Comprehensive Plan)

Attachments:

1. Planning Commission Recommendation
2. Changes in the CFP project tables between 2016 and 2017

cc: CAM17-00395

Attachment 1

CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 5TH AVENUE, KIRKLAND, WA 98033
425.587.3600 - www.kirklandwa.gov

MEMORANDUM

DATE: November 30, 2017

TO: City Council

FROM: Colleen Cullen, Planning Commission Chair

SUBJECT: **Recommendation to Adopt 2017 City Initiated Comprehensive Plan Amendments (CAM17-00395)**

Introduction

We are pleased to submit the recommended 2017 City Initiated Comprehensive Plan Amendments for consideration by the City Council.

Among other changes, an annual amendment to the Capital Facilities Element Capital Facilities Plan (CFP) project tables is necessary to bring it into consistency with the current 2017-2022 revised Capital Improvement Program (CIP) and 2017-2018 mid-biennial budget. The revised budget and CIP are also scheduled for adoption on December 12.

Other proposed amendments are:

- Park Property Land Use Redesignations and Rezones associated with Totem Lake Park, McAuliffe Park and Hazen Hills open space.
- Amendments to the Transportation Element to address comments received from Puget Sound Regional Council with their certification of the 2035 Comprehensive Plan, on a reassessment strategy to address funding shortfalls, and to incorporate Growing Transit Communities strategies to identify transit station areas and establish transit community goals.
- Updates to the Community Character Element historic inventory table to reflect current conditions.
- Updates to the Implementation Strategies Element Intergovernmental Coordination section to add the King County Climate Cooperative (K4C).

These amendments are within the jurisdiction of the Houghton Community Council (HCC). They were reviewed and unanimously recommended for approval by both the Planning Commission (PC) and HCC, at our joint public hearing on September 25, 2017.

Background

Links to the staff memorandum, minutes, and audio recording for the joint PC and HCC public hearing, and study sessions are provided below:

September 25, 2017 joint PC/HCC public hearing Memorandum, Audio and Minutes

August 28, 2017 HCC study session Memorandum, Audio and Minutes.

August 24, 2017 PC study session Memorandum, Video and Draft Minutes (see Exhibit A).

Criteria for Approving Changes to the Comprehensive Plan and Zoning Map

The Planning Commission reviewed the following criteria in the Zoning Code and determined that the amendments meet the criteria for approving changes to the Comprehensive Plan and Zoning Map:

- Section 130.15 Legislative Rezones – Criteria
- Section 140.25 Factors to Consider in Approval an Amendment to the Comprehensive Plan

The amendments are consistent with the criteria in 130.15 and 140.25.

Public Participation

At the study sessions, no one spoke or submitted comments. At the joint hearing, one speaker, Larry Toedtli, Transportation Engineer, spoke in favor of the Transportation Element text amendments.

Exhibit A. Planning Commission August 24, 2017 draft minutes

cc: CAM17-00395

DRAFT

KIRKLAND PLANNING COMMISSION
August 24, 2017

1. **CALL TO ORDER/ROLL CALL (7:00 PM)**

Members Present: Carter Bagg, Colleen Cullen - Chair, Mike Miller, Glenn Peterson, Mathew Pruitt - Vice Chair, Sandeep Singhal, and John Tymczyszyn.

Members Absent: None.

Staff Present: Eric Shields - Director, Jeremy McMahan - Development Services Manager, Angela Ruggeri - Senior Planner, Joan Lieberman- Brill - Senior Planner, Janice Coogan - Senior Planner, Deb Powers - Urban Forester, and Jeannie Dines - Recording Secretary.

2. **ANNOUNCEMENT OF AGENDA (7:00 PM)**

3. **COMMENTS FROM THE AUDIENCE - None (7:01 PM)**

4. **STUDY SESSION (7:02 PM)**

A. **Kirkland Urban – Proposed Modifications to Master Plan ADDRESS: 6th Street and Central Way**

Public Comment - None

Senior Planner Angela Ruggeri reviewed the modification process, proposed modifications and staff's review and responded to Commission questions.

William Leedom, Kirkland Urban, responded to Commission questions.

It was the consensus of the Commission to recommend the proposed changes to the Kirkland Urban Master Plan. Commissioner Tymczyszyn abstained from the recommendation.

B. **2017 Comprehensive Plan Citizen Amendment Requests ADDRESS: City-wide**

Public Comment
1. Edward Radcliff, 231 7th Ave W, Kirkland.

2. Barry Alavi, 545 17th Ave W (Alavi CAR), Kirkland.

Senior Planner Joan Lieberman-Brill described the CAR process and reviewed the Lee Johnson CAR. She responded to Commission questions.

It was the consensus of the Commission that the information provided was sufficient to proceed to public hearing on October 12.

Ms. Lieberman-Brill reviewed the Alavi CAR and responded to Commission questions and Commissioners provided input regarding additional information to be provided at the October 12 public hearing.

C. **2017 City Initiated Comprehensive Plan Amendments ADDRESS: City-wide**

Public Comments - None

Ms. Lieberman-Brill reviewed the proposed amendments. Commissioners identified additional information to be provided at the September 25 public hearing.

D. **Finn Hill Neighborhood Plan and Code Amendments ADDRESS: Finn Hill**

Public Comment

3. Marc Ackerman, 12970 74th Pl NE, Kirkland, representing Finn Hill Neighborhood Alliance.

4. Ken Goodwin, 11834 Holmes Pt Dr, Kirkland.

5. Art Turock, 11534 Holmes Pt Dr, Kirkland.

6. Ettore Palazzo, 11818 Holmes Pt Dr, Kirkland.

7. Tim Shuma, 12914 63rd Ave NE, Krikland.

8. Susan Vossler, 12945 64th Ave NE, Kirkland.

9. Per Nielsen, 13475 64th Terr NE, Kirkland.

10. Roy Barnett, 11942 80th Pl NE, Kirkland.

11. Robert Ackein, 11946 80th Pl NE, Kirkland.

12. Thomas Cox, 1682 Holmes Pt Dr, Kirkland.

13. Jonathan Swift, 8132 NE 117th Pl, Kirkland, representing Chatham residents.

14. Bethany Cook, 8104 NE 121st St, Kirkland.

15. Claire Koenig, 6310 NE 129th St, Kirkland.

16. John Koenig, 6310 NE 129th St, Kirkland.

17. Janice Gerrish, 7651 NE 140th Pl, Kirkland.

18. Jason White, 8148 NE 117th Pl, Kirkland.

19. Teresa White, 11724 80th Ave NE, Kirkland.

20. Lisa Ayrault, 7105 NE 135th St, Kirkland.

21. Tracie Wilhelm, 12937 63rd Ave NE, Kirkland.

22. Kristen Shuma, 12914 63rd Ave NE, Kirkland.

23. Fred Schaffalitzky, 6408 NE 130th Pl, Kirkland.

24. Brenda Krauth, 13305 70th Ave NE, Kirkland.

25. Alice Blanchard, 11531 Holmes Point Drive, Kirkland.

26. Kent Ahlf, 8235 NE 119th St, Kirkland.

Chair Cullen declared a brief recess.

Senior Planner Janice Coogan, Director Eric Shields and Development Services Manager Jeremy McMahan responded to Commission questions and Commissioners provided input.

Mr. Shields summarized it is the Commission's preference not to have the open house on September 7 or public hearing on September 14, and to continue the discussion regarding the Finn Hill Neighborhood Plan and Code Amendments.

Commissioners provided input regarding information they wanted for the September 14 meeting.

5. **READING AND/OR APPROVAL OF MINUTES - None (10:35 PM)**

6. **ADMINISTRATIVE REPORTS AND PLANNING COMMISSION DISCUSSION (10:35 PM)**

A. City Council Actions

B. Hearing Examiner Actions

C. Public Meeting Calendar Update

September 28 meeting is no longer canceled.

Mr. Shields described requested a Planning Commissioner participate on the Totem Lake Committee. Commissioner Peterson agreed to represent the Planning Commission.

7. **COMMENTS FROM THE AUDIENCE (10:37 PM)**

8. **ADJOURNMENT (10:38 PM)**

_____

Chair
Kirkland Planning Commission

Attachment 2

CFP TABLES MODIFICATION SUMMARY 2017 to 2022
Changes from 2016 to 2017

Table CF-5 – Capital Facilities Plan: Transportation Projects 2017-2022

SOURCES OF FUNDS

Added:

Developer funds for ST 0060 118th Avenue NE Roadway Extension
Street Operating Reserve funds for ST 0088 001 Neighborhood Street Light Program
Debt funds for NM 0123 Totem Lake Public Improvements Phase I and NM 0124 Totem Lake Public Improvements Phase II
Lake Washington School District funds for TR 0093 NE 132nd St/Juanita H.S. Access Road Intersection Improvements

USES OF FUNDS

Removed/Completed:

No changes

New Projects:

ST 0088 001	Neighborhood Street Light Program
NM 0111	108th Avenue NE Bicycle Lanes Upgrade
NM 0122	120th Avenue NE Non-Motorized Improvements
NM 0123	Totem Lake Public Improvements Phase I
NM 0124	Totem Lake Public Improvements Phase II
PT 0005	108th Avenue NE Transit Queue Jump Phase I
PT 0006	108th Avenue NE Transit Queue Jump Phase II
TR 0117 004	NE 68th Street Intersection Improvements/Access Management
TR 0128	6th Street S/5th Place/CKC Transit Signal Priority
TR 0129	NE 53rd Street Intersection Improvements

Changed:

ST 0006	Annual Street Preservation (budget change)
ST 0006 003	Street Levy Annual Street Preservation Program (budget change)
ST 0006 004	Central Way Street Preservation (timing change)
ST 0006 005	Totem Lake Roadway Repair (budget change)
ST 0060	118th Avenue NE Roadway Extension (moved to funded; budget change)
ST 0080	Annual Striping Program (budget change)
NM 0064 001	Park Land Pedestrian Improvement (prior year project returned to CFP for budget change and close-out)
NM 0081	Cross Kirkland Corridor to Redmond Central Connector (moved to funded; budget change)
NM 0086 100	NE 124th Street/124th Avenue NE Pedestrian Bridge Design and Construction (budget change)
NM 0087	Citywide School Walk Route Enhancements (budget change)
NM 0089	Lake Front Pedestrian and Bicycle Improvements (budget change)
NM 0090	Juanita Drive Quick Wins (budget change)
NM 0095	124th Avenue NE Sidewalk Improvements (budget change)
NM 0120	108th Avenue NE Sidewalk Improvements at Edith Moulton Park (budget change)

NM 7777	Annual Non-Motorized Critical Areas Ordinance (CAO)/Surface Water Design Manual (SWDM) Support (funding reduced to provide resources to NM 0095)
TR 0093	NE 132nd Street/Juanita H.S. Access Road Intersection Improvements (moved to funded)
TR 0111 003	Intelligent Transportation System Phase II (prior year project returned to CFP for budget change and close-out)

Table CF-6 – Capital Facilities Plan: Utility Projects 2017-2022

SOURCES OF FUNDS

No changes

USES OF FUNDS

Removed/Completed:

No changes

New Projects:

SS 0085	Slater Avenue NE Sewermain Replacement

Changed:

WA 0154	4th Street Watermain Replacement Phase II (budget change)
WA 0161	Kirkland Way Watermain Replacement (prior year project returned to CFP for budget change)
SS 0069	1st Street Sewermain Replacement (budget change)
SS 0070	5th Street Sewermain Replacement (budget change)
SS 0071	6th Street Sewermain Replacement (prior year project returned to CFP for budget change)

Table CF-7 – Capital Facilities Plan: Surface Water Projects 2017-2022

SOURCES OF FUNDS

Added:

Washington State Department of Ecology grant funds for SD 0107 132nd Square Park Surface Water Retrofit Facility

King County WaterWorks grant funds for SD 0085 002 Cross Kirkland Corridor Water Quality Retrofit and SD 0098 Champagne Creek Stormwater Retrofit

USES OF FUNDS

New Projects:

SD 0085 002	Cross Kirkland Corridor Water Quality Retrofit – CKC Rain Garden
SD 0105 001	118th Avenue NE Property Acquisition
SD 0108	Maintenance Center Surface Water Pollution Prevention Plan (SWPPP) Upgrades
SD 0109	Holmes Point Drive Pipe Replacement – Phase II Outfall
SD 0110	120th Avenue NE Stormwater Pipe Replacement

Changed:

SD 0088	Comfort Inn Pond Modifications (budget change)
SD 0091	Holmes Point Drive Pipe Replacement (budget change)
SD 0098	Champagne Creek Stormwater Retrofit (budget change)
SD 0107	132nd Square Park Surface Water Retrofit Facility (moved to funded)
SD 7777	Surface Water CAO/SWDM Contribution (funding reduced to provide resources to SD 0088)

Table CF-8 – Capital Facilities Plan: Parks Projects 2017-2022

SOURCES OF FUNDS

Property Sale proceeds for PK 0056 Forbes Lake Park Development and PK 0123 100 Peter Kirk Pool Liner

Recreation and Conservation Office grant funds for CPK 0133 100 (Dock and Shoreline Renovations

Funds from former Finn Hill Parks and Recreation District for PK 0152 O.O. Denny Park Improvements

USES OF FUNDS

Removed/Completed:

No changes

New Projects:

PK 0152	O.O. Denny Park Improvements
~~PK 0153~~	~~McAuliffe Park Property Purchase (removed; funded as part of PK 0133 300 below)~~

Changed:

PK 0056	Forbes Lake Park Development (prior year project returned to CFP for budget change)
PK 0119 100	Juanita Beach Park Bathhouse Replacement (budget change)
PK 0123 100	Peter Kirk Pool Liner (prior year project returned to CFP for budget change)
PK 0133 100	Dock and Shoreline Renovations (budget change)
PK 0133 200	City-School Playfield Partnership (budget change)
PK 0133 300	Neighborhood Park Lake Acquisition (budget change)
PK 0133 400	Edith Moulton Park Redevelopment (prior year project returned to CFP for budget change)

Table CF-9 – Capital Facilities Plan: Public Safety Projects 2017-2022

SOURCES OF FUNDS

Facilities Expansion Reserve funds for PS 3001 Fire Station 25 Renovation

USES OF FUNDS

Removed/Completed:

PS 3003 Fire Station 27 Land Acquisition (moved to unfunded)

New Projects:

PS 3002 000 Fire Station 24 Land Acquisition

Changed:

PS 0071 Self Contained Breathing Apparatus (SCBA) (timing change)
PS 0076 Personal Protective Equipment (PPE) (budget change)
PS 1000 Police Equipment Replacement (budget change)
PS 2000 Fire Equipment Replacement (budget change)
PS 3001 Fire Station 25 Renovation (budget change)

Table CF-10 – Capital Facilities Plan: Facility Projects 2017-2022

SOURCES OF FUNDS

Added:

REET 2 Reserve funds for GG 0100 Affordable Housing and Homelessness Investment

USES OF FUNDS

Removed/Completed:

No changes

New Projects:

GG 0100 Affordable Housing and Homelessness Investment

Changed:

No changes

ORDINANCE O-4624

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING MAP CONFORMS TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM17-00395.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission and the Houghton Community Council to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481, as amended, and certain portions of the Zoning Map, Ordinance 3710, to ensure the zoning map conforms to the Comprehensive Plan and the City complies with the Growth Management Act, as set forth in the report(s) and recommendation(s) of the Planning Commission and the Houghton Community Council dated November 30, 2017, and bearing Kirkland Planning and Building Department File No. CAM17-00395; and

WHEREAS, prior to making the recommendation the Planning Commission and Houghton Community Council, following notice as required by RCW 35A.63.070, held on September 25, 2017, a joint public hearing, on the amendment proposals and considered the comments received at the hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA addendum to Existing Environmental Documents, issued by the responsible official pursuant to WAC 197-11-625; and

WHEREAS, in a public meeting on December 12, 2017, the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission and the Houghton Community Council; and

WHEREAS, RCW 36.70A.130, requires the City to review all amendments to the Comprehensive Plan concurrently and no more frequently than once every year;

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.130, mandates that the City of Kirkland review, and if needed, revise its official Zoning Map; and

WHEREAS, the Zoning Map implements the Comprehensive Plan (Ordinance 3481 as amended); and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Comprehensive Plan Text, Figures and Tables amended. The Comprehensive Plan text, figures and tables in the Community Character, Land Use, Transportation, Capital Facilities, and Implementation Strategies Elements are amended; and the Totem Lake, Kingsgate, and Juanita Neighborhood Plans are amended. The Comprehensive Plan, Ordinance 3481, as amended, is amended in accordance with Exhibit A attached to this Ordinance and incorporated by reference.

Section 2. Zoning Map Amended: The official City of Kirkland Zoning Map as adopted by Ordinance 3710 is amended in accordance with Exhibit B attached to this Ordinance and incorporated by reference.

Section 3. Official Map Change: The Director of the Planning and Building Department is directed to amend the official City of Kirkland Zoning Map to conform with this ordinance, indicating thereon the date of the ordinance's passage.

Section 4. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. To the extent that the subject matter of this Ordinance is subject to the disapproval jurisdiction of the Houghton Community Council as created by Ordinance 2001, the Ordinance shall become effective within the Houghton community either upon approval of the Houghton Community Council, or upon failure of the Community Council to disapprove this Ordinance within 60 days of its passage.

Section 6. Except as provided in Section 3, this Ordinance shall be in full force and effect five days from and after its passage by the City Council and publication, pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this Ordinance and by this reference approved by the City Council.

Section 7. A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2017.

Signed in authentication thereof this _____ day of _____, 20___.

_____
Amy Walen, Mayor

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

Table CF - 5
Capital Facilities Plan: Transportation Projects -- 2017-2035

(Updated 11-27-17)

Revenue Type	*Revenue Source*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*	*2023 - 2035*
Local	Gas Tax	610,000	622,000	634,000	647,000	660,000	673,000	3,846,000	6,972,300
Local	Gas Tax (Transportation Package)	100,000	150,000	200,000	200,000		200,000	850,000	2,600,000
Local	Revenue Generating Regulatory License	270,000	270,000	270,000	270,000	270,000	270,000	1,620,000	3,510,000
Local	Real Estate Excise Tax 1 (REET 1)	398,000	410,000	422,000	435,000	448,000	461,000	2,574,000	4,267,500
Local	Real Estate Excise Tax 2 (REET 2)	1,355,000	1,528,600	1,279,000	1,318,000	1,233,000	1,274,000	7,987,600	13,877,900
Local	Street Levy	2,626,000	2,998,300	2,679,000	2,706,000	2,733,000	2,760,000	16,502,300	33,572,100
Local	Solid Waste	300,000	300,000	300,000	300,000	300,000	300,000	1,800,000	3,900,000
Local	Surface Water	1,376,820	805,500	707,000	500,000	320,000	260,000	3,969,320	6,500,000
Local	Impact Fees	3,640,080	3,410,000	1,750,000	1,000,000	425,000	275,000	10,500,080	28,166,700
External	King County Park Levy		300,000	300,000				600,000	-
Local	Park Impact Fees	399,000						399,000	-
Local	Walkable Kirkland	520,000	400,000	400,000	400,000			1,720,000	-
Local	REET 2 Reserves	3,405,400	7,843,900	980,000	480,000	480,000	480,000	13,669,300	-
Local	REET 1 Reserves	100,000	275,000	1,385,000				1,760,000	-
Local	Street Operating Reserves	198,000						198,000	
Local	Debt		1,485,000	6,015,000				7,500,000	
External	Grants	8,749,100	6,633,100	11,814,000	5,742,000	3,146,000	3,139,000	39,223,200	35,025,400
	Subtotal 2017-2022 Fund Sources excluding Park Place & Totem Lake	24,047,400	27,431,400	29,135,000	13,998,000	10,015,000	10,092,000	114,718,800	138,391,900
External	Developer Funded -- Kirkland Urban (including Impact Fees)	5,041,800						5,041,800	
External	Developer Funded -- Wolff Property (including Impact Fees)	4,200,000						4,200,000	
External	Lake Washington School District			1,260,000				1,260,000	
External	Developer Funded -- Totem Lake (including Impact Fees)	266,000						266,000	12,362,700
Total Sources		33,555,200	27,431,400	30,395,000	13,998,000	10,015,000	10,092,000	125,486,600	150,754,600
							Total 2017 - 2035 Revenue		**276,241,200**

Use of Funds

Transportation Capital Facilities Plan 2017-2035															
				Funded in CIP											
CIP Project Number	Project Title	Included in Impact Fee calculation?	Capacity project for concurrency?	2017	2018	2019	2020	2021	2022	Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue	20-year Concurrency Projects	Person Trips
ST 0006	Annual Street Preservation Program	No - maintenance	No - maintenance	$ 930,000	$ 1,936,600	$ 1,720,000	$ 1,750,000	$ 1,750,000	$ 1,750,000	$ 9,836,600	$ 22,750,000			
ST 0006 003	Street Levy Street Preservation	No - maintenance	No - maintenance	$ 2,326,000	$ 2,698,300	$ 2,379,000	$ 2,406,000	$ 2,433,000	$ 2,460,000	$ 14,702,300	$ 31,107,000			
ST 0006 004	Central Way Street Preservation	No - maintenance	No - maintenance			$ 214,000				$ 214,000				
ST 0006 005	Totem Lake Roadway Repair	No - maintenance	No - maintenance	$ 820,000	$ 1,300,000	$ 1,850,000				$ 3,970,000				
ST 0059 101	124th Ave NE Roadway Improvements (North Section) Design	Yes R10	Yes	$ 1,195,400						$ 1,195,400			$ 1,195,400	122
ST 0060	118th Avenue NE Roadway Extension	No - developer funded	Yes	$ 4,200,000						$ 4,200,000			$ 4,200,000	427
ST 0080	Annual Striping Program	No - maintenance	No - maintenance	$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 3,000,000	$ 6,500,000			
ST 0083 102	100th Ave NE Roadway Improvements	Yes R10	Yes			$ 5,000,000	$ 5,485,000			$ 10,485,000			$ 10,485,000	1,066
ST 0088 001	Neighborhood Street Light Program	No	No	$ 198,000						$ 198,000				
ST 0089	Juanita Drive Auto Improvements	Yes R12	Yes					$ 3,300,000	$ 3,300,000	$ 6,600,000			$ 6,600,000	671
ST 9999	Regional Inter-Agency Coordination	No - not capacity	No - not capacity	$ 82,000	$ 82,000	$ 82,000	$ 82,000	$ 82,000	$ 82,000	$ 492,000	$ 1,066,000			
NM 0006 100	Street Levy-Safe School Walk Routes	Yes NM4*	Yes					$ 150,000	$ 150,000	$ 300,000			$ 300,000	30
NM 0006 200	Street Levy-Pedestrian Safety	No - safety	No - safety	$ 150,000	$ 150,000	$ 150,000	$ 150,000	$ 150,000	$ 150,000	$ 900,000	$ 3,000,000			
NM 0006 201	Neighborhood Safety Program Improvements	No - safety	No - safety	$ 200,000	$ 200,000	$ 200,000	$ 200,000			$ 800,000				
NM 0007	Cross Kirkland Corridor Connection - NE 52nd Street Sidewalk	Yes NM3	Yes	$ 454,900						$ 454,900			$ 454,900	46
NM 0012 001	NE 116th Street Crosswalk Upgrade	Yes NM5	Yes	$ 200,000	$ 230,000					$ 430,000			$ 430,000	44
NM 0012 003	132nd Avenue NE Crosswalk Upgrade	Yes NM5	Yes		$ 250,000					$ 250,000			$ 250,000	25
NM 0012 004	Central Way Crosswalk Upgrade	Yes NM5	Yes			$ 50,000	$ 50,000			$ 100,000			$ 100,000	10
NM 0057	Annual Sidewalk Maintenance Program	No - maintenance	No - maintenance			$ 200,000	$ 200,000	$ 200,000	$ 200,000	$ 800,000	$ 2,600,000			
NM 0064 001	Park Lane Pedestrian Improvements	No - not capacity	No - not capacity	$ 67,400						$ 67,400				
NM 0081	CKC to Redmond Central Connector	Yes NM4	Yes		$ 1,500,000	$ 1,000,000				$ 2,500,000			$ 2,500,000	254
NM 0086 100	NE 124th St/124th Ave NE Pedestrian Bridge Construction	Yes NM3	Yes	$ 4,810,000	$ 6,250,000	$ 5,390,000				$ 16,450,000			$ 16,450,000	1,672
NM 0087	Citywide School Walk Route Enhancements	Yes NM4*	Yes	$ 864,200	$ 1,269,000	$ 850,000	$ 400,000	$ 300,000	$ 300,000	$ 3,983,200			$ 3,983,200	405
NM 0087 001	North Kirkland/JFK School Walk Route Enhancements	Yes NM4*	Yes			$ 500,000	$ 500,000			$ 1,000,000			$ 1,000,000	102
NM 0089	Lake Front Pedestrian and Bicycle Improvements	Yes NM1	Yes	$ 261,000						$ 261,000			$ 261,000	27
NM 0090	Juanita Drive 'Quick Wins'	Yes NM1	Yes	$ 1,276,400						$ 1,276,400			$ 1,276,400	130
NM 0090 001	Juanita Drive Multi-Modal (On-Street) Improvements	Yes NM1	Yes				$ 525,000			$ 525,000			$ 525,000	53
NM 0092	Active Transportation Plan Update	No - study	No - study	$ 75,000						$ 75,000				
NM 0095	124th Avenue NE Sidewalk Improvements	Yes NM4	Yes	$ 530,000	$ 1,150,000					$ 1,680,000			$ 1,680,000	171
NM 0098	Kirkland Way Sidewalk Improvements	Yes NM4	Yes			$ 300,000	$ 200,000			$ 500,000			$ 500,000	51
NM 0109	Citywide Trail Connections (Non-CKC)	No - not capacity	No - not capacity				$ 275,000			$ 275,000				
NM 0109 001	Finn Hill Connections	No - not capacity	No - not capacity		$ 250,000					$ 250,000				
NM 0109 002	Lake Front Promenade Design Study	No - study	No - study				$ 75,000			$ 75,000				
NM 0110 001	Citywide Accessibility Improvements	No - not capacity	No - not capacity		$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 500,000				
NM 0113	Citywide Greenways Networks	Yes NM2	Yes				$ 250,000	$ 250,000	$ 250,000	$ 750,000			$ 750,000	76
NM 0113 001	Citywide Greenways Network Project-NE 75th Street	Yes NM2	Yes	$ 250,000						$ 250,000			$ 250,000	25
NM 0113 002	Citywide Greenways Network Project-128th Avenue NE	Yes NM2	Yes		$ 400,000	$ 400,000				$ 800,000			$ 800,000	81
NM 0115	CKC Emergent Projects Opportunity Fund	Yes NM3	Yes	$ 100,000	$ 100,000					$ 200,000				
NM 0118	NE 128th Street/139th Avenue NE Non-Motorized Improvements	No - developer funded	Yes	$ 800,000						$ 800,000			$ 800,000	81
NM 0119	Downtown Pedestrian Access Study	No - study	No - study	$ 50,000						$ 50,000				
NM 0120	108th Avenue NE Sidewalk Improvements at Edith Moulton Park	No - not capacity	No - not capacity	$ 399,000						$ 399,000				
NM 0122	120th Avenue NE Non-Motorized Improvements	Yes NM4	Yes	$ 55,000	$ 455,000					$ 510,000				
NM 0123	Totem Lake Blvd Non-Motorized Improvements Phase I	No - development agreement	No		$ 7,500,000					$ 7,500,000				
NM 0124	Totem Lake Blvd Non-Motorized Improvements Phase II	No - development agreement	No			$ 7,500,000				$ 7,500,000				
NM 7777	Annual Non-Motorized CAO/SWDM Surface Water Contribution	No - study	No - study	$ 1,400,000						$ 1,400,000				
PT 0001	Citywide Transit Study	No - study	No - study	$ 300,000						$ 300,000				
TR 0079 001	NE 85th St/114th Ave Intersection Improvements Phase II	No - developer funded	Yes	$ 1,800,000						$ 1,800,000			$ 1,800,000	183
TR 0082	Central Way/Park Place Center Traffic Signal	No - developer funded	Yes	$ 200,000						$ 200,000			$ 200,000	20
TR 0091 101	NE 124th St/124th Ave NE Intersection Improvements - Design	Yes R13	Yes	$ 398,500						$ 398,500			$ 398,500	41
TR 0092	NE 116th St/124th Ave NE N-bound Dual Left Turn Lanes	Yes R14	Yes	$ 976,500	$ 248,500					$ 1,225,000			$ 1,225,000	125
TR 0093	NE 132nd St/Juanita H.S. Access Rd Intersect'n Imp	Yes R4	Yes			$ 1,260,000				$ 1,260,000				
TR 0098	NE 132nd St/ 116th Way NE (I-405) Intersect'n Imp	Yes R9	Yes	$ 238,000	$ 62,000					$ 300,000				
TR 0100 100	6th Street & Central Way Intersection Improvements Phase 2	No - developer funded	Yes	$ 1,866,800						$ 1,866,800			$ 1,866,800	190
TR 0103	Central Way/4th Street Intersection Improvements	No - developer funded	Yes	$ 31,000						$ 31,000			$ 31,000	3
TR 0104	6th Street/4th Ave Intersection Improvements	No - developer funded	Yes	$ 580,000						$ 580,000			$ 580,000	59
TR 0105	Central Way/5th Street Intersection Improvements	No - developer funded	Yes	$ 564,000						$ 564,000			$ 564,000	57
TR 0111 003	Intelligent Transportation System, Phase II	Yes R19, R20	Yes	$ 80,000						$ 80,000				
TR 0116	Annual Signal Maintenance Program	No - maintenance	No - maintenance	$ 150,000	$ 150,000	$ 200,000	$ 200,000	$ 200,000	$ 200,000	$ 1,100,000	$ 2,600,000			
TR 0117	Citywide Traffic Management Safety Improvements	No - safety	No - safety	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 600,000	$ 1,400,000			
TR 0117 002	Vision Zero Safety Improvement	No - safety	No - safety	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 300,000	$ 650,000			
TR 0117 003	Neighborhood Traffic Control	No - not capacity	No - safety		$ 50,000		$ 50,000		$ 50,000	$ 150,000	$ 325,000			
TR 0118	General Parking Lot Improvements	No - not capacity	No - not capacity	$ 100,000						$ 100,000				
TR 0119	Kirkland Citywide Intelligent Transportation System Study	No - study	No - study	$ 75,000						$ 75,000				
TR 0120	Kirkland Intelligent Transportation System Phase 3	Yes R19, R20	Yes		$ 450,000	$ 400,000	$ 450,000	$ 450,000	$ 450,000	$ 2,200,000			$ 2,200,000	224
TR 0122	Totem Lake Intersection Improvements	Yes depending on scope*	Yes	$ 3,031,100						$ 3,031,100			$ 3,031,100	308
TR 0127	NE 132nd Street Roundabout	No - not capacity	No	$ 320,000						$ 320,000				
TR 7777	Annual Traffic CAO/SWDM Surface Water Contribution	No - not capacity	No	$ 500,000						$ 500,000				
									FUNDED TOTAL	**$ 125,486,600**			**$ 66,687,300**	**6,778**
ST 0059 102	124th Ave NE Roadway Improvements (North Section)- ROW	Yes R24	Yes								$ 2,050,800		$ 2,050,800	208
ST 0059 103	124th Ave NE Roadway Improvements (North Section)-Construction	Yes R24	Yes								$ 6,753,800		$ 6,753,800	686
ST 0063	120th Avenue NE Roadway Improvements (north)	Yes R18*	Yes								$ 4,500,000		$ 4,500,000	457
ST 0072	NE 120th St Roadway Improvements	Yes R25	Yes								$ 15,780,600		$ 15,780,600	1,604
ST 0077	NE 132nd St Rdwy Imprv.-Phase I (West Section)	Yes R1	Yes								$ 1,739,000		$ 1,739,000	177
ST 0078	NE 132nd St Rdwy Imprv-Phase II (Mid Section)	Yes R2	Yes								$ 408,000		$ 408,000	41
ST 0079	NE 132nd St Rdwy Imprv-Phase III (East Section)	Yes R3	Yes								$ 1,444,000		$ 1,444,000	147
ST 0081	Totem Lake Area Development Opportunity Program	Yes*	Yes								$ 500,000		$ 500,000	51
PT 0002	Public Transit Speed and Reliability Improvements	Yes T1	Yes								$ 500,000		$ 500,000	51
PT 0003	Public Transit Passenger Environment Improvements	Yes T2	Yes								$ 500,000		$ 500,000	51
PT 0004 ^	108th Avenue NE Transit Queue Jump - Phase 1	Yes T1	Yes								$ 4,875,000			
PT 0005 ^	108th Avenue NE Transit Queue Jump - Phase 2	Yes T1	Yes								$ 5,640,000			
TR 0091 102	NE 124th St/124th Ave NE Intersection Improvements - ROW	Yes R13	Yes								$ 55,300		$ 55,300	6
TR 0091 103	NE 124th St/124th Ave NE Intersection Improvements - Const	Yes R13	Yes								$ 1,144,200		$ 1,144,200	116
TR 0094	NE 132nd St/108th Avenue NE Intersect'n Imp	Yes R5	Yes								$ 800,000		$ 800,000	81
TR 0095	NE 132nd St/Fire Stn Access Dr Intersect'n Imp	Yes R6	Yes								$ 480,000		$ 480,000	49
TR 0096	NE 132nd St/124th Ave NE Intersect'n Imp	Yes R7	Yes								$ 7,400,000		$ 7,400,000	752
TR 0097	NE 132nd St/132nd Ave NE Intersect'n Imp	Yes R8	Yes								$ 1,150,000		$ 1,150,000	117
TR 0117 004 ^	NE 68th Street Intersection Improvements/Access Management	Yes*	Yes								$ 4,375,000			
TR 0125	Kirkland ITS Implementation Phase 4	Yes R19, R20	Yes								$ 2,620,000		$ 2,620,000	266
TR 0128 ^	6th Street S/5th Place/CKC Transit Signal Priority	Yes R19, R20	Yes								$ 2,600,000			
TR 0129 ^	NE 53rd Street Intersection Improvements	Yes R19, R20	Yes								$ 845,000			
NM 0012 999	Crosswalk Upgrade Program	Yes NM5*	Yes								$ 4,100,000		$ 4,100,000	417
NM 0086 003	CKC Roadway Crossings	Yes NM3	Yes								$ 3,370,100		$ 3,370,100	343
NM 0090 100	Juanita Drive Bicycle and Pedestrian Improvements	Yes NM1	Yes								$ 10,650,000		$ 10,650,000	1,082
NM 0111 ^	108th Avenue NE Bicycle Lane Upgrades	Yes NM1	Yes								$ 4,345,000			
NM 0113 999	Citywide Greenway Network	Yes NM2	Yes								$ 4,450,000		$ 4,450,000	452
NM 0117	On-Street Bicycle Network Phase I	Yes NM1	Yes								$ 1,120,000		$ 1,120,000	114
NM 8888 100	On-street Bicycle Network	Yes NM1	Yes								$ 3,280,000		$ 3,280,000	333
NM 9999 100	Sidewalk Completion Program	Yes NM4*	Yes								$ 6,096,800		$ 6,096,800	620
										FUTURE YEAR TOTAL	$ 175,570,600		**$ 80,892,600**	**8,222**
									FUNDED TOTAL + UNFUNDED = 20 YEAR TOTAL		$ 301,057,200		**$ 147,579,900**	**15,000**
NM 0024 201	Cross Kirkland Corridor Opportunity Fund	No	No									$ 500,000		
NM 0031	Crestwoods Park/CKC Corridor Ped/Bike Facility	No	No									$ 2,505,000		
NM 0080	Juanita-Kingsgate Pedestrian Bridge at I-405	No	No									$ 4,500,000		
NM 0106	Citywide CKC Connections	No	No									$ 360,000		
NM 0107	CKC to Downtown Surface Connection	No	No									$ 2,000,000		
											CANDIDATE TOTAL	$ 9,865,000		

^ New for 2017-2022 CFP Update not previously counted; to be counted in future Rate Study

* Depending on project scope; see Rate Study and Transportation Master Plan.

Table CF - 6
Capital Facilities Plan: Utility Projects

(Updated 11-27-17)

SOURCE OF FUNDS

Revenue Type	*Revenue Source*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
Local	Utility Rates	3,764,000	4,070,000	4,355,000	4,698,000	5,015,000	5,368,000	27,270,000
Local	Connection Fees	865,000	865,000	865,000	865,000	865,000	865,000	5,190,000
Local	Reserves	3,276,000	160,000	1,400,000		1,400,000		6,236,000
Total Sources		7,905,000	5,095,000	6,620,000	5,563,000	7,280,000	6,233,000	38,696,000

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
WA 0102	104th Ave NE Watermain Replacement		504,800	181,200				686,000
WA 0134	5th Ave S / 8th St S Watermain Replacement			183,800	389,200			573,000
WA 0139	6th Street South Watermain Replacement	119,000	719,000					838,000
WA 0153	3rd Street Watermain Improvement	317,000						317,000
WA 0154	4th Street Watermain Replacement Phase 2	209,000						209,000
WA 0155	120th Avenue NE Watermain Improvement	437,000	273,000					710,000
WA 0156	122nd Avenue NE Watermain Improvement	505,600	190,400					696,000
WA 0157	8th Avenue W Watermain Improvement		421,800	288,200				710,000
WA 0158	NE 112th Street Watermain Improvement		365,000					365,000
WA 0159	NE 113th Place Watermain Improvement		373,000					373,000
WA 0160	126th Avenue NE Watermain Improvement		272,700	717,300				990,000
WA 0161	Kirkland Way Watermain Replacement	65,000						65,000
WA 7777	Annual Water CAO/SWDM Contribution	500,000						500,000
WA 8888	Annual Watermain Replacement Program					400,200	933,000	1,333,200
WA 9999	Annual Water Pump Station/System Upgrade Pgm					400,200	934,000	1,334,200
SS 0051	6th Street S Sewermain Replacement	146,100	818,900					965,000
SS 0052	108th Avenue NE Sewermain Replacement		711,400	3,236,100	1,558,500			5,506,000
SS 0062	NE 108th Street Sewermain Replacement				3,390,300	3,179,200		6,569,500
SS 0069	1st Street Sewermain Replacement	3,715,800						3,715,800
SS 0070	5th Street Sewermain Replacement	1,110,500						1,110,500
SS 0071	6th Street Sewermain Replacement	80,000						80,000
SS 0072	Kirkland Avenue Sewermain Replacement		285,000	2,013,400				2,298,400
SS 0077 001	West of Market Sewermain Replacement - Phase I				225,000	2,500,000	2,500,000	5,225,000
SS 0085	Slater Avenue NE Sewer Main Replacement		160,000					160,000
SS 7777	Annual Sewer CAO/SWDM Contribution	700,000						700,000
SS 8888	Annual Sanitary Pipeline Replacement Program					400,200	933,000	1,333,200
SS 9999	Annual Sanitary Pump Station/System Upgrade Pgm					400,200	933,000	1,333,200
Total Funded Utility Projects		7,905,000	5,095,000	6,620,000	5,563,000	7,280,000	6,233,000	38,696,000

SURPLUS (DEFICIT) of Resources	-	-	-	-	-	-	-

Table CF - 7
Capital Facilities Plan: Surface Water Utility Projects

(Updated 11-27-17)

SOURCES OF FUNDS

Revenue Type	*Revenue Source*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
Local	Utility Rates	1,801,000	1,872,000	1,916,000	2,120,000	2,139,000	2,204,000	12,052,000
Local	Reserves	3,017,000	1,160,000	100,000	50,000	50,000	50,000	4,427,000
External	Grants		728,500	3,000,000	1,000,000			4,728,500
Total Sources		4,818,000	3,760,500	5,016,000	3,170,000	2,189,000	2,254,000	21,207,500

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
SD 0046 001	Regional Detention in Forbes Creek Basin - Phase I					609,000	1,314,800	1,923,800
SD 0047	Annual Replacement of Aging/Failing Infrastructure	200,000	200,000	200,000	200,000	200,000	200,000	1,200,000
SD 0049	Forbes Creek/108th Ave NE Fish Passage Imp			230,400	196,000			426,400
SD 0053	Forbes Creek/Coors Pond Channel Grade Controls					324,900	344,600	669,500
SD 0054	Forbes Creek/Cross Kirkland Corridor Fish Passage Improvements					324,900	344,600	669,500
SD 0063	Everest Creek - Slater Ave at Alexander St				661,900	241,800		903,700
SD 0076	NE 141st Street/111th Avenue NE Culvert Repair	683,900						683,900
SD 0081	Brookhaven Pond Modifications	50,000		50,000		50,000		150,000
SD 0084	Market Street Storm Main Rehabilitation		268,400	616,600				885,000
SD 0085 002	Cross Kirkland Corridor Water Quality Retrofit - CKC Rain Garden		78,500					78,500
SD 0087	Silver Spurs Flood Reduction		77,000					77,000
SD 0088	Comfort Inn Pond Modifications	659,100	404,000					1,063,100
SD 0089	NE 142nd Street Surface Water Drainage Improvements		194,000					194,000
SD 0090	Goat Hill Drainage Ditch and Channel Stabilization				243,400	89,600		333,000
SD 0091	Holmes Point Drive Pipe Replacement	332,600						332,600
SD 0092	Juanita Creek Culvert at NE 137th Street	149,800	535,300					685,100
SD 0093	Pleasant Bay Apartments Line Replacement	252,600	69,400					322,000
SD 0094	NE 114th Place Stormline Replacement				270,400			270,400
SD 0097	Champagne Creek Stabilization		402,900	408,100				811,000
SD 0098	Champagne Creek Stormwater Retrofit		170,000					170,000
SD 0099	Goat Hill Drainage Conveyance Capacity			460,900	194,100			655,000
SD 0100	Brookhaven Pond Modifications				354,200	298,800		653,000
SD 0105	Property Acquisition Opportunity Fund	50,000	50,000	50,000	50,000	50,000	50,000	300,000
SD 0105 001	118th Avenue NE Property Acquisition	900,000						900,000
SD 0106 001	CKC Surface Water Drainage at Crestwoods Park Design/Const.	350,000						350,000
SD 0107	132nd Square Park Surface Water Retrofit Facility		560,000	3,000,000	1,000,000			4,560,000
SD 0108	Maintenance Center Surface Water Pollution Prevention Plan (SWPPP) Upgrades		600,000					600,000
SD 0109	Holmes Point Drive Pipe Replacement - Phase 2 Outfall		151,000					151,000
SD 0110	120th Avenue NE Stormwater Pipe Replacement	140,000						140,000
SD 7777	Surface Water CAO/SWDM Contribution	1,050,000						1,050,000
Total Funded Surface Water Utility Projects		4,818,000	3,760,500	5,016,000	3,170,000	2,189,000	2,254,000	21,207,500

SURPLUS (DEFICIT) of Resources	-	-	-	-	-	-	-

Table CF - 8
Capital Facilities Plan: Parks Projects

(Updated 11-27-17)

SOURCES OF FUNDS

Revenue Type	*Revenue Source*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
Local	Real Estate Excise Tax	215,000	868,000	1,438,000	885,000	160,000	160,000	3,726,000
Local	Reserves	2,534,300	146,000	671,225	151,000	162,000	169,000	3,833,525
Local	Kirkland Park Levy	1,964,600	524,000	1,000,000	823,000	250,000	250,000	4,811,600
Local	Impact Fees	110,000	999,000	2,891,000	1,750,000	1,050,000	1,150,000	7,950,000
Local	Carryover Prior Year Savings	1,007,100	698,000					1,705,100
Local	Property Sale	577,900						577,900
External	Grants	594,400						594,400
Total Sources		7,003,300	3,235,000	6,000,225	3,609,000	1,622,000	1,729,000	23,198,525

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
PK 0049	Open Space, Pk Land & Trail Acq Grant Match Program	100,000						100,000
PK 0056	Forbes Lake Park Development	450,000						450,000
PK 0066	Park Play Area Enhancements	50,000	50,000	75,000	75,000	75,000	75,000	400,000
PK 0087 101	Waverly Beach Park Renovation Phase II			250,000	1,000,000			1,250,000
PK 0119 100	Juanita Beach Park Bathhouse Replacement	1,715,000						1,715,000
PK 0121	Green Kirkland Forest Restoration Program	75,000	75,000	75,000	75,000	100,000	100,000	500,000
PK 0123 100	Peter Kirk Pool Liner	135,000						135,000
PK 0133 100	Dock & Shoreline Renovations	444,400		250,000	100,000	250,000	250,000	1,294,400
PK 0133 200	City-School Playfield Partnership	488,600	500,000					988,600
PK 0133 300	Neighborhood Park Land Acquisition	1,886,000	24,000	600,000	734,000	1,035,000	1,135,000	5,414,000
PK 0133 400	Edith Moulton Park Redevelopment	376,300						376,300
PK 0138	Everest Park Restroom/Storage Building Replacement			803,000				803,000
PK 0139 101	Totem Lake Park Acquisition	550,000						550,000
PK 0139 102	Totem Lake/CKC Land Acquisition	190,000						190,000
PK 0139 200	Totem Lake Park Master Plan & Development (Phase I)	200,000	2,190,000	3,285,225	724,000			6,399,225
PK 0147	Parks Maintenance Center		250,000	500,000	750,000			1,500,000
PK 0151	Park Facilities Life Cycle Projects	168,000	146,000	162,000	151,000	162,000	169,000	958,000
PK 0152	O.O. Denny Park Improvements	175,000						175,000
Total Funded Parks Projects		7,003,300	3,235,000	6,000,225	3,609,000	1,622,000	1,729,000	23,198,525

SURPLUS (DEFICIT) of Resources	-	-	-	-	-	-	-	

Table CF-9
Capital Facilities Plan: Public Safety Projects

(Updated 11-27-17)

SOURCES OF FUNDS

Revenue Type	*Revenue Source*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
Local	General Fund	165,500	133,300	724,500	359,500	234,300	147,300	1,764,400
Local	General Fund Cash	2,858,685	1,823,000		60,000		60,000	4,801,685
Local	REET 1		4,200,000					4,200,000
Local	REET 1 Reserves	772,153	3,700,000					4,472,153
Local	Facility Reserves	30,000						30,000
Local	Fire District 41 Bond/Cash	2,656,162						2,656,162
External	Land Sale		470,300					470,300
Total Sources		6,482,500	10,326,600	724,500	419,500	234,300	207,300	18,394,700

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
PS 0062	Defibrillator Unit Replacement				176,900			176,900
PS 0066	Thermal Imaging Cameras					112,200		112,200
PS 0076	Personal Protective Equipment			604,800			2,300	607,100
PS 0080	Emergency Generators		60,000		60,000		60,000	180,000
PS 2000	Fire Equipment Replacement	30,700	16,400	20,900	15,800	15,800	35,300	134,900
	Subtotal Funded Fire Projects	30,700	76,400	625,700	252,700	128,000	97,600	1,211,100
PS 1000	Police Equipment Replacement	134,800	116,900	98,800	166,800	106,300	109,700	733,300
	Subtotal Funded Police Projects	134,800	116,900	98,800	166,800	106,300	109,700	733,300
PS 3001	Fire Station 25 Renovation	3,817,000						3,817,000
PS 3002 000	Fire Station 24 Land Acquisition	2,500,000						2,500,000
PS 3002 002	Fire Station 24 Property Replacement		10,133,300					10,133,300
	Subtotal Funded Facilities	6,317,000	10,133,300	-	-	-	-	16,450,300
Total Funded Public Safety Projects		6,482,500	10,326,600	724,500	419,500	234,300	207,300	18,394,700
SURPLUS (DEFICIT) of Resources		-	-	-	-	-	-	-

Table CF-10
Capital Facilities Plan: Facility Projects

(Updated 11-27-17)

SOURCES OF FUNDS

Revenue Type	*Revenue Source*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
Local	General Fund	425,100	553,500	528,500	606,300	279,400	190,200	2,583,000
Local	REET 2 Reserves	500,000	1,000,000					1,500,000
Total Sources		925,100	1,553,500	528,500	606,300	279,400	190,200	4,083,000

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*Six-Year Total*
GG 0008	Electrical, Energy Management & Lighting Systems		38,800	28,800		34,700	131,500	233,800
GG 0009	Mechanical/HVAC Systems Replacements	176,400	223,300	314,800	78,200	20,000	10,500	823,200
GG 0010	Painting, Ceilings, Partition & Window Replacements	20,900	4,100	144,700	244,700	28,800	8,400	451,600
GG 0011	Roofing, Gutter, Siding and Deck Replacements	126,100	231,700		74,000	7,100		438,900
GG 0012	Flooring Replacements	101,700	55,600	40,200	209,400	188,800	39,800	635,500
GG 0100	Affordable Housing and Homelessness Investment	500,000	1,000,000					1,500,000
Total Funded Facility Projects		925,100	1,553,500	528,500	606,300	279,400	190,200	4,083,000

SURPLUS (DEFICIT) of Resources	-	-	-	-	-	-	-	

C. Capital Facilities Plan

Table CF-5

Capital Facilities Plan: Transportation Projects – 2017-2035

SOURCES OF FUNDS

Revenue Type	Revenue Source	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	Six-Year Total	*2023-2035*
Local	Gas Tax	610,000	622,000	634,000	647,000	660,000	673,000	3,846,000	6,972,300
Local	Gas Tax (Transportation Package)	100,000	150,000	200,000	200,000	–	200,000	850,000	2,600,000
Local	Revenue Generating Regulatory License	270,000	270,000	270,000	270,000	270,000	270,000	1,620,000	3,510,000
Local	Real Estate Excise Tax 1 (REET 1)	398,000	410,000	422,000	435,000	448,000	461,000	2,574,000	4,267,500
Local	Real Estate Excise Tax 2 (REET 2)	1,355,000	1,342,000	1,279,000	1,318,000	1,233,000	1,274,000	7,801,000	13,877,900
Local	Street Levy	2,626,000	2,652,000	2,679,000	2,706,000	2,733,000	2,760,000	16,156,000	33,572,100
Local	Solid Waste	300,000	300,000	300,000	300,000	300,000	300,000	1,800,000	3,900,000
Local	Surface Water	1,026,420	805,500	707,000	500,000	320,000	260,000	3,618,920	6,500,000
Local	Impact Fees	3,440,080	3,410,000	1,750,000	1,000,000	425,000	275,000	10,300,080	28,166,700
External	King County Park Levy	–	300,000	300,000	–	–	–	600,000	–
Local	Park Impact Fees	600,000	–	–	–	–	–	600,000	–
Local	Walkable Kirkland	520,000	400,000	400,000	400,000	–	–	1,720,000	–
Local	REET 2 Reserves	3,158,000	1,578,900	480,000	480,000	480,000	480,000	6,656,900	–
Local	REET 1 Reserves	100,000	–	–	–	–	–	100,000	–

External	Grants	9,128,100	3,103,100	4,440,000	5,742,000	3,146,000	3,139,000	28,698,200	35,025,400
	Subtotal 2017-2022 Fund Sources excluding Park Place and Totem Lake	23,631,600	15,343,500	13,861,000	13,998,000	10,015,000	10,092,000	86,941,100	138,391,900
External	Developer Funded – Kirkland Urban (Including Impact Fees)	5,041,800	–	–	–	–	–	5,041,800	–
External	Developer Funded – Totem Lake (Including Impact Fees)	–	–	–	–	–	–	–	–
External	Developer Funded – Other	266,000	–	–	–	–	–	266,000	12,362,700
Total Sources		28,939,400	15,343,500	13,861,000	13,998,000	10,015,000	10,092,000	92,248,900	150,754,600
							Total 2017-2035 Revenue		**243,003,500**

Table CF-5

Capital Facilities Plan: Transportation Projects – 2017-2035

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035													
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
ST 0006	Annual Street Preservation Program	No - maintenance	No - maintenance	1,000,000	1,750,000	1,750,000	1,750,000	1,750,000	1,750,000	9,750,000	22,750,000	
ST 0006 003	Street Levy Street Preservation	No - maintenance	No - maintenance	2,326,000	2,352,000	2,379,000	2,406,000	2,433,000	2,460,000	14,356,000	31,107,000	
ST 0006 004	Central Way Street Preservation	No - maintenance	No - maintenance	214,000						214,000		
ST 0006 005	Totem Lake Roadway Repair	No - maintenance	No - maintenance	720,000						720,000		
ST 0059 101	124th Ave NE Roadway Improvements (North Section) Design	Yes R10	Yes	1,195,400						1,195,400		
ST 0080	Annual Striping Program	No - maintenance	No - maintenance	400,000	500,000	500,000	500,000	500,000	500,000	2,900,000	6,500,000	
ST 0083 102	100th Ave NE Roadway Improvements	Yes R10	Yes			5,000,000	5,485,000			10,485,000		
ST 0089	Juanita Drive Auto	Yes R12	Yes					3,300,000	3,300,000	6,600,000		

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035												
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
	Improvements											
ST 9999	Regional Inter-Agency Coordination	No - not capacity	No - not capacity	82,000	82,000	82,000	82,000	82,000	82,000	492,000	1,066,000	
NM 0006 100	Street Levy – Safe School Walk Routes	Yes NM4*	Yes	–	–	–	–	150,000	150,000	300,000		
NM 0006 200	Street Levy – Pedestrian Safety	No - safety	No - safety	150,000	150,000	150,000	150,000	150,000	150,000	900,000	3,000,000	
NM 0006 201	Neighborhood Safety Program Improvements	No - safety	No - safety	200,000	200,000	200,000	200,000			800,000		
NM 0007	Cross Kirkland Corridor Connection - NE 52nd Street Sidewalk	Yes NM3	Yes	454,900						454,900		
NM 0012 001	NE 116th Street Crosswalk Upgrade	Yes NM5	Yes	200,000	230,000					430,000		
NM 0012 003	132nd Avenue NE Crosswalk Upgrade	Yes NM5	Yes		250,000					250,000		
NM 0012 004	Central Way Crosswalk Upgrade	Yes NM5	Yes			50,000	50,000			100,000		

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035												
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
NM 0057	Annual Sidewalk Maintenance Program	No - maintenance	No - maintenance			200,000	200,000	200,000	200,000	800,000	2,600,000	
NM 0086 100	NE 124th St/124th Ave NE Pedestrian Bridge Construction	Yes NM3	Yes	4,810,000	6,250,000	1,050,000				12,110,000		
NM 0087	Citywide School Walk Route Enhancements	Yes NM4*		864,200	869,000	450,000	400,000	300,000	300,000	3,183,200		
NM 0087 001	North Kirkland/JFK School Walk Route Enhancements	Yes NM4*	Yes			500,000	500,000			1,000,000		
NM 0089	Lake Front Pedestrian and Bicycle Improvements	Yes NM1	Yes	11,000						11,000		
NM 0090	Juanita Drive 'Quick Wins'	Yes NM1	Yes	726,000						726,000		
NM 0090 001	Juanita Drive Multimodal (On-Street) Improvements	Yes NM1	Yes				525,000			525,000		
NM 0092	Active Transportation Plan Update	No - study	No - study	75,000						75,000		

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035												
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
NM 0095	124th Avenue NE Sidewalk Improvements	Yes NM4	Yes	830,000	750,000					1,580,000		
NM 0098	Kirkland Way Sidewalk Improvements	Yes NM4	Yes			300,000	200,000			500,000		
NM 0109	Citywide Trail Connections (Non-CKC)	No - not capacity	No - not capacity				275,000			275,000		
NM 0109 001	Finn Hill Connections	No - not capacity	No - not capacity		250,000					250,000		
NM 0109 002	Lake Front Promenade Design Study	No - study	No - study				75,000			75,000		
NM 0110 001	Citywide Accessibility Improvements	No - not capacity	No - not capacity		100,000	100,000	100,000	100,000	100,000	500,000		
NM 0113	Citywide Greenways Networks	Yes NM2	Yes				250,000	250,000	250,000	750,000		
NM 0113 001	Citywide Greenways Network Project-NE 75th Street	Yes NM2	Yes	250,000						250,000		

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035													
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
NM 0113 002	Citywide Greenways Network Project-128th Avenue NE	Yes NM2	Yes		400,000	400,000				800,000		
NM 0115	CKC Emergent Projects Opportunity Fund	Yes NM3	Yes	100,000	100,000					200,000		
NM 0118	NE 128th Street/139th Avenue NE Nonmotorized Improvements	No - developer funded	Yes	800,000						800,000		
NM 0119	Downtown Pedestrian Access Study	No - study	No - study	50,000						50,000		
NM 0120	108th Avenue NE Sidewalk Improvements at Edith Moulton Park	No - not capacity	No - not capacity	600,000						600,000		
NM 7777	Annual Nonmotorized CAO/SWDM Surface Water Contribution	No - not capacity	No - not capacity	1,600,000						1,600,000		
PT 0001	Citywide Transit Study	No - study	No - study	300,000						300,000		

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035													
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
TR 0079 001	NE 85th St/114th Ave Intersection Improvements Phase II	No - developer funded	Yes	1,800,000						1,800,000		
TR 0082	Central Way/Park Place Center Traffic Signal	No - developer funded	Yes	200,000						200,000		
TR 0091 101	NE 124th St/124th Ave NE Intersection Improvements – Design	Yes R13	Yes	398,500						398,500		
TR 0092	NE 116th St/124th Ave NE N-bound Dual Left Turn Lanes	Yes R14	Yes	976,500	248,500					1,225,000		
TR 0098	NE 132nd St/116th Way NE (I-405) Intersection Improvements	Yes R9	Yes	238,000	62,000					300,000		
TR 0100 100	6th Street and Central Way Intersection Improvements Phase 2	No - developer funded	Yes	1,866,800						1,866,800		
TR 0103	Central Way/4th Street Intersection Improvements	No - developer funded	Yes	31,000						31,000		

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035													
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
TR 0104	6th Street/4th Ave Intersection Improvements	No - developer funded	Yes	580,000						580,000		
TR 0105	Central Way/5th Street Intersection Improvements	No - developer funded	Yes	564,000						564,000		
TR 0116	Annual Signal Maintenance Program	No - maintenance	No -maintenance	150,000	150,000	200,000	200,000	200,000	200,000	1,100,000	2,600,000	
TR 0117	Citywide Traffic Management Safety Improvements	No - safety	No - safety	100,000	100,000	100,000	100,000	100,000	100,000	600,000	1,400,000	
TR 0117 002	Vision Zero Safety Improvement	No - safety	No - safety	50,000	50,000	50,000	50,000	50,000	50,000	300,000	650,000	
TR 0117 003	Neighborhood Traffic Control	No - not capacity	No - safety		50,000		50,000		50,000	150,000	325,000	
TR 0118	General Parking Lot Improvements	No - not capacity	No - not capacity	100,000						100,000		
TR 0119	Kirkland Citywide Intelligent Transportation System Study	No - study	No - study	75,000						75,000		

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035													
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
TR 0120	Kirkland Intelligent Transportation System Phase 3	Yes R19, R20	Yes		450,000	400,000	450,000	450,000	450,000	2,200,000		
TR 0122	Totem Lake Intersection Improvements	Yes depending on scope*	Yes	3,031,100						3,031,100		
TR 0127	NE 132nd Street Roundabout	No - developer funded	Yes	320,000						320,000		
TR 7777	Annual Traffic CAO/SWDM Surface Water Contribution	No - not capacity	No	500,000						500,000		
FUNDED TOTAL										**92,248,900**		
ST 0059 102	124th Ave NE Roadway Improvements (North Section)-ROW	Yes R24	Yes								2,050,800	
ST 0059 103	124th Ave NE Roadway Improvements (North Section)-Construction	Yes R24	Yes								6,753,800	
ST 0063	120th Avenue NE Roadway Improvements	Yes R18*	Yes								4,500,000	

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035													
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
	(North)											
ST 0072	NE 120th St Roadway Improvements	Yes R25	Yes								15,780,600	
ST 0077	NE 132nd St Rdwy Imprv-Phase I (West Section)	Yes R1	Yes								1,348,000	
ST 0078	NE 132nd St Rdwy Imprv-Phase II (Mid Section)	Yes R2	Yes								316,000	
ST 0079	NE 132nd St Rdwy Imprv-Phase III (East Section)	Yes R3	Yes								1,119,000	
ST 0081	Totem Lake Area Development Opportunity Program	Yes*	Yes								500,000	
PT 0002	Public Transit Speed and Reliability Improvements	Yes T1	Yes								500,000	
PT 0003	Public Transit Passenger Environment Improvements	Yes T2	Yes								500,000	

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035													
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
TR 0091 102	NE 124th St/124th Ave NE Intersection Improvements - ROW	Yes R13	Yes								55,300	
TR 0091 103	NE 124th St/124th Ave NE Intersection Improvements - Const	Yes R13	Yes								1,144,200	
TR 0093	NE 132nd St/Juanita H.S. Access Rd Intersection Improvements	Yes R4	Yes								916,000	
TR 0094	NE 132nd St/108th Avenue NE Intersection Improvements	Yes R5	Yes								618,000	
TR 0095	NE 132nd St/Fire Stn Access Dr Intersection Improvements	Yes R6	Yes								366,000	
TR 0096	NE 132nd St/124th Ave NE Intersection Improvements	Yes R7	Yes								5,713,000	
TR 0097	NE 132nd St/132nd Ave NE Intersection	Yes R8	Yes								889,000	

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035													
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
	Improvements											
TR 0125	ITS Phase 4	Yes R19, R20	Yes								2,620,000	
NM 0012 999	Crosswalk Upgrade Program	Yes NM5*	Yes								4,100,000	
NM 0086 003	CKC Roadway Crossings	Yes NM3	Yes								3,370,100	
NM 0090 100	Juanita Drive Bicycle and Pedestrian Improvements	Yes NM1	Yes								10,650,000	
NM 0113 999	Citywide Greenway Network	Yes NM2	Yes								4,450,000	
NM 0117	On-Street Bicycle Network Phase I	Yes NM1	Yes								1,120,000	
NM 8888 100	On-Street Bicycle Network	Yes NM1	Yes								3,280,000	
NM 9999 100	Sidewalk Completion Program	Yes NM4*	Yes								6,096,800	
FUTURE YEAR TOTAL											**150,754,600**	

USE OF FUNDS

Transportation Capital Facilities Plan 2017-2035													
CIP Project Number	Project Title	**Included in Impact Fee Calculation?**	**Capacity Project for Concurrency?**	**Funded in CIP**						Six-Year Funded CIP 2017-2022	2023-2035 CIP Projects	Candidate Projects for Unanticipated Revenue
				2017	**2018**	**2019**	**2020**	**2021**	**2022**			
FUNDED TOTAL + UNFUNDED TOTAL = 20 YEAR TOTAL											**243,003,500**	
NM 0024 201	Cross Kirkland Corridor Opportunity Fund	No	No									500,000
NM 0031	Crestwoods Park/CKC Corridor Ped/Bike Facility	No	No									2,505,000
NM 0080	Juanita-Kingsgate Pedestrian Bridge at I-405	No	No									4,500,000
NM 0081	CKC to Redmond Central Corridor Regional Connector	No	No									1,500,000
NM 0106	Citywide CKC Connections	No	No									360,000
NM 0107	CKC to Downtown Surface Connection	No	No									2,000,000
CANDIDATE TOTAL												**11,365,000**

*Depending on project scope; see Rate Study and Transportation Master Plan.

Table CF-6

Capital Facilities Plan: Utility Projects

SOURCES OF FUNDS

Revenue Type	Revenue Source	2017	2018	2019	2020	2021	2022	Six-Year Total
Local	Utility Rates	3,764,000	4,070,000	4,355,000	4,698,000	5,015,000	5,368,000	27,270,000
Local	Connection Fees	865,000	865,000	865,000	865,000	865,000	865,000	5,190,000
Local	Reserves	2,600,000	–	1,400,000	–	1,400,000	–	5,400,000
Local	Debt	–	–	–	–	–	–	–
Total Sources		7,229,000	4,935,000	6,620,000	5,563,000	7,280,000	6,233,000	37,860,000

USES OF FUNDS

Funded Projects

Project Number	Project Title	2017	2018	2019	2020	2021	2022	Six-Year Total
WA 0102	104th Ave NE Watermain Replacement		504,800	181,200				686,000
WA 0134	5th Ave S/8th St S Watermain Replacement			183,800	389,200			573,000
WA 0139	6th Street South Watermain Replacement	119,000	719,000					838,000
WA 0153	3rd Street Watermain Improvement	317,000						317,000
WA 0154	4th Street Watermain Replacement Phase 2	174,000						174,000
WA 0155	120th Avenue NE Watermain Improvement	437,000	273,000					710,000
WA 0156	122nd Avenue NE Watermain Improvement	505,600	190,400					696,000
WA 0157	8th Avenue W Watermain Improvement		421,800	288,200				710,000
WA 0158	NE 112th Street Watermain Improvement		365,000					365,000
WA 0159	NE 113th Place Watermain Improvement		373,000					373,000
WA 0160	126th Avenue NE Watermain Improvement		272,700	717,300				990,000
WA 7777	Annual Water CAO/SWDM Contribution	500,000						500,000
WA 8888	Annual Watermain Replacement Program					400,200	933,000	1,333,200

Project Number	Project Title	2017	2018	2019	2020	2021	2022	Six-Year Total
WA 9999	Annual Water Pump Station/System Upgrade Program					400,200	934,000	1,334,200
SS 0051	6th Street S Sewermain Replacement	146,100	818,900					965,000
SS 0052	108th Avenue NE Sewermain Replacement		711,400	3,236,100	1,558,500			5,506,000
SS 0062	NE 108th Street Sewermain Replacement				3,390,300	3,179,200		6,569,500
SS 0069	1st Street Sewermain Replacement	3,465,800						3,465,800
SS 0070	5th Street Sewermain Replacement	864,500						864,500
SS 0072	Kirkland Avenue Sewermain Replacement		285,000	2,013,400				2,298,400
SS 0077 001	West of Market Sewermain Replacement – Phase I				225,000	2,500,000	2,500,000	5,225,000
SS 7777	Annual Sewer CAO/SWDM Contribution	700,000						700,000
SS 8888	Annual Sanitary Pipeline Replacement Program					400,200	933,000	1,333,200
SS 9999	Annual Sanitary Pump Station/System Upgrade Program					400,200	933,000	1,333,200
Total Funded Utility Projects		7,229,000	4,935,000	6,620,000	5,563,000	7,280,000	6,233,000	37,860,000

SURPLUS (DEFICIT) of Resources	–	–	–	–	–	–	–

Table CF-7

Capital Facilities Plan: Surface Water Utility Projects

SOURCES OF FUNDS

Revenue Type	Revenue Source	2017	2018	2019	2020	2021	2022	Six-Year Total
Local	Utility Rates	1,801,000	1,872,000	1,916,000	2,120,000	2,139,000	2,204,000	12,052,000
Local	Reserves	1,850,000	50,000	100,000	50,000	50,000	50,000	2,150,000
External	Grants	–	–	–	–	–	–	–
Total Sources		3,651,000	1,922,000	2,016,000	2,170,000	2,189,000	2,254,000	14,202,000

USES OF FUNDS

Funded Projects

Project Number	Project Title	2017	2018	2019	2020	2021	2022	Six-Year Total
SD 0046 001	Regional Detention in Forbes Creek Basin – Phase 1					609,000	1,314,800	1,923,800
SD 0047	Annual Replacement of Aging/Failing Infrastructure	200,000	200,000	200,000	200,000	200,000	200,000	1,200,000
SD 0049	Forbes Creek/108th Ave NE Fish Passage Improvements			230,400	196,000			426,400
SD 0053	Forbes Creek/Coors Pond Channel Grade Controls					324,900	344,600	669,500
SD 0054	Forbes Creek/Cross Kirkland Corridor Fish Passage Improvements					324,900	344,600	669,500
SD 0063	Everest Creek – Slater Ave at Alexander St				661,900	241,800		903,700
SD 0076	NE 141st Street/111th Avenue NE Culvert Repair	683,900						683,900
SD 0081	Neighborhood Drainage Assistance Program (NDA)	50,000		50,000		50,000		150,000
SD 0084	Market Street Storm Main Rehabilitation		268,400	616,600				885,000
SD 0087	Silver Spurs Flood Reduction		77,000					77,000
SD 0088	Comfort Inn Pond Modifications	309,100						309,100
SD 0089	NE 142nd Street Surface Water Drainage Improvements		194,000					194,000
SD 0090	Goat Hill Drainage Ditch and Channel Stabilization				243,400	89,600		333,000
SD 0091	Holmes Point Drive Pipe Replacement	205,600						205,600
SD 0092	Juanita Creek Culvert at NE 137th Street	149,800	535,300					685,100
SD 0093	Pleasant Bay Apartments Line Replacement	252,600	69,400					322,000
SD 0094	NE 114th Place Stormline Replacement				270,400			270,400
SD 0097	Champagne Creek Stabilization		402,900	408,100				811,000
SD 0098	Champagne Creek Stormwater Retrofit		125,000					125,000
SD 0099	Goat Hill Drainage Conveyance Capacity			460,900	194,100			655,000

Project Number	Project Title	2017	2018	2019	2020	2021	2022	Six-Year Total
SD 0100	Brookhaven Pond Modifications				354,200	298,800		653,000
SD 0105	Property Acquisition Opportunity Fund	50,000	50,000	50,000	50,000	50,000	50,000	300,000
SD 0106 001	CKC Surface Water Drainage at Crestwoods Park Design/Construction	350,000						350,000
SD 7777	Surface Water CAO/SWDM Contribution	1,400,000						1,400,000
Total Funded Surface Water Utility Projects		3,651,000	1,922,000	2,016,000	2,170,000	2,189,000	2,254,000	14,202,000

SURPLUS (DEFICIT) of Resources	–	–	–	–	–	–	–

Table CF-8

Capital Facilities Plan: Parks Projects

SOURCES OF FUNDS

Revenue Type	Revenue Source	2017	2018	2019	2020	2021	2022	Six-Year Total
Local	Real Estate Excise Tax	215,000	868,000	1,438,000	885,000	160,000	160,000	3,726,000
Local	Reserves	468,000	146,000	671,225	151,000	162,000	169,000	1,767,225
Local	Kirkland Park Levy	1,250,000	1,250,000	1,000,000	823,000	250,000	250,000	4,823,000
Local	Impact Fees	110,000	999,000	2,891,000	1,750,000	1,050,000	1,150,000	7,950,000
Local	Carryover PY Savings	–	698,000	–	–	–	–	698,000
Local	General Fund Cash	–	–	–	–	–	–	–
External	Grants	150,000	–	–	–	–	–	150,000
Total Sources		2,193,000	3,961,000	6,000,225	3,609,000	1,622,000	1,729,000	19,114,225

USES OF FUNDS

Funded Projects

Project Number	Project Title	2017	2018	2019	2020	2021	2022	Six-Year Total
PK 0049	Open Space, Park Land and Trail Acq Grant Match Program	100,000	–	–	–	–	–	100,000

Project Number	Project Title	2017	2018	2019	2020	2021	2022	Six-Year Total
PK 0066	Park Play Area Enhancements	50,000	50,000	75,000	75,000	75,000	75,000	400,000
PK 0087 101	Waverly Beach Park Renovation Phase 2	–	–	250,000	1,000,000	–	–	1,250,000
PK 0121	Green Kirkland Forest Restoration Program	75,000	75,000	75,000	75,000	100,000	100,000	500,000
PK 0133 100	Dock and Shoreline Renovations	–	–	250,000	100,000	250,000	250,000	850,000
PK 0133 200	City-School Playfield Partnership	500,000	500,000	–	–	–	–	1,000,000
PK 0133 300	Neighborhood Park Land Acquisition	360,000	750,000	600,000	734,000	1,035,000	1,135,000	4,614,000
PK 0138	Everest Park Restroom/Storage Building Replacement	–	–	803,000	–	–	–	803,000
PK 0139 101	Totem Lake Park Acquisition	550,000	–	–	–	–	–	550,000
PK 0139 102	Totem Lake/CKC Land Acquisition	190,000	–	–	–	–	–	190,000
PK 0139 200	Totem Lake Park Master Plan and Development (Phase I)	200,000	2,190,000	3,285,225	724,000	–	–	6,399,225
PK 0147	Parks Maintenance Center	–	250,000	500,000	750,000	–	–	1,500,000
PK 0151	Park Facilities Life Cycle Projects	168,000	146,000	162,000	151,000	162,000	169,000	958,000
Total Funded Parks Projects		2,193,000	3,961,000	6,000,225	3,609,000	1,622,000	1,729,000	19,114,225

SURPLUS (DEFICIT) of Resources	–	–	–	–	–	–	–

Table CF-9

Capital Facilities Plan: Public Safety Projects

SOURCES OF FUNDS

Revenue Type	Revenue Source	2017	2018	2019	2020	2021	2022	Six-Year Total
Local	General Fund	155,200	173,200	692,800	368,700	245,900	149,400	1,785,200
Local	General Fund Cash	2,858,685	1,823,000		60,000		60,000	4,801,685

Local	REET		4,200,000					4,200,000
Local	REET 1 Reserves	772,153	3,700,000					4,472,153
Local	Fire District 41 Bond/Cash	2,656,162						2,656,162
External	King County EMS Levy							–
External	Land Sale		470,300					470,300
Total Sources		6,442,200	10,366,500	692,800	428,700	245,900	209,400	18,385,500

USES OF FUNDS

Funded Projects

Project Number	Project Title	2017	2018	2019	2020	2021	2022	Six-Year Total
PS 0062	Defibrillator Unit Replacement	–	–	–	176,900	–	–	176,900
PS 0066	Thermal Imaging Cameras	–	–	–	–	112,200	–	112,200
PS 0071	Self Contained Breathing Apparatus (SCBA)	–	9,700	–	–	–	–	9,700
PS 0076	Personal Protective Equipment	–	–	573,100	–	–	2,900	576,000
PS 0080	Emergency Generators	–	60,000	–	60,000	–	60,000	180,000
PS 2000	Fire Equipment Replacement	20,300	46,600	20,900	25,000	15,800	34,200	162,800
Subtotal Funded Fire Projects		20,300	116,300	594,000	261,900	128,000	97,100	1,207,900
PS 1000	Police Equipment Replacement	134,900	116,900	98,800	166,800	117,900	112,300	747,600
Subtotal Funded Police Projects		134,900	116,900	98,800	166,800	117,900	112,300	747,600
PS 3001	Fire Station 25 Renovation	3,787,000	–	–	–	–	–	3,787,000
PS 3002	Fire Station 24 Property Replacement	–	10,133,300	–	–	–	–	10,133,300
PS 3003	Fire Station 27 Property Acquisition	2,500,000	–	–	–	–	–	2,500,000
Subtotal Funded Facilities		6,287,000	10,133,300	–	–	–	–	16,420,300

Total Funded Public Safety Projects	6,442,200	10,366,500	692,800	428,700	245,900	209,400	18,385,500

SURPLUS (DEFICIT) of Resources	–	–	–	–	–	–	–

Table CF-10

Capital Facilities Plan: Facility Projects

SOURCES OF FUNDS

Revenue Type	Revenue Source	2017	2018	2019	2020	2021	2022	Six-Year Total
Local	General Fund	425,100	553,500	528,500	606,300	279,400	190,200	2,583,000
Local	General Government Reserves	–	–	–	–	–	–	–
Local	Facilities Cash	–	–	–	–	–	–	–
External	Debt	–	–	–	–	–	–	–
External	Sale of Property	–	–	–	–	–	–	–
Total Sources		425,100	553,500	528,500	606,300	279,400	190,200	2,583,000

USES OF FUNDS

Funded Projects

Project Number	Project Title	2017	2018	2019	2020	2021	2022	Six-Year Total
GG 0008	Electrical, Energy Management and Lighting Systems	–	38,800	28,800	–	34,700	131,500	233,800
GG 0009	Mechanical/HVAC Systems Replacements	176,400	223,300	314,800	78,200	20,000	10,500	823,200
GG 0010	Painting, Ceilings, Partition and Window Replacements	20,900	4,100	144,700	244,700	28,800	8,400	451,600
GG 0011	Roofing, Gutter, Siding and Deck Replacements	126,100	231,700	–	74,000	7,100	–	438,900
GG 0012	Flooring Replacements	101,700	55,600	40,200	209,400	188,800	39,800	635,500

Total Funded Facility Projects	425,100	553,500	528,500	606,300	279,400	190,200	2,583,000

SURPLUS (DEFICIT) of Resources	–	–	–	–	–	–	–

4. PUBLIC TRANSPORTATION

Goal T-3: Support and promote a transit system that is recognized as a high value option for many trips.

Background

Historically, transit in Kirkland focused on connections oriented to Seattle in the morning and from Seattle in the afternoon. Bus frequencies were sometimes as low as one hour especially in off-peak periods. Today, Kirkland is served by a number of routes connecting to a variety of Eastside destinations as well as Seattle. Frequency on some routes is 15 minutes, with most service at 30-minute intervals over most of the system. Additionally, instead of being solely a source for trips to employment centers, Kirkland is becoming an employment center that attracts transit trips.

Transit with the right characteristics can make an important contribution to Kirkland's transportation system. At its best, transit is as follows:

Fast – making long trips competitive and cost effective with driving.

Frequent – frequencies of 15 minutes or less with service hours extending from early morning to late night.

Reliable – trip times are consistent from day to day and riders trust they'll arrive on time.

Accessible – facilities and vehicles are designed for all users.

Comfortable – all elements of the system are sized to meet demand and offer amenities that make trips pleasant.

Complete – popular destinations are served and transfers between routes are easy and clear.

Transit providers will continue to be faced with constrained resources for maintaining existing service hours, limiting their ability to add new service. This, combined with the characteristics described above, suggest that Kirkland's transit needs will best be served by a focused network of higher frequency service near major concentrations of residential and commercial land uses.

This transportation element challenges the idea that because Kirkland does not provide transit service, it has little effect on the quality of that service. Because transit, more than any other mode, is dependent on land use for success, Kirkland's land use choices will have an important influence on where and how transit service is deployed.

Kirkland is, of course, responsible for maintaining the streets on which transit travels. Additionally, Kirkland can make improvements to waiting areas, including improved lighting, more shelters and wayfinding that is more understandable. Parking policy – such as pay parking at destinations – that is favorable to transit and projects that increase transit speed and frequency are other ways that Kirkland can support good transit.

In the future, Sound Transit will have a greater service presence in Kirkland. This is likely to come in the form of bus rapid transit on I-405 and/or Link light rail, both of which will connect to the Totem Lake Urban Center, downtown Kirkland and the 6th Street corridor. Additionally, transit has been assumed as an element throughout the planning of the Cross Kirkland Corridor and Sound Transit holds a transit easement on the Corridor. Regardless of where Sound Transit provides service, walking, biking and local transit connections to the regional transit system are paramount for its success.

Transit station area neighborhoods, such as Totem Lake and Downtown Kirkland, will grow into thriving and equitable communities that bring opportunity for existing and new residents and businesses. The City of Kirkland will work as part of a coalition of jurisdictions, agencies, and nongovernmental partners to promote equitable transit communities near the region's high-capacity transit investments. At the local level, we will continue to support policies and investments that make our station area neighborhoods safe, stable, and economically and socially vibrant places where people from diverse income levels can find opportunities to live and work.

Another opportunity to work with community partners will be to take ~~The~~ the successful aspects of the transit oriented development ~~of~~ at the South Kirkland Park and Ride ~~into a transit oriented development should be explored~~ and explore implementing similar development at the Kingsgate and Houghton Park and Rides and at the remaining space at the South Kirkland Park and Ride. The transit system should be operated so that excess parking does not inappropriately impact neighborhoods.

6. LINK TO LAND USE

Goal T-5: Create a transportation system that is united with Kirkland's land use plan.

Background

The Land Use chapter of the Comprehensive Plan provides a blueprint to complement Kirkland's transportation network. "Transportation improvements" should truly be improvements to the community that help create a sense of place and reflect the character of Kirkland, not only improvements to mobility. Because the built environment influences travel behavior in so many ways, it's often said that the best transportation plan is a good land use plan. This is demonstrated by the land use transportation connections illustrated in the following "smart growth Ds":

Density: Higher densities shorten trip lengths, allow for more walking and biking, and support quality transit.

Diversity: A diverse neighborhood allows for easier trip linking and shortens distances between trips. It also promotes higher levels of walking and biking and allows for shared parking because of varied demand times amongst the uses.

Design: Good design is that which improves connectivity, encourages walking and biking, and reduces travel distance.

Destinations: Destination accessibility links travel purposes, shortens trips, and offers transportation options.

Distance to Transit: Close proximity to transit encourages its use, along with trip-linking and walking, and often creates accessible walking environments.

Development Scale: Appropriate development scale provides critical mass, increases local opportunities, and supports transit investment.

Two Views of Totem Lake

The interchange at I-405 and NE 124th.
In 1936 (top photo) the area was rural. A modest freeway interchange supported the suburban land of the mid 1960s. However, the fact that there was an interchange at all presented an opportunity to intensify the land use. As the land use changes increased, more capacity was added to the interchange which in turn spurred additional land use growth as shown in the bottom photo from 1997. This has left a legacy of auto-oriented land use and transportation facilities.

The Land Use-Transportation Connection is a two-way connection. For example increased density should be supported by an emphasis on transit, but at the same time, increased density should be planned in transit station area neighborhoods ~~areas~~ that are easy to serve by transit. Land use should coordinate with travel patterns as well. For example currently in the mornings, there is more capacity northbound than southbound on parts of I-405, while the opposite is true in the afternoons. There may be land use choices in Kirkland that can take advantage of this capacity.

The Totem Lake Urban Center is transitioning from an auto oriented district to one that relies on a range of modes to support increased density. In particular, improved access to existing and planned transit hubs by walking and bicycling access should be a focus.

In neighborhoods where larger areas of single-family residences make it difficult to support high quality nearby transit, greenways, on-street bike lanes and sidewalks will offer options that help support a more livable community. Connections should focus on schools, parks, transit and commercial areas.

For employers in Kirkland to be competitive with those in other cities, their employees must be able to get to job sites quickly and easily and have adequate auto and bicycle parking.

Policy T-5.1: Focus on transportation system developments that expand and improve walkable neighborhoods.

The prioritization of transportation improvements should be weighted toward those projects that expand or enhance connections within 10 minute neighborhoods (See Land Use Element of Comprehensive Plan). These could include building missing sidewalks within such neighborhoods or creating new trails that expand high quality walkable neighborhoods. (See Policy T-1.14.)

These areas should serve as ~~focal points~~ transit station areas for local and regional transit service and should include high quality passenger environments. (See Policy T-1.4.)

Similarly, bicycling should be easy and comfortable for a wide range of users in and between 10 minute neighborhoods. (See Policy T-2.2, T-2.3.)

Based on the vision for the Comprehensive Plan, street improvements that add vehicle capacity should be designed to facilitate walking, biking and transit as well.

Policy T-5.2: Design streets in a manner that supports the land use plan and that supports the other goals and policies of the transportation element.

Street design should be guided by modern, urban focused design guidelines such as those published by the National Association of City Transportation Officials Urban Street Design Guidelines and should include lighting, green spaces, street trees, wayfinding, street furniture, etc. Kirkland's Zoning Code contains policies for street widths.

Street design should preserve existing significant trees and include new street trees and landscaping in the right-of-way to enhance the streetscape. Where significant trees are removed, they should be replaced or the loss should be otherwise mitigated. Street trees should be selected to minimize interference with other infrastructure and obstruction of public views from streets.

Policy T-5.3: Create a transportation network that supports economic development goals.

All transportation improvements should be evaluated in terms of their ability to support economic development. In addition to street improvement projects that build capacity for new commercial development, examples of projects that support economic development include bicycle parking improvements that bring bicycle customers to local businesses, transportation demand programs that make it easier for employees to get to work by a variety of modes, and creation of loading zones that expedite delivery of goods. (See the Economic Development Element of the Comprehensive Plan.) Benefits to economic development goals need to be balanced with impacts that may be created by pursuing these benefits.

An initial allocation of funding has been made as summarized in the following table which contains eight columns headed as follows:

1. **Mode:** This is the general category of project. In addition to Walk, Bike, Transit and Auto, Safety and Maintenance are included as modes for simplicity. The Safety and Maintenance areas actually have projects in several modes.

2. **Category:** Categories divide the modes into project areas, like school walk routes vs. projects that support sidewalks in 10-minute neighborhoods. This column includes map reference number.

3. **Basis for 20-Year Funding:** This describes how the funding amount was set for the 20-year transportation project list in a particular category.

4. **20-Year Funding:** This is a planning level estimate of the amount needed to fund the basis for the 20-year list in millions of dollars.

5. **Early Priorities:** As the title suggests, this is staff's recommendation for the first projects that should be funded in the CIP from this category. Projects that meet multiple policy objectives and grant funded projects were ranked as high priority and should be reflected in the current CIP process.

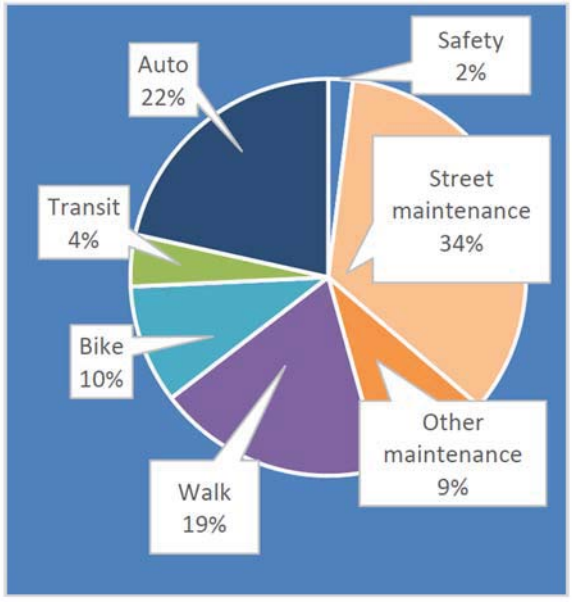
6. **Key Unfunded Elements:** Projects that are not included in the basis for 20-year funding column are described here. Not all categories have an entry in this column.

7. **Unfunded Costs:** Funding necessary for the key unfunded elements.

8. **Transportation Master Plan Policy Support:** Policies from the Master Plan that support the mode.

The 20-Year Transportation Plan will be periodically reevaluated to ensure anticipated revenues can support full implementation of the 20-Year Transportation Plan. This reevaluation will take into consideration the City's current status related to meeting its stated transportation level of service standard. It will also take into consideration the updated revenue forecasts. Any reprioritization of projects will also take into account the applicable goals and policies included in Transportation Element of the Comprehensive Plan. If after reprioritizing projects, the City's level of service cannot be maintained, the City will evaluate strategies to identify additional revenue, modify land use assumptions, or adjust the level of service standard.

This chart shows the split, by mode, of funding for the 20-Year Transportation Plan. Note that many projects include safety benefits, not just those designated as safety projects.



The City of Kirkland recognizes these buildings, structures, sites and objects on List A and List B in Table CC-1. All are designated Historic Community Landmarks by the City of Kirkland. The lists also contain "Landmarks," designated by the Kirkland Landmark Commission, and "Historic Landmarks," designated pursuant to Chapter 75 KZC.

Development permits involving buildings, structures, sites and objects in Table CC-1 are subject to environmental review under the City's local SEPA regulations. In addition, landmarks noted with a footnote (*) are subject to review by the Kirkland Landmark Commission pursuant to Kirkland Municipal Code Title 28. The Kirkland Landmark Commission is composed of members of the King County Landmark Commission and one Kirkland resident appointed by the Kirkland City Council. City of Kirkland "Historic Landmarks" noted with a footnote (") are subject to review by Chapter 75 KZC.

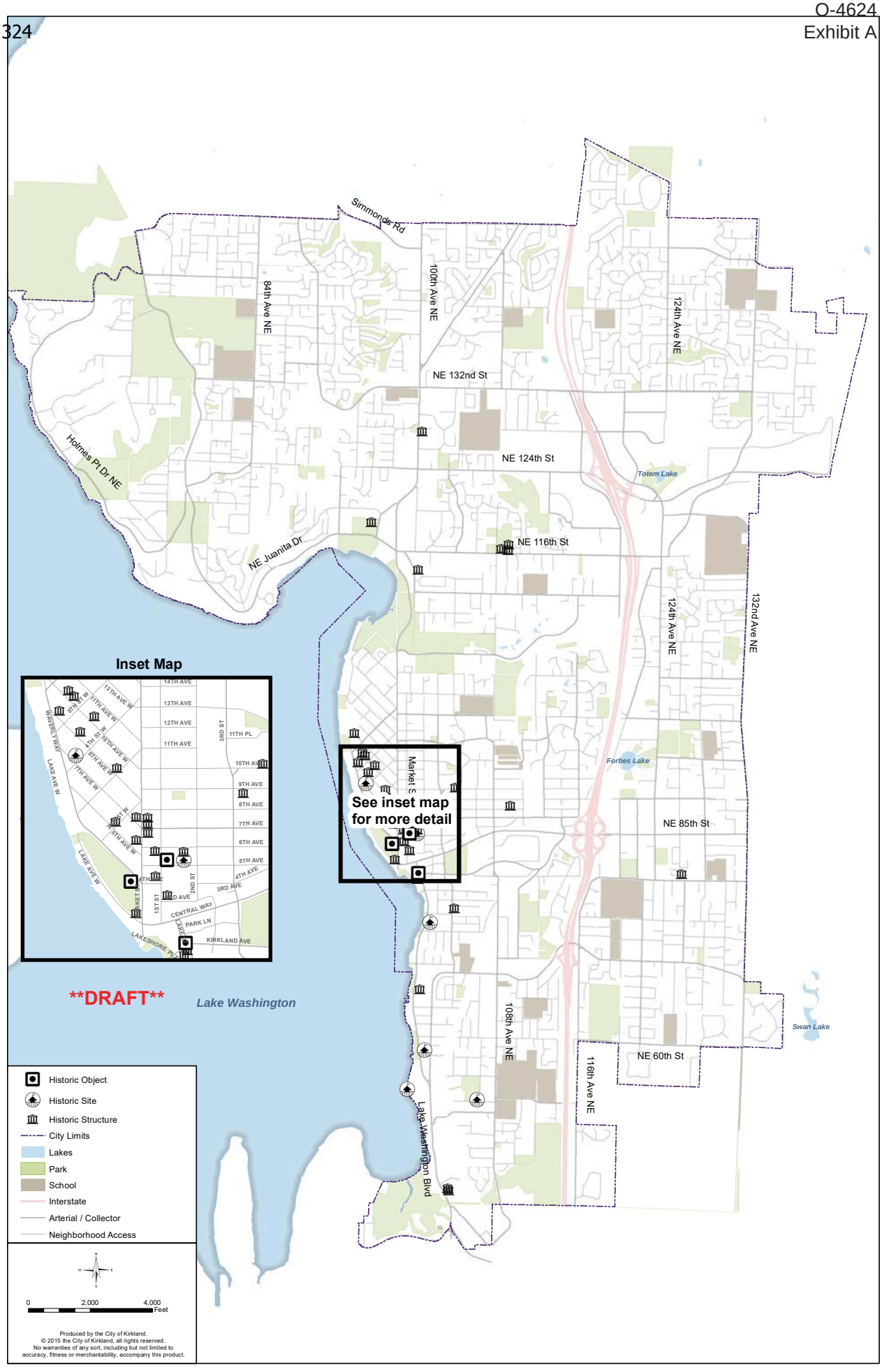


Figure CC-1: Designated Historic Builings, Structures, Sites, and Objects

Table CC-1

Designated Historic Buildings, Structures, Sites and Objects

List A: Historic Buildings, Structures, Sites and Objects Listed on the National and State Registers of Historic Places and Designated by the City of Kirkland

Building or Site	Address	Architectural Style	Date Built	Person/Event	Neighborhood
Loomis House	304 8th Ave. W.	Queen Anne	1889	KL&IC	Market
Sears Building	701 Market St.	Italianate	1891	Sears, KL&IC	Market
Campbell Building	702 Market St.		1891	Brooks	Norkirk
*Peter Kirk Building	620 Market St.	Romanesque Revival	1891	Kirk, KL&IC	Norkirk
Trueblood House (moved from 127 7th Ave.)	~~127 7th Ave.~~ 129 6th Ave.	Italianate	1889	Trueblood	Norkirk
*Kirkland Woman's Club	407 1st St.	Vernacular	1925	Founders 5	Norkirk
¥ Marsh Mansion	6610 Lake Wash. Blvd.	French Ecl Revival	1929	Marsh	Lakeview
Kellett/Harris House	526 10th Ave. W.	Queen Anne	1889	Kellett	Market

List B: Historic Buildings, Structures, Sites and Objects Designated by the City of Kirkland

Building or Site	Address	Architectural Style	Date Built	Person/Event	Neighborhood
Newberry House	519 1st St.	Vernacular	1909	Newberry	Norkirk
Nettleton/Green Funeral (Moved)	408 State St. S.	Colonial Revival	1914	Nettleton	Moss Bay
Kirkland Cannery	640 8th Ave.	Vernacular	1935	WPA Bldg	Norkirk
Landry House	8016 126th Ave. NE	Bungalow	1904		South Rose Hill
Tompkins/Bucklin House	202 5th Ave. W.	Vernacular	1889	Tompkins	Market
Burr House	508 8th Ave. W.	Bungalow/Prairie	1920	Burr	Market
Orton House (moved from 6436 Lake Washington Blvd.)	4120 Lake Wash. Blvd.	Georgian Revival	1903	Hospital	Lakeview
¥ Shumway Mansion (moved)	11410 100th Ave. NE	Craftsman/Shingle	1909	Shumways	Juanita
French House (moved from 10129 NE 63rd)	4130 Lake Wash. Blvd.	Vernacular	1874	French	Lakeview
Snyder/Moody House	514 10th Ave. W.	Vernacular	1889	KL&IC	Market
McLaughlin House	400 7th Ave. W.	Site only – Structure demolished May 2014	1889	KL&IC	Market
First Baptist Church/American Legion Hall	138 5th Ave.	Site only – Structure demolished	1891/1934	Am Legion	Norkirk
Larson/Higgins House	424 8th Ave. W.		1889	KL&IC	Market
Hitter House	428 10th Ave. W.	Queen Anne	1889	KL&IC	Market

Building or Site	Address	Architectural Style	Date Built	Person/Event	Neighborhood
Cedarmere/Norman House	630 11th Ave. W.	Am Foursquare	1895		Market
Dorr Forbes House	11829 97th Ave. NE	Vernacular	1906	Forbes	Juanita
Brooks Building	609 Market St.	Vernacular Comm	1904	Brooks	Market
Williams Building	101 Lake St. S.	Vernacular Comm	1930		Moss Bay
Webb Building	89 Kirkland Ave.	Vernacular Comm	1930		Moss Bay
5th Brick Building	720 1/2 Market St.	Vernacular Comm	1891		Norkirk
Shumway Site	510 – 528 Lake St. S.	Site only		Shumways	Lakeview
Lake WA Shipyards Site	Lake Wash. Blvd./Carillon Point	Site only		Anderson/WW	Lakeview
Lake House Site	10127 NE 59th St.	Site only		Hotel	Lakeview
*First Church of Christ Scientist (moved) a.k.a. Heritage Hall	203 Market St.	Neoclassical	1923	Best example of this style	Market
¥ Malm House	12656 100th Ave. NE	Tudor Revival	1929		North Juanita
Sessions Funeral Home	302 1st St.	Classic Vernacular	1923		Norkirk
Houghton Church Bell (Object)	105 5th Ave. (Kirkland Congregational Church)	Pioneer/Religion	1881	Mrs. William S. Houghton	Norkirk
Captain Anderson Clock (Object)	NW corner of Lake St. and Kirkland Ave.	Transportation/Ferries	c. 1935	Captain Anderson	Moss Bay
Archway from Kirkland Junior High	109 Waverly Way (Heritage Park)	Collegiate Gothic	1932	WPA	Market
Langdon House and Homestead	10836 NE 116th St. (McAuliffe Park)	Residential Vernacular	1887	Harry Langdon	Juanita
Ostberg Barn	10836 NE 116th St. (McAuliffe Park)	Barn	1905	Agriculture	Juanita
Johnson Residence	10814 NE 116th St. (McAuliffe Park)	Vernacular influenced by Tudor Revival	1928	Agriculture	Juanita
Carillon Woods Park	NW corner of NE 53rd St. and 106th Avenue NE	Utility/water source for Yarrow Bay and site	1888	King Co. Water District #1	Central Houghton
¥ 346 10th Ave. Residence	346 10th Ave.	Bungalow	1921		Norkirk
¥ 307 9th Ave. Residence	307 9th Ave.	Craftsman	1918		Norkirk

Footnotes:

* The City of Kirkland Landmark Commission has formally designated these buildings, structures, sites and objects as Landmarks pursuant to KMC Title 28.

¥ The City of Kirkland has formally designated these buildings, structures, sites and objects as Historic Landmarks pursuant to Chapter 75 KZC.

Note: KL&IC is the Kirkland Land Improvement Company.

The City recognizes its historic resources in the following priority:

1. Buildings, structures, sites and objects listed on the National and State Registers of Historic Places.

2. Buildings, structures, sites and objects recognized by the Kirkland Landmark Commission.

3. Buildings, structures, sites and objects designated by the City as Historic Landmarks.

4. Buildings, structures, sites and objects designated by the City as Historic Community Landmarks.

5. Buildings, structures, sites and objects designated by the City as an historic resource, providing historical context.

The City should periodically update the lists of historic resources through a systematic process of designation.

used.

XIV. Implementation Strategies

The vision statement, guiding principles, goals, and policies set forth in previous elements of the Comprehensive Plan together describe the desired type and character of growth in Kirkland during the next 20 years. They do not, however, tell us precisely how to create the kind of community envisioned by the Plan. Yet unless appropriate actions are taken, the plan will remain unrealized. Consequently, a strategy for how to implement the Plan is needed. It is the intent of this Element to provide such a strategy and identify the actions necessary to make the plan a success.

A. Implementation Methods

There are a broad range of measures necessary to implement the Comprehensive Plan involving a wide variety of people and organizations. It is the responsibility of the City, however, to put in place the mechanisms that will promote the actions needed for implementation. Listed below are the methods that will be used to implement the Plan over the 20-year planning horizon.

Annual Plan Amendments. To keep the Comprehensive Plan current, it will be necessary to review and update it on a regular basis. At the very least, it will be necessary to annually consider amendments to the six-year projects list in the Capital Facilities Element. Other issues are likely to arise each year which can also be considered in the annual update.

Neighborhood Plans. The plans for Kirkland's 15 neighborhoods are an important part of the Comprehensive Plan. Each Neighborhood Plan should be reviewed at least once between every two major Comprehensive Plan updates or more frequently as needed given City Council priorities and available resources, both to maintain their currency and to bring them into compliance with the more recently adopted Plan Elements.

Functional and Management Plans. Referenced in the Comprehensive Plan, functional and management plans address in detail subjects more generally discussed in the Comprehensive Plan. See Capital Facilities Element for list of City functional and management plans.

Functional and management plans are both guided by and help to guide the Comprehensive Plan. The Comprehensive Plan sets the broad policy framework while the functional and management plans are more detailed. However, functional and management plans also raise issues and ideas that help to shape Comprehensive Plan goals and policies. General consistency between the Comprehensive Plan and functional and management plans is important, as is regular updating of functional and management plans to maintain their currency.

Regulations. Regulations set the legal requirements for new development. The vast majority of the regulations are found in the Kirkland Zoning Code (including the official Zoning Map and shoreline management regulations), and the Subdivision Code found in the Kirkland Municipal Code. Local administration of the State Environmental Policy Act is also a regulatory tool. The Growth Management Act requires that development regulations must be consistent with the Comprehensive Plan. Keeping Kirkland's regulatory documents updated for consistency is a high priority, and should be undertaken as appropriate on a regular basis.

Programs. Another way to implement the Comprehensive Plan is through the establishment of City programs and teams that provide services to help achieve the goals and policies in the Plan. Examples of these programs are the Neighborhood Traffic Control Program, Neighborhood Service Team, the Green Team and the Tree Team.

Ongoing Administrative Activities. Implementation also depends on a variety of day-to-day actions such as development permitting and code enforcement. Ongoing monitoring of land capacity, demographics, development trends, housing costs, traffic levels, transit usage, levels of service for public facilities, and other factors affecting growth is also necessary.

Intergovernmental Coordination. Many of the goals and policies in the Comprehensive Plan cannot be achieved by Kirkland alone. Because Kirkland is part of a much larger and growing metropolitan area, issues involving growth rates, housing demand and supply, climate change, and transportation systems increasingly require

intergovernmental responses. To protect local interests and meet regional obligations, Kirkland must involve itself at a variety of levels, including:

’ Ongoing communication with neighboring cities and adoption of interlocal agreements where appropriate;

Participation in subregional organizations such as A Regional Coalition for Housing (ARCH) and the Eastside Transportation Partnership (ETP);

Participation in Countywide organizations such as the Growth Management Planning Council (GMPC), King County Climate Change Collaborative (K4C) and Metropolitan King County;

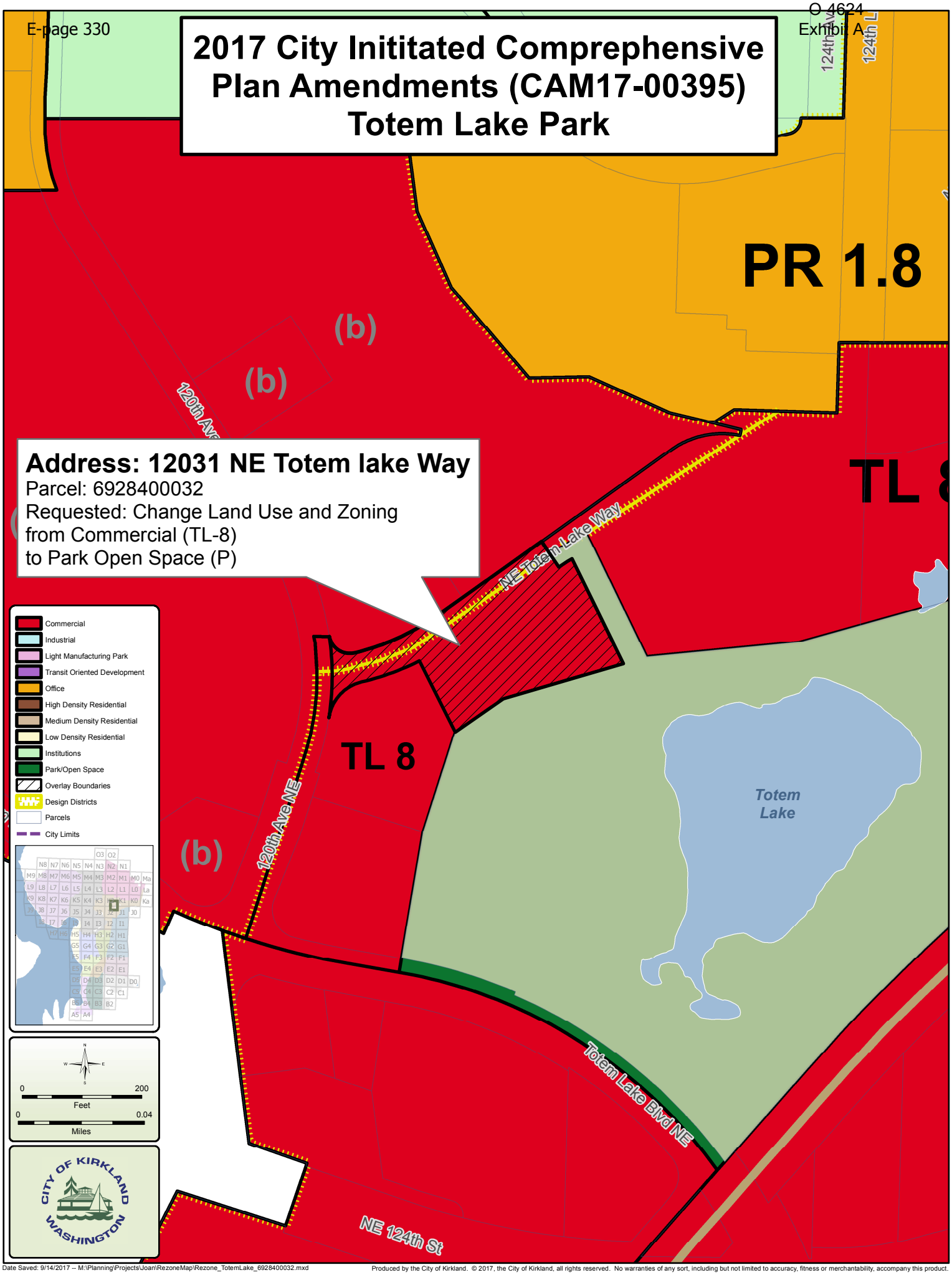
Participation in multicounty organizations such as the Puget Sound Regional Council (PSRC) and the Regional Transit Authority (RTA) (Sound Transit).

Citizen Involvement and Education. Implementation also depends upon keeping the lines of communication open between City government and its citizens. The Comprehensive Plan will only be successful if it is understood and embraced by the public and if it is regularly revised to reflect evolving community aspirations and concerns.

Budgeting and City Work Program. Governmental expenditures play an essential role in implementation. The City’s annual operating budget allocates resources for personnel and supplies needed to carry out implementation measures; and the annual Capital Improvement Program targets the resources for transportation facilities, parks, utilities, and other public facilities necessary to implement the Plan.

The City Council adopts a biennial City Work Program in conjunction with the budget. The City Work Program prioritizes major cross-departmental efforts with significant impacts designed to maintain and enhance the public health, safety and quality of life in Kirkland. The Work Program establishes a two year “action plan” by which the public can measure the City’s success in accomplishing its major policy and administrative goals. Many of these Work Program items will implement Comprehensive Plan objectives.

2017 City Inititated Comprehensive Plan Amendments (CAM17-00395) Totem Lake Park



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2017 City Initiated Comprehensive Plan Amendments (CAM17-00395) McAuliffe Park

Address: 11812 108th Ave NE
Parcel: 2926059194 and 2926059207
Requested: Change Land Use and Zoning from Low Density Single Family (RSX 7.2) to Park Open Space (P)

RSX 7.2

TL 11

NE 122nd St
106th Ave NE
107th
NE 121st St
21st St
NE 120th St
109th Ave NE
NE 119th St
NE 118th St
110th Ave NE
NE 117th Pl
NE 116th Pl
NE 116th St
108th Ave NE
McAuliffe Park

Commercial
Industrial
Light Manufacturing Park
Transit Oriented Development
Office
High Density Residential
Medium Density Residential
Low Density Residential
Institutions
Park/Open Space
Overlay Boundaries
Design Districts
Parcels
City Limits

0 200
Feet
0 0.04
Miles

CITY OF KIRKLAND WASHINGTON

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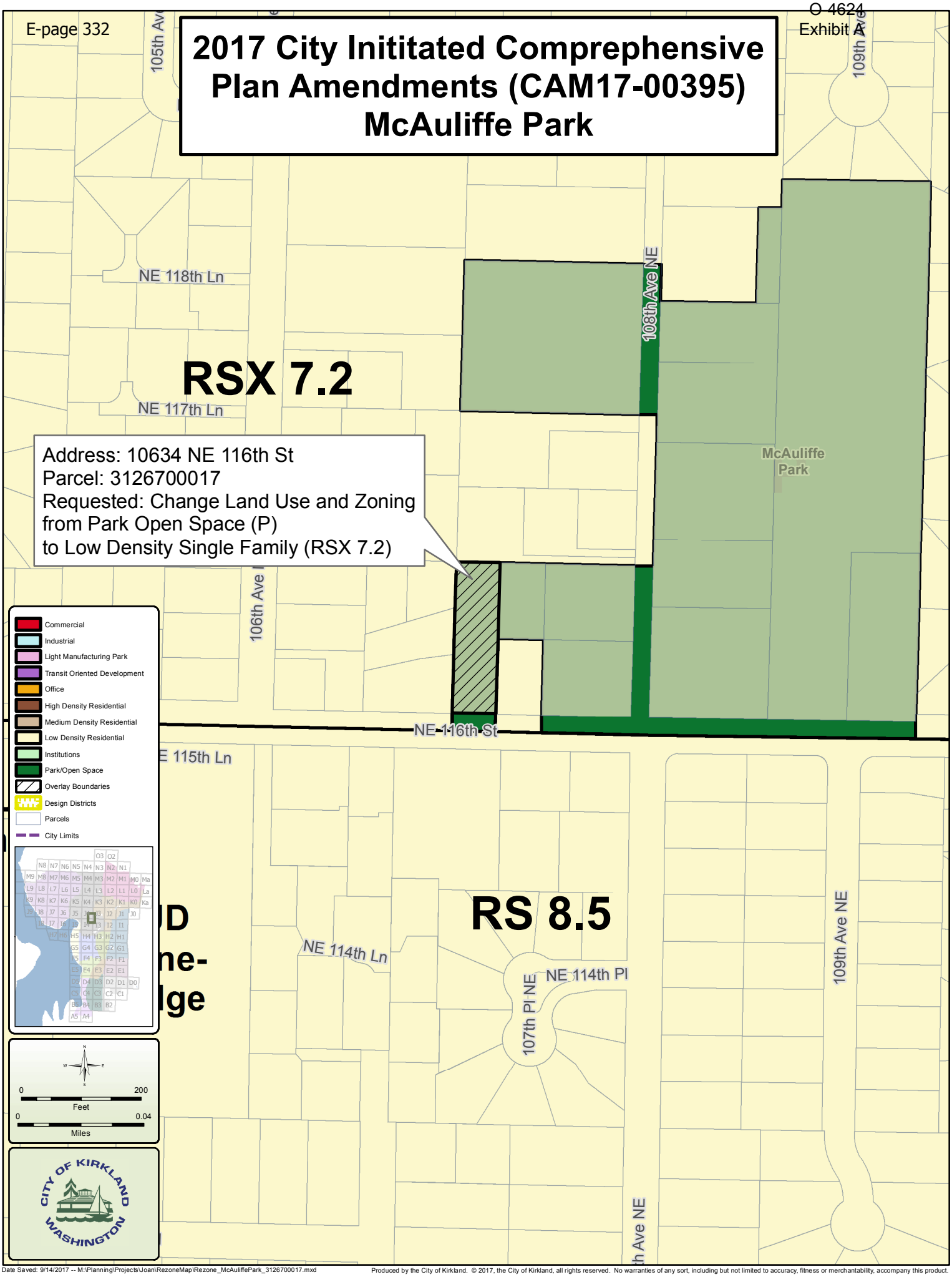
2017 City Inititated Comprehensive Plan Amendments (CAM17-00395) McAuliffe Park



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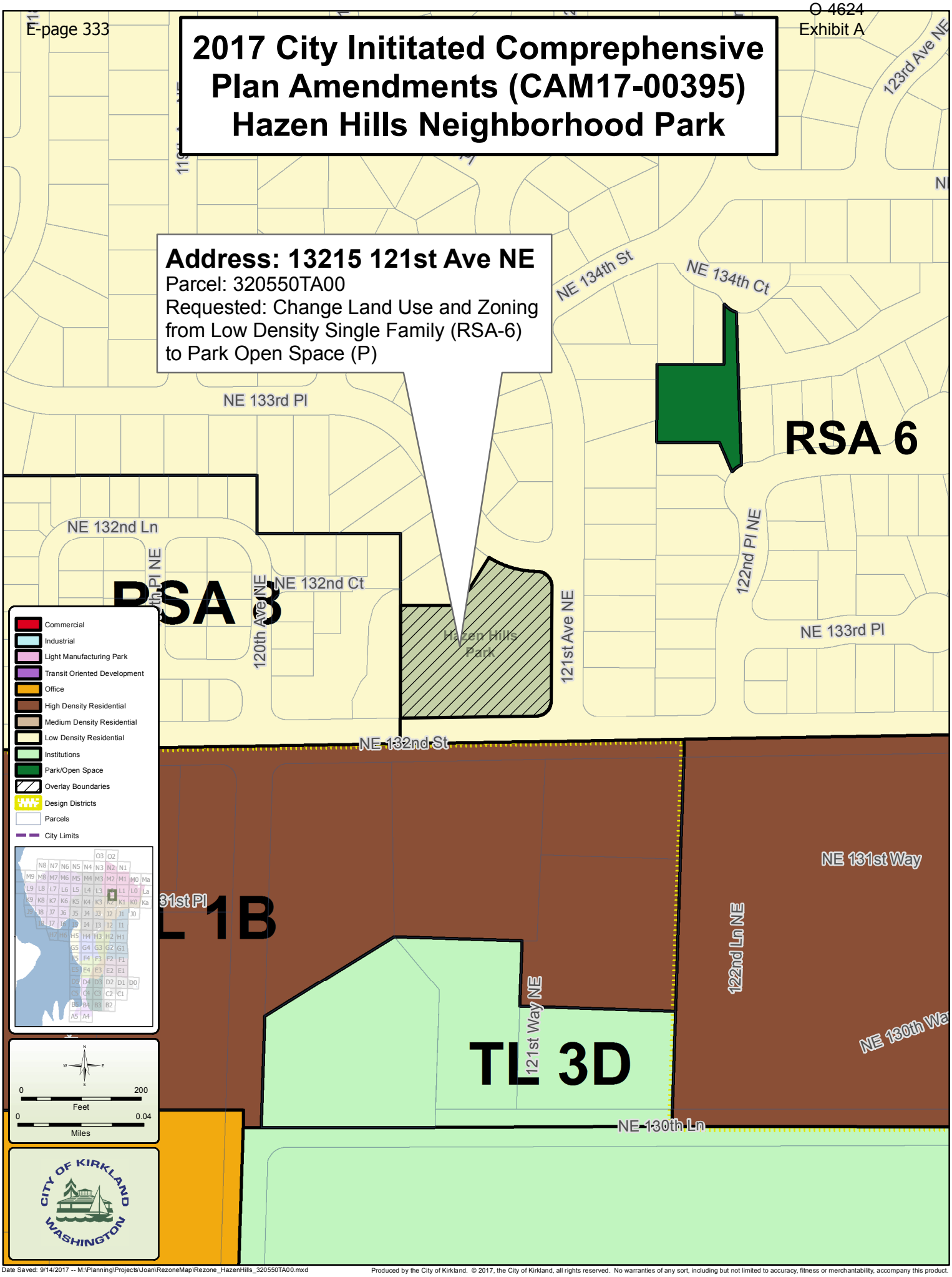
2017 City Inititated Comprehensive Plan Amendments (CAM17-00395) Hazen Hills Neighborhood Park

Address: 13215 121st Ave NE
Parcel: 320550TA00
Requested: Change Land Use and Zoning from Low Density Single Family (RSA-6) to Park Open Space (P)



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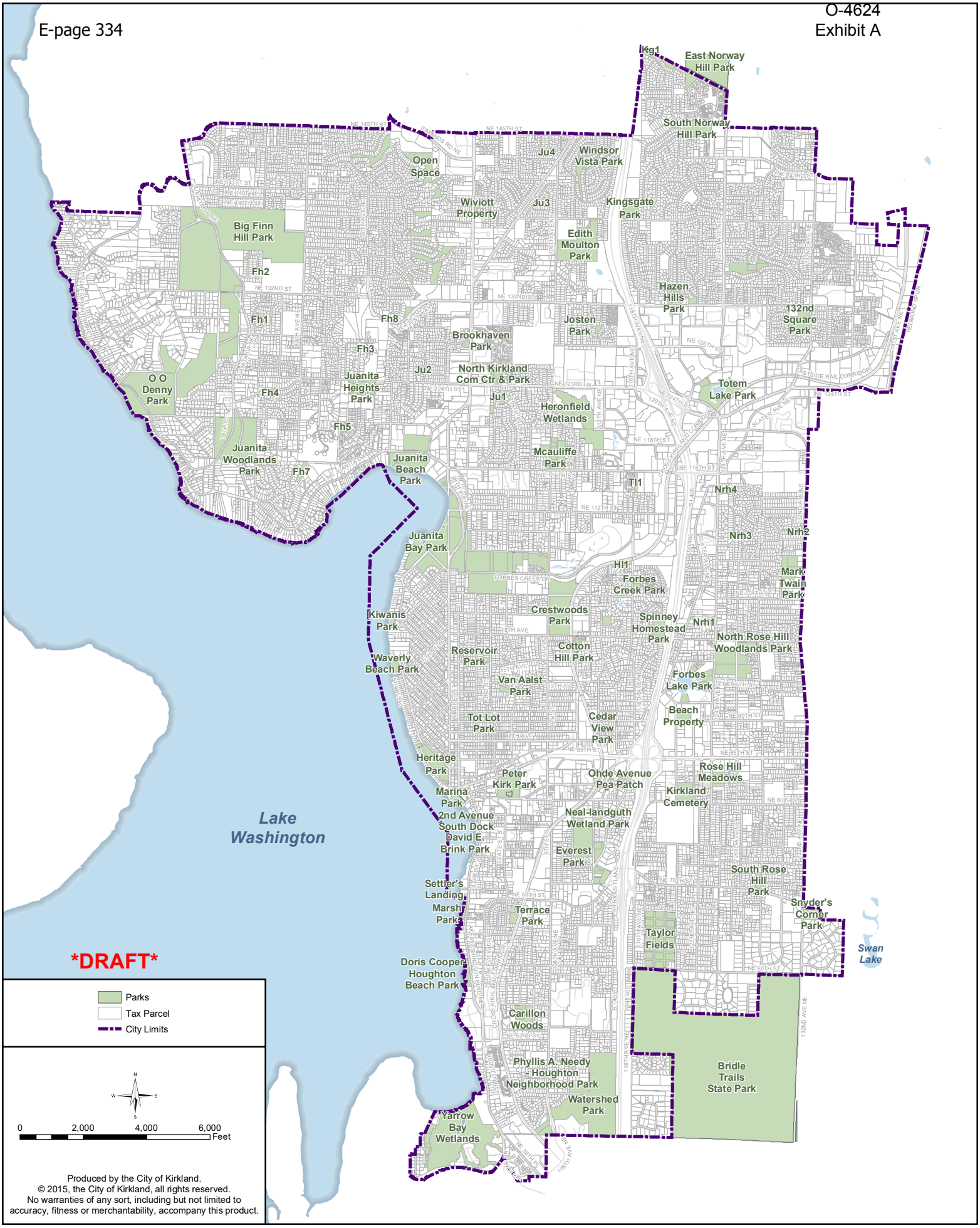
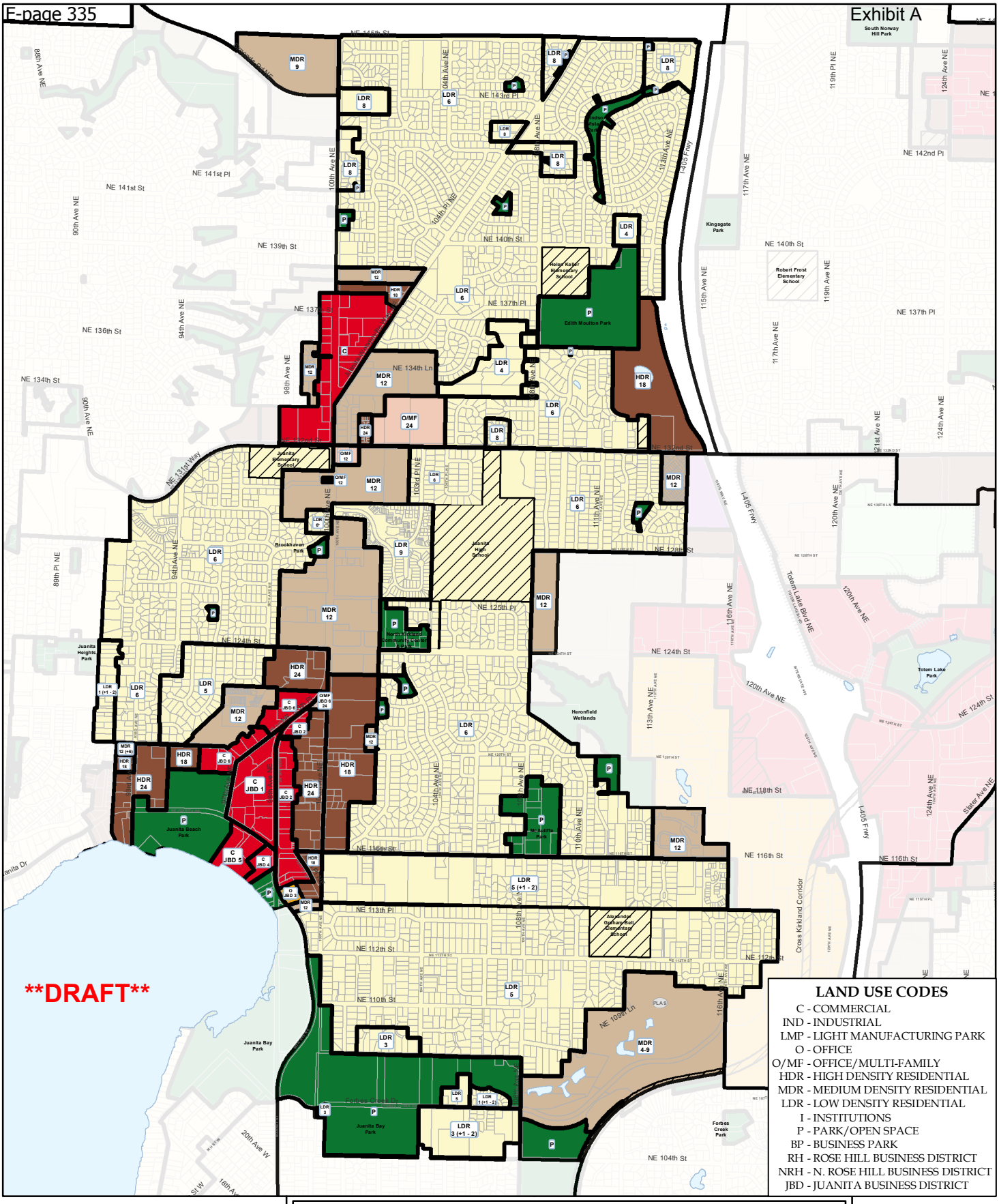


Figure PR-1: Kirkland Parks



Juanita Neighborhood Land Use Map

ORDINANCE NO. 4494, 4497, 4498
ADOPTED by the Kirkland City Council
December 8, 2015

Maps produced January 3, 2012.
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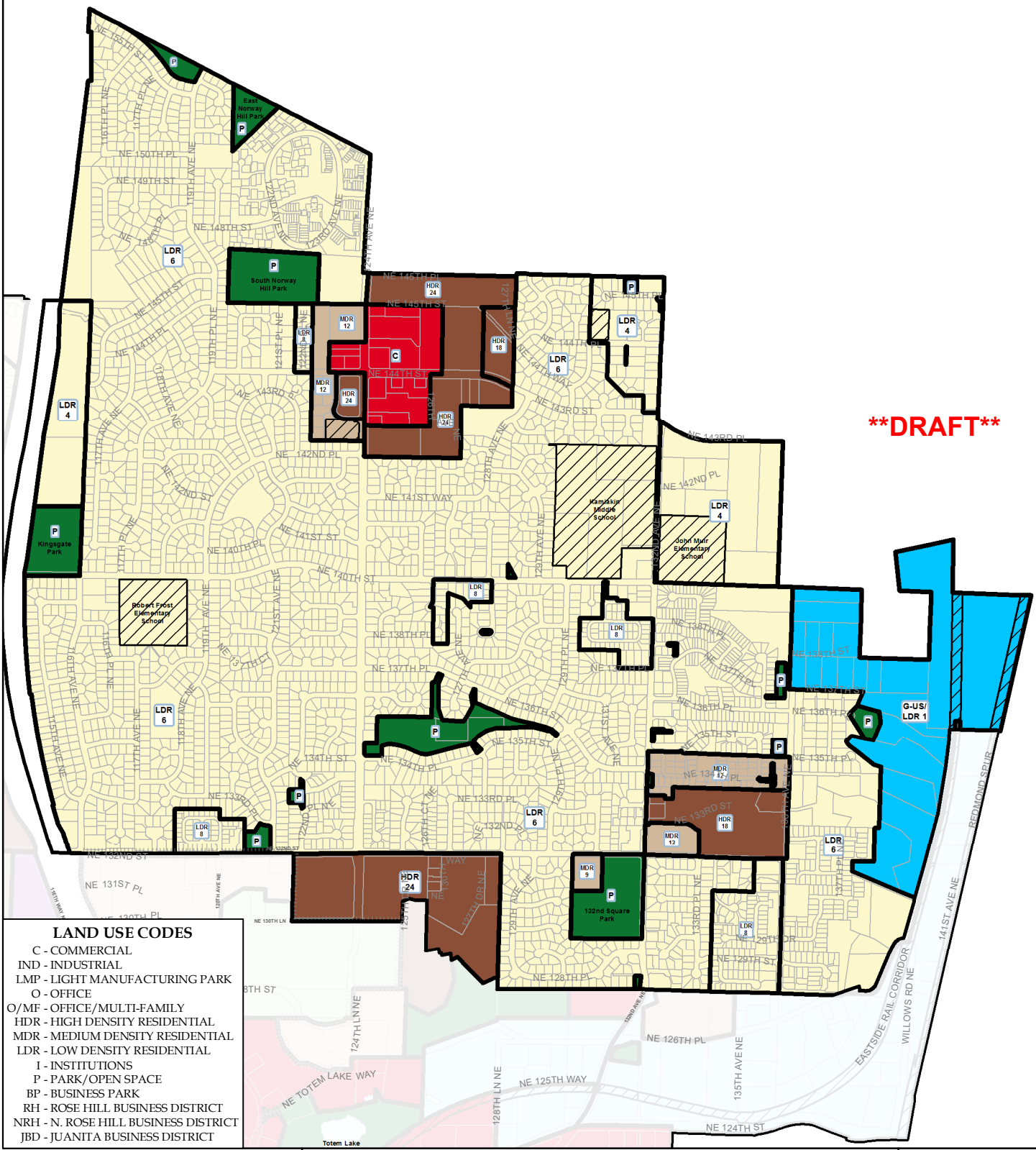

Kingsgate Neighborhood

Land Use Map

ORDINANCE NO. 4494, 4497
ADOPTED by the Kirkland City Council
December 8, 2015

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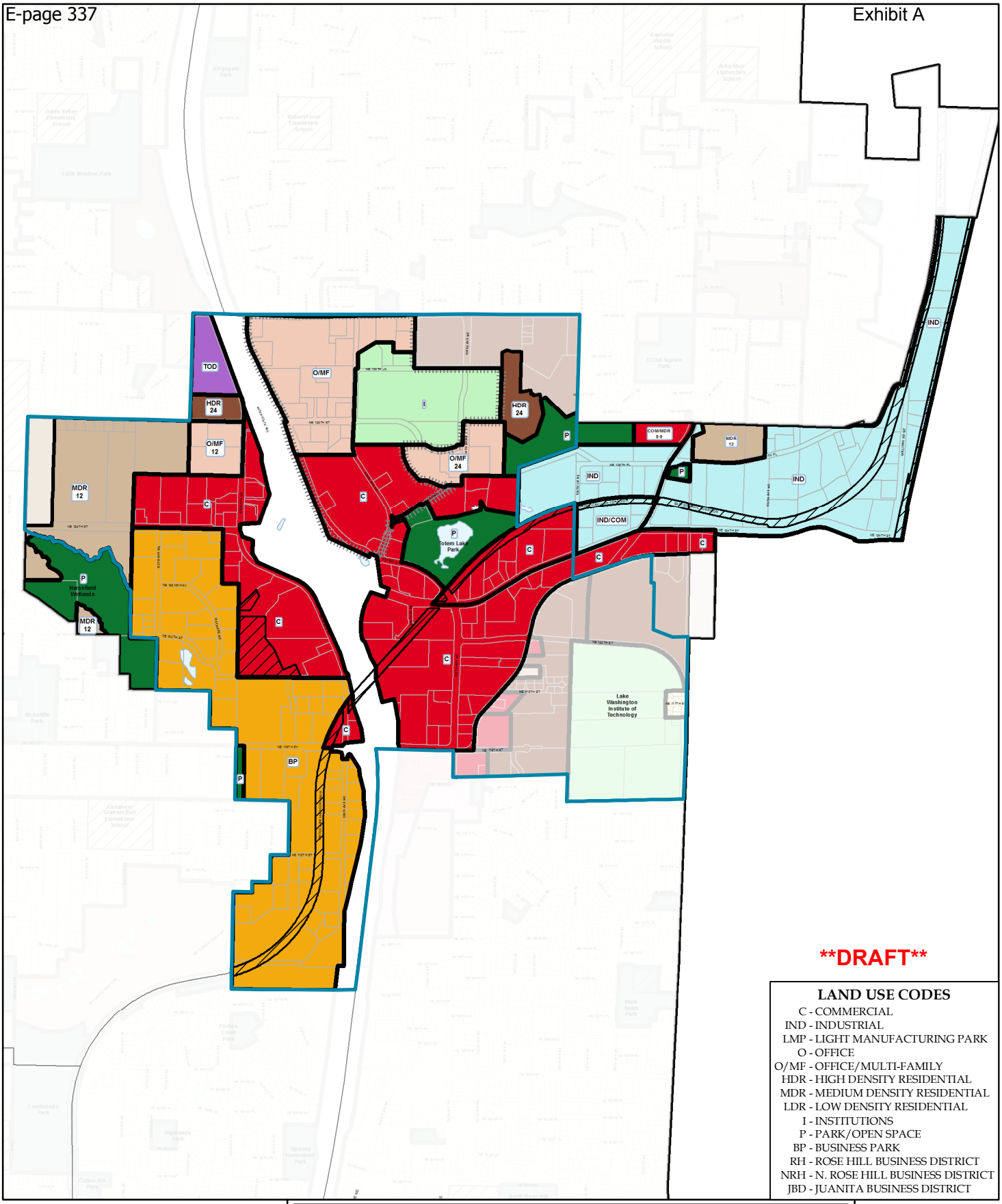

DRAFT

LAND USE CODES

C - COMMERCIAL
IND - INDUSTRIAL
LMP - LIGHT MANUFACTURING PARK
O - OFFICE
O/MF - OFFICE/MULTI-FAMILY
HDR - HIGH DENSITY RESIDENTIAL
MDR - MEDIUM DENSITY RESIDENTIAL
LDR - LOW DENSITY RESIDENTIAL
I - INSTITUTIONS
P - PARK/OPEN SPACE
BP - BUSINESS PARK
RH - ROSE HILL BUSINESS DISTRICT
NRH - N. ROSE HILL BUSINESS DISTRICT
JBD - JUANITA BUSINESS DISTRICT

Totem Lake Business District & Urban Center

Land Use Map

ORDINANCE NO. 4494, 4495
ADOPTED by the Kirkland City Council
December 8, 2015

LAND USE BOUNDARIES
PARCEL BOUNDARIES
SUBAREA BOUNDARY
PLA PLANNED AREA NUMBER
TOTEM CENTER
LDR *5 LAND USE CODE / DENSITY (UNITS/ACRE)
PUBLIC FACILITIES
TOTEM LAKE URBAN CENTER

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
** INDICATES CLUSTERED LOW DENSITY*

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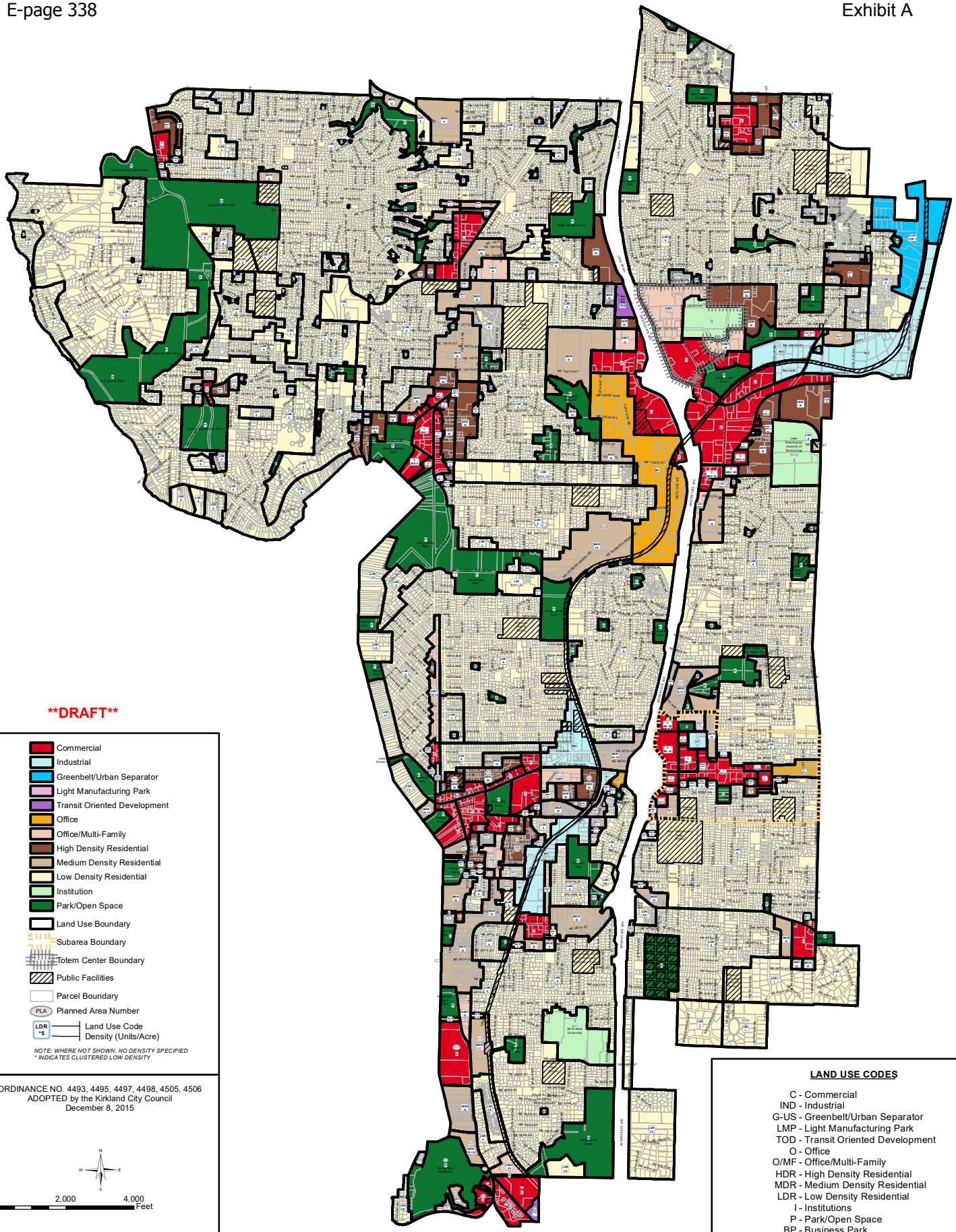

DRAFT

- Commercial
- Industrial
- Greenbelt/Urban Separator
- Light Manufacturing Park
- Transit Oriented Development
- Office
- Office/Multi-Family
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institution
- Park/Open Space
- Land Use Boundary
- Subarea Boundary
- Totem Center Boundary
- Public Facilities
- Parcel Boundary
- PLA — Planned Area Number
- LDR *5 — Land Use Code / Density (Units/Acre)

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
** INDICATES CLUSTERED LOW DENSITY*

ORDINANCE NO. 4493, 4495, 4497, 4498, 4505, 4506
ADOPTED by the Kirkland City Council
December 8, 2015

0 2,000 4,000 Feet

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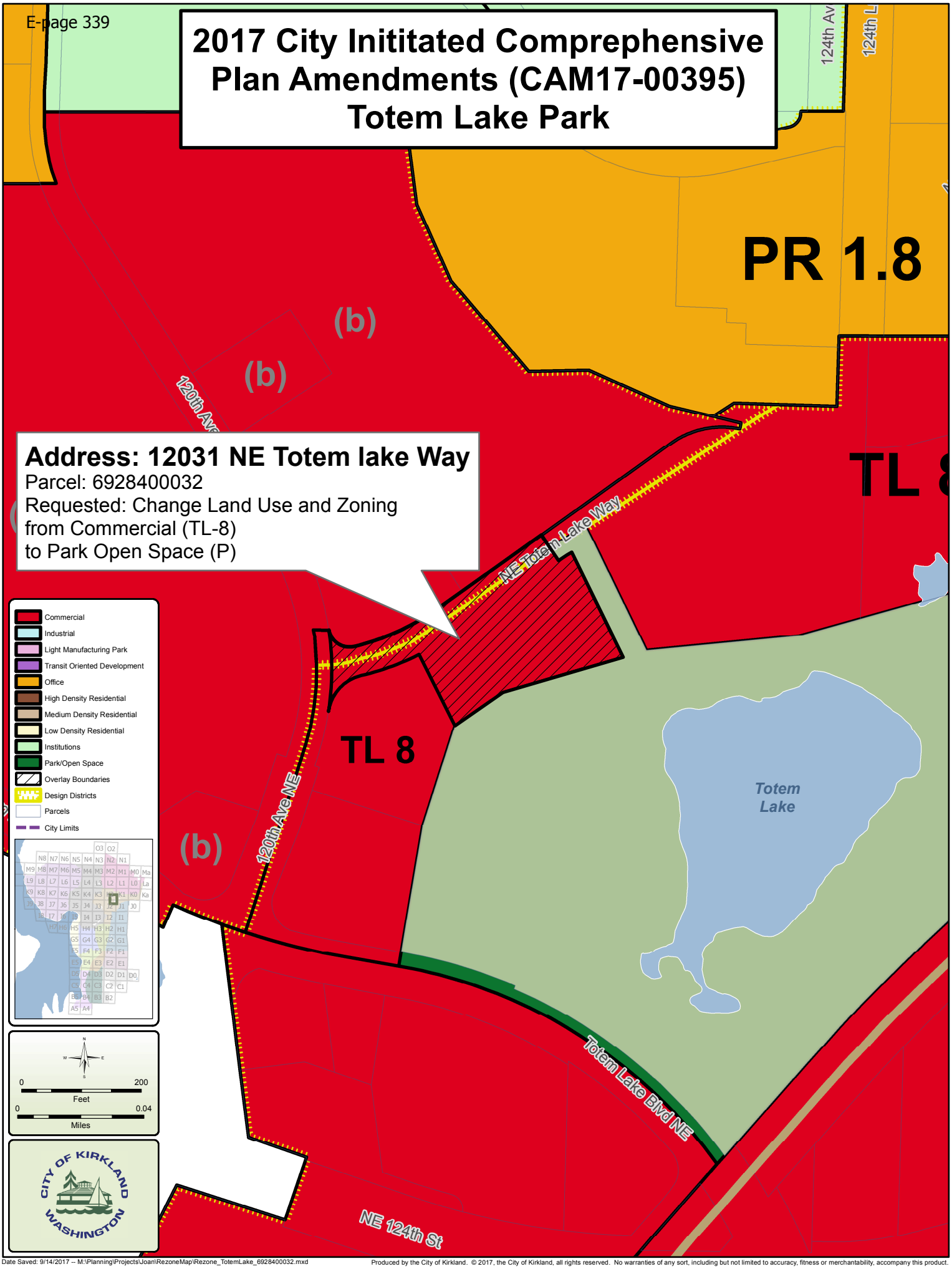
LAND USE CODES

C - Commercial
IND - Industrial
G-US - Greenbelt/Urban Separator
LMP - Light Manufacturing Park
TOD - Transit Oriented Development
O - Office
O/MF - Office/Multi-Family
HDR - High Density Residential
MDR - Medium Density Residential
LDR - Low Density Residential
I - Institutions
P - Park/Open Space
BP - Business Park
RH - Rose Hill Business District
NRH - N. Rose Hill Business District
JBD - Juanita Business District
YBD - Yarrow Bay Business District

LU-1 Comprehensive Land Use Map

2017 City Inititated Comprehensive Plan Amendments (CAM17-00395) Totem Lake Park



Address: 12031 NE Totem lake Way
Parcel: 6928400032
Requested: Change Land Use and Zoning
from Commercial (TL-8)
to Park Open Space (P)

- Commercial
- Industrial
- Light Manufacturing Park
- Transit Oriented Development
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space
- Overlay Boundaries
- Design Districts
- Parcels
- City Limits

0 200 Feet
0 0.04 Miles

CITY OF KIRKLAND WASHINGTON

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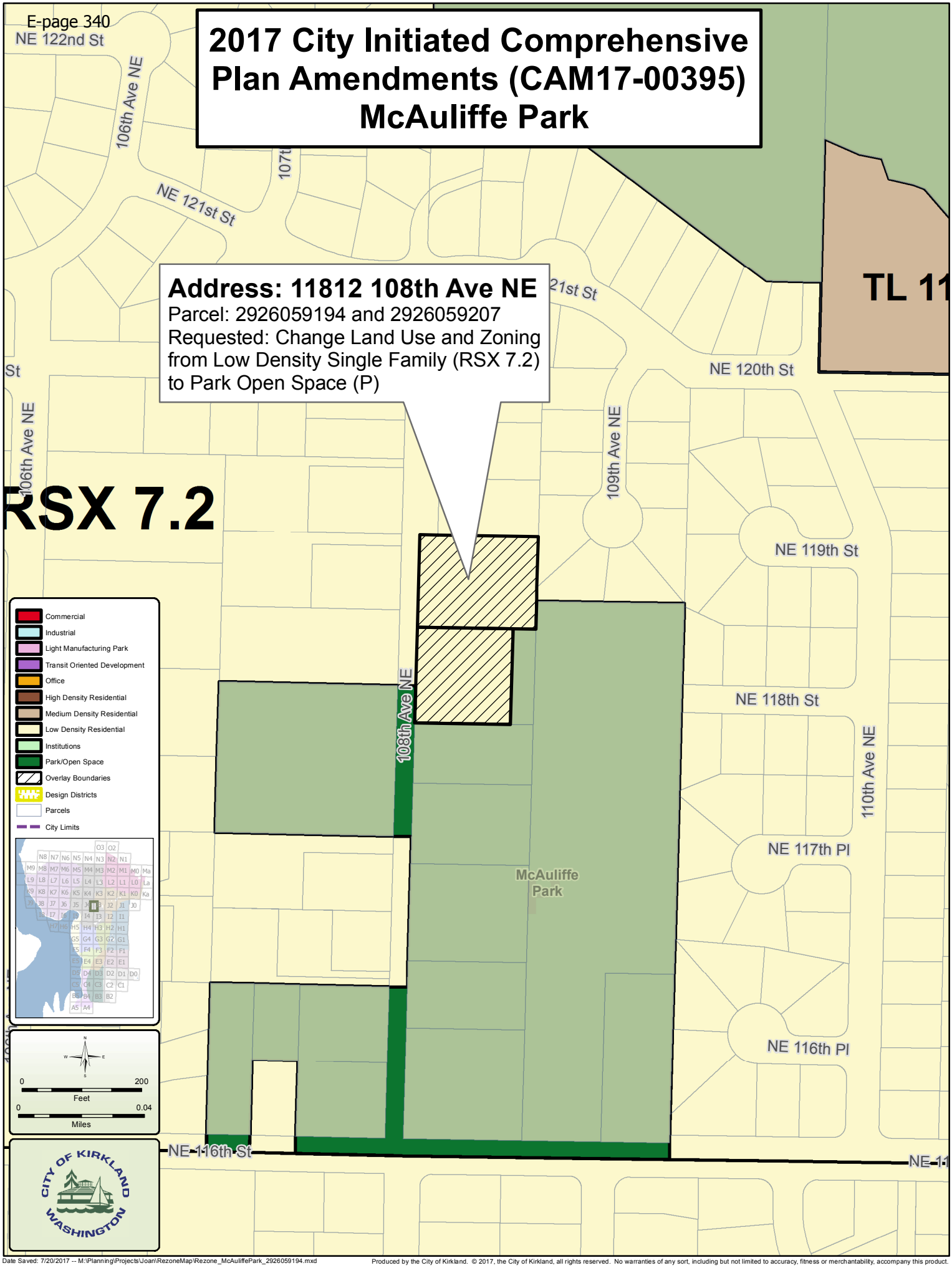
2017 City Initiated Comprehensive Plan Amendments (CAM17-00395) McAuliffe Park

Address: 11812 108th Ave NE
Parcel: 2926059194 and 2926059207
Requested: Change Land Use and Zoning from Low Density Single Family (RSX 7.2) to Park Open Space (P)



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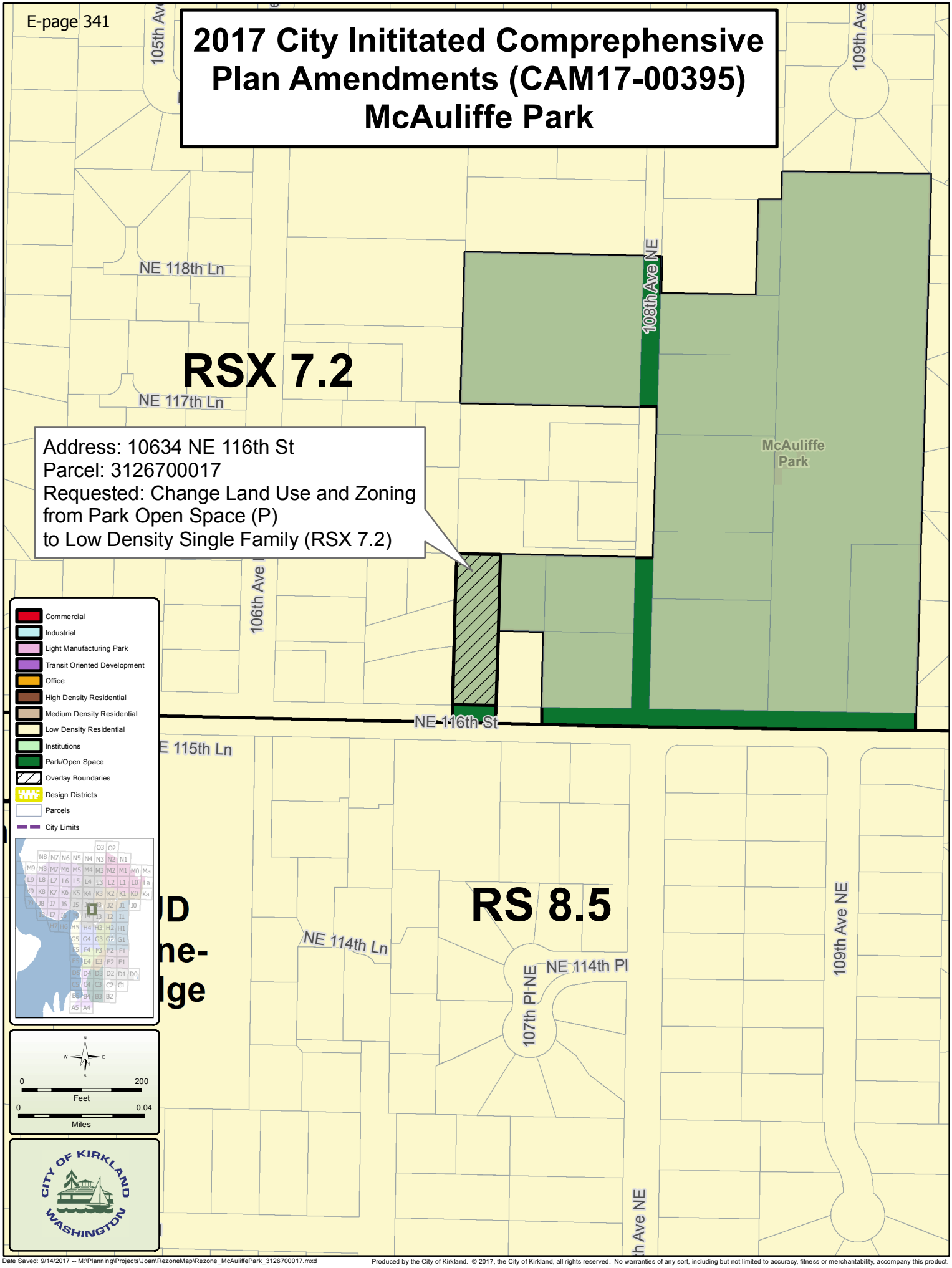
2017 City Inititated Comprehensive Plan Amendments (CAM17-00395) McAuliffe Park



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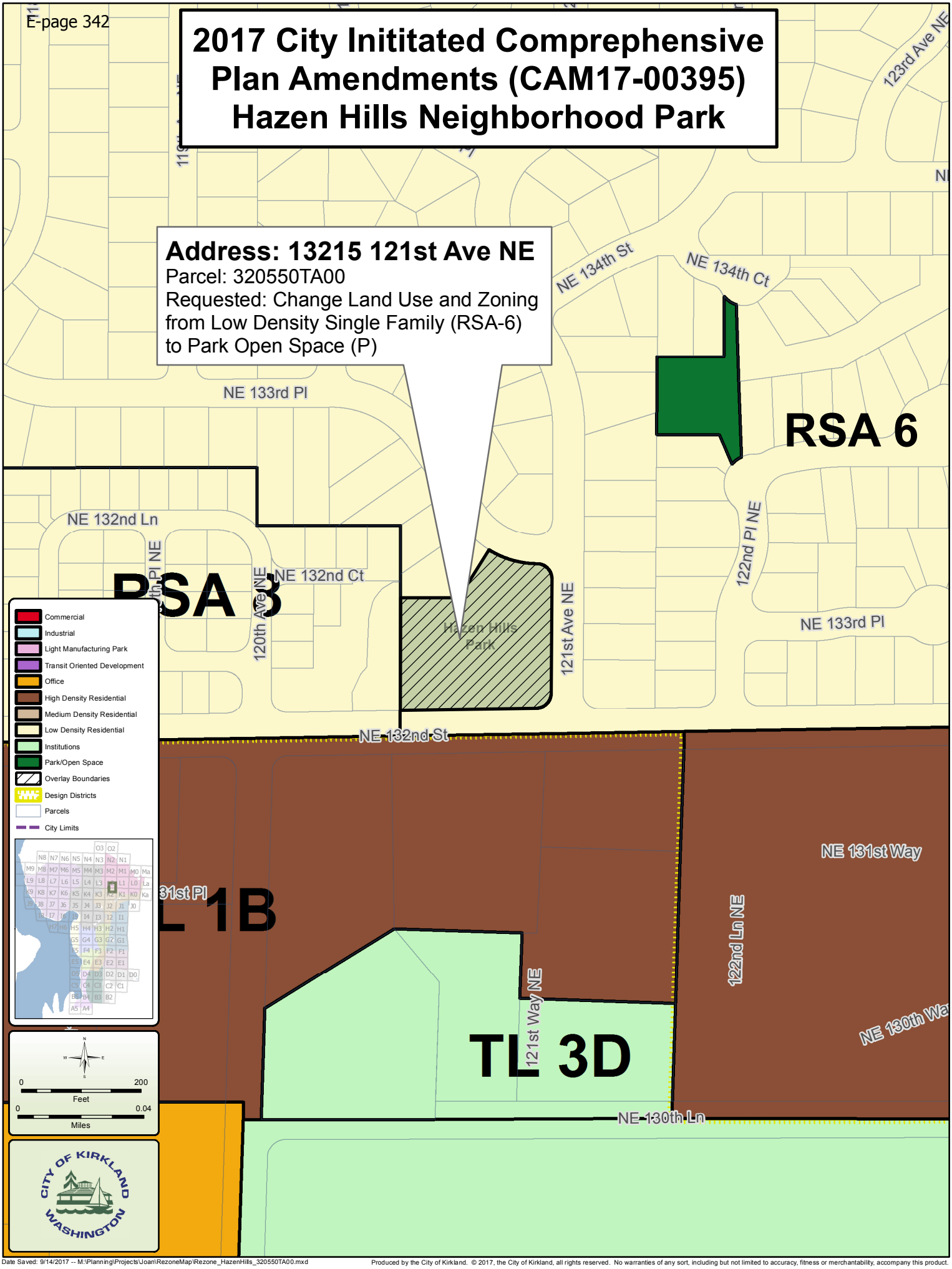
2017 City Inititated Comprehensive Plan Amendments (CAM17-00395) Hazen Hills Neighborhood Park

Address: 13215 121st Ave NE
Parcel: 320550TA00
Requested: Change Land Use and Zoning from Low Density Single Family (RSA-6) to Park Open Space (P)



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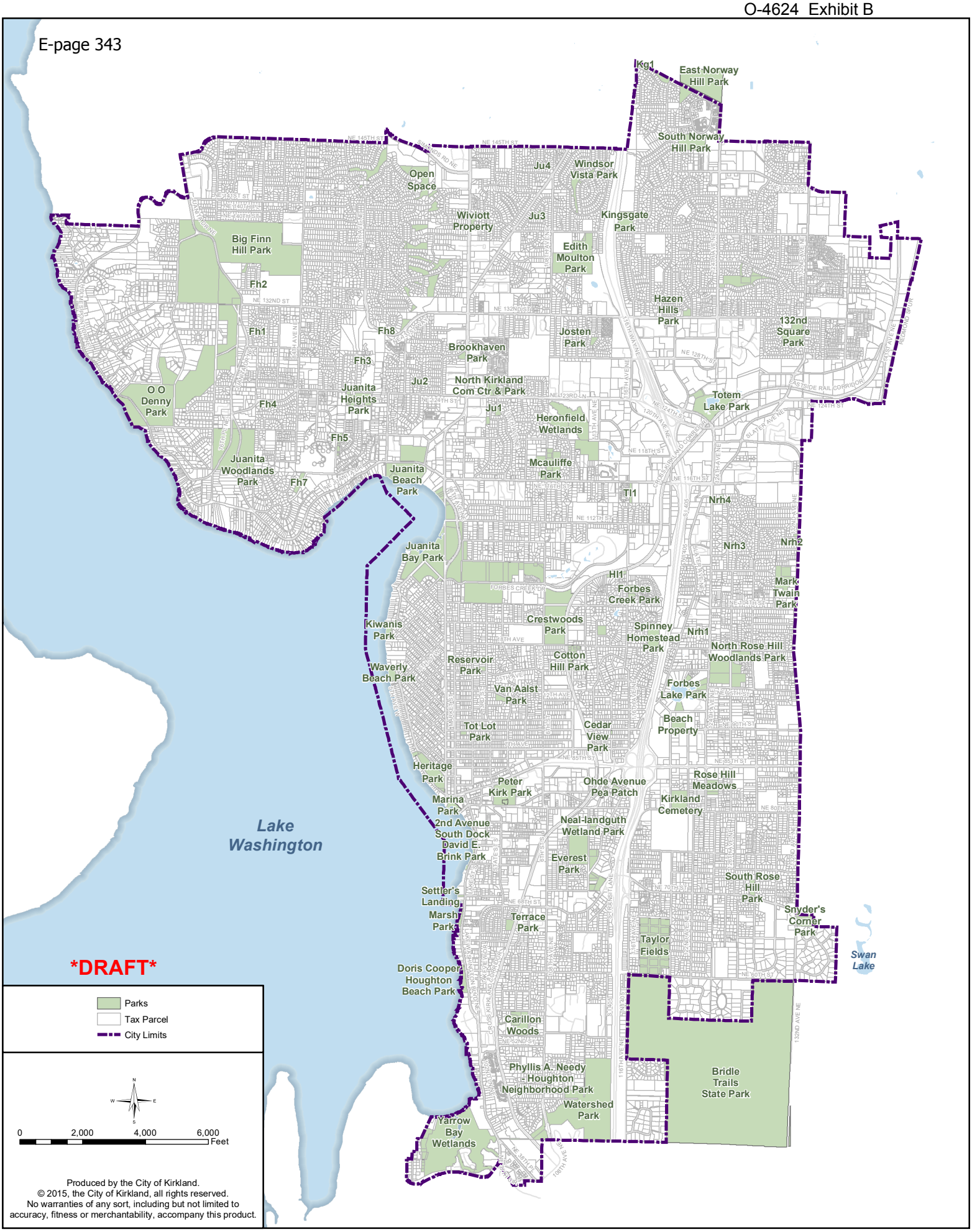


Figure PR-1: Kirkland Parks

PUBLICATION SUMMARY
OF ORDINANCE O-4624

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING MAP CONFORMS TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM17-00395.

SECTION 1. Provides amendments to the Comprehensive Plan Text, Figures and Tables in the Community Character, Land Use, Transportation, Capital Facilities, and Implementation Strategies Elements and the Totem Lake, Kingsgate, and South Juanita Neighborhood Plans.

SECTION 2. Provides amendments to the Kirkland Zoning Map.

SECTION 3. Provides that the Director of the Planning and Building Department is directed to amend the Zoning Map.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. Establishes that this ordinance, to the extent it is subject to disapproval jurisdiction, will be effective within the disapproval jurisdiction of the Houghton Community Council Municipal Corporation upon approval by the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

SECTION 6. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code.

SECTION 7. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2017.

I certify that the foregoing is a summary of Ordinance 4624 approved by the Kirkland City Council for summary publication.

_____

Kathi Anderson, City Clerk

CITY OF KIRKLAND
Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425.587.3600- www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Joan Lieberman-Brill, AICP, Senior Planner
Jeremy McMahan, Planning Manager
Eric Shields, AICP, Planning and Building Director

Date: November 30, 2017

Subject: Alavi Citizen Amendment Request (CAR) - Council Action (CAM16-02641)

RECOMMENDATION

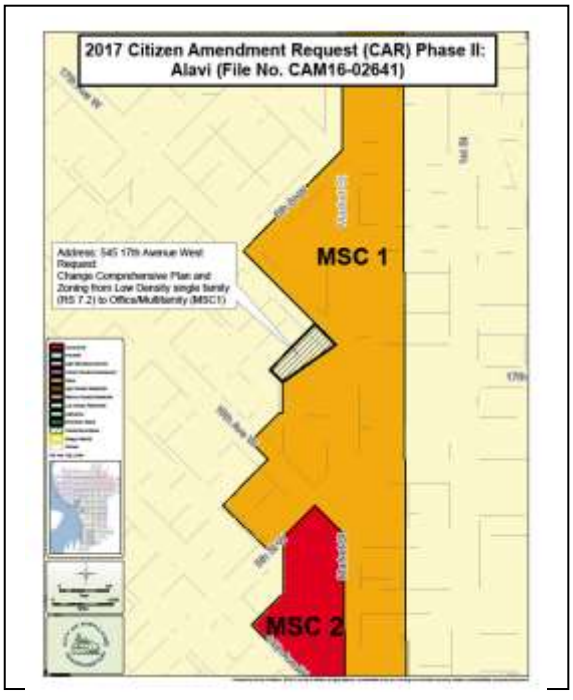
Adopt enclosed Ordinance 4625 consistent with the recommendations of the Planning Commission.

BACKGROUND DISCUSSION

The recommended delayed effective date and the zoning text amendments are included in the ordinance. Map amendments are included as exhibit A to the ordinance.

Application

On October 28, 2016, Barry Alavi, owner of property at 545 17th Avenue West, submitted a CAR to change the Zoning Map and Comprehensive Plan designation on his property from RS 7.2, 6 dwelling units/acre) to MSC 1 office/multifamily (12 dwelling units/acre). The property is located on the corner of 17th Avenue West and Market Street and is developed with a single family home. The applicant intends to redevelop the property with a duplex, which is not permitted in a single family zone.



Planning Commission Recommendation

As described in its transmittal memo dated November 30, 2017, the Planning

Commission has made the following recommendations:

1. Prior to the April 30, 2018 effective date of the rezone, require the applicant to record a tree protection easement in order to protect the Giant Sequoia tree on the subject property in perpetuity.

2. Proposed Land Use Map and Zoning Map Amendments:

   - Change Land Use Map from Low Density Residential to Office/Multifamily.
   - Change Zoning Map from Single Family RS 7.2 to Office/Multifamily Market Street Corridor 1 (MSC 1).

3. Proposed Zoning Code Amendments:

   - Allow only duplex or single family development on the subject property.
   - Require protection of the Sequoia on the corner of Market St. and 17th Avenue West during site development.

Process

The City considers Citizen Amendment Requests (CAR's) every two years, using a two part review process. Phase I was the threshold determination phase where the Planning Commission (PC) made a recommendation and the City Council decided which CAR met the eligibility criteria to progress to Phase II, the study and decision stage. During Phase II the Planning Commission held a study session and public hearing, culminating in a recommendation to the City Council.

On March 21, 2017, the City Council considered the Alavi CAR and made a Phase I threshold determination, directing the Planning Commission to study the request in 2017, if the applicant obtained the lot area necessary to be eligible to develop all uses allowed in the requested Market Street Corridor 1 zone. The Council's preliminary determination was that the proposal would fix an inconsistency in the Comprehensive Plan that most parcels oriented toward Market Street except the subject property are zoned MSC 1. (The applicant has since acquired the 356 square feet of alley adjoining the subject property by quiet title action, filed in King County on April 26, 2017, thereby meeting the lot size minimum of 7,200 square feet necessary to consider the full scope of uses permitted under the requested zoning.)

The Planning Commission at its October 19, 2017 public hearing, instructed Planning staff to draft revised conditions reflecting their recommendation to preserve and protect the Giant Sequoia tree on the subject property and work with the Commission Chair to finalize the language. The ordinance reflects the Commission's conditions to approve the CAR.

At your December 12 meeting, the City Council will consider the Planning Commission recommendation and make the final decision to approve, deny or modify the CAR. The Planning Commission Recommendation is Attachment 1 to this memorandum.

Issues

The following issues were identified and considered by the Planning Commission during this process:

- Aggregation of the Alavi site with the adjoining dental office property on Market Street:

  Based on the Development Capacity Study prepared in late 2015 for the 2035 Comprehensive Plan update, the land to improvement value ratio of the adjoining MSC 1 zoned dental office property located at 1617, 1619 and 1621 Market St. estimates that redevelopment is likely. Consequently, the prospect of aggregating the dental office site with the Alavi property for joint commercial or multifamily development permitted under the requested MSC 1 zoning cannot be ruled out in the 20 year planning horizon, should the rezone be approved.

- Reconfiguration of the intersection at 17th Ave West and Market Street and vehicular access to the subject property:

  Both the close proximity of the driveway on the Alavi property to the intersection and landscape median along Market Street pose challenges to site access.

  Traffic traveling southbound on Market to the Alavi destination must make a tight right and an immediate left turn crossing both lanes on 17th Avenue W. The greater the traffic volumes generated by redevelopment of the property, the greater potential risk of collisions and impact on the operation of the intersection.

  Also, regardless of the zoning, the landscape median on Market St. prevents left turns from Market St. onto 17th Ave. W. and prevents left turns exiting from the site onto Market St. This means cars must go through the neighborhood and around the block to reach an intersection with a left turn pocket to reach the property from Market Street or to access northbound lanes on Market St.

  The small size of the Alavi site, along with existing MSC 1 development regulations and parking requirements make the feasibility of commercial development, including office, unlikely on the Alavi site without aggregation with the adjoining dental office to the south. During the review of future proposed development (either aggregated with the dental office site or solely on the

Alavi site), the Public Works engineer will evaluate if intersection operations and safety along 17th Avenue West would be impaired, and require mitigation to address those concerns.

- Alley Access for other than single family and duplex uses:

  The 16 foot width of the alley prevents commercial or multifamily use of the alley (a minimum width of 20 feet is required for those uses). Should the rezone by approved, alley access would be prohibited except for either single family or one duplex unit. The Commission was satisfied that a rezone would not adversely impact alley use.

- Potential for preserving the Sequoia Tree on the subject property:

  With aggregation, unless the developer chooses to use the larger site development area of the combined properties to afford better protection of the tree, the elimination of the side yard common property line, along with parking in the front yard, would allow development to be located closer to the tree, and greater disturbance would be expected. Whether aggregated or not, commercial parking is allowed in the front yard, which could further compromise the root zone. The tree protection provisions of the Zoning Code do not guarantee preservation of the Sequoia as a high retention value tree. The City has limited authority to require site plan alterations, and must work in good faith with the applicant to find mutually acceptable solutions. Should a rezone be approved, without specific requirement(s) for increased protection, development could have an adverse impact on the Sequoia based on current tree regulations. The Commission recognizes these constraints, and therefore strongly recommends that the rezone be conditioned to ensure the Sequoia is protected before, during and post development.

A more detailed summary of the Alavi CAR is available in the Planning Commission October 19 public hearing staff memorandum.

PUBLIC NOTICE

Prior to the Phase II study session, courtesy notice of the study session and public hearing was posted on two public notice signboards for the Alavi CAR. One was located at the site and the other at the entrance of the alley that provides secondary access to the subject property. Formal public hearing notice was posted and sent to the property

owners and residents within 300 feet of the rezone properties (not required in Section 160.40 for the notice requirements) prior to the public hearing, and the hearing was advertised in the Seattle Times. All information was provided on the City's Citizen Amendment Request website and e-mails were sent to all subscribers of the City's list service for the CAR's, notifying them of the study session and public hearing and providing links to the Planning Commission website to view the staff memorandums prior to both meetings.

Mr. Alavi and the City's Neighborhood Coordinator, Doreen Booth, attended the Market Neighborhood Associations' meeting on September 20, where Mr. Alavi explained his proposal. The Market Neighborhood Association has submitted no comments on the CAR.

SEPA DETERMINATION

An EIS Addendum was issued on October 13, 2017 to fulfill the environmental review requirements for the proposed amendments for the Alavi CAR. The impacts of the proposal are within the range of impacts disclosed and evaluated in the City of Kirkland 2015 Comprehensive Plan Update & Totem Lake Planned Action -Draft and Final Environmental Impact Statement; no new significant impacts have been identified. Therefore, issuance of this EIS Addendum is the appropriate course of action.

CITY COUNCIL ACTION

The City Council may approve the proposed amendments by adopting the following:

- Ordinance #4625 (Comprehensive Plan, Zoning Map and Zoning Code amendment)

Attachments

1. Planning Commission Recommendation

Cc: CAM16-02641

Attachment 1

CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 5TH AVENUE, KIRKLAND, WA 98033
425.587.3600 - www.kirklandwa.gov

MEMORANDUM

DATE: **November 30, 2017**

TO: **City Council**

FROM: **Colleen Cullen, Planning Commission Chair**

SUBJECT: **Recommendation on Alavi Citizen Amendment Request (CAR) (File No. CAM16-02641)**

I. Recommendation

On behalf of the Planning Commission, I am pleased to submit our recommendations on amendments for the Alavi Citizen Amendment Request (CAR).

The Planning Commission's recommendations are as follows:

- Prior to the effective date of the rezone, require the applicant to provide the City a recorded tree protection easement to protect the Giant Sequoia tree on the subject property in perpetuity.

- Proposed Comprehensive Plan Land Use Map and Zoning Map Amendments:

    - Change the Comprehensive Plan Land Use Map and Zoning Map from Low Density Residential (RS 7.2 zoning) to Office/Multifamily Market Street Corridor 1 (MSC 1 zoning) at a density of one unit per 3,600 square feet of lot area.

- Proposed Zoning Code Amendments:

    - Limit development on the subject property to duplex or single family.
    - Allow the Planning Official to require site plan alterations that exceed those authorized by KZC 95.32 during development review in order to ensure the Giant Sequoia tree on the corner of Market and 17th Avenue West is retained.

The ordinance reflects the delayed effective date and includes the zoning code amendments. Map amendments are included as Exhibit A to the enclosed ordinance.

II. Background

The Planning Commission's recommendation is driven by the recognition that the Giant Sequoia tree that is located on the property is a neighborhood asset. We unanimously agreed that the CAR should be granted only if the applicant protects the Giant Sequoia. We therefore recommend an effective date to implement the request be delayed to provide time for the applicant to record the easement to guarantee that the Sequoia be preserved in perpetuity.

The Commission also recommends that the City limit uses on the property to duplex or two detached dwelling units and be authorized to exceed the City's existing limited authority to protect the Sequoia during development. Otherwise the Commission does not support the rezone.

The reason for restricting the uses to either single family or duplex is because the Sequoia is located within the building setbacks required for those uses (20 foot front and 10 foot side yard), so the probability of saving it increases. Conversely, with commercial or aggregated development the potential risk of impacting the Sequoia's root zone increases since parking is allowed in the front yard setback with commercial, and aggregation with the adjoining MSC 1 zoned parcel fronting Market Street would eliminate the common side yard setback.

The Commission's intention is also to authorize city staff to regulate development impacts beyond what is now permitted in KZC Chapter 95 (Tree Management and Required Landscaping) in order to ensure that the high retention value tree will not be harmed before, during and post development. With the condition to record a protective easement prior to implementing the rezone, the City would avoid the loop hole that would allow removal of the tree before a development permit is submitted (see following paragraph for more detail). The recommended conditions also allow staff to require further modifications to the site plan than could otherwise be negotiated in order to reduce risk of impact during development. Finally, the recordation of a protective easement also ensures retention beyond the 5-year maintenance period, which is not currently mandated.

The Commission also recognizes that ironically, if the zoning remains single family RS 7.2, existing tree regulations do not guarantee protection before, during and post development to the degree that can be required as a condition of a rezone. Under current rules up to two trees may be removed in a 12 month period if there is no active development activity, and with development, even if a tree were retained through the five year maintenance period, after that it could be removed. (Only trees in groves or in Holmes Pt. Overlay can be required to be protected in perpetuity)

Conversely, if the rezone is implemented after recordation of a tree protection easement and with the recommended conditions, the tree will be preserved prior to and post development action. And with the recommended conditions to limit uses and allow site

plan alterations that exceed current regulation, protection of the Sequoia during development will be ensured. Examples of increased protection could be requiring greater adjustment to the location of building footprints, and greater adjustments to the location of driveways or adjustments to the location of walkways or utilities than otherwise can be negotiated with the applicant under KZC 95.32, if determined to be necessary during development review. The Commission views the recommended conditions to protect the Sequoia as essential for granting the rezone.

The Commission took into consideration the Market Neighborhood vision that aims to maintain and enhance the tree canopy that adds to the neighborhood's natural setting with mature trees and wildlife habitat and policies that identify protection, enhancement and retention of healthy trees as key values in this neighborhood. Without the recommended regulations to protect the Sequoia, the aspirations of the Market Neighborhood as expressed in the Plan could be undermined and rezoning would not be in the best interest of the community.

Finally, the recommended conditions meet the development objectives of the applicant. Staff noted at the hearing that during this CAR process Mr. Alavi determined that office development is not feasible due to the site's limited size and MSC 1 zoning code requirements, and instead revised his plans to develop a duplex. Staff has contacted the applicant to inform him about the easement requirement and he confirmed that the delayed implementation date will allow him sufficient time to record the document.

III. **Public Participation**:

The Planning Commission held a study session on August 24, 2017. At the study session Edward Radcliff, a nearby resident and former Planning Commissioner from 1986 to 1993, spoke in opposition to the CAR, explaining that when the initial zoning along Market Street was considered, Market Street was designed to be commercial and multifamily only for properties facing Market Street. He expressed concerns about traffic congestion and circulation on 17th Avenue West, commercial creep, especially impacting the home next-door, and that the lot owner purchased the property aware of the development limitations without guarantee of profit. He also questioned the lot size and the feasibility of fitting the previously proposed office on the site due to zoning requirements and limited lot size. Mr. Alavi spoke to clarify that he had successfully acquired the necessary lot area as required by the City Council's threshold determination.

The public hearing was held on October 19, 2017. Four written comments were received on the Alavi CAR. They are attachments 9-12 to the October 19 public hearing staff memorandum. All were in favor of the CAR. One supported a youth technology center (office use) at the site; which was Mr. Alavi's previous preferred development option. The other three supported a duplex. Two cited various reasons, including proximity to bus service and commercial, minimal impact, providing more housing options, and its unique location surrounded by commercial buildings.

At the hearing two people spoke; Edward Radcliff and Laurie Viault. Mr. Radcliff stated his concerns about current parking along the 16 foot wide alley and along 17th Avenue West. He noted his concern that if a c-curb were required on 17th Ave. W. to address intersection operation with increased traffic volumes from commercial or multifamily development, the resulting travel lane width wouldn't be sufficient to handle both cars and street parking on both sides of 17th. (He noted that 17th Ave. W. is 27 feet wide curb to curb in this location.) He opposed allowing commercial due to limited on street parking and tree impacts. He suggested the Commission reject anything but a duplex and require conditions to retain the Sequoia, should the rezone be approved. Ms. Viault, who resides in the rental home on the subject property, stated her opposition to commercial development since it could harm the Sequoia, and that she would only support a duplex if the Sequoia is saved.

Links to staff memorandums and video recordings for the Planning Commission Phase II meetings are provided below. Draft minutes for both meetings are attached.

August 24, 2017 Study meeting - staff memorandum, video
October 19, 2017 Public Hearing - staff memorandum, video

IV. Criteria for Approving Changes to the Land Use Map, Zoning Map and Zoning Text

The Planning Commission reviewed the following criteria in the Zoning Code and determined that the amendments meet the criteria for approving changes to the Zoning and Land Use Maps and Zoning Code as noted on pages 34- 36 of the October 19 Public Hearing staff memorandum:

- Section 130.15 Legislative Rezones – Criteria
- Section 135.25 Criteria for Amending the Text of the Zoning Code
- Section 140.25 Factors to Consider in Approval an Amendment to the Comprehensive Plan

Exhibits:

A. Planning Commission draft minutes Aug. 24, 2017 Study
B. Planning Commission draft minutes Oct. 19, 2017 Public Hearing

Cc: CAM16-02641

DRAFT **Exhibit A**

KIRKLAND PLANNING COMMISSION
August 24, 2017

1. **CALL TO ORDER/ROLL CALL (7:00 PM)**

   Members Present: Carter Bagg, Colleen Cullen - Chair, Mike Miller, Glenn Peterson, Mathew Pruitt - Vice Chair, Sandeep Singhal, and John Tymczyszyn.

   Members Absent: None.

   Staff Present: Eric Shields - Director, Jeremy McMahan - Development Services Manager, Angela Ruggeri - Senior Planner, Joan Lieberman- Brill - Senior Planner, Janice Coogan - Senior Planner, Deb Powers - Urban Forester, and Jeannie Dines - Recording Secretary.

2. **ANNOUNCEMENT OF AGENDA (7:00 PM)**

3. **COMMENTS FROM THE AUDIENCE - None (7:01 PM)**

4. **STUDY SESSION (7:02 PM)**

   A. **Kirkland Urban – Proposed Modifications to Master Plan ADDRESS: 6th Street and Central Way**

   Public Comment - None

   Senior Planner Angela Ruggeri reviewed the modification process, proposed modifications and staff's review and responded to Commission questions.

   William Leedom, Kirkland Urban, responded to Commission questions.

   It was the consensus of the Commission to recommend the proposed changes to the Kirkland Urban Master Plan. Commissioner Tymczyszyn abstained from the recommendation.

   B. **2017 Comprehensive Plan Citizen Amendment Requests ADDRESS: City-wide**

   Public Comment
   1. Edward Radcliff, 231 7th Ave W, Kirkland.
   2. Barry Alavi, 545 17th Ave W (Alavi CAR), Kirkland.

   Senior Planner Joan Lieberman-Brill described the CAR process and reviewed the Lee Johnson CAR. She responded to Commission questions.

   It was the consensus of the Commission that the information provided was sufficient to proceed to public hearing on October 12.

   Ms. Lieberman-Brill reviewed the Alavi CAR and responded to Commission questions and Commissioners provided input regarding additional information to be provided at the October 12 public hearing.

   C. **2017 City Initiated Comprehensive Plan Amendments ADDRESS: City-wide**

   Public Comments - None

   Ms. Lieberman-Brill reviewed the proposed amendments. Commissioners identified additional information to be provided at the September 25 public hearing.

   D. **Finn Hill Neighborhood Plan and Code Amendments ADDRESS: Finn Hill**

DRAFT **Exhibit A**

Public Comment

3. Marc Ackerman, 12970 74th Pl NE, Kirkland, representing Finn Hill Neighborhood Alliance.

4. Ken Goodwin, 11834 Holmes Pt Dr, Kirkland.

5. Art Turock, 11534 Holmes Pt Dr, Kirkland.

6. Ettore Palazzo, 11818 Holmes Pt Dr, Kirkland.

7. Tim Shuma, 12914 63rd Ave NE, Krikland.

8. Susan Vossler, 12945 64th Ave NE, Kirkland.

9. Per Nielsen, 13475 64th Terr NE, Kirkland.

10. Roy Barnett, 11942 80th Pl NE, Kirkland.

11. Robert Ackein, 11946 80th Pl NE, Kirkland.

12. Thomas Cox, 1682 Holmes Pt Dr, Kirkland.

13. Jonathan Swift, 8132 NE 117th Pl, Kirkland, representing Chatham residents.

14. Bethany Cook, 8104 NE 121st St, Kirkland.

15. Claire Koenig, 6310 NE 129th St, Kirkland.

16. John Koenig, 6310 NE 129th St, Kirkland.

17. Janice Gerrish, 7651 NE 140th Pl, Kirkland.

18. Jason White, 8148 NE 117th Pl, Kirkland.

19. Teresa White, 11724 80th Ave NE, Kirkland.

20. Lisa Ayrault, 7105 NE 135th St, Kirkland.

21. Tracie Wilhelm, 12937 63rd Ave NE, Kirkland.

22. Kristen Shuma, 12914 63rd Ave NE, Kirkland.

23. Fred Schaffalitzky, 6408 NE 130th Pl, Kirkland.

24. Brenda Krauth, 13305 70th Ave NE, Kirkland.

25. Alice Blanchard, 11531 Holmes Point Drive, Kirkland.

26. Kent Ahlf, 8235 NE 119th St, Kirkland.

Chair Cullen declared a brief recess.

Senior Planner Janice Coogan, Director Eric Shields and Development Services Manager Jeremy McMahan responded to Commission questions and Commissioners provided input.

Mr. Shields summarized it is the Commission's preference not to have the open house on September 7 or public hearing on September 14, and to continue the discussion regarding the Finn Hill Neighborhood Plan and Code Amendments.

Commissioners provided input regarding information they wanted for the September 14 meeting.

5. **READING AND/OR APPROVAL OF MINUTES - None (10:35 PM)**

6. **ADMINISTRATIVE REPORTS AND PLANNING COMMISSION DISCUSSION (10:35 PM)**

   A. City Council Actions

   B. Hearing Examiner Actions

C. Public Meeting Calendar Update

September 28 meeting is no longer canceled.

Mr. Shields described requested a Planning Commissioner participate on the Totem Lake Committee. Commissioner Peterson agreed to represent the Planning Commission.

7. **COMMENTS FROM THE AUDIENCE (10:37 PM)**

8. **ADJOURNMENT (10:38 PM)**

_____

Chair
Kirkland Planning Commission

DRAFT **Exhibit B**

KIRKLAND PLANNING COMMISSION
October 19, 2017

1. **CALL TO ORDER/ROLL CALL (7:00 PM)**

Members Present: Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, Glenn Peterson, Carter Bagg, Mike Miller, and John Tymczyszn.

Members Absent: Sandeep Singhal.

Staff Present: Eric Shields - Planning & Building Director, Prins Cowin - Administrative Supervisor, Jon Regala - Planning Supervisor, Joan Lieberman-Brill - Senior Planner, Dorian Collins - Senior Planner, and Jeannie Dines - Recording Secretary.

2. **ANNOUNCEMENT OF AGENDA (7:00 PM)**

3. **SPECIAL PRESENTATION (7:01 PM)**

A. **Open Public Meetings Act, Code of Conduct & Ethics, Email Review**

Administrative Supervisor Prins Cowin referred to Open Public Meetings Act and Code of Conduct and Ethics and requested Commissioners sign the forms indicating they watched the training videos. She reviewed the use of City email and responded to Commission questions.

4. **COMMENTS FROM THE AUDIENCE - None (7:07 PM)**

5. **HEARING (7:08 PM)**

A. **2017 Citizen Initiated Comprehensive Plan Amendments; CAM16-02641 and CAM16-02885**

Chair Cullen opened the hearing at 7:08 PM.

Lee Johnson CAR
Senior Planner Joan Lieberman-Brill reviewed the request, existing conditions, options and staff's recommendation.

Public Testimony
1. Alice Fleck, 8020 118th Ct NE, Kirkland.

Motion to support staff's recommendation regarding the Lee Johnson CAR.
Moved by Glenn Peterson, seconded by Carter Bagg

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

Alivai CAR
Ms. Lieberman-Brill reviewed the request, staff's recommendation, existing conditions, options, and decisional criteria and responded to Commission questions.

Public Testimony
2. Edward Radcliff, 231 7th Ave W, Kirkland.

3. Laurie Viault, 545 17th Ave W, Kirkland.

Ms. Lieberman-Brill and Planning & Building Director Eric Shields responded to Commission questions and the Commission deliberated.

Commissioner Miller provided alternate language regarding preservation of the Giant Sequoia in Option 2.

Motion to that the Planning Commission recommend to the City Council the rezone to MSC1, limit development to a duplex and require protections for the Giant Sequoia.
Moved by John Tymczyszn, seconded by Mike Miller

Mr. Shields suggested staff craft a condition for review by the Chair. Commission agreed.

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

Chair Cullen closed the public hearing at 7:51 PM.

B. **Totem Lake Zoning Code & Comprehensive Plan Amendments, File No. CAM17-00371**

Senior Planner Dorian Collins reviewed the amendment process and the proposed Zoning Code and Comprehensive Plan amendments and responded to Commission questions.

Public Testimony
4. Robert Pantley 450 Central Way, Ste 3000, regarding Arete Residential Suites.

5. Angela Rozmyn, LEED AP, regarding Arete Residential Suites.

Mr. Pantley, Ms. Collins and Mr. Shields responded to Commission questions.

Chair Cullen closed the public hearing at 8:42 PM.

Motion to that the Planning Commission recommend to the City Council Zoning Code Amendments with a change in Residential Suites Special Regulation 7 to reduce visitor parking from 10% to 5%.
Moved by Mike Miller, seconded by Mathew Pruitt - Vice Chair

Motion to Amend to require either LEED Gold or 10% affordable housing.
Moved by Glenn Peterson, seconded by Mathew Pruitt - Vice Chair

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

6. **STUDY SESSION (8:53 PM)**

A. **Temporary and Off-Site Signs, File No. CAM17-00419**

Planning Supervisor Jon Regala provided background, identified topics for Commission consideration (prohibited devices/signs, A-frame signs, and off-site directional signage), and described outreach to businesses and enforcement scenarios.

Mr. Regala and Mr. Shields responded to Commission questions and Commission provided input. Staff will return with alternatives for A-frame signs at the public hearing.

7. **READING AND/OR APPROVAL OF MINUTES (9:23 PM)**

A. August 24, 2017

Motion to Approve August 24, 2017 minutes.
Moved by Mike Miller, seconded by Mathew Pruitt - Vice Chair

Commissioner Tymczyszn requested the minutes reflect he abstained from the vote on the Kirkland Urban – Proposed Modifications to Master Plan because he did not participate in the previous discussion.

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

8. **ADMINISTRATIVE REPORTS AND PLANNING COMMISSION DISCUSSION (9:24 PM)**

A. City Council Actions

Mr. Shields reported on the City Council's adoption of an ordinance establishing limits on short term rentals via business licensing. He reported on the Council's study session on the Finn Hill Neighborhood Plan and directed that street connections be removed from the plan and a process established in 2018. The Council also had a study session on tree regulations.

Vice Chair Pruitt commended staff on the FHNP open house.

B. Hearing Examiner Actions

C. Public Meeting Calendar Update

Next meeting: October 26 - Finn Hill Neighborhood Plan Public Hearing. Commissioner Tymczyszn advised he would be absent.

Commissioner Miller reported on the Housing Strategy meeting.

9. **COMMENTS FROM THE AUDIENCE - None (9:38 PM)**

10. **ADJOURNMENT (9:38 PM)**

_____

Chair
Kirkland Planning Commission

ORDINANCE O-4625

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, ZONING AND LAND USE AS A RESULT OF THE ALAVI CITIZEN AMENDMENT REQUEST AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING CODE AND ZONING MAP CONFORMS TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM16-02641.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481, as amended, a portion of the Zoning Code, Ordinance 3719, and a portion of the Zoning Map, Ordinance 3710, to ensure the zoning code and zoning map conform to the Comprehensive Plan and the City complies with the Growth Management Act, as set forth in the report(s) and recommendation(s) of the Planning Commission dated November 30, 2017, and bearing Kirkland Planning and Building Department File No. CAM16-02641 (hereinafter the "Alavi Amendment Request"); and

WHEREAS, prior to making the recommendation on the Alavi Amendment Request the Planning Commission, following notice as required by RCW 35A.63.070, held on October 19, 2017, a public hearing, on the amendment proposal and considered the comments received at the hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal (the Alavi Amendment Request) and recommendation through the entire consideration process, a SEPA addendum to Existing Environmental Documents, issued by the responsible official pursuant to WAC 197-11-625; and

WHEREAS, in a public meeting on December 12, 2017, the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission; and

WHEREAS, Council agreed that Alavi Amendment Request should be granted only if the applicant agrees to first place the giant Sequoia tree located on the property within a protective easement, which shall be recorded and shall protect the Sequoia tree in perpetuity; and

WHEREAS, Council directed the effective date to implement the Alavi Amendment request be delayed until April 30, 2018, to provide

four months for the applicant to prepare and record a protection easement to protect the Giant Sequoia in perpetuity; and

WHEREAS, the protection easement shall be in a form approved by the City and shall be recorded with the King County Recorder's Office. Land survey information shall be provided for this purpose in a format approved by the Planning Official; and

WHEREAS, RCW 36.70A.130, requires the City to review all amendments to the Comprehensive Plan concurrently and no more frequently than once every year; and

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.130, mandates that the City of Kirkland review, and if needed, revise its official Zoning Map and its Zoning Code; and

WHEREAS, the Zoning Map and Zoning Code implement the Comprehensive Plan (Ordinance 3481 as amended).

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

Section 1. Comprehensive Plan Figures amended. The Comprehensive Plan figures in the Market Neighborhood and Market Street Corridor Plans and Land Use Element are amended. The Comprehensive Plan, Ordinance 3481, as amended, is amended in accordance with Exhibit A attached to this Ordinance and incorporated by reference.

Section 2. Zoning Code (Ordinance 3719 as amended) Section 51.08 - General Regulations is hereby amended to add General Regulations 5 and 6 to read as follows:

Use Zone Chart MSC-1, 4 Section 51.08 - General Regulations

5. The Giant Sequoia on the corner of 17th Avenue West and Market Street shall be retained. Prior to issuance of a development permit the Planning Official may require site plan adjustments that exceed the modifications otherwise authorized by KZC 95.32 in order to protect the Giant Sequoia.

6. Development on parcels fronting the south side of 17th Avenue West shall be limited to detached or duplex development.

Section 3. Zoning Map Amended: The official City of Kirkland Zoning Map as adopted by Ordinance 3710, as amended, is amended in accordance with Exhibit B attached to this Ordinance and incorporated by reference.

Section 4. Official Map Change: The Director of the Planning and Building Department is directed to amend the official City of Kirkland

Zoning Map to conform with this ordinance, indicating thereon the date of the ordinance's passage.

Section 5. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 6. Effective Date for Amendments and Map Changes: The Comprehensive Plan and Zoning Map and Text Amendments established in this ordinance shall go into effect as of April 30, 2018.

Section 7. This Ordinance shall be in full force and effect five days from and after its passage by the City Council and publication, pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this Ordinance and by this reference approved by the City Council.

Section 8. A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2017.

Signed in authentication thereof this _____ day of _____, 2017.

_____
Amy Walen, Mayor

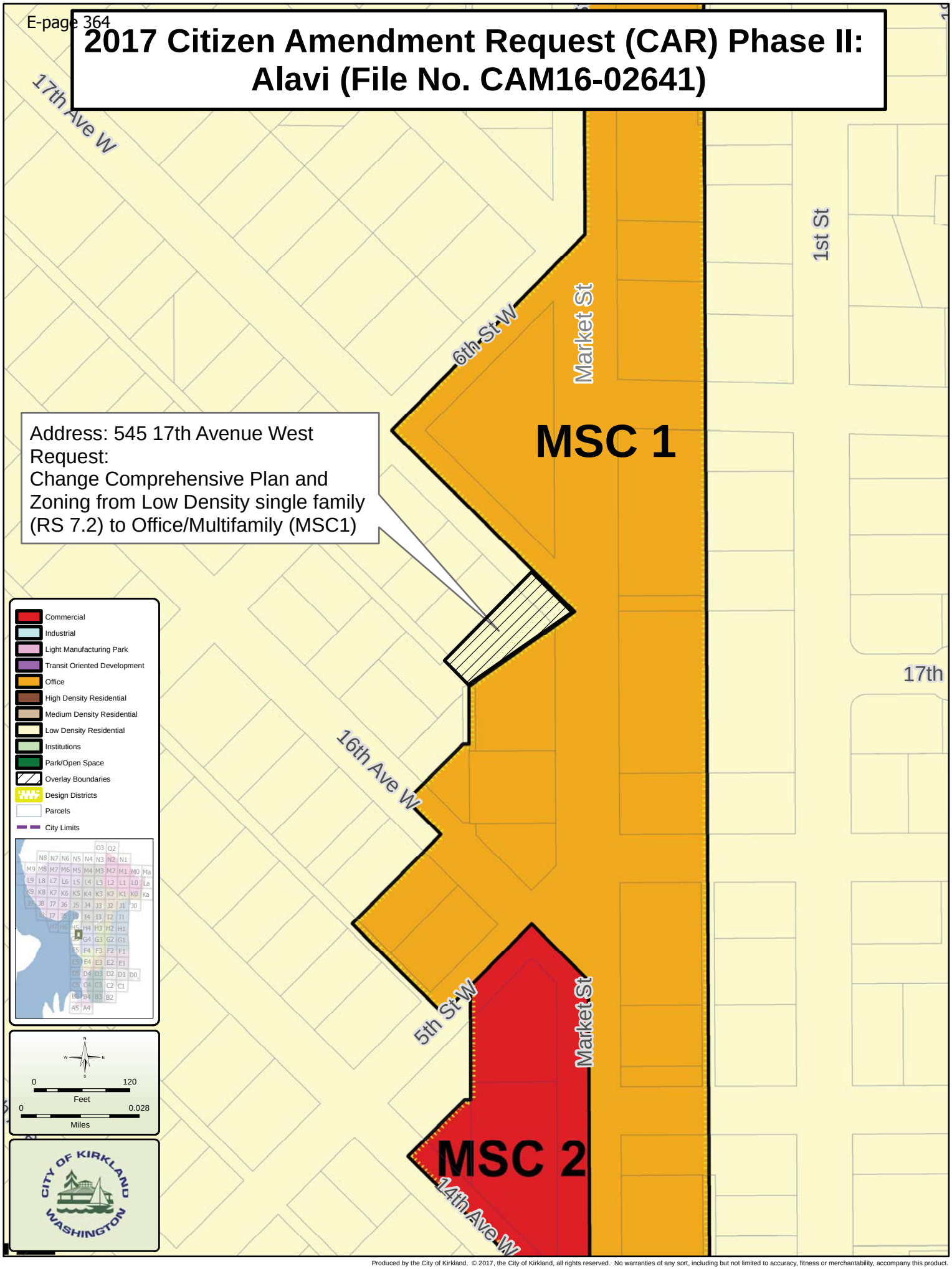
Attest:

_____
Kathi Anderson, City Clerk

Approved as to Form:

_____
Kevin Raymond, City Attorney

2017 Citizen Amendment Request (CAR) Phase II: Alavi (File No. CAM16-02641)



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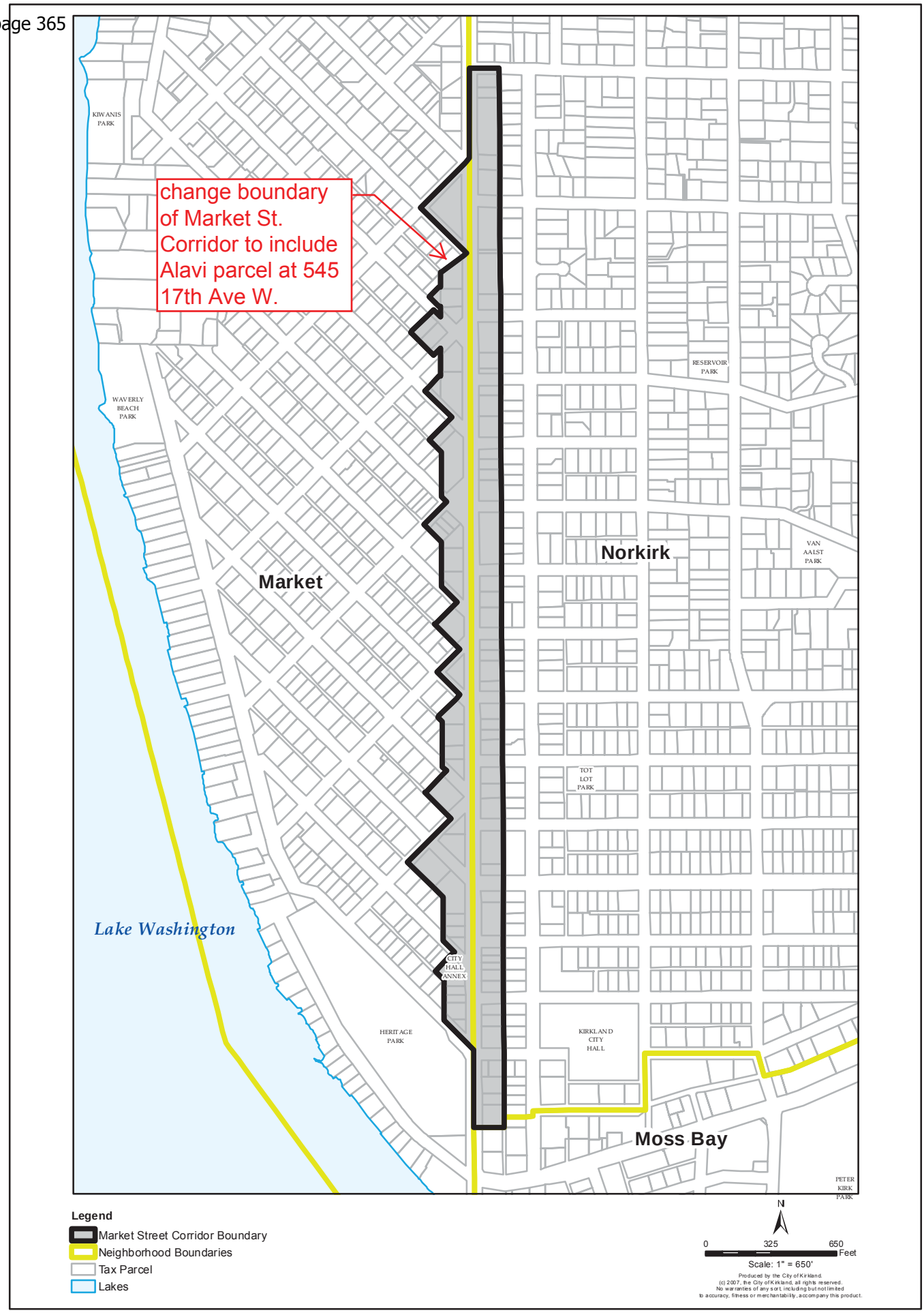
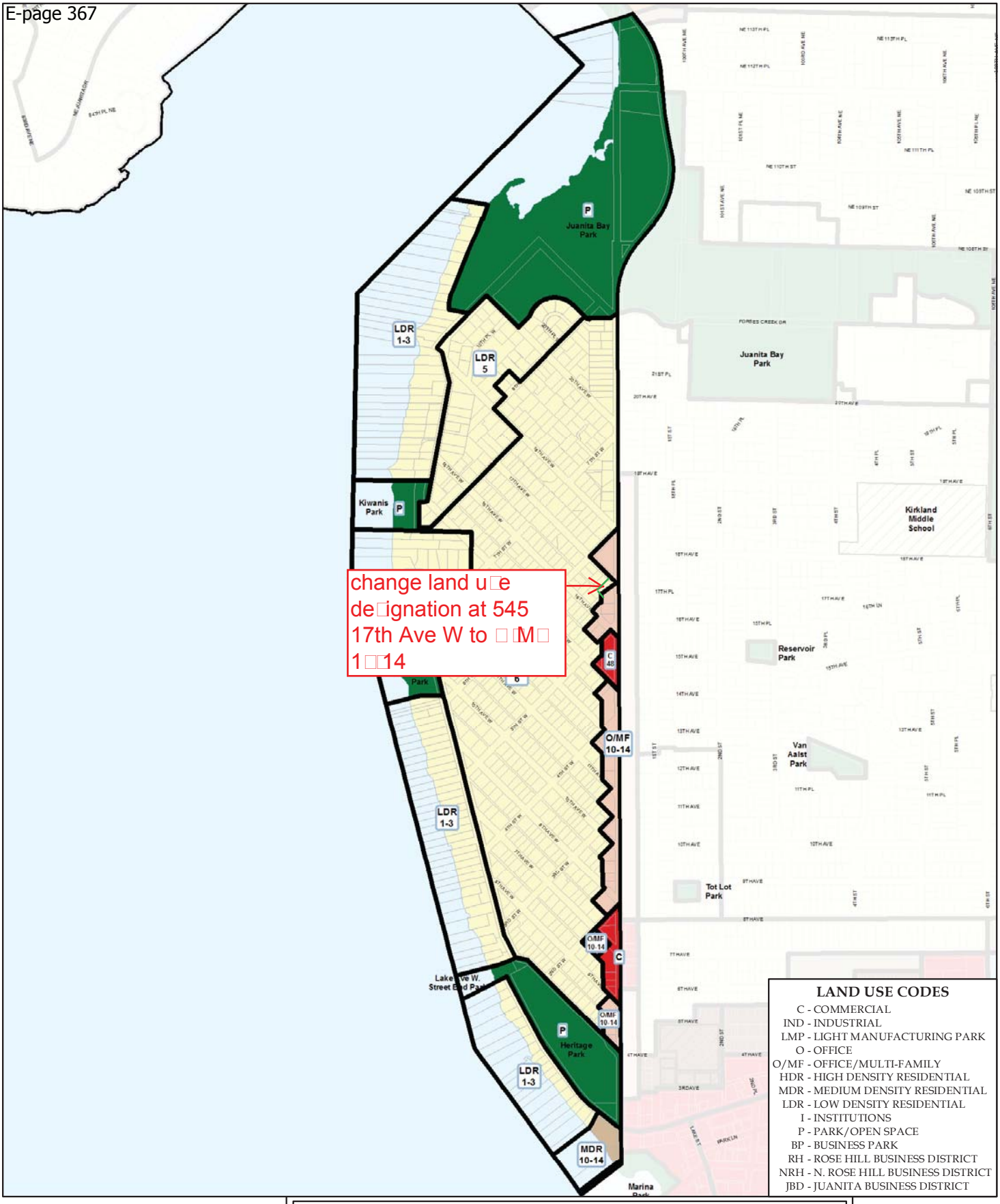


Figure MS-1: Market Street Corridor Boundary

Figure MS-3: Market Street Corridor Urban Design Features



LAND USE CODES

C - COMMERCIAL
IND - INDUSTRIAL
LMP - LIGHT MANUFACTURING PARK
O - OFFICE
O/MF - OFFICE/MULTI-FAMILY
HDR - HIGH DENSITY RESIDENTIAL
MDR - MEDIUM DENSITY RESIDENTIAL
LDR - LOW DENSITY RESIDENTIAL
I - INSTITUTIONS
P - PARK/OPEN SPACE
BP - BUSINESS PARK
RH - ROSE HILL BUSINESS DISTRICT
NRH - N. ROSE HILL BUSINESS DISTRICT
JBD - JUANITA BUSINESS DISTRICT

Market Neighborhood

Land Use Map

ORDINANCE NO. 4494
ADOPTED by the Kirkland City Council
December 8, 2015

LAND USE BOUNDARIES
PARCEL BOUNDARIES
SUBAREA BOUNDARY
□□A PLANNED AREA NUMBER
TOTEM CENTER
LDR *5 LAND USE CODE / DENSITY (UNITS/ACRE)
PUBLIC FACILITIES

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
** INDICATES CLUSTERED LOW DENSITY*

Maps produced December 21, 2015.
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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

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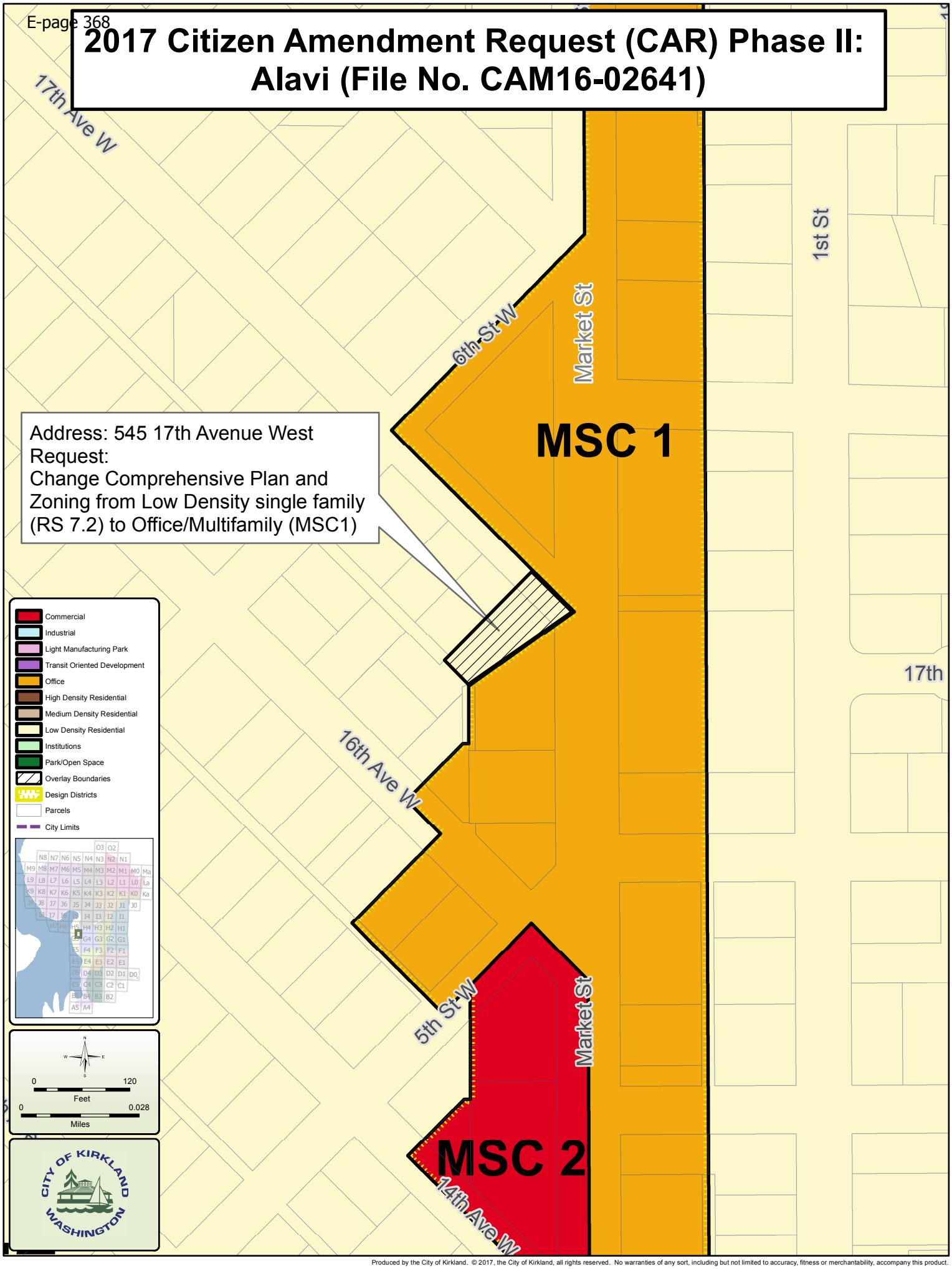
2017 Citizen Amendment Request (CAR) Phase II: Alavi (File No. CAM16-02641)



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PUBLICATION SUMMARY
OF ORDINANCE O-4625

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, ZONING AND LAND USE AS A RESULT OF THE ALAVI CITIZEN AMENDMENT REQUEST AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING CODE AND ZONING MAP CONFORMS TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM16-02641.

SECTION 1. Provides amendments to the Comprehensive Plan Figures in the Market Street Corridor and Market Neighborhood Plans.

SECTION 2. Provides amendments to the Kirkland Zoning Code.

SECTION 3. Provides amendments to the Kirkland Zoning Map.

SECTION 4. Provides that the Director of the Planning and Building Department is directed to amend the Zoning Map.

SECTION 5. Provides a severability clause for the ordinance.

SECTION 6. Establishes the effective date of the Ordinance.

SECTION 7. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code.

SECTION 8. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2017.

I certify that the foregoing is a summary of Ordinance O-4625 approved by the Kirkland City Council for summary publication.

_____
City Clerk

CITY OF KIRKLAND
Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425.587.3600- www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Joan Lieberman-Brill, AICP, Senior Planner
Jeremy McMahan, Planning Manager
Eric Shields, AICP, Planning and Building Director

Date: November 30, 2017

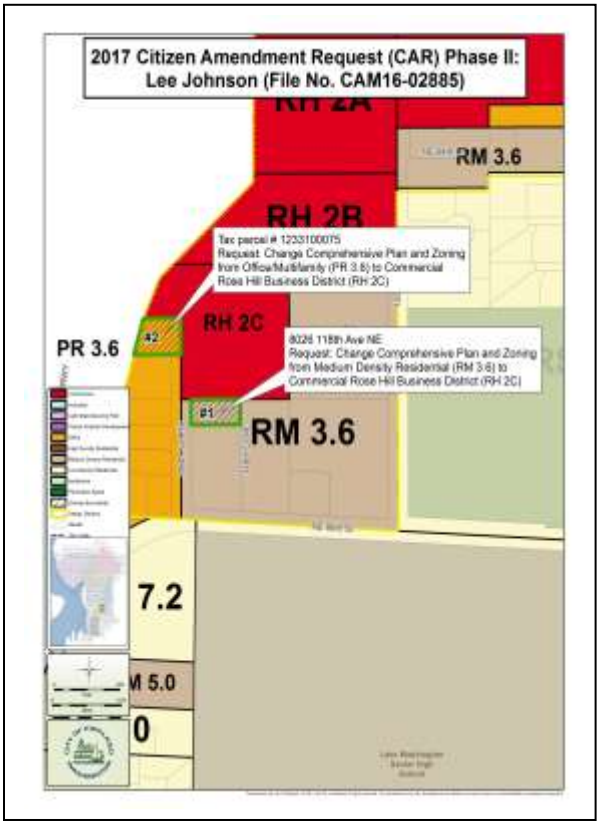
Subject: Lee Johnson Citizen Amendment Request - Council Action (CAM16-02885)

RECOMMENDATION

Adopt Ordinance 4626 consistent with the recommendations of the Planning Commission.

BACKGROUND DISCUSSION

All amendments are included as exhibits to Ordinance 4626.



Application:

On December 1, 2016, Mike Langston of Freiheit and Ho Architects, representing Tod Johnson of LMJ Enterprises, submitted a CAR request to change the Zoning Map and Comprehensive Plan land use designation for two vacant properties owned by LMJ properties in the Rose Hill Business District:

- **Property #1:** Change the Zoning Map and Land Use Map at 8026 118th Avenue NE **from RM 3.6** (Medium Density Residential) **to RH2C** (Commercial Rose Hill Business District) to match a contiguous portion of the car dealership under the same ownership. The purpose of the request is to utilize the parcel to satisfy lot coverage requirements for a proposed inventory parking expansion.

- **Property # 2**: Change the Zoning Map and Land Use Map for the vacant tax lot 1233100075 **from PR 3.6** (Office/Multifamily) **to RH2C** (Commercial Rose Hill Business District) to match a contiguous portion of the car dealership under the same ownership. The purpose of the request is to allow inventory parking, which is not allowed under current PR 3.6 zoning.

The applicant clarified that while it is understood that it is not necessary to rezone Property # 1 in order to use it to meet the lot coverage requirements, the owner would prefer the same RH 2C commercial zoning as on contiguous portions of the Lee Johnson dealership site for future development. See Attachment 3 on page 49 of the Planning Commission October 19 public hearing staff memorandum.

Planning Commission Recommendation:

As described in their transmittal memo dated November 30, 2017, the Planning Commission has made the following recommendations:

Property 1:

- No change; retain current Medium Density land use designation and multifamily residential RM 3.6 zoning. The dealerships' required lot coverage is met without a rezone.

Property 2: Proposed Land Use Map and Zoning Map Amendments:

- Change Land Use Map from Office/Multifamily to Commercial and;
- Change Zoning Map from Office Multifamily PR 3.6 to Commercial Rose Hill Business District 2C (RH 2C) to allow desired expansion of the inventory parking lot.

Process:

The City considers Citizen Amendment Requests (CAR's) every two years, using a two part review process. Phase I is the threshold determination phase where the Planning Commission (PC) makes a recommendation and the City Council decides which CAR meets the eligibility criteria to progress to Phase II, the study and decision stage. During Phase II the Planning Commission holds a study session and public hearing, culminating in a recommendation to the City Council.

On March 21, 2017, the City Council considered the Lee Johnson CAR and made a Phase I threshold determination directing the Planning Commission to study the request in 2017. The Council made the determination that the proposal demonstrates a strong likelihood to support the public interest by aligning with Comprehensive Plan Economic and Land Use Element goals and policies that consider the economic benefit to the business and to the community without disrupting existing development patterns.

At your December 12 meeting, the City Council will consider the Phase II Planning Commission recommendation and make the final decision to approve, deny or modify the CAR. The Planning Commission Recommendation is Attachment 1 to this memorandum.

Issues:

The following issues were identified and considered during this process:

- Encroachment into multifamily area of the business district; on the south boundary of the dealership:

  Property # 1, if rezoned to RH 2C, would introduce commercial zoning into a block of strictly multifamily zoning and result in an irregular zoning boundary, with residential uses on the remaining three sides. According to the applicant, it is not imperative to rezone this parcel to achieve the development intentions of the business. Lot coverage requirements can be met regardless of the zoning classification. Given these factors the Planning Commission concluded that there is no compelling reason to rezone the property.

- Long range vision for the residential and office/multifamily area of the business district:

  Partial updates of the SRH Neighborhood Plan were completed in 1991 and again in 2001, while the NE 85th St. Subarea Plan was created in 2001. The recent 2015 GMA revisions only updated the maps and reformatted both chapters.

  The Planning Commission concluded that the proposed shift of the RH 2C commercial zoning and corresponding land use boundary to the southern property line of Property #2 squares off the boundary between commercial and office/multifamily. The rezone of Property #2 can be considered a logical zoning boundary and the expansion of the dealership would result in minimal disruption of the development patterns in the remainder of the office multifamily zone to the south. Property #2, if rezoned to RH 2C, would be surrounded on three sides by commercial uses and the freeway.

A more detailed summary of the Alavi CAR is available in the Planning Commission October 19 public hearing staff memorandum.

PUBLIC NOTICE

Prior to the Phase II study session, courtesy notice of the study session and public hearing was posted on two public notice signboards for the Lee Johnson CAR. One was located at the end of the 118th Avenue NE cul-de-sac abutting Property # 2 and the other along 118th Ave. NE abutting Property # 1. Formal public hearing notice was posted and sent to the property owners and residents within 300 feet of the rezone properties (not required in Section 160.40 for the notice requirements) prior to the

public hearing, and the hearing was advertised in the Seattle Times. All information was provided on the City's Citizen Amendment Request website and e-mails were sent to all subscribers of the City's list service for the CAR's, notifying them of the study session and public hearing and providing links to the Planning Commission website to view the staff memorandums prior to both meetings.

Staff contacted the South Rose Hill and Bridle Trails Neighborhood Association for comment both prior to the study session and again in preparation for the public hearing. They declined to comment on the CAR.

SEPA DETERMINATION

An EIS Addendum was issued on October 2, 2017 to fulfill the environmental review requirements for the proposed amendments for the Lee Johnson CAR. The impacts of the proposal are within the range of impacts disclosed and evaluated in the City of Kirkland 2015 Comprehensive Plan Update & Totem Lake Planned Action -Draft and Final Environmental Impact Statement; no new significant impacts have been identified. Therefore, issuance of this EIS Addendum is the appropriate course of action.

CITY COUNCIL ACTION

The City Council may approve the proposed amendments by adopting the following:

- Ordinance #4626 (Comprehensive Plan and Zoning Map amendment)

Attachments

1. Planning Commission Recommendation

Cc: CAM16-02885

CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 5TH AVENUE, KIRKLAND, WA 98033
425.587.3600 - www.kirklandwa.gov

MEMORANDUM

DATE: November 30, 2017

TO: City Council

FROM: Colleen Cullen, Planning Commission Chair

SUBJECT: Recommendation on 2017 Citizen Amendment Request - Lee Johnson (CAM16-02885) and Alavi (CAM16-02641)

1. RECOMMENDATION

On behalf of the Planning Commission, I am pleased to submit our recommendations on amendments for the Lee Johnson Citizen Amendment Request's (CAR).

The Planning Commission's recommendations are as follows:

Proposed Comprehensive Plan Land Use Map and Zoning Map Amendments:

- Property 1:
  - No change - retain the current Medium Density Residential land use designation and Multifamily RM 3.6 zoning. The dealerships' lot coverage requirements can be met without a rezone, preventing potential for future commercial encroachment into a residential block.

- Property 2:
  - Change the Land Use Map from Office/Multifamily to Commercial and;
  - Change Zoning Map from Office/ Multifamily PR 3.6 to Commercial Rose Hill Business District 2C (RH 2C) to allow desired expansion of the inventory parking lot while creating a logical zoning boundary between commercial and office/multifamily uses.

The amendments are included as exhibits to the ordinance.

2. BACKGROUND:

The Planning Commission recommendation endeavors to strike a balance between the business goals of the applicant and the development vision of the South Rose Hill portion of the Rose Hill Business District.

The Commission considered Economic, Land Use and NE 85th Street Subarea Goals and Policies in recommending that the rezone be denied for Property # 1 and approved for Property #2. These policies recognize the economic significance to the City of the major retail uses located in the NE 85th Street Subarea, and also the need to balance impacts on residential neighborhoods to the north, south and west. The difference between our recommendations for Property # 1 and Property # 2 is based on their respective location within the Rose Hill business district.

Rezoning Property #1 to commercial would result in an irregular zoning boundary by extending a peninsula of commercial zoning into a block with residential uses on the remaining three sides. There is minimal topographical change and no hard edge boundary separating this parcel and the abutting residential uses to moderate the commercial impacts. The applicants' development objectives do not depend upon a change in land use designation to enable the planned use of the parcel to meet lot coverage requirements. Retaining the existing Medium Density Residential RM 3.6 on Property #1 would allow the lot coverage requirements to be met for the expansion of the inventory parking onto Property #2 while keeping intact the stable residential block that surrounds Property #1 on three sides. There is no compelling reason to rezone this parcel.

The rezone of Property # 2, on the other hand, furthers the City's goal for a sustainable tax base, and acknowledges that this area is ideal for a regional commercial enterprise with proximity to the freeway and internal access from NE 85th Street and 120th Avenue NE. This parcel is contiguous to the dealership on two sides and the freeway on the third. Moving the commercial boundary to the south property line of Property #2 would extend the zoning edge in a straight line westward to the freeway at the end of the 118th Avenue NE cul-de-sac, without encroaching into the office/multifamily zone to the south. A logical zoning boundary would be created, and both the sloping grade of the site and required landscape buffers would mitigate potential impacts to the adjoining properties. The rezone would meet the applicant's objective to allow expansion of the dealership's inventory parking.

Finally, neighborhood character and integrity are to be considered when determining the extent and type of land use changes that are appropriate. Although staff reached out to the neighborhood association for comment, none was received on this CAR. Our recommendation preserves the opportunity for a community conversation to consider land use compatibility and transitions during a future update of the South Rose Hill Plan.

3. PUBLIC PARTICIPATION:

The Planning Commission held a study session on August 24, 2017. At the study session, no written or oral testimony was provided on the Lee Johnson CAR.

The public hearing was held on October 19, 2017. Two public comments in opposition to the rezones were received after the hearing packet for the Oct 19, 2017 meeting was distributed. They are Enclosures 1 and 2 to this memorandum.

At the hearing one person spoke; Alice Fleck. Ms. Fleck resides in the Overlake Village condominium complex adjoining and to the east of Property #1. She stated her concerns about living in a pocket of 11 free standing homes and supports retaining existing zoning to maintain the integrity of the neighborhood.

Links to staff memorandums and video recordings for the Planning Commission Phase II meetings are provided below. Draft minutes for both meetings are attached.

August 24, 2017 Study meeting - staff memorandum, video
October 19, 2017 Public Hearing - staff memorandum, video

4. CRITERIA FOR APPROVING CHANGES TO THE LAND USE MAP AND ZONING MAP

The Planning Commission reviewed the following criteria in the Zoning Code and determined that the amendments meet the criteria for approving changes to the Zoning and Land Use Maps as noted on pages 17 - 18 of the October 19 Public Hearing staff memorandum:

- Section 130.15 Legislative Rezones – Criteria
- Section 140.25 Factors to Consider in Approval an Amendment to the Comprehensive Plan

Exhibits

A. Comment email from Asher Cohen
B. Comment email from Alice Fleck
C. Planning Commission draft minutes Aug. 24, 2017 Study
D. Planning Commission draft minutes Oct. 19, 2017 Public Hearing

Cc: CAM16-02885

Joan Lieberman-Brill

From: Asher Cohen <cohenasher1@gmail.com>
Sent: Monday, October 09, 2017 1:36 PM
To: Joan Lieberman-Brill
Subject: Objection to CAM16-02885 Lee Johnson Car Dealership request

The Planning and Building Department, Oct. 9th 2017

Planning Commission in care of Joan Lieberman-Brill

Ref.: Permit No. CAM16-02885

Dear Commission,

My name is Asher Cohen. I own the condo in 8038 11th CT NE, Kirkland, WA 98033.

Email address: cohenasher1@gmail.com

I strongly object the request amendment in the reference permit as it affect my property significantly. My house is already bordering the Lee Johnson dealership car parking area. The newly suggested modification as the car dealership request will affect adversely our property.

This area was purely a peaceful residential when we bought our house in April 2005 with quiet neighbors surrounded by a garden planted with flower beds and trees. Turning this into a commercial parking area will change the character of the neighborhood, will make it noisy and will reduce our ability to enjoy life living in it.

The modification will also reduce the value of our property significantly changing it from quiet residential to a busy commercial one.

Asher Cohen,

525 E Seaside Way # 1808

Long Beach, CA 90802

October 18, 2017

Dear City of Kirkland Planning and Building Department,

I am writing as a homeowner in the condo association of Overlook Village in regards to proposal CAM16-02885. Parcel #1, 8026 118th Ave. NE, is just across the fence from our neighborhood of eleven family homes. This past summer when the house at that address was demolished, the noise from the project was deafening and shook our homes. It often began before households were awake and the construction dust completely covered our cul de sac. The thought of more construction within a few feet of our homes is disheartening so am against the Lee Johnson parking lot expansion at 8026 118th Ave. NE. I feel it would lower the quality of our residents' lives and decrease our property values. As there is very little affordable housing in Kirkland, our neighborhood of eleven free standing family homes provides a quiet clean neighborhood that would drastically change with commercial noise and lighting.

Sincerely,

Alice Fleck

8020 118th CT NE

Kirkland, WA, 98033

Cleefleck78@gmail.com

DRAFT **Exhibit C**

KIRKLAND PLANNING COMMISSION
August 24, 2017

1. **CALL TO ORDER/ROLL CALL (7:00 PM)**

Members Present: Carter Bagg, Colleen Cullen - Chair, Mike Miller, Glenn Peterson, Mathew Pruitt - Vice Chair, Sandeep Singhal, and John Tymczyszyn.

Members Absent: None.

Staff Present: Eric Shields - Director, Jeremy McMahan - Development Services Manager, Angela Ruggeri - Senior Planner, Joan Lieberman- Brill - Senior Planner, Janice Coogan - Senior Planner, Deb Powers - Urban Forester, and Jeannie Dines - Recording Secretary.

2. **ANNOUNCEMENT OF AGENDA (7:00 PM)**

3. **COMMENTS FROM THE AUDIENCE - None (7:01 PM)**

4. **STUDY SESSION (7:02 PM)**

A. **Kirkland Urban – Proposed Modifications to Master Plan ADDRESS: 6th Street and Central Way**

Public Comment - None

Senior Planner Angela Ruggeri reviewed the modification process, proposed modifications and staff's review and responded to Commission questions.

William Leedom, Kirkland Urban, responded to Commission questions.

It was the consensus of the Commission to recommend the proposed changes to the Kirkland Urban Master Plan. Commissioner Tymczyszyn abstained from the recommendation.

B. **2017 Comprehensive Plan Citizen Amendment Requests ADDRESS: City-wide**

Public Comment
1. Edward Radcliff, 231 7th Ave W, Kirkland.

2. Barry Alavi, 545 17th Ave W (Alavi CAR), Kirkland.

Senior Planner Joan Lieberman-Brill described the CAR process and reviewed the Lee Johnson CAR. She responded to Commission questions.

It was the consensus of the Commission that the information provided was sufficient to proceed to public hearing on October 12.

Ms. Lieberman-Brill reviewed the Alavi CAR and responded to Commission questions and Commissioners provided input regarding additional information to be provided at the October 12 public hearing.

C. **2017 City Initiated Comprehensive Plan Amendments ADDRESS: City-wide**

Public Comments - None

Ms. Lieberman-Brill reviewed the proposed amendments. Commissioners identified additional information to be provided at the September 25 public hearing.

D. **Finn Hill Neighborhood Plan and Code Amendments ADDRESS: Finn Hill**

Public Comment

3. Marc Ackerman, 12970 74th Pl NE, Kirkland, representing Finn Hill Neighborhood Alliance.

4. Ken Goodwin, 11834 Holmes Pt Dr, Kirkland.

5. Art Turock, 11534 Holmes Pt Dr, Kirkland.

6. Ettore Palazzo, 11818 Holmes Pt Dr, Kirkland.

7. Tim Shuma, 12914 63rd Ave NE, Krikland.

8. Susan Vossler, 12945 64th Ave NE, Kirkland.

9. Per Nielsen, 13475 64th Terr NE, Kirkland.

10. Roy Barnett, 11942 80th Pl NE, Kirkland.

11. Robert Ackein, 11946 80th Pl NE, Kirkland.

12. Thomas Cox, 1682 Holmes Pt Dr, Kirkland.

13. Jonathan Swift, 8132 NE 117th Pl, Kirkland, representing Chatham residents.

14. Bethany Cook, 8104 NE 121st St, Kirkland.

15. Claire Koenig, 6310 NE 129th St, Kirkland.

16. John Koenig, 6310 NE 129th St, Kirkland.

17. Janice Gerrish, 7651 NE 140th Pl, Kirkland.

18. Jason White, 8148 NE 117th Pl, Kirkland.

19. Teresa White, 11724 80th Ave NE, Kirkland.

20. Lisa Ayrault, 7105 NE 135th St, Kirkland.

21. Tracie Wilhelm, 12937 63rd Ave NE, Kirkland.

22. Kristen Shuma, 12914 63rd Ave NE, Kirkland.

23. Fred Schaffalitzky, 6408 NE 130th Pl, Kirkland.

24. Brenda Krauth, 13305 70th Ave NE, Kirkland.

25. Alice Blanchard, 11531 Holmes Point Drive, Kirkland.

26. Kent Ahlf, 8235 NE 119th St, Kirkland.

Chair Cullen declared a brief recess.

Senior Planner Janice Coogan, Director Eric Shields and Development Services Manager Jeremy McMahan responded to Commission questions and Commissioners provided input.

Mr. Shields summarized it is the Commission's preference not to have the open house on September 7 or public hearing on September 14, and to continue the discussion regarding the Finn Hill Neighborhood Plan and Code Amendments.

Commissioners provided input regarding information they wanted for the September 14 meeting.

5. **READING AND/OR APPROVAL OF MINUTES - None (10:35 PM)**

6. **ADMINISTRATIVE REPORTS AND PLANNING COMMISSION DISCUSSION (10:35 PM)**

A. City Council Actions

B. Hearing Examiner Actions

DRAFT **Exhibit C**

C. Public Meeting Calendar Update

September 28 meeting is no longer canceled.

Mr. Shields described requested a Planning Commissioner participate on the Totem Lake Committee. Commissioner Peterson agreed to represent the Planning Commission.

7. **COMMENTS FROM THE AUDIENCE (10:37 PM)**

8. **ADJOURNMENT (10:38 PM)**

_____

Chair
Kirkland Planning Commission

KIRKLAND PLANNING COMMISSION
October 19, 2017

1. **CALL TO ORDER/ROLL CALL (7:00 PM)**

Members Present: Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, Glenn Peterson, Carter Bagg, Mike Miller, and John Tymczyszn.

Members Absent: Sandeep Singhal.

Staff Present: Eric Shields - Planning & Building Director, Prins Cowin - Administrative Supervisor, Jon Regala - Planning Supervisor, Joan Lieberman-Brill - Senior Planner, Dorian Collins - Senior Planner, and Jeannie Dines - Recording Secretary.

2. **ANNOUNCEMENT OF AGENDA (7:00 PM)**

3. **SPECIAL PRESENTATION (7:01 PM)**

A. **Open Public Meetings Act, Code of Conduct & Ethics, Email Review**

Administrative Supervisor Prins Cowin referred to Open Public Meetings Act and Code of Conduct and Ethics and requested Commissioners sign the forms indicating they watched the training videos. She reviewed the use of City email and responded to Commission questions.

4. **COMMENTS FROM THE AUDIENCE - None (7:07 PM)**

5. **HEARING (7:08 PM)**

A. **2017 Citizen Initiated Comprehensive Plan Amendments; CAM16-02641 and CAM16-02885**

Chair Cullen opened the hearing at 7:08 PM.

Lee Johnson CAR
Senior Planner Joan Lieberman-Brill reviewed the request, existing conditions, options and staff's recommendation.

Public Testimony
1. Alice Fleck, 8020 118th Ct NE, Kirkland.

Motion to support staff's recommendation regarding the Lee Johnson CAR.
Moved by Glenn Peterson, seconded by Carter Bagg

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

Alivai CAR
Ms. Lieberman-Brill reviewed the request, staff's recommendation, existing conditions, options, and decisional criteria and responded to Commission questions.

Public Testimony
2. Edward Radcliff, 231 7th Ave W, Kirkland.

3. Laurie Viault, 545 17th Ave W, Kirkland.

Ms. Lieberman-Brill and Planning & Building Director Eric Shields responded to Commission questions and the Commission deliberated.

Commissioner Miller provided alternate language regarding preservation of the Giant Sequoia in Option 2.

Motion to that the Planning Commission recommend to the City Council the rezone to MSC1, limit development to a duplex and require protections for the Giant Sequoia.
Moved by John Tymczyszn, seconded by Mike Miller

Mr. Shields suggested staff craft a condition for review by the Chair. Commission agreed.

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

Chair Cullen closed the public hearing at 7:51 PM.

B. **Totem Lake Zoning Code & Comprehensive Plan Amendments, File No. CAM17-00371**

Senior Planner Dorian Collins reviewed the amendment process and the proposed Zoning Code and Comprehensive Plan amendments and responded to Commission questions.

Public Testimony
4. Robert Pantley 450 Central Way, Ste 3000, regarding Arete Residential Suites.

5. Angela Rozmyn, LEED AP, regarding Arete Residential Suites.

Mr. Pantley, Ms. Collins and Mr. Shields responded to Commission questions.

Chair Cullen closed the public hearing at 8:42 PM.

Motion to that the Planning Commission recommend to the City Council Zoning Code Amendments with a change in Residential Suites Special Regulation 7 to reduce visitor parking from 10% to 5%.
Moved by Mike Miller, seconded by Mathew Pruitt - Vice Chair

Motion to Amend to require either LEED Gold or 10% affordable housing.
Moved by Glenn Peterson, seconded by Mathew Pruitt - Vice Chair

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

6. **STUDY SESSION (8:53 PM)**

A. **Temporary and Off-Site Signs, File No. CAM17-00419**

Planning Supervisor Jon Regala provided background, identified topics for Commission consideration (prohibited devices/signs, A-frame signs, and off-site directional signage), and described outreach to businesses and enforcement scenarios.

Mr. Regala and Mr. Shields responded to Commission questions and Commission provided input. Staff will return with alternatives for A-frame signs at the public hearing.

7. **READING AND/OR APPROVAL OF MINUTES (9:23 PM)**

A. August 24, 2017

Motion to Approve August 24, 2017 minutes.
Moved by Mike Miller, seconded by Mathew Pruitt - Vice Chair

Commissioner Tymczyszn requested the minutes reflect he abstained from the vote on the Kirkland Urban – Proposed Modifications to Master Plan because he did not participate in the previous discussion.

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

8. **ADMINISTRATIVE REPORTS AND PLANNING COMMISSION DISCUSSION (9:24 PM)**

A. City Council Actions

Mr. Shields reported on the City Council's adoption of an ordinance establishing limits on short term rentals via business licensing. He reported on the Council's study session on the Finn Hill Neighborhood Plan and directed that street connections be removed from the plan and a process established in 2018. The Council also had a study session on tree regulations.

Vice Chair Pruitt commended staff on the FHNP open house.

B. Hearing Examiner Actions

C. Public Meeting Calendar Update

Next meeting: October 26 - Finn Hill Neighborhood Plan Public Hearing. Commissioner Tymczyszn advised he would be absent.

Commissioner Miller reported on the Housing Strategy meeting.

9. **COMMENTS FROM THE AUDIENCE - None (9:38 PM)**

10. **ADJOURNMENT (9:38 PM)**

_____

Chair
Kirkland Planning Commission

ORDINANCE O-4626

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, ZONING AND LAND USE AS A RESULT OF THE LEE JOHNSON CITIZEN AMENDMENT REQUEST AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING MAP CONFORMS TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM16-02885.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481, as amended, and a portion of the Zoning Map, Ordinance 3710, to ensure the zoning map conform to the Comprehensive Plan and the City complies with the Growth Management Act, as set forth in the report(s) and recommendation(s) of the Planning Commission dated November 30, 2017, and bearing Kirkland Planning and Building Department File No. CAM16-02885 (hereinafter the "Lee Johnson Amendment Request"); and

WHEREAS, prior to making the recommendation on the Lee Johnson Amendment Request the Planning Commission, following notice as required by RCW 35A.63.070, held on October 19, 2017, a public hearing, on the amendment proposal and considered the comments received at the hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal (the Lee Johnson Amendment Request) and recommendation through the entire consideration process, a SEPA addendum to Existing Environmental Documents, issued by the responsible official pursuant to WAC 197-11-625; and

WHEREAS, in a public meeting on December 12, 2017, the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission; and

WHEREAS, RCW 36.70A.130, requires the City to review all amendments to the Comprehensive Plan concurrently and no more frequently than once every year;

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.130, mandates that the City of Kirkland review, and if needed, revise its official Zoning Map; and

WHEREAS, the Zoning Map implements the Comprehensive Plan (Ordinance 3481 as amended).

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

Section 1. Comprehensive Plan Figures amended. The Comprehensive Plan land use figures in the South Rose Hill Neighborhood and NE 85th Street Subarea Plans, and the City-wide Land Use Map in the Land Use Element are amended. The Comprehensive Plan, Ordinance 3481, as amended, is amended in accordance with Exhibit A attached to this Ordinance and incorporated by reference.

Section 2. Zoning Map Amended: The official City of Kirkland Zoning Map as adopted by Ordinance 3710, as amended, is amended in accordance with Exhibit B attached to this Ordinance and incorporated by reference.

Section 3. Official Map Change: The Director of the Planning and Building Department is directed to amend the official City of Kirkland Zoning Map to conform with this ordinance, indicating thereon the date of the ordinance's passage.

Section 4. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. This Ordinance shall be in full force and effect five days from and after its passage by the City Council and publication, pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this Ordinance and by this reference approved by the City Council.

Section 6. A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2017.

Signed in authentication thereof this _____ day of _____, 2017.

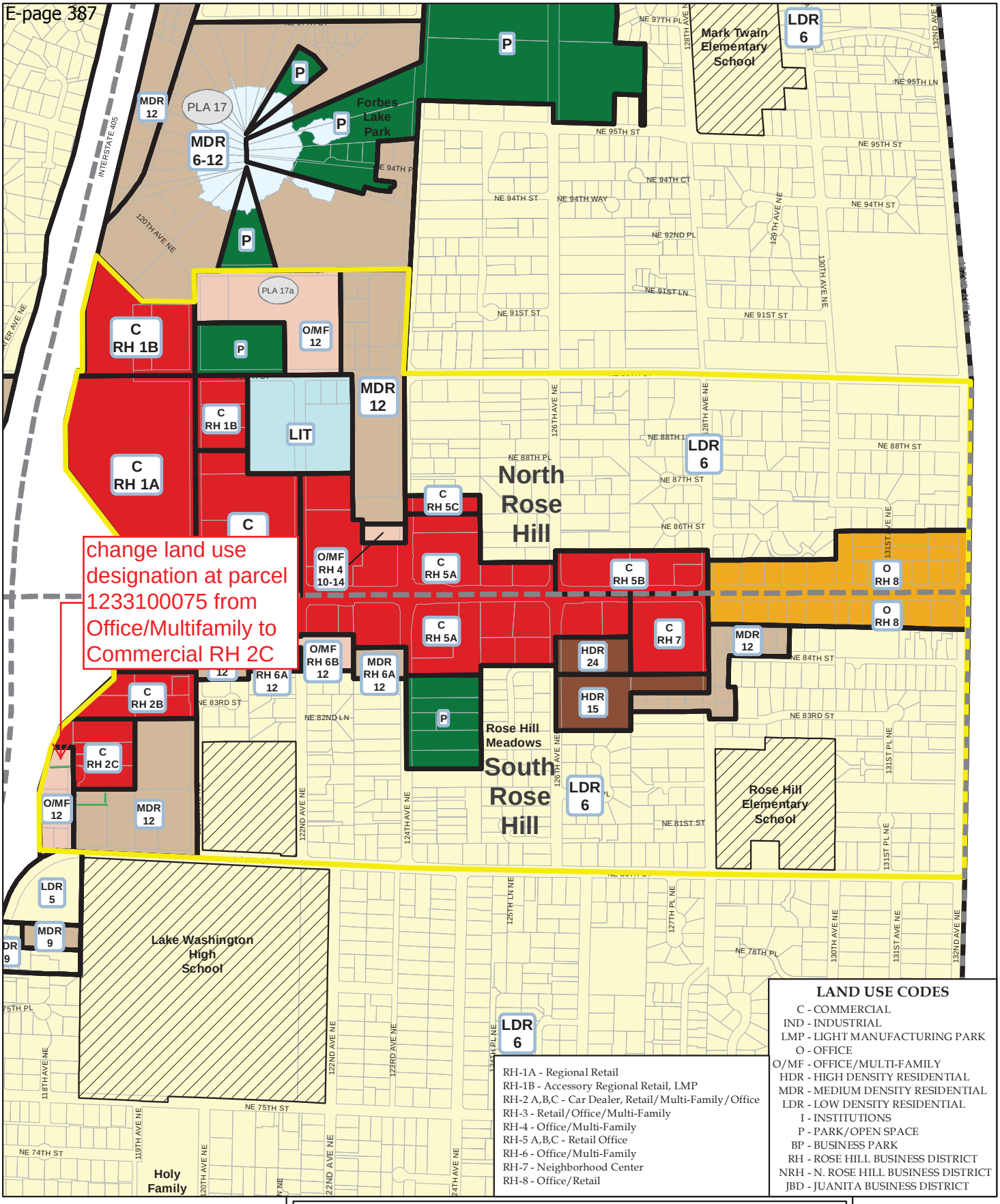
_____
Amy Walen, Mayor

Attest:

_____
Kathi Anderson, City Clerk

Approved as to Form:

_____
Kevin Raymond, City Attorney



LAND USE CODES

C - COMMERCIAL
IND - INDUSTRIAL
LMP - LIGHT MANUFACTURING PARK
O - OFFICE
O/MF - OFFICE/MULTI-FAMILY
HDR - HIGH DENSITY RESIDENTIAL
MDR - MEDIUM DENSITY RESIDENTIAL
LDR - LOW DENSITY RESIDENTIAL
I - INSTITUTIONS
P - PARK/OPEN SPACE
BP - BUSINESS PARK
RH - ROSE HILL BUSINESS DISTRICT
NRH - N. ROSE HILL BUSINESS DISTRICT
JBD - JUANITA BUSINESS DISTRICT

RH-1A - Regional Retail
RH-1B - Accessory Regional Retail, LMP
RH-2 A,B,C - Car Dealer, Retail/Multi-Family/Office
RH-3 - Retail/Office/Multi-Family
RH-4 - Office/Multi-Family
RH-5 A,B,C - Retail Office
RH-6 - Office/Multi-Family
RH-7 - Neighborhood Center
RH-8 - Office/Retail

NE 85th Subarea

Land Use Map

ORDINANCE NO. 4494, 4498
ADOPTED by the Kirkland City Council
December 8, 2015

LAND USE BOUNDARIES
PARCEL BOUNDARIES
SUBAREA BOUNDARY
PLA PLANNED AREA NUMBER
TOTEM CENTER
LDR *5 LAND USE CODE / DENSITY (UNITS/ACRE)
PUBLIC FACILITIES
NEIGHBORHOOD

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
* INDICATES CLUSTERED LOW DENSITY

Maps produced December 21, 2015.
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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

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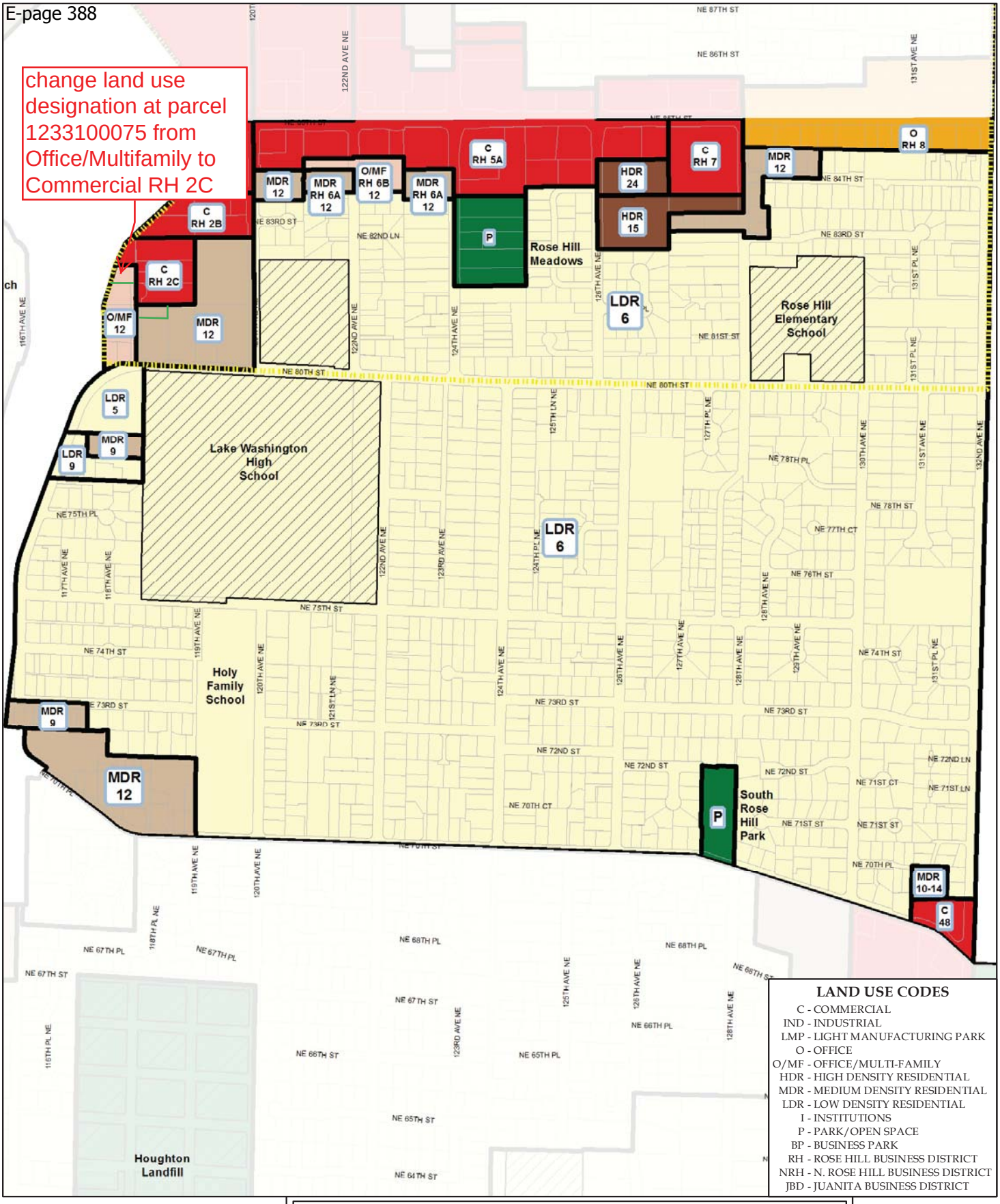
change land use designation at parcel 1233100075 from Office/Multifamily to Commercial RH 2C



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BP - BUSINESS PARK
RH - ROSE HILL BUSINESS DISTRICT
NRH - N. ROSE HILL BUSINESS DISTRICT
JBD - JUANITA BUSINESS DISTRICT

South Rose Hill Neighborhood

Land Use Map

ORDINANCE NO. 4494
ADOPTED by the Kirkland City Council
December 8, 2015

LAND USE BOUNDARIES
PARCEL BOUNDARIES
SUBAREA BOUNDARY
PLA PLANNED AREA NUMBER
TOTEM CENTER
LDR *5 LAND USE CODE / DENSITY (UNITS/ACRE)
PUBLIC FACILITIES

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
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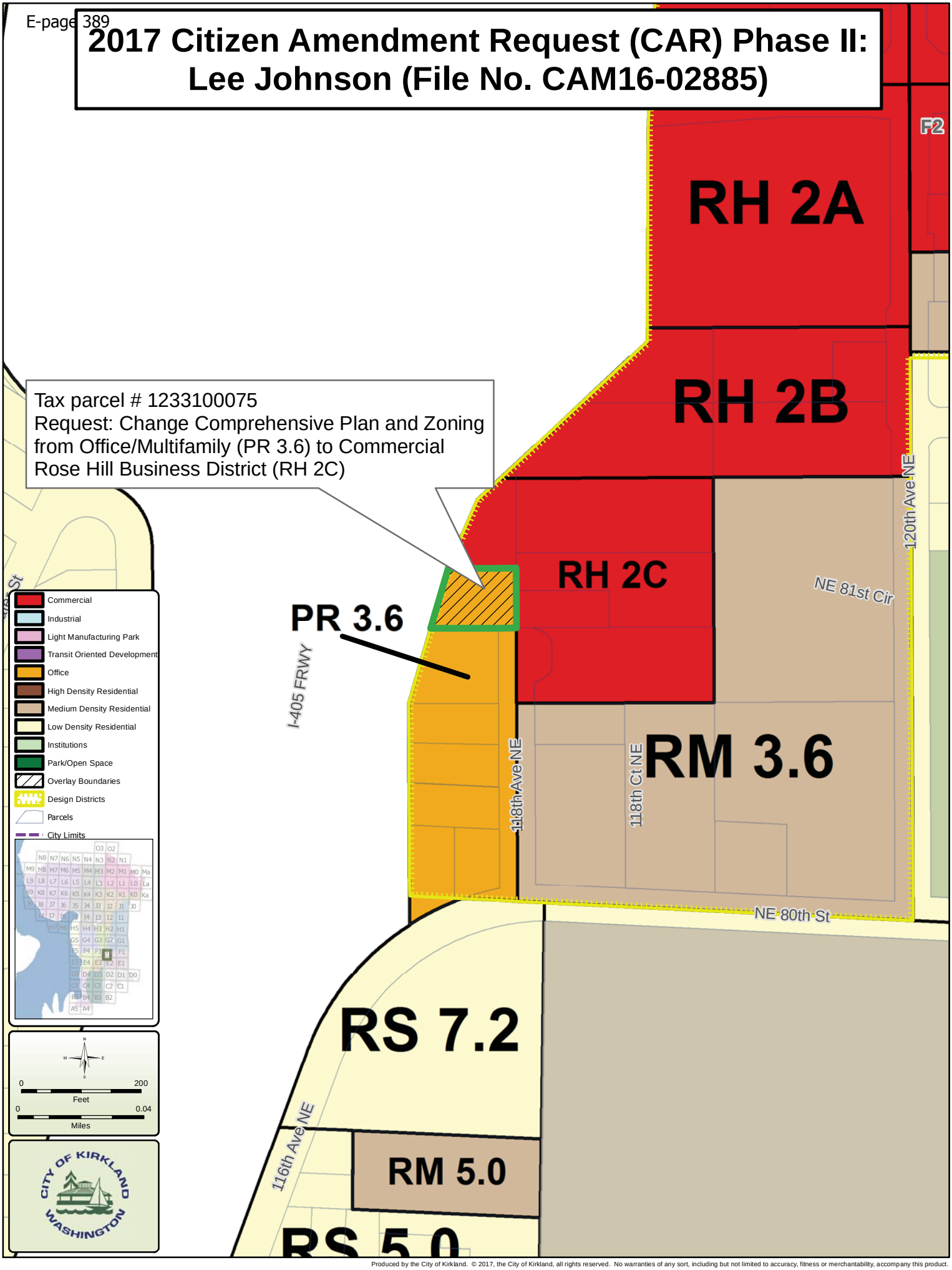
2017 Citizen Amendment Request (CAR) Phase II: Lee Johnson (File No. CAM16-02885)



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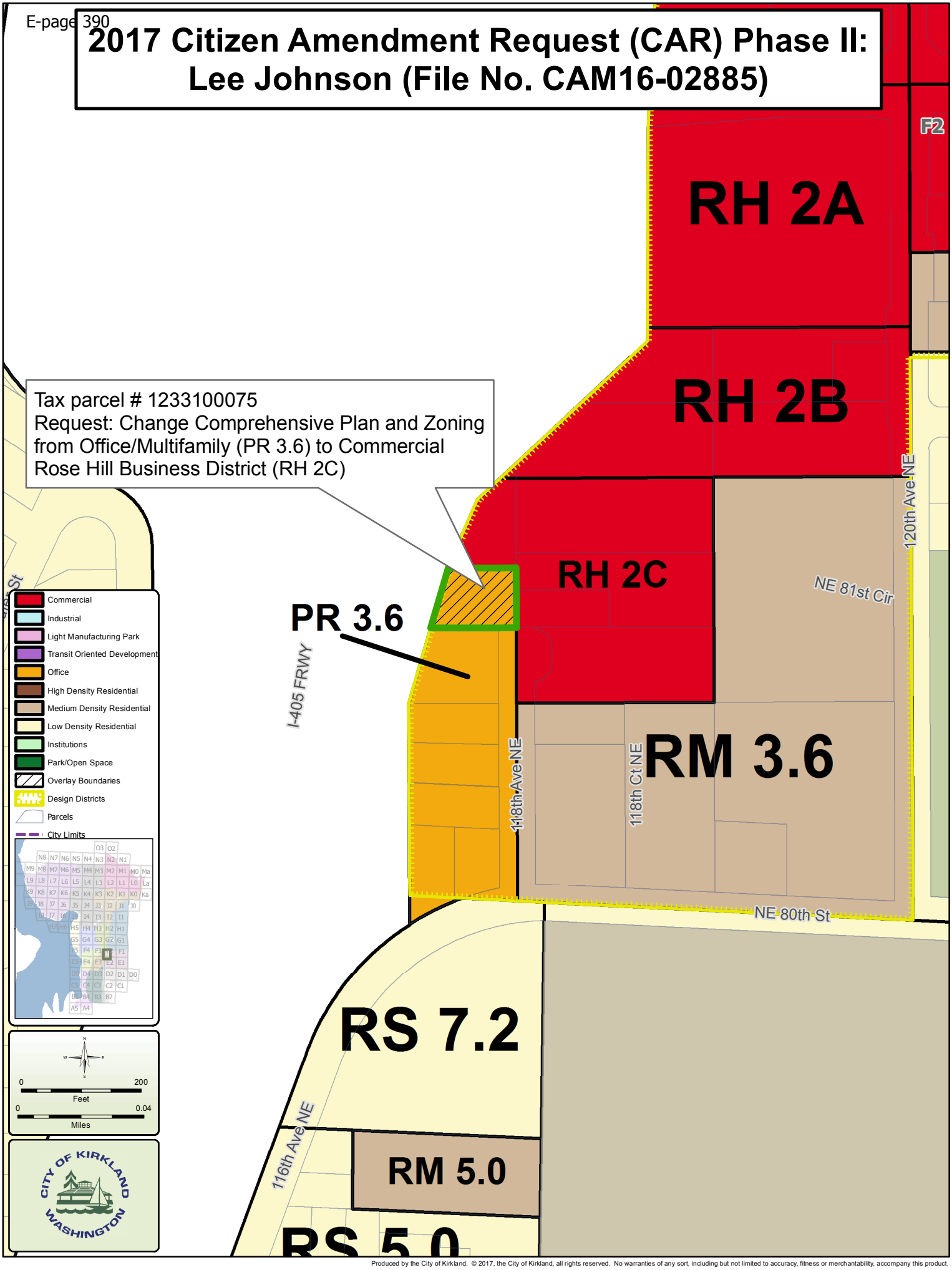
2017 Citizen Amendment Request (CAR) Phase II: Lee Johnson (File No. CAM16-02885)



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PUBLICATION SUMMARY
OF ORDINANCE O-4626

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, ZONING AND LAND USE AS A RESULT OF THE LEE JOHNSON CITIZEN AMENDMENT REQUEST AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING MAP CONFORMS TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM16-02885.

SECTION 1. Provides amendments to the Comprehensive Plan Figures in the Market Street Corridor and Market Neighborhood Plans and in the Land Use Element.

SECTION 2. Provides amendments to the Kirkland Zoning Map.

SECTION 3. Provides that the Director of the Planning and Building Department is directed to amend the Zoning Map.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. Establishes the effective date of the Ordinance and authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code.

SECTION 6. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2017.

I certify that the foregoing is a summary of Ordinance 4626 approved by the Kirkland City Council for summary publication.

_____
Kathi Anderson, City Clerk

CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3600
www.kirklandwa.gov

MEMORANDUM

Date: December 8, 2017

To: Kurt Triplett, City Manager

From: Dorian Collins, Senior Planner, AICP
Eric Shields, Director, AICP

Subject: Planning Commission Recommendation to Adopt Amendments to the Kirkland Zoning Code, Zoning Map and Comprehensive Plan, File CAM17-00371

RECOMMENDATION

1. Adopt enclosed **Ordinance 4627**, consistent with the recommendation of the Planning Commission for a variety of amendments to the Zoning Code.

2. Adopt enclosed **Ordinance 4628**, consistent with the recommendation of the Planning Commission for amendments to the Zoning Code, Zoning Map and Comprehensive Plan to respond to a request for a rezone to allow light industrial use on a property owned by RJB Wholesale.

3. Discuss and provide direction to staff for the 2018 Planning Commission Work Program. The memorandum from the Planning Commission suggests that the topic of expanding the Residential Suites use to Totem Lake zones where residential use is not currently supported in the Comprehensive Plan could be studied next year.

BACKGROUND DISCUSSION

The proposed amendments were selected from a variety of sources, including the "Zoning Code Amendment Docket" on-going list, issues identified to address challenges experienced by developers in Totem Lake, and two requests from property owners: the Residence XII inpatient treatment facility and Nick Beck, for RJB Wholesale. The request from Residence XII was originally supported for evaluation through the Citizen Amendment Request (CAR) process. The City later determined that it would be more efficient to include the request in the bundle of Zoning Code amendments to be considered for the Totem Lake Business District this year. The request from Nick Beck for the RJB Wholesale process was made after the deadline had passed for consideration within the CAR process. The City Council's Planning and Economic Development Committee supported the inclusion of the request within the Totem Lake amendments under study.

Planning Commission Recommendation

The recommendation of the Planning Commission for approval of the Totem Lake amendments is included in their transmittal memorandum (Exhibit A). The memorandum highlights the key provisions of the proposed amendments. At the Council's December 12, 2017 meeting, staff will present an overview of the Planning Commission's recommendation on the amendments.

Additional Comments

Planning staff met with Robert Pantley and Angela Rozmyn after the public hearing, and they have submitted an additional letter for the consideration of the City Council (Attachment 1). The letter cites several elements of the Planning Commission (PC) recommendation for the Residential Suites use as problematic. The concerns are summarized below:

- **LEED certification**: The letter supports the retention of the requirement for LEED certification (included in the original staff recommendation), *without* the option to include 10% of the units as affordable in lieu of LEED certification (included in the PC recommendation), citing the importance of high quality construction.
- **Affordability option**: The letter provides information regarding the affordability created through Residential Suites developments, without specific requirements for affordability. The letter notes the additional costs to development and operation of these units created by the administration and tracking associated with requirements for affordable units.
- **Visitor Parking:** The letter provides information about parking usage at the Arete development, and suggests that the 5% visitor parking requirement included in the PC recommendation is not necessary and would add substantial additional costs to development.

The letter makes several additional suggestions for consideration of the City Council, including expanding the Residential Suites use to additional zones. Staff notes that the Comprehensive Plan does not support residential use in some of these areas. The memorandum from the Planning Commission describes their discussion on this topic, and notes that the Commission would be open to studying this issue in 2018. If the City Council is interested in this topic, the Council may wish to provide direction to staff to add this topic to the Planning Commission work program for next year.

The letter also suggests that a reduced parking ratio for the units themselves (beyond the issue of visitor parking), would satisfy parking demand.

PUBLIC NOTICE

The proposed amendments were discussed at a study session of the Planning Commission on July 27, 2017, and a public hearing was held on October 19, 2017. Pursuant to KZC 160.40, notice of the hearing was published in the official City newspaper, posted on official notice boards, and posted on the City website. A webpage for the Totem Lake Code Amendments was also created and maintained throughout the study and public hearing process. For the proposed rezone of the RJB Wholesale property, formal public notice was posted on the property, and notices were mailed to property owners, residents and businesses within 300 feet of the subject property. Notice to neighborhood associations was also provided via email.

SEPA DETERMINATION

An addendum to the City of Kirkland 2015 Comprehensive Plan Update – Draft and Final Environmental Impact Statement was issued for the proposed amendments on October 10, 2017. The impacts of the proposal are within the range of impacts disclosed and evaluated in the EIS, and no new significant impacts were identified.

Attachment:

1. Letter from Robert Pantley/Angela Romzyn, dated November 30, 2017

Exhibit:

A. Planning Commission recommendation, dated November 21, 2017

cc: CAM17-00371
Planning Commission

Natural and Built Environments LLC
450 Central Way Suite 3000
Kirkland WA 98033

November 30, 2017

Kirkland City Council
123 5th Avenue
Kirkland WA 98033

RE: Totem Lake Residential Suites Zoning Update

"If every city built projects like Areté there would be no affordable housing crisis in this country."

- Hunt Mortgage Group, Fannie Mae Representative

There are great opportunities here for continued affordability in the City of Kirkland in the expansion of residential suites in Totem Lake. Based on the ARCH website, Council has allowed for the increase in the City's affordability by more than 50% in the span of just a few years through the creation of residential suites and the completion of Arete and Plaza.

There is no affordability in high cost housing, as the Council has recognized in its creation of the housing affordability task force. In moving forward in Totem Lake, we ask there to be the same clarity in purpose that brought about Arete's success downtown.

<u>Our requests regarding the Totem Lake Residential Suites Zoning Code Amendments are as follows:</u>

1. LEED Certification Requirement

   - The requirement for Built Green 5, LEED Gold, or Living Building Challenge certification should be maintained as written (match CBD).
   - LEED is known as quality construction, which is very important to the neighbors and general public.
   - LEED keeps long term operating and maintenance costs to a minimum. King County Housing authority has said that their biggest threat to long term affordable housing is increasing operational costs – LEED, by design, keeps these in check compared to standard construction.

2. Affordability Option

- Residential suites are already naturally affordable.
- 74% make under the 80% AMI (Area Median Income) – 7.5 times the 10% threshold proposed. All Arete residential suites rental rates meet the 80% threshold.
- On the Eastside, 47% of residential suite occupants make under the 50% AMI threshold, almost 5 times the 10% proposed.
- To allow a 10% affordability option in lieu of LEED certification is a false equivalency when such high affordability exists naturally, and it stops low income folks who make just a little bit above the threshold (ex 82% AMI) from being able to lease out the designated units when they become available. This does not happen at Arete.
- It burdens projects with expensive reporting costs with no added benefit.

3. Visitor Parking

- The newly proposed visitor parking requirement is not based on any studies or concrete documentation.
- Arete has consistently demonstrated with hard facts that visitor parking is not necessary for residential suites, as Council concurred when the original code amendment was approved.
- The current parking requirement with rigorous Transportation Management Plan (TMP) Controls at Arete has demonstrated that excess vacant parking, as acknowledged by the City, exist for both Arete's residential suites and apartments. Currently, 45 parking stall stand vacant – unused – at a property that is fully leased and requires, monitors, and enforces all residents to park on site.
- Our 9 guest parking stalls at Arete, created for 62 apartments, are consistently used at less than half of the capacity at peak times. The real challenge has been our residential neighbors without TMP requirements to park on site – they like to use our covered and protected spaces in lieu of parking on the street. That has been solved with a little bit of enforcement.

<u>Next step – requires Comprehensive Plan update</u>

4. Expand housing incentive zones

- There are currently housing incentive zones in Totem Lake Zones 10C, 10D, and 10E that allow for Stacked or Attached Dwelling Units. We propose this be expanded to include residential suites at this time.
- We propose to have these housing incentive zones expanded in Totem Lake Zones 10A and 10B as an agenda item for the 2018 Comprehensive Plan updates.
- Planning Commission requested at the 10/19 meeting that this option be put on the 2018 schedule to be discussed.

Apartment Zoning Issue – Elimination of Parking Buffer

5. TMP Bus Pass Requirement for Apartments

- Proposed language for elimination of the parking buffer requires a free two-zone transit pass for all residents in the development.
- We believe this specific language was included as an oversight. Please ask the opinion of the Planning Department on this. Much like residential suites, this was meant to be a tool available to communities as a way to achieving their TMP requirements. The outcome is what is critical to having successful TMP programs implemented across Totem Lake.

As the Eastside's sole provider of residential suites, we have attached a deeper, thoughtful analysis of the proposed changes for Totem Lake for your review. We look forward to what the next decade will bring for Kirkland in terms of sustainable, enjoyable, and affordable housing.

Warm Regards,

Robert Pantley
Its Manager and CEO
Natural and Built Environments LLC

Angela Rozmyn, LEED AP
Director of Sustainable Development
Natural and Built Environments LLC

Totem Lake Residential Suites Zoning Update – Analysis

November 30, 2017

I. Current proposed zoning code changes

1. LEED certification must remain a requirement of residential suites.

While on its face, you will be told that LEED certification is an unnecessary extra layer of cost for these affordable units, sustainability is in a fact a key component in the continued success of the affordable residential suites in Kirkland.

As you are well aware, the City of Seattle has had quite a bit of negative press regarding their "apodments," which is completely the opposite of Kirkland's overwhelming positive press. Every adjoining neighbor stood up in favor of the project at the Areté public hearing, and Plaza was the first project in the City to receive DRB approval at its first public hearing. LEED is an integral part of residential suites in Kirkland. It is a promise of quality to the neighbors.

Areté – LEED for Homes Multifamily Project of the Year – Worldwide Winner

A large part of this difference in public perception is due to their LEED Platinum certifications. While not everyone fully understands the details of what it takes to build a LEED project, the certification is seen as quality construction and an elevated overall community, which is extremely important to those who neighbor residential suites.

LEED is what makes the public proud to have residential suites in their neighborhood.

King County Housing Authority will tell you the biggest threat to affordable units is rising operating costs. The bulk of their existing stock of units are becoming harder to maintain as affordable because utility and operating costs continue to swell. When a project is built to LEED Gold standards or better, long term operating costs are simply much lower as the building is built to last.

Utility bills are also a fraction of the cost of a typical building, which also safeguards against future rising costs. When a natural gas bill doubles from $5.02/month (current residential suite cost), it becomes $10.04, which is still very affordable. When the bill instead starts at even $30/month and doubles to $60 – and this happens with every utility and maintenance bill – the apartment becomes more difficult for lower income residents to afford.

Long term, LEED protects residents, keeping their overall housing costs lower.

Council recognized the importance of LEED when residential suites were initially added to the City of Kirkland Zoning Code, overturning the Planning Commission when they removed that stipulation from the requirements. LEED is just as important now to show the community that residential suites are a quality addition to the City and to help protect against the rising cost of affordable housing.

1. Totem Lake zoning code language as proposed by Staff (matches CBD):

Development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.

2. Totem Lake zoning code language as proposed by Planning Commission (see Section 55.33, TL 4A, 4B, 4C):

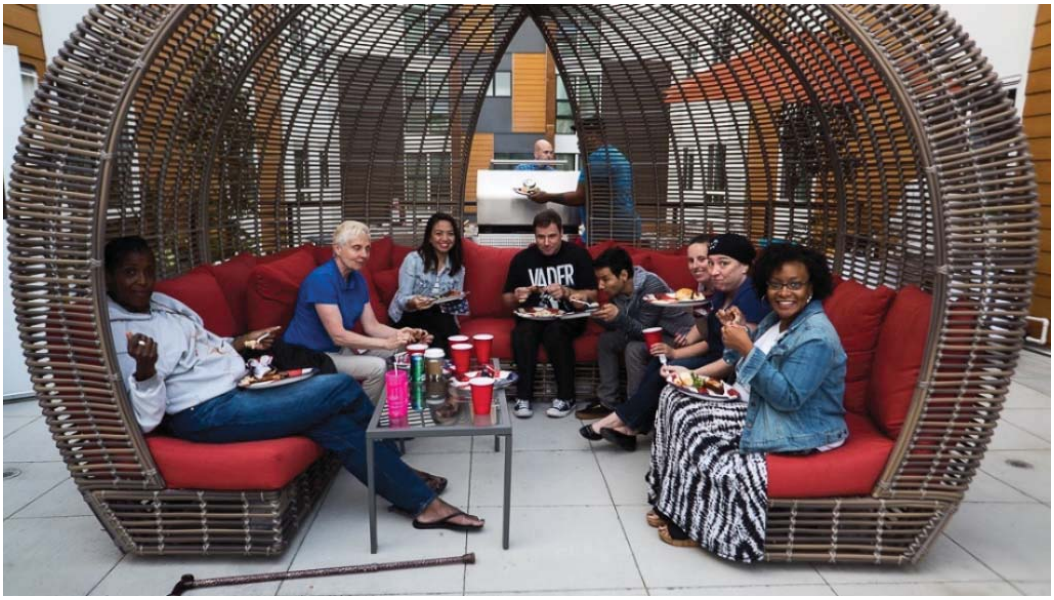
6. Development shall either:
   a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or
   b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.

3. Totem Lake zoning code language as we propose (matches CBD and staff recommendation):

```
Development shall be designed, built and certified to achieve or
exceed one or more of the following green building standards:
Built Green 5 Star certified, LEED Gold certified, or Living
Building Challenge certified.
```

2. Residential suites are naturally affordable – do not trade away the LEED requirement for affordability that already occurs.

Residential suites, due to their smaller size, will always be affordable in comparison to a larger apartment or single-family home. On the Eastside, 47% of our residents make less than 50% AMI and 74% make less than 80% AMI, without any specific restrictions needed. Because of LEED Platinum, utility bills are extremely low and are included in the rental price, further extending the affordability of these units.



A wonderful community who would otherwise not be able to afford to stay in Kirkland

The monthly rent for a residential suite begins at $765 and average $910, where the average downtown Kirkland studio apartment is $1,878, including utilities.

The proposed 10% affordability clause already naturally occurs. 100% of residential suites rent for below the 80% AMI threshold. When the rents are already this low, an affordability regulation only creates cost and reduces the ability to keep rents affordable for all units. By creating additional costs of administration and tracking, it raises the operational costs of these communities, which will bar any new construction from occurring.

Imagine Housing, one of the major affordable housing providers on the Eastside, tells us that they often have people come to them looking for housing that just barely make over the affordability threshold. For example, someone who makes 82% of AMI, comes to Imagine Housing looking to rent an apartment at the 80% AMI limit. Because their income just barely surpasses the income limit, Imagine Housing cannot help. Residential suites can then provide housing for this person because there is no specific income limit on units; this housing type needs to be kept flexible to help all people along the affordable housing spectrum.

To trade the LEED requirement out for 10% affordability when 100% affordability already exists is a false narrative. All the new proposed language will do is to pay to track what is naturally happening and to break the City's promise to the neighbors that so willingly supported the creation of an affordable housing option in residential suites.

3. The visitor parking requirement is unnecessary and adds substantial costs to development.

Residential suites are also specifically designated in walkable, transit and job oriented location, which allows residents to walk, bike, or use transit instead of an extremely expensive single occupant vehicle. When a car is not required for daily life, a small income goes a lot farther. By the nature of their size, residential suites also do not have many visitors to their units and instead are more likely to meet friends at their apartments and single-family homes, or in coffee shops and restaurants downtown. Council recognized this fact, which is why a near nonexistent visitor parking for residential suites was acknowledged and approved in the parking requirements for both Downtown and Totem Lake. People don't have parties in residential suites.

Per the most recent Peter Kirk parking garage study, **parking costs $58,000 - $65,000 per stall to build.** Even just ten excess stalls will cost a new project an additional half a million dollars or more.

Slater 116 is just one example of a new community that is perceived to have built too little parking, by the packed streets that surround the building. However, their parking garage has many vacant stalls every day. What really happened here?

As we were informed by City staff, Luna Sol, the apartment complex adjacent to Slater 116, began charging for parking around the same time Slater 116 was constructed, but they did not require their residents to park on site (nor does Slater 116). When given the option between paid parking in a garage or free street parking in front of their building, many residents choose the free option. Transportation Management Plans (TMPs) are key to parking in our urban areas. It does not matter how many parking stalls are built on site if residents park on the street.

We suggest the Council consider a multi-pronged approach to making parking better in the City. Require TMPs for all multifamily and mixed use properties in trade for "just the right amount" of parking and expand time parking on urban streets. This will also push new communities to park their residents on site and help existing multifamily to park on site, i.e. the Luna Sol experience.

Unless parking is managed, you could build a $100 Million garage and residents will still park on the street.

Areté is a clear example of successful managed parking where all residents are required to park on site. With a TMP in place and a specific requirement laid out, residents park inside the garage and street parking is available to retail and surrounding neighbors. TMPs should have a great toolbox of options, such as transit passes for non car users who commute, to both reduce the total vehicle count and to ensure resident vehicles are parked on site. TMPs should be results based; if parking goals are met, the project is successful, and the City will have reduced operating costs for management.

A detailed parking study was completed for Areté after full occupancy to analyze the real parking demand for residential suites. The current demand was determined to be 0.43 vehicles per residential suite. This number is expected to drop to 0.35 or less once Kirkland Urban is reopened and jobs return to Kirkland's downtown core. Redmond has shown this lowered parking need and has responded accordingly to actual demand; the last two Redmond communities have been approved at 0.31 and 0.42 parking stalls per residential suite. We expect the same in Totem Lake as well with its heavy job concentration.

The 0.50 parking requirement is above the demand and we propose to keep it at that level until a smaller demand is demonstrated, which will occur. We can expect, that the year after the first residential suite community is completed in Totem Lake, there will be a similar demand to Redmond's, or about 0.35, less when within blocks of a transit hub. Those who are employed within the city, and do not have cars, find our residential suites.

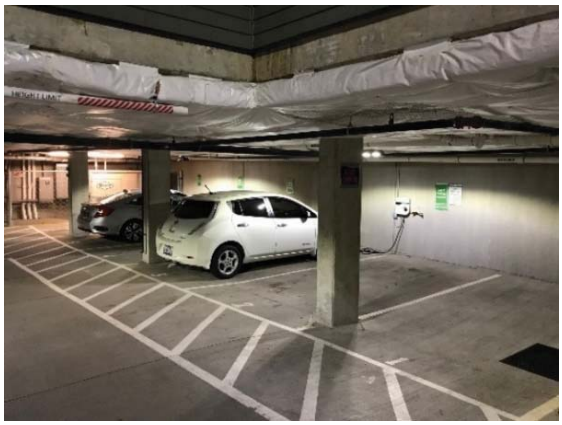
Since the parking study, we have monitored our guest parking carefully. At this time, because Arete is the only community with strict managed parking, it is an island surrounded by construction, offices, and residences in an unmanaged condition. This was clear when, for a short while, the guest parking at Arete was near full overnight – what we found is that residents and guests at Capri had found nice, covered, free parking at Arete. Once we implemented signage that the spaces were for Arete visitors only, our average dropped immediately to 4-5 cars (out of 9 stalls, which are in place for the 62 apartments but accessible for all 290 units).

<u>Totem Lake zoning code language as written:</u>

All requirements currently in place for this use in the CBD, including a reduced parking rate of .5 stall/living unit with a parking management plan, and 1/stall per unit where parking is not managed.

<u>Totem Lake additional zoning code language as proposed (see Section 55.33, TL 4A, 4B, 4C):</u>

4. For managed and non managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement.



Arete Visitor Parking at 2am – 5 of 9 stalls vacant

Arete street parking at 2am – 3 of 5 stalls vacant

As documented in the photographs above, Arete clearly shows a surplus of visitor parking, both inside the parking garage and on the street. These nine visitor stalls, as required by code for the 62 full size apartments on site, are more than sufficient for the community, including the 228 residential suites. The proposed 5% visitor parking requirement for residential suites in Totem Lake simply has no basis in fact and, similar to the proposed affordability condition, would simply layer on additional costs on a type of housing that is already difficult to build, as shown by the fact that there is only one company on the Eastside who builds them.

A 5% visitor requirement added to Areté's parking garage would just have led to a lot of vacant stalls - an additional cost of hundreds of thousands of dollars for even more parking to stand empty. **Affordability cannot exist with high cost housing.**

II. Future Comprehensive Plan Update Proposal

4. Expand housing incentive areas.

Currently, there are housing incentive zones in Totem Lake Zones 10C, 10D, and 10E that allow for Stacked or Attached Dwelling Units. We propose this be expanded to include residential suites as well.

Proposed zoning code changes should include all Totem Lake zones, including those that do not traditionally include residential housing. When discussed at the October 19th meeting, the Planning Commission requested that this option be put on the schedule to discuss. We would propose to have those zones studied on next year's Planning Commission work plan. This action, if eventually approved, could provide additional affordable residential suites and help Residence XII achieve additional housing support for extended stay opportunities. Affordable housing options could exist within blocks of the City's justice center and a great deal of other employment. Putting affordable residential suites within walking distance to work while protecting key commercial areas creates the possibility for excellent village dynamics.

It is critical to take a superior approach to zoning concepts. The goal should be to provide opportunities to live, work, and play in the same neighborhood. Job location is most important; transit is a supporting choice when all three aspects are not together. Creating villages with homes, employment, and recreation within a very local area allow residents to walk and bike to their everyday destinations.

These edge areas that we suggest for a laser focus of review are made up of lots that are not able to be redeveloped as light manufacturing due to their small size, and they would be a nice transition with residential and open space from the single family zoned areas beyond.

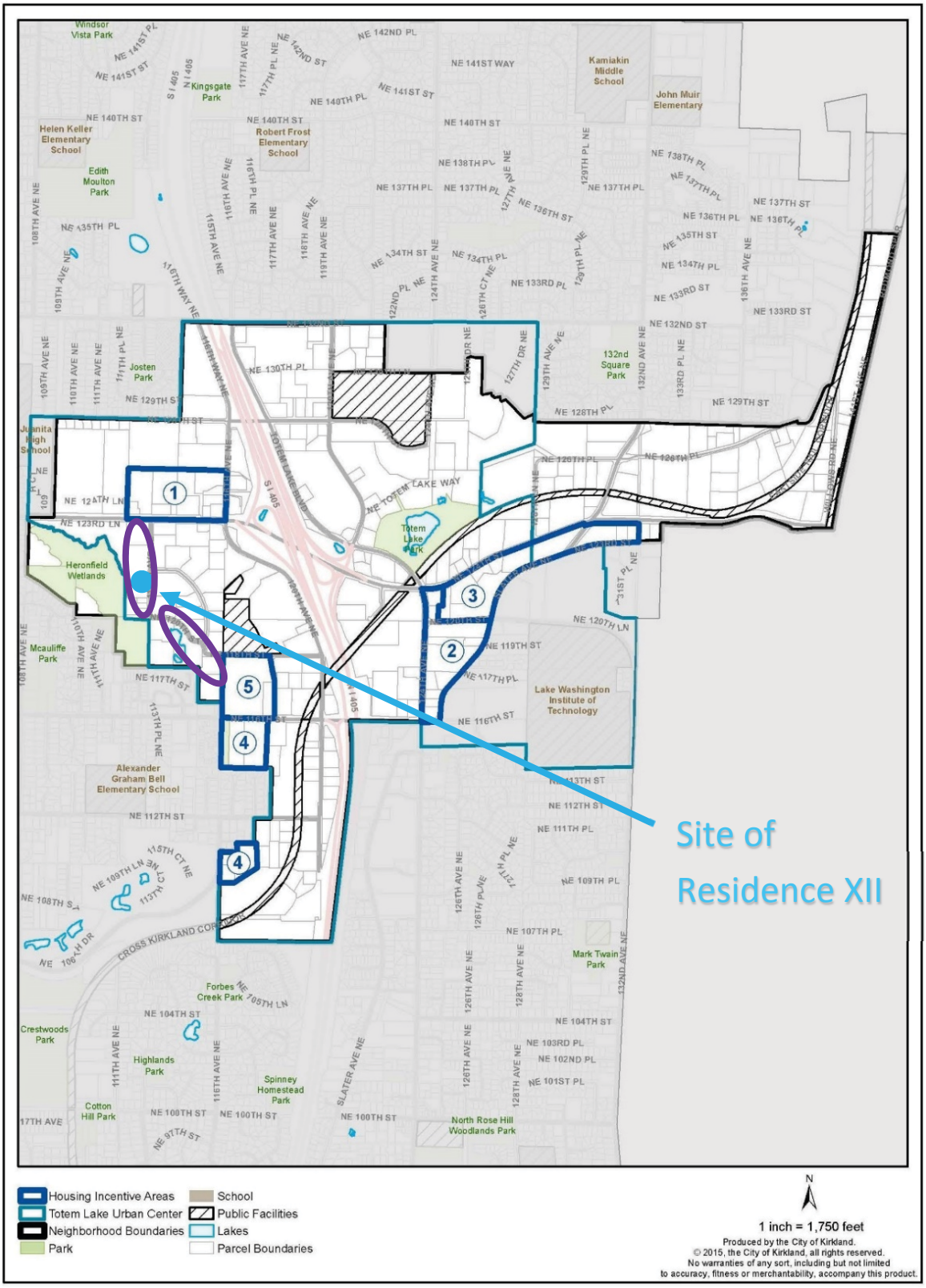
Totem Lake zoning code language as written (see Section 55.33 TL 10C):

1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC)

Totem Lake zoning code language as proposed:

Match language from TL 10C and add incentive areas in 10A and 10B as approporiate. Include residential suites as a permitted use.

Current (Blue) and Future Review (Purple) Totem Lake Housing Incentive Areas



Totem Lake Walkability, Jobs, Income, and Transit Analysis

TL Zone	Walk Score	Transit Score	Median Income (2015)	AMI %	Pop.	RSP* Jobs Concentration	RSP* Transit Service	RSP* Parking/Unit
1A	59	45	$74,010	82.60	5695	36,659	1321	1.05
1B	48	45	$74,010	82.60	5695	36,209	1311	1.05
2	59	45	$74,010	82.60	5695	37,599	1338	1.04
3A	55	45	$74,010	82.60	5695	37,064	1295	1.07
3B	60	45	$74,010	82.60	5695	37,225	1484	0.94
3C	45	44	$74,010	82.60	5695	37,064	1232	1.11
3D	55	45	$74,010	82.60	5695	36,676	1306	1.06
4A	63	44	$74,010	82.60	5695	39,530	1297	1.06
4B	55	44	$90,442	100.94	4725	38,470	1238	1.09
4C	61	40	$90,442	100.94	4725	40,649	1222	1.10
5	67	43	$74,010	82.60	5695	40,554	1338	1.03
6A	67	43	$74,010	82.60	5695	39,687	1256	1.09
6B	68	43	$90,442	100.94	4725	37,447	1321	1.04
7A	63	43	$74,010	82.60	5695	39,170	1214	1.12
8	61	45	$74,010	82.60	5695	38,140	1347	1.03
10A	57	41	$90,442	100.94	4725	39,111	1215	1.10
10B	57	41	$90,442	100.94	4725	40,039	1225	1.10
10C	54	40	$98,058	109.44	3686	40,598	1272	1.07
10D	50	35	$126,193	140.84	7935	41,840	1178	1.13
10E	60	39	$126,193	140.84	7935	41,236	1206	1.11
11	66	44	$90,442	100.94	4725	36,922	1280	1.06
PLA 14	26	35	$102,968	114.92	5324	39,775	1202	1.14
Total	**57**	**42**	**$85,644.73**	**95.59**	**5526**	**38714**	**1277**	**1.07**

*Right Size Parking

III. Non Residential Suite Zoning Issue

5. Elimination of apartment parking buffer.

The proposed language to eliminate the parking buffer requirement for apartment projects currently recommends a requirement for all residents to be given a free two-zone transit pass. We believe this language was meant to mirror what has been required for residential suite TMPs, and that the bus pass be one part of a toolbox of options open to the community to achieve their TMP goals. For two-car apartment, a free two-zone transit pass is well beyond what will be used.

Full two-zone transit passes are a huge cost burden to the apartment complex developer, as they are included in the financial projections of the project and must be calculated with a 5% cap rate – an annual bus pass cost of $1,404 reduces the value of the project by $28,080 per person. Because there is no added value for the bus pass (unlike a parking stall, that will be calculated with the ability to be rented out), a developer will simply have to build the parking

stalls that will stand vacant instead, or choose not to build the project at all if the numbers do not pencil well.

IV. Conclusions

6. Affordability cannot be created with high cost housing.

Affordability cannot be created with high cost housing. A key aspect of keeping affordable housing affordable – long term – is to keep additional costs to a minimum. Arete has demonstrated the extremely low parking demand with the parking study after completion that allowed for a further reduction of 45 stalls below code requirements. Excess parking and regulations, as stated above, will push the base rent higher without any additional value brought to the community, as the stalls will stand vacant. Once they've been built, however, the property will need to charge an increased rent in order to cover the up front cost of the unnecessary parking. That is, if the numbers still work and the project is completed even with the staggering, unnecessary costs of vacant parking.

Ultimately, if the costs rise too high, this type of housing cannot be financed, and without financing, new affordable residential suite communities will not get built. Luxury, high cost apartments are easier to finance, so that is what is built.

The initial cost of sustainability has continuing paybacks that keep down the cost of housing long term. Housing durability and vastly reduced energy and water costs hedge against future maintenance and utility increases by simply needing less than a typical apartment.

For someone whose income doesn't exceed $2,000 a month, an extra $50 can break a tight budget. Only the rich can afford to waste money.

Saturday Farmers Market at Arete

The residential suite code as currently in place in the CBD Zone works extremely well, and for good reason, the City was recognized for this effort with the Governor's Smart Communities Award this year. Residential suites are a wonderful piece of the affordability and growth management puzzle that is so important to the vibrancy of our City. It is vital that they continue to grow and provide this important housing type to include all those who want to live in such a special place. When something works so well, it should be supported and celebrated, not weighed down by superfluous costs and regulations.

The proposed code simply burdens residential suites with added costs and unnecessary regulations. We suggest staying with what has been successful and directing staff to seek ways to encourage more of this kind of development through expedited permit processing, parking based on actual demand, and reduced utility sizing that reflects actual lower demand.

Kirkland needs affordable housing. Residential suites help fill that need.

Natural and Built Environments LLC
450 Central Way Suite 3000
Kirkland WA 98033
Robert Pantley, Owner
Angela Rozmyn, LEED AP

Exhibit A

CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3600
www.kirklandwa.gov

MEMORANDUM

Date: **November 21, 2017**

To: **Kirkland City Council**

From: **Colleen Cullen, Chair, Kirkland Planning Commission**

Subject: **Totem Lake Business District Amendments – Kirkland Zoning Code, Zoning Map and Comprehensive Plan, File CAM17-00371**

INTRODUCTION

We are pleased to recommend approval of amendments to the Zoning Code, Zoning Map and Comprehensive Plan for consideration by the City Council.

The proposed amendments are discussed below.

BACKGROUND

The Planning Commission held a study session on July 27, 2017 (meeting minutes) to provide direction to staff on draft amendments for the Totem Lake Business District. The amendments correct minor errors and inconsistencies in regulations, address a variety of issues in response to challenges experienced by developers, and respond to requests from two property owners. The meeting packet for the study session can be viewed here. The Planning Commission held a public hearing on the draft amendments on October 19, 2017. The materials prepared for the public hearing can be viewed here. Attachment 1 contains draft minutes for the public hearing.

Recommended Amendments

Our recommended amendments are shown in Attachment 2 and include the following:

A. In **Chapter 55** (Totem Lake Zones):

1) **Assisted Living**: We recommend adding "Assisted Living" as a permitted use to three zones (TL 10B, TL 10C and TL 10D), consistent with other similar zones where this use is permitted. The use had been left out of these zones inadvertently.

2) **References to Special Regulations**: We recommend correcting references to special regulations where errors exist. These changes apply to the TL 1A, TL 1B, TL 4, TL 7A and TL 7B zones.

3) **Residential Suites**: To provide for greater housing choice and affordability, we recommend expanding the Residential Suites use to additional zones within the Totem Lake Business District. In three zones (TL 1A, TL 1B and TL 2), the use is already permitted within the "Attached or Stacked Dwelling Units", so the recommended amendments would uncouple the Residential Suites use, allowing for the application of the same standards for this use as those to be established for the district's other zones. The recommended amendments would expand the use to the following zones: TL 4, TL 5, TL 6A, TL 7A and TL 8.

Discussion: The Planning Commission heard testimony from Robert Pantley at the public hearing. Mr. Pantley's company has developed many Residential Suites projects on the Eastside, including the Arete project in downtown Kirkland. In our deliberation, we considered the comments from Mr. Pantley, and concluded that a visitor parking requirement of 5% would be sufficient to address this issue, rather than the 10% requirement recommended by staff.

The Commission also discussed the requirements for LEED certification that are included in the standards for Residential Suites. We concluded that since housing affordability is also a key objective for this development type, the requirements should provide a choice for a developer to meet *either* the green building standards contained in the current Residential Suites regulations, or provide at least 10 percent of the units as affordable housing units. The recommended amendments provide this option for development.

4) **Design Review Process**: To allow for greater attention and creativity in design, and the ability to consider the context of development within the Totem Lake Business District, we recommend amendments that will require the use of the Design Review Board rather than the administrative process (ADR) in place in many zones in Totem Lake. The recommended amendments apply to development in the following zones: TL 6A, TL 10A, TL 10B, TL 10C and TL 10D.

5) **Height Calculation**: To provide flexibility for development in zones that require street level orientation for commercial space, particularly on sites where topography presents a challenge in meeting this and the 13' ground-floor ceiling requirement, we recommend allowing five additional feet in building height. This change would apply to development with these requirements in the following zones: TL 1A, TL 4A, TL 4B, TL 4C, TL 5, TL 6A, TL 6B, TL 7A and TL 8.

6) **Residence XII**: To respond to a request from the Residence XII treatment center to include transitional sober housing as an accessory use, we recommend adding transitional use as an allowed accessory use to a Convalescent Center within the TL 10A zone. Since residential use is not supported in the Comprehensive Plan for this area, the recommended amendments are designed to limit the new "temporary, transitional housing" use to the Residence XII property.

B. In **Chapter 105** (Parking Areas, Vehicle and Pedestrian Access and Related Improvements):

1) **Elimination of Buffer to be added Parking Demand Rate in Totem Lake Urban Center** (Section 105.103.3.c)**:** The purpose of this amendment is to provide flexibility for development in the urban center, address challenges experienced in multifamily residential development and acknowledge the reduced need for parking in areas with compact development and greater access to transit. We recommend exempting the "TL" zones within the Totem Lake Urban Center from the requirement that an additional 15% be added to the parking rate determined through a parking study. The recommended amendments also include new requirements for submittal of a Transportation Management Plan (TMP) in zones where this buffer will not apply.

C. Changes to **the Zoning Map, the Comprehensive Plan and Zoning Code Section 55.51**:

1) **RJB Wholesale**: To respond to a request from Nick Beck (RJB Wholesale) to allow for light industrial use of his property, we recommend the following amendments:

- *Zoning Map*: Rezone of the RJB Wholesale property from RMA 3.6 to TL 7B, and
- *Comprehensive Plan text*: Change to Policy TL 36.3 to support light industrial/office uses in addition to multifamily residential development, and
- *Comprehensive Plan maps*:
  - Figure TL-2: Change to designate the property as industrial (blue), and
  - Subarea maps: Changes to reflect designation as industrial (blue), and
- *TL 7B zone*: Text change to Special Regulation 1 to allow either multifamily or light industrial/office use on the property, consistent with the range of uses allowed on the property directly west of the intervening property zoned RMA 3.6.

Additional background information about the proposed changes for each topic is contained in the memorandum provided for the public hearing.

Decisional Criteria

All of the proposed amendments to the text of the Zoning Code must satisfy the criteria contained in the Zoning Code (Chapter 135). The proposed amendments to address the RJB Wholesale request must also satisfy the criteria for legislative rezones (Chapter 130) and the criteria for amending the Comprehensive Plan (Chapter 140). The decisional criteria were considered when making this recommendation. An analysis of how the proposed changes meet the criteria can be found in memorandum.

PUBLIC PARTICIPATION

We received two written comments (Attachment 3). One letter expressed support for reduced parking requirements in Totem Lake. The second letter clarified the range of uses planned for the Residence XII property.

At the public hearing, we received oral testimony from one person, Robert Pantley, who provided background information about the Arete Residential Suites development in Kirkland, and expressed concerns regarding some of the proposed regulations for the Residential Suites use. He also encouraged the Commission to expand the use to additional zones within the Totem Lake Business District where residential use is not currently allowed, and supported a provision to allow for consideration of a reduction in required parking one year after occupancy of a Residential Suites development.

The Planning Commission discussed the suggestion of expanding the Residential Suites use to other zones in Totem Lake where residential use is not consistent with existing Comprehensive Plan policies. While this topic was not included within the scope or public notice provided for the current set of amendments, the Commission would be open to studying this issue in 2018.

ATTACHMENTS

1. Draft Minutes – PC Public Hearing, October 19, 2017
2. PC Recommended Amendments to the KZC, Zoning Map and Comprehensive Plan
3. Correspondence

cc: CAM17-00371

DRAFT

KIRKLAND PLANNING COMMISSION
October 19, 2017

1. **CALL TO ORDER/ROLL CALL (7:00 PM)**

Members Present: Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, Glenn Peterson, Carter Bagg, Mike Miller, and John Tymczyszn.

Members Absent: Sandeep Singhal.

Staff Present: Eric Shields - Planning & Building Director, Prins Cowin - Administrative Supervisor, Jon Regala - Planning Supervisor, Joan Lieberman-Brill - Senior Planner, Dorian Collins - Senior Planner, and Jeannie Dines - Recording Secretary.

2. **ANNOUNCEMENT OF AGENDA (7:00 PM)**

3. **SPECIAL PRESENTATION (7:01 PM)**

A. **Open Public Meetings Act, Code of Conduct & Ethics, Email Review**

Administrative Supervisor Prins Cowin referred to Open Public Meetings Act and Code of Conduct and Ethics and requested Commissioners sign the forms indicating they watched the training videos. She reviewed the use of City email and responded to Commission questions.

4. **COMMENTS FROM THE AUDIENCE - None (7:07 PM)**

5. **HEARING (7:08 PM)**

A. **2017 Citizen Initiated Comprehensive Plan Amendments; CAM16-02641 and CAM16-02885**

Chair Cullen opened the hearing at 7:08 PM.

Lee Johnson CAR
Senior Planner Joan Lieberman-Brill reviewed the request, existing conditions, options and staff's recommendation.

Public Testimony
1. Alice Fleck, 8020 118th Ct NE, Kirkland.

Motion to support staff's recommendation regarding the Lee Johnson CAR.
Moved by Glenn Peterson, seconded by Carter Bagg

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

Alivai CAR
Ms. Lieberman-Brill reviewed the request, staff's recommendation, existing conditions, options, and decisional criteria and responded to Commission questions.

Public Testimony
2. Edward Radcliff, 231 7th Ave W, Kirkland.

3. Laurie Viault, 545 17th Ave W, Kirkland.

Ms. Lieberman-Brill and Planning & Building Director Eric Shields responded to Commission questions and the Commission deliberated.

Commissioner Miller provided alternate language regarding preservation of the Giant Sequoia in Option 2.

Motion to that the Planning Commission recommend to the City Council the rezone to MSC1, limit development to a duplex and require protections for the Giant Sequoia.
Moved by John Tymczyszn, seconded by Mike Miller

Mr. Shields suggested staff craft a condition for review by the Chair. Commission agreed.

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

Chair Cullen closed the public hearing at 7:51 PM.

B. **Totem Lake Zoning Code & Comprehensive Plan Amendments, File No. CAM17-00371**

Senior Planner Dorian Collins reviewed the amendment process and the proposed Zoning Code and Comprehensive Plan amendments and responded to Commission questions.

Public Testimony
4. Robert Pantley 450 Central Way, Ste 3000, regarding Arete Residential Suites.

5. Angela Rozmyn, LEED AP, regarding Arete Residential Suites.

Mr. Pantley, Ms. Collins and Mr. Shields responded to Commission questions.

Chair Cullen closed the public hearing at 8:42 PM.

Motion to that the Planning Commission recommend to the City Council Zoning Code Amendments with a change in Residential Suites Special Regulation 7 to reduce visitor parking from 10% to 5%.
Moved by Mike Miller, seconded by Mathew Pruitt - Vice Chair

Motion to Amend to require either LEED Gold or 10% affordable housing.
Moved by Glenn Peterson, seconded by Mathew Pruitt - Vice Chair

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

6. **STUDY SESSION (8:53 PM)**

A. **Temporary and Off-Site Signs, File No. CAM17-00419**

Planning Supervisor Jon Regala provided background, identified topics for Commission consideration (prohibited devices/signs, A-frame signs, and off-site directional signage), and described outreach to businesses and enforcement scenarios.

Mr. Regala and Mr. Shields responded to Commission questions and Commission provided input. Staff will return with alternatives for A-frame signs at the public hearing.

7. **READING AND/OR APPROVAL OF MINUTES (9:23 PM)**

A. August 24, 2017

Motion to Approve August 24, 2017 minutes.
Moved by Mike Miller, seconded by Mathew Pruitt - Vice Chair

Commissioner Tymczyszn requested the minutes reflect he abstained from the vote on the Kirkland Urban – Proposed Modifications to Master Plan because he did not participate in the previous discussion.

Vote: Motion carried 6-0
Yes: Glenn Peterson, Carter Bagg, Mike Miller, Colleen Cullen - Chair, Mathew Pruitt - Vice Chair, and John Tymczyszn.

8. **ADMINISTRATIVE REPORTS AND PLANNING COMMISSION DISCUSSION (9:24 PM)**

A. City Council Actions

Mr. Shields reported on the City Council's adoption of an ordinance establishing limits on short term rentals via business licensing. He reported on the Council's study session on the Finn Hill Neighborhood Plan and directed that street connections be removed from the plan and a process established in 2018. The Council also had a study session on tree regulations.

Vice Chair Pruitt commended staff on the FHNP open house.

B. Hearing Examiner Actions

C. Public Meeting Calendar Update

Next meeting: October 26 - Finn Hill Neighborhood Plan Public Hearing. Commissioner Tymczyszn advised he would be absent.

Commissioner Miller reported on the Housing Strategy meeting.

9. **COMMENTS FROM THE AUDIENCE - None (9:38 PM)**

10. **ADJOURNMENT (9:38 PM)**

_____

Chair
Kirkland Planning Commission

ASSISTED LIVING AMENDMENTS

Section 55.75 Zone TL 10B USE ZONE CHART

Section 55.75	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.170	Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	70%	55' above average building elevation.	C See Spec. Reg. 4.	B	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. However, expansion of the floor area of this use may not exceed 20 percent of the existing gross floor area of the building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space. 4. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
	Assisted Living Facility	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	5' but 2 side yards must equal at least 15'. See Spec. Reg. 3	10' See Spec. Reg. 4.	70%	65' above average building elevation.	D	A	See KZC 105.25	1. This use is permitted only on parcels located west of the 118th Avenue NE right-of-way alignment (see Housing Incentive Area 5, Plate 37, Chapter 180 KZC). 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. 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. 4. 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.

Zone TL 10C

USE ZONE CHART

Section 55.81	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.160	Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	E	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.
	Assisted Living Facility. See Spec. Reg. 1.	D.R., Chapter 142, KZC. See Gen. Reg. 5.	None	10'	5' but 2 side yards must equal at least 15'. See Spec. Reg. 4.	10', See Spec. Reg. 5.	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, up to 65' above average building elevation. See Spec. Reg. 2	D	A	See KZC 105.25	1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC). 2. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 65 feet. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. The side yard may be reduced to 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. 5. 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.

Section 55.87 — Zone TL 10D — USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.170	Development Containing Stacked or Attached Dwelling Units and one or more of the following uses: • Retail establishments, including restaurants and taverns, and/or • Office uses	D.R., Chapter 142 KZC.	10 Acres	10'	0'	0'	80 %	80' above average building elevation. See Spec. Reg. 5.	See Spec. Reg. 6.	E	See KZC 105.25.	1. A development which includes one or more of the uses specifically listed in this "use" column may also include one or more of the other uses allowed in this zone. 2. Development must be located on property adjacent to the Cross Kirkland Corridor (CKC), and provide building and site orientation to the CKC. 3. Vehicular and pedestrian access must be oriented away from primary access routes for industrial traffic. 4. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of a light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents. 5. Maximum building height for development that includes land on both sides of the CKC is 100 feet. At least 25 percent of the gross floor area of the development must be on either side of the corridor to satisfy this requirement. 6. The landscaping requirement adjacent to property in TL 10D shall comply with KZC 95.42(1). Where existing residential use abuts the parcel boundaries, KZC 95.42(2) applies.
	Assisted Living Facility, See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 3.	None	10'	5', but 2 side yards must equal at least 15'. See Spec. Reg. 4.	0'	80 %	Where adjoin a low density zone, 30' above average building elevation. Otherwise, 65' above average building elevation. See Spec. Reg. 1.	D	A	See KZC 105.25.	1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC). 2. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of a light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. The side yard may be reduced to 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.

Zone TL 1A

USE ZONE CHART

CORRECTIONS - SPECIAL REGULATIONS

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Spec. Reg. 2.	B	D	See Chapter 105 KZC	1. The minimum floor area ratio (F.A.R.) for development on the subject property is 1.0, or 100 percent of lot size. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 2-4(a) above. 2) Design of buildings meets guidelines for [illegible]et forth in Design Guidelines (Chapter 142 KZC, [illegible]apter 3.30 KMC). 3) Floor plates may not exceed 10,00[illegible]re feet per floor, for the portion of the building abo[illegible]eet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Attached or Stacked Dwelling Units or Residential Suites	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 4.	30' to 160' above average building elevation. See Spec. Reg. 3.	C	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 3 ~~5~~(a) above. 2) Design of buildings meets guidelines for tower[illegible] forth in Design Guidelines (Chapter 142 KZC, and [illegible]ter 3.30 KMC). 3) Floor plates may not exceed 10,000 sq[illegible] feet per floor, for the portion of the building above 80 [illegible]n height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	Assisted Living Facility	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Spec. Reg. 2.	B	A	See KZC 105.25.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 24(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and [illegible]er 3.30 KMC). 3) Floor plates may not exceed 10,000 [illegible] per floor, for the portion of the building above [illegible] height, except on those parcels where road ded[illegible]s required pursuant to General Regulation 5. On th[illegible] parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Convalescent Center or Nursing Home	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 2.	30' to 160' above average building elevation. See Spec. Reg. 1.	C	B	1 for each bed.	1. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development of the subject property complies with 1~~3~~(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and C[illegible] 3.30 KMC). 3) Floor plates may not exceed 10,000 squa[illegible]er floor, for the portion of the building above 80 f[illegible]eight, except on those parcels where road dedicati[illegible]equired pursuant to General Regulation 5. On these[illegible]s, floor plates may not exceed 20,000 square feet o[illegible]rs between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 2. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.

Section 55.15 Zone TL 1B USE ZONE CHART

Section 55.15	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Development Containing Both Office Use and Attached or Stacked Dwelling Units or Residential Suites	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 1.	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Spec. Reg. 2.	C	D	For residential: 1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements. For other uses see KZC 105.25.	1. Twenty-foot yard required where properties abut NE 132nd Street. 2. Building height is regulated as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 4; or b) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 24(a) above, 2) Design of buildings meets guidelines for tow[illegible] set forth in Design Guidelines (Chapter 142 KZC, and [illegible]r 3.30 KMC). 3) Floor plates may not exceed 10,000 s[illegible]er floor, for the portion of the building above 80 f[illegible]ght. 4) Methods for mitigating any si[illegible] shadowing and lighting impacts of the increased buil[illegible]eight on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Zone TL 1B

USE ZONE CHART

Section 55.15	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Attached or Stacked Dwelling Units or Residential Suites (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with ~~4~~5(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Ch. 3.30 KMC). 3) Floor plates may not exceed 10,000 sq. ft. per floor, for the portion of the building above 80 feet. 4) Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 5. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 6. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.

Section 55.15 Zone TL 1B **USE ZONE CHART**

Section 55.15	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Assisted Living Facility (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with ~~35~~(a) above. 2) Design of buildings meets guidelines for towe[illegible] forth in Design Guidelines (Chapter 142 KZC, and[illegible] 3.30 KMC). 3) Floor plates may not exceed 10,000 s[illegible]t per floor, for the portion of the building above 80 f[illegible]ght. 4) Methods for mitigating any si[illegible] shadowing and lighting impacts of the increased buildi[illegible]eight on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.

Zone TL 1B

USE ZONE CHART

Section 55.15	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.090	Convalescent Center or Nursing Home	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 1.	0'	0'	80%	30' to 160' above average building elevation. See Spec. Reg. 2.	C	B	1 for each bed.	1. Twenty-foot yard required where properties abut NE 132nd Street. 2. Building height is regulated as follows: a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 4; or 2) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 24(a) above. 2) Design of buildings meets guidelines for towe[illegible] set forth in Design Guidelines (Chapter 142 KZC, and [illegible]r 3.30 KMC). 3) Floor plates may not exceed 10,000 sq[illegible]er floor, for the portion of the building above 80 f[illegible]ght. 4) Methods for mitigating any si[illegible] shadowing and lighting impacts of the increased [illegible]height on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.

Zone TL 4A, 4B, 4C

USE ZONE CHART

Section 55.33	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.100	Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation. See Spec. Reg. ~~5~~ 4.	D	E	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 4. The equivalent of the additional gross floor area constructed above 35 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor. 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.110	Church							65' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.

Section 55.51 Zone TL 7A, 7B USE ZONE CHART

Section 55.51	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Packaging of Prepared Materials Manufacturing See Spec. Regs. 1. and 3.	D.R., Chapter 142 KZC. See Gen. Reg. 3.	None	10'	0'	0'	90%	TL 7A: 80' above average building elevation. TL 7B: 45' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from pre-prepared material; and f. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. May include, as part of this use, accessory retail sales, office or service utilizing not more than 35 percent (50 percent for properties located within 150 feet of the Cross Kirkland or Eastside Rail Corridor) of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.015	Breweries, Wineries, Distilleries										1 per each 1,000 sq. ft. of gross floor area. Tasting rooms 1 per each 100 sq. ft. of gross floor area.	1. May include tasting rooms, accessory retail sales, or office utilizing not more than 35 percent of the gross floor area (no limit on properties in this zone where a restaurant use is allowed).
.020	Warehouse Storage Service										1 per each 1,000 sq. ft. of gross floor area.	1. May include, as part of this use, accessory retail sales, office or service utilizing no more than 35 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.030	Wholesale Trade											
.040	Industrial Laundry Facility											
.050	Wholesale Printing or Publishing											

UNCOUPLE RESIDENTIAL USE SUITES FROM COMBINED LISTING

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.040	Attached or Stacked Dwelling Units ~~or Residential Suites~~	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 4.	30' to 160' above average building elevation. See Spec. Reg. 3.	C	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 5(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Attached or Stacked Dwelling Units ~~or Residential Suites~~ (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. ~~5. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.~~ ~~6. Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.~~
.050	Church	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' average building elevation. See Spec. Reg. 3.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use. 3. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.060	School, Day-Care Center or Mini School or Mini-Day-Care	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' above average building elevation. See Spec. Reg. 4.	D	B	See KZC 105.25. See Spec. Reg. 3.	1. A six-foot-high fence is required along property lines adjacent to outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.

Section 55.15	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Development Containing Both Office Use and Attached or Stacked Dwelling Units ~~or Residential Suites~~ (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 4. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and are dependent upon this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other uses. 5. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted if the subject property contains dwelling units. ~~6. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.~~ ~~7. Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.~~
.030	Restaurant or Tavern	D.R., Chapter 142 KZC	See Spec. Reg. 1.								1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use. 2. This use is not allowed within 100 feet of NE 132nd Street. Access to this use from NE 132nd Street is not permitted.

Section 55.15 Zone TL 1B USE ZONE CHART

Section 55.15 USE ? REGULATIONS ?:	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.040 Any Retail Establishment, other than those specifically listed in this zone and those prohibited by Spec. Reg. 3, selling goods and providing services including banking and other financial services	D.R., Chapter 142 KZC	See Spec. Reg. 1.								1 per each 300 sq. ft. of gross floor area.	1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use. 2. The location of drive-through facilities may not compromise pedestrian movement. 3. The following uses and activities are prohibited: a. Vehicle and/or boat sales, repair, service or rental facilities; b. Retail establishments providing storage services unless accessory to another permitted use; c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses; d. Outdoor storage of bulk commodities, except in the following circumstances: 1) If the square footage of the storage area is less than 10 percent of the retail structure, 2) If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers. 4. Floor area for this use may not exceed 5,000 square feet.
.050 Attached or Stacked Dwelling Units ~~or Residential Suites~~	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 3.	0'	0'	85% See Spec. Reg. 5.	30' to 160' above average building elevation. See Spec. Reg. 4.	C	A	1.2 per studio unit 1.3 per 1 bedroom unit 1.6 per 2 bedroom unit 1.8 per 3 or more bedroom unit See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. Twenty-foot yard required where properties abut NE 132nd Street. 4. Building height is regulated as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 4; or 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Zone TL 1B

USE ZONE CHART

Section 55.15	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Attached or Stacked Dwelling Units ~~or Residential Suites~~ (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 6(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height. 4) Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 5. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. ~~6. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.~~

Section 55.21	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Office Use	D.R., Chapter 142 KZC.	Less than 1.5 acres.	0'	0'	0'	80%	30' above average building elevation.	B	D	See Spec. Reg. 4.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and are dependent upon this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other office uses. 3. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. d. A veterinary office is not permitted if the subject property contains dwelling units. 4. If a medical, dental or veterinary office, then one per each 200 square feet of gross floor area. Otherwise, one per 300 square feet of floor area. A reduction in the number of parking stalls required will be considered per KZC 105.103, due to the proximity to the transit center.
.060	Attached or Stacked Dwelling Units ~~or Residential Suites~~								D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. This use may not be located on the ground floor of a structure, except for lobbies, which shall not exceed 10 percent of the ground floor of the structure. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~4. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.~~ REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.21 Zone TL 2 USE ZONE CHART

Section 55.21	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Attached or Stacked Dwelling Units ~~or Residential Suites~~ (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE ~~5. Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.~~
.070	Vehicle Service Station	D.R., Chapter 142 KZC.	Less than 1.5 acres.	See Spec. Reg. 4.			80%	30' above average building elevation.	A	E	See KZC 105.25.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. May not be more than two vehicle service stations at any intersection. 3. This use may not front exclusively on 120th Avenue NE. 4. Gas pump islands must be setback at least 20 feet from all property lines. Canopies and covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
.080	Hotel or Motel			0'	0'	0'			D		1 per each room. See Spec. Reg. 3.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. May include ancillary meeting and convention facilities. 3. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.090	Church									B	See Spec. Reg. 3.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. May include accessory living facilities for staff persons. 3. One for every four people based on maximum occupancy load of any area of worship. No parking is required for day-care or school ancillary to the use.

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec.Reg. 3	30-160'above average building elevation. See Spec.Reg. 2	C	A	See Spec. Reg 4.	1. Residential development must provide a minimum density of 50 dwelling units per gross acre. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 5(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties.

Zone TL 1A

USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Space	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
												REGULATIONS CONTINUED FROM PREVIOUS PAGE 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 4. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 5, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. .. 5. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements:

Section 55.09

Zone TL 1A

USE ZONE CHART

REGULATIONS CONTINUED FROM PREVIOUS PAGE

1) Charge for on-site parking, unbundled from the rent, for tenants who have cars.
2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars
3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges.
4) Adequate secured and sheltered bicycle parking to meet anticipated demand.
5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City.
6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.
7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.
8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

6. All residential suites and all required parking within a project shall be under common ownership and management.

7. Development shall either:

a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or

b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.

8. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Zone TL 1B

USE ZONE CHART

Section 55.15	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites	D.R., Chapter 142 KZC	None	10’	0’	0’	85% See Spec. Reg. 4.	30' to 160' above average building elevation. See Spec. Reg. 3.	C	A	See Spec. Reg. 5.	1. Residential development must provide a minimum density of 50 dwelling units per gross acre. 2 Twenty-foot yard required where properties abut NE 132nd Street. 3. Building height is regulated as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 4; or 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 6(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height. 4) Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or

Section 55.15	Zone TL 1B	U S E Z O N E C H A R T									
											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 5. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 6, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 6. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars.

												REGULATIONS CONTINUED FROM PREVIOUS PAGE 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP. 8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

Section 55.15	Zone TL 1B	U S E Z O N E C H A R T									
											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer. 7. All residential suites and all required parking within a project shall be under common ownership and management. 8. Development shall either: a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 9. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.21

Zone TL 2

USE ZONE CHART

Section 55.21	USE ■ REGULATIONS ■	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS					MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites	D.R., Chapter 142 KZC	Less than 1.5 acres	0'	0'	0'	80%	30' above average building elevation	D	A	See Spec. Reg. 3.	.1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. This use may not be located on the ground floor of a structure, except for lobbies, which shall not exceed 10 percent of the ground floor of the structure. 3. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 4, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 4. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative

commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.

8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

5. All residential suites and all required parking within a project shall be under common ownership and management.

6. Development shall either:

a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or

b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.

7. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.33

Zone TL 4A, 4B, 4C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

Section 55.33	USE ▪ REGULATIONS ▪	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MINIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	Residential Suites See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation.	D	E	See Spec. Reg. 3.	1. This use is permitted only in the TL 4A subarea. 2. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 3. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 4, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 4. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and

												REGULATIONS CONTINUED FROM PREVIOUS PAGE conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP. 8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements. c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer. 5. All residential suites and all required parking within a project shall be under common ownership and management. 6. Development shall either: a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 7. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.39 **Zone TL 5**

USE ZONE CHART

Section 55.39	USE ■ REGULATIONS ■	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS					MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	35' above average building elevation.	D	A	See Spec. Reg. 2.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the parcel size of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 3, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 3. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and

												REGULATIONS CONTINUED FROM PREVIOUS PAGE conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP. 8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements. c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer. 4. All residential suites and all required parking within a project shall be under common ownership and management. 5. Development shall either: a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 6. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.45 **Zone TL 6A, 6B**

USE ZONE CHART

Section 55.45	USE ▪ REGULATIONS ▪	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS					MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation. See Gen. Reg. 11.	D	A	See Spec. Reg. 2.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 3, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 3. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or

other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.

8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

4. All residential suites and all required parking within a project shall be under common ownership and management.

5. Development shall either:

a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or

b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.

6. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.51 **Zone TL 7A, 7B**

USE ZONE CHART

Section 55.51	USE ▪ REGULATIONS ▪	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS					MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 3.	1.5 acres	10'	0'	0'	80%	80' above average building elevation.	See Spec. Reg. 5.	C	See Spec. Reg. 7.	1. This use is permitted only in TL 7A. 2. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. Residential use may be located on the ground floor of a structure only if there is an intervening commercial use with a minimum depth of 20 feet (as measured from the face of the building on NE 124th Street), between this use and NE 124th Street. 3. The ground floor of structures shall be a minimum of 13 feet in height. 4. Site design must accommodate future pedestrian connections to the CKC. 5. Landscaping for this use must comply with KZC 95.42(1). Where an existing residential use exists on the adjacent property, KZC 95.42(2) shall apply. 6. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents. 7. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 8, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 8. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars REGULATIONS CONTINUED FROM PREVIOUS PAGE.

3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges.
4) Adequate secured and sheltered bicycle parking to meet anticipated demand.
5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City.
6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.
7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.
8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

9. All residential suites and all required parking within a project shall be under common ownership and management.
10. Development shall either:
a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or
b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.
11. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.57 **Zone TL 8**

USE ZONE CHART

Section 55.57	USE ▪ REGULATIONS ▪	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS					MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites See Gen. Reg. 2.	D.R., Chapter 142 KZC. See Gen. Reg. 8.	None	10'	5' each side. See Spec. Reg. 1.	10' See spec. Reg.2.	70%	80' above average building elevation.	D	A	See Spec. Reg. 3.	1. 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. 2. 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.1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or pro- posed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 3. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 4, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 4. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and

detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.

7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.

8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

5. All residential suites and all required parking within a project shall be under common ownership and management.

6. Development shall either:

a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or

b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.

7. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

55.65 User Guide. The charts in KZC 55.69 contain the basic zoning regulations that apply in the TL 10A zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.67

Zone TL 10A

Section 55.67 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. For structures located within 30 feet of a parcel in a low density zone (or a low density use in PLA 17), KZC 115.136 establishes additional limitations on structure size.
3. Vehicular access to NE 124th Street should be limited and consolidated where possible. Properties with frontage on 113th Avenue NE must be accessed via 113th Avenue NE rather than NE 124th Street.
4. Development must retain and maintain the existing hill form and vegetation along the eastern boundary of the zone, north of 115th Avenue NE.

5~~. Any development activities requiring Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.~~

5~~6~~. A 50-foot-wide sight-obscuring landscaped buffer must be provided adjacent to any residential zone, except the TL 11 zone to the west.

6~~7~~. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.

7~~8~~. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.

Zone TL 10A

USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Wholesale trade, Wholesale printing or publishing, Manufacturing of electrical equipment, Manufacturing of scientific or photographic equipment, Packaging of prepared materials, Manufacturing of textile or leather products from pre-prepared material, Manufacturing of paper products from pre-prepared material, or manufacturing of plastic products from pre-prepared material	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5~~.	None	10'	5' but 2 side yards must equal at least 15'	10'	80%	See Spec. Reg. 3.	C	C	1 per each 1,000 sq. ft. of gross floor area.	1. Outdoor storage is prohibited. 2. The discharge of any substance that creates any impact detrimental to the environment or adjacent residents is not permitted. 3. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation. 4. Ancillary warehouse space associated with a listed permitted use is allowed.

Section 55.69 Zone TL 10A USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Office Use High Technology	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	5' but 2 side yards must equal at least 15'	10'	80%	See Spec. Reg. 2.	C See Spec. Reg. 3.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per each 300 sq. ft. of gross floor area. If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses. 2. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation. 3. Outdoor storage is prohibited. 4. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outdoor runs and other outdoor facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
.030	Restaurant or Tavern See Spec. Reg. 1.				0'	0'		55' above average building elevation.	C	E	1 per 100 sq. ft. of gross floor area.	1. Where this use is located on a parcel without frontage on NE 124th Street: a. Gross floor area for the use may not exceed 4,000 square feet. b. Drive-in and drive-through facilities are not permitted. 2. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.

Zone TL 10A

USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services. See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	80%	55' above average building elevation.	C	E	1 per each 300 sq. ft. of gross floor area.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. The following uses and activities are prohibited: a. The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers are not permitted; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. b. Retail establishments providing storage services unless accessory to another permitted use. c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses. d. Outdoor storage of bulk commodities unless the square footage of the storage area is less than 10 percent of the retail structure. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
.050	Hotel or Motel										1 per each room. See also Spec. Reg. 3.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. May include ancillary meeting and convention facilities. 3. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.060	Convalescent Center or Nursing Home							See Spec. Reg. 2.		A	1 per bed.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.

Section 55.69 Zone TL 10A USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	80%	See Spec. Reg. 5.	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 3. May include accessory living facilities for staff persons. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 5. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.
.080	Church				5' but 2 side yards must equal at least 15'.	10'		See Spec. Reg. 2.	C		1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use. 2. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.
.090	Public Utility							See Spec. Reg. 3.	A		See KZC 105.25.	1. Outdoor uses are not permitted. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses. 3. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.
.100	Government Facility or Community Facility								C See Spec. Reg. 2.			

55.71 User Guide. The charts in KZC 55.75 contain the basic zoning regulations that apply in the TL 10B zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.73

Zone TL 10B

Section 55.73 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.

2. For structures located within 30 feet of a parcel in a low density zone (or a low density use in PLA 17), KZC 115.136 establishes additional limitations on structure size.

3. New development on properties across which the planned extension of 118th Avenue NE to NE 116th Street is located, as shown on Plate 34C, Chapter 180 KZC, shall contribute to the creation of the street as follows:
   a. With all new development, the portions of this street crossing the subject property shall be dedicated as public right-of-way consistent with Plate 34C; and
   b. The street shall be improved as determined by the Public Works Director.

   Minor deviations in the location and width of the street may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the street.

4. Vehicular access to NE 116th is permitted only via 118th Avenue NE, or if the subject property does not have access to 118th Avenue NE. (Does not apply to Public Park use.)

~~5. Any development activities requiring Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no Design Review is required.~~

5~~6~~. Development must be designed to retain the existing hill along NE 116th Street and retain, at a minimum, 25 percent of the viable significant trees. The City may require greater than 25 percent depending on the location and clustering of trees. (Does not apply to Public Park use.)

6~~7~~. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.

7~~8~~. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

Zone TL 10B

USE ZONE CHART

Section 55.75	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	5' but 2 side yards must equal at least 15'. See Spec. Reg. 4.	10' See Spec. Reg. 5.	70%	65' above average building elevation.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is permitted only on parcels located west of the 118th Avenue NE right-of-way alignment (see Housing Incentive Area 5, Plate 37, Chapter 180 KZC). 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. The side yard may be reduced to 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. 5. 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.

Section 55.75 Zone TL 10B USE ZONE CHART

Section 55.75 USE ? REGULATIONS ?:	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.020 Manufacturing See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	20'	0'	0'	70%	35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramic products, electrical equipment, scientific or photographic equipment; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from pre-prepared material; and f. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. Outdoor fabrication is not permitted. Outdoor storage must be located as far as possible from the adjoining residential zones and the freeway. 3. May include as part of this use accessory retail sales, office or service occupying not more than 20 percent (50 percent for manufacturing uses on properties located within 150 feet of the Cross Kirkland Corridor) of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 4. The structure containing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. However, expansion of the floor area of this use may not exceed 20 percent of the existing gross floor area of the building. 5. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space. 6. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage. 7. Breweries, wineries and distilleries may include tasting rooms, accessory retail sales, or office utilizing not more than 20 percent of the gross floor area (no limit for properties located within 150 feet of the Cross Kirkland Corridor).
.025 Breweries, Wineries, and Distilleries										1 per each 1,000 sq. ft. of gross floor area.Tasting rooms 1 per each 100 sq. ft. of gross floor area.	
.030 Warehouse Storage Services										1 per each 1,000 sq. ft. of gross floor area.	

Zone TL 10B

USE ZONE CHART

Section 55.75	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Wholesale Trade	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	20'	0'	0'	70%	35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. Outdoor fabrication is not permitted. Outdoor storage must be located as far as possible from the adjoining residential zones and the freeway. 2. May include as part of this use, accessory retail sales, office or service occupying not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 3. The structure containing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. However, expansion of the floor area of this use may not exceed 20 percent of the existing gross floor area of the building. 4. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space. 5. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.
.050	Industrial Laundry Facility											
.060	Wholesale Printing or Publishing											
.070	Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control								B			
.080	Office Use							55' above average building elevation.	C	D	If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply only to veterinary offices: a. Outdoor runs or other outdoor facilities for the animals must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.085	Restaurant or Tavern (see Spec. Regs. 1 and 2).									E	1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted on properties within 150 feet of the Cross Kirkland Corridor. 2. No drive-through or drive-in facilities are permitted.

Section 55.75 Zone TL 10B USE ZONE CHART

Section 55.75 USE ? REGULATIONS ?:	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.090 High Technology	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5~~.	None	10'	0'	0'	70%	55' above average building elevation.	C See Spec. Reg. 3.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 2. Refer to KZC 115.105 for provisions regarding outside use, activity and storage. 3. Any outdoor storage area shall be buffered according to Landscape Category A.
.095 Vehicle or Boat Repair, Services, Washing or Rental See Spec. Reg. 1.									E	See KZC 105.25.	1. This use is permitted on parcels abutting NE 118th Street, east of 118th Avenue NE. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 3. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.100 Mini-Day-Care See Spec. Reg. 5.								D	B		1. A six-foot-high fence is required along the property lines adjacent to the outside play area. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; and b. The use is integrated into the design of the building.

Zone TL 10B

USE ZONE CHART

Section 55.75	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.110	Church	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	70%	55' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Special Regulation 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to the use.
.120	A Retail Establishment providing storage services See Spec. Reg. 3.								A	E	See KZC 105.25.	1. May include accessory living facilities for staff persons. 2. Outdoor storage must be located as far as possible from the adjoining residential zones and the freeway. 3. This use is not permitted on properties: a. West of the 118th Avenue NE right-of-way alignment and its future extension to NE 116th Street. b. Within 150 feet of the Cross Kirkland Corridor/Eastside Rail Corridor.
.130	Public Utility									B		1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.140	Government Facility or Community Facility								C See Spec. Reg. 1			
.150	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review proposals.										
.160	School or Day-Care Center	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	70%	55' above average building elevation.	C	B	See KZC 105.25.	1. A six-foot-high fence along the side and rear property lines is required only along the property lines adjacent to the outside play areas. 2. Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses. 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 5. Electrical signs shall not be permitted. 6. May include accessory living facilities for staff persons.

Section 55.75 Zone TL 10B USE ZONE CHART

Section 55.75 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.170 Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	70%	55' above average building elevation.	C See Spec. Reg. 4.	B	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. However, expansion of the floor area of this use may not exceed 20 percent of the existing gross floor area of the building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space. 4. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.

55.77 User Guide. The charts in KZC 55.81 contain the basic zoning regulations that apply in the TL 10C zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.79

Zone TL 10C

Section 55.79 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
3. When a permitted use is included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
4. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 152 KZC for requirements.
5. ~~The review process for development in this zone is as follows:~~
   a. ~~Where property does not abut a public right-of-way, including the Cross Kirkland Corridor, any structures up to 30 feet in height which require Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.~~
   b. ~~Otherwise, as set forth in Chapter 142 KZC.~~

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Zone TL 10C

USE ZONE CHART

Section 55.81	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~.	None	10'	5' but 2 side yards must equal at least 15'. See Spec. Reg. 5.	10' See Spec. Reg. 6.	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, up to 65' above average building elevation. See Spec. Reg. 3.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC). 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 65 feet. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 5. 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. 6. 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.

Section 55.81 Zone TL 10C USE ZONE CHART

Section 55.81	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Warehouse Storage Service	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	20'	5' but 2 side yards must equal at least 15'	10'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, up to 35' above average building elevation.	D	C	1 per each 1,000 sq. ft. of gross floor area.	1. May include, as part of this use, accessory retail sales, office or service occupying no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 2. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.
.030	Wholesale Trade											
.040	Industrial Laundry Facility											
.050	Wholesale Printing or Publishing											
.060	Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control				0'	0'		Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	B	E		1. May include, as part of this use, accessory retail sales, office or service occupying no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 2. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A. 3. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.

Zone TL 10C

USE ZONE CHART

Section 55.81	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	A Retail Establishment providing banking and related financial services	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	80%	Same as primary use.	C	E	1 per each 300 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. It will not be located in a separate structure from the primary use; c. It will not exceed 50 percent of the ground floor area of the building; d. The use is integrated into the design of the building; and e. There is no vehicle drive-in or drive-through.
.080	Office Use							Where adjoining a low density zone, then 30' above average building elevation. Otherwise, 45' above average building elevation. See also Spec. Reg. 2.	C See also Spec. Reg. 1(a).	D	If medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations. 2. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 55 feet.
.090	High Technology								A		If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 2. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 55 feet. 3. May include, as part of this use, accessory retail sales or service occupying not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 4. Refer to KZC 115.105 for provisions regarding outside use, activity and storage.

Section 55.81 Zone TL 10C USE ZONE CHART

Section 55.81 USE ? REGULATIONS ?:		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.100	School, Day-Care Center, Mini-School or Mini-Day-Care Center See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	80%	Same as primary use.	D	B	See KZC 105.25.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. An on-site passenger loading area may be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons.
.110	Public Utility							Where adjoining a low density zone, then 30' above average building elevation. Otherwise, 45' above average building elevation. See also Spec. Reg. 2.	C See Spec. Reg. 1.			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses. 2. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 55 feet.
.120	Government Facility Community Facility											
.130	Vehicle or Boat Sales, Repair, Services, Washing or Rental See Spec. Reg. 1.								A	E		1. Vehicle or boat sales or rental uses are only permitted if the property abuts NE 116th Street. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.
.140	Restaurant or Tavern See Spec. Reg. 1.							Same as primary use.	C		1 per each 100 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. It is not located in a separate structure from the primary use; c. The use is integrated into the design of the building; d. There is no vehicle drive-in or drive-through.
.150	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										

Zone TL 10C

USE ZONE CHART

Section 55.81	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.160	Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	E	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.

55.83 User Guide. The charts in KZC 55.87 contain the basic zoning regulations that apply in the TL 10D zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.85

Zone TL 10D

Section 55.85 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.

2. When a permitted use is included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.

~~3. The review process for development in this zone is as follows:~~
~~a. Where property does not abut a public right-of-way including the Cross Kirkland Corridor, structures up to 30 feet in height which require Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.~~
~~b. Otherwise, as set forth in Chapter 142 KZC.~~.

34. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

Zone TL 10D

USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?.	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.010 Packaging of Prepared Materials Manufacturing See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from pre-prepared material; and f. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. May include, as part of this use, accessory retail sales, or service using not more than 20 percent (50 percent for properties located within 150 feet of the Cross Kirkland Corridor) of the gross floor area. The floor area of accessory office use is not limited. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 3. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage. 4. Breweries, wineries, and distilleries may include tasting rooms, accessory retail sales, or office utilizing not more than 20 percent of the gross floor area (no limit for properties located within 150 feet of the Cross Kirkland Corridor).
.015 Breweries, Wineries and Distilleries										1 per each 1,000 sq. ft. of gross floor area. Tasting rooms 1 per each 100 sq. ft. of gross floor area.	

Section 55.87 Zone TL 10D USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?.	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.020 Warehouse Storage Service .030 Wholesale Trade .040 Industrial Laundry Facility .050 Wholesale Printing or Publishing	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. May include, as part of this use, accessory retail sales, or service occupying no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 2. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.
.060 Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control								B	E		1. May include, as part of this use, accessory retail sales, office or service occupying no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 2. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A. 3. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.

Zone TL 10D

USE ZONE CHART

Section 55.87	USE ? REGULATIONS ?.	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	A Retail Establishment providing banking and related financial services	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	10'	0'	0'	80%	Same as primary use.	B	E	1 per each 300 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building; c. It will not be located in a separate structure from the primary use; d. It will not exceed 50 percent of the ground floor area of the building; and e. There is no vehicle drive-in or drive-through.
.080	High Technology							Where adjoining a low density zone, 30' above average building elevation. Otherwise, 80' above average building elevation. See Spec. Reg. 1.	C See Spec. Reg. 5.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. If this use is located in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC), maximum building height is 65 feet above average building elevation. 2. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 3. May include as part of this use, accessory retail sales or service occupying not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 4. Refer to KZC 115.105 for provisions regarding outside use, activity and storage. 5. Any outdoor storage area must be buffered according to Landscape Category A.
.090	Office Use								C See also Spec. Reg. 2(a).		If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. If this use is located in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC), maximum building height is 65 feet above average building elevation. 2. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.

Section 55.87 Zone TL 10D USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?:	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.100 Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	10'	5', but 2 side yards must equal at least 15'. See Spec. Reg. 5.	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 65' above average building elevation. See Spec. Reg. 1.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC). 2. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of a light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents. 3. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 5. 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.
.110 Day-Care Center and Mini-Day-Care Center See Spec. Reg. 1.			10'	0'			Same as primary use.		B	See KZC 105.25.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. An on-site passenger loading area may be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.

Zone TL 10D

USE ZONE CHART

Section 55.87	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.120	Public Utility	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	10'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 80' above average building elevation. See Spec. Reg. 1.	C See Spec. Reg. 2.	B	See KZC 105.25.	1. If this use is located within Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC) maximum building height is 65 feet above average building elevation. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.130	Government Facility Community Facility											
.140	Restaurant or Tavern See Spec. Reg. 1.							Same as primary use.	B	E	1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted as a primary use on properties located within 150 feet of the Cross Kirkland Corridor. On other properties, this use is only permitted if accessory to a primary use, where: a. It will not exceed 20 percent of the gross floor area of the building; b. It is not located in a separate structure from the primary use; c. The use is integrated into the design of the building. 2. No vehicle drive-in or drive-through facilities are permitted.
.150	Entertainment, Cultural and/or Recreational Facility			20'				Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A		See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.
.160	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										

55.41 User Guide. The charts in KZC 55.45 contain the basic zoning regulations that apply in the TL 6A and TL 6B zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.43

Zone TL 6A, 6B

Section 55.43 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.

2. Where feasible, primary access for nonresidential uses within TL 6 shall be from 124th Avenue NE, NE 124th Street, or NE 120th Street.

3. The ground floor of all structures with frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, residential development in TL 6A where over 80 percent of the total units in the development are affordable to households earning no more than 60 percent of the King County median income, public utilities, government facilities or community facilities;
   b. Parking garages;
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible; or
   d. Parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE.

4. Within TL 6B, ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest. This regulation does not apply to parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE (see Plate 34G).

5. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.

~~6. The review process for development in this zone is as follows:~~
   ~~a. In TL 6A, any development activities requiring design review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.~~
   ~~b. In TL 6B, as set forth in Chapter 142 KZC.~~

6~~7~~. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.

7~~8~~. Some development standards or design regulations may be modified as part of the design review process. See Chapter 92 or 142 KZC for requirements.

(GENERAL REGULATIONS CONTINUED ON NEXT PAGE)

(GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)

~~8~~9. In TL 6B, development must provide a grid of internal access roads (see Plate 34G) pursuant to the following standards:

a. A centralized east-west connection that forms the spine for the site. Such a connection would reduce the need for vehicular circulation on NE 124th Street.

b. Two to three north-south connections from NE 124th Street to the east-west connection noted above. A desirable distance between access roads is between 250 and 300 feet. The maximum allowable distance between access roads shall be 350 feet. These may be public or private streets. Wider separation (up to 500 feet) may be considered where properties dedicate a minimum 30-foot-wide public pedestrian corridor.

c. Suggested cross-sections for each of these roads:
   1) Two travel lanes (one lane each way);
   2) On-street parallel parking;
   3) Eight- to 12-foot-wide sidewalks on each side of the street with street trees placed 30 feet on-center. Sidewalk width may be reduced where planting strips (minimum four feet wide) are maintained between the street and sidewalk.

   The above access roads may be private or public.

9~~10~~. The applicant shall install a through-block pathway or other pathways to link streets and/or activities. (See Plate 34G.) Include at least one mid-block east-west pathway connecting uses to 116th Avenue NE and a network of north-south pathways at intervals no greater than 350 feet that link uses to NE 124th Street. Through-block pathways may be integrated with internal access roads and/or provided within separate pedestrian-only corridors. See KZC 105.19 for through-block pathway standards. Additional through-block pathways not shown in the Comprehensive Plan may be required by the City on parcels larger than two acres in order to enhance pedestrian access on large sites.

10~~11~~. No portion of a structure on the subject property within 40 feet of Slater Avenue in TL 6A may exceed 30 feet above the elevation of Slater Avenue as measured at the midpoint of the frontage of the subject property on Slater Avenue.

Section 55.45 Zone TL 6A, 6B USE ZONE CHART

Section 55.45 USE ? REGULATIONS ?!	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.010 Vehicle Service Station	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6~~.	22,500 sq. ft.	40'	15' on each side	15'	80%	35' above average building elevation.	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
			See Spec. Reg. 2.								
.020 A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 3.		None	10'	0'	0'		45' above average building elevation. See Gen. Reg. 1~~0~~1.				1. This use is not permitted in the TL 6B zone. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 3. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use.
.030 Restaurant or Tavern								B		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.

Section 55.45

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 55.45	USE ? REGULATIONS ?	Zone 6B: Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods or providing services, including banking and related financial services	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6~~.	None	10'	0'	0'	80%	45' above average building elevation. See Gen. Reg. 10~~4~~.	C	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Retail establishments providing storage services are not permitted in this zone unless accessory to another permitted use.
.060	Office Use									D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted in any development containing dwelling units. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Hotel or Motel									E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.080	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	

Zone TL 6A, 6B

USE ZONE CHART

Section 55.45	USE ? REGULATIONS ?!	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.090	Private Lodge or Club	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6~~.	None	10'	0'	0'	80%	45' above average building elevation. See Gen. Reg. 10~~4~~.	C	B	1 per each 300 sq. ft. of gross floor area.	
.100	Attached or Stacked Dwelling Units. See Spec. Reg. 1.							65' above average building elevation. See Gen. Reg. 10~~4~~.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. This requirement does not apply to ground floor residential use in TL 6A where over 80 percent of the total units in the development are affordable to households earning no more than 60 percent of King County median income, adjusted for household size. 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.110	Wholesale Trade See Spec. Reg. 1. Packaging of Prepared Materials Wholesale Printing or Publishing Industrial Laundry Facility			20'				35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. This use is only allowed on property in TL 6A. 2. May include, as part of this use, accessory retail sales or service. 3. The building housing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 4. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.

Section 55.45	USE ? REGULATIONS ?	Zone 6B: Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.120	Church	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6~~.	None	10'	5' on each side	10'	80%	45' above average building elevation. See Gen. Reg. 10~~4~~.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.
.130	School, Day-Care Center, Mini-School or Mini-Day-Care Center				0'	0'			D		See KZC 105.25.	1. A six-foot high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. May include accessory living facilities for staff persons. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.

Zone TL 6A, 6B

USE ZONE CHART

Section 55.45 USE ? REGULATIONS ?!	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.140 Assisted Living Facility Convalescent Center Nursing Home	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6.~~	None	10'	0'	0'	80%	45' above average building elevation. See Gen. Reg. 104.	D	A	Assisted Living: 1.7 per independent unit. 1 per assisted living unit. Convalescent Center or Nursing Home: 1 per bed.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.150 Public Utility								A	B	See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.160 Government Facility Community Facility								C See Spec. Reg. 1.			
.170 Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

HEIGHT CALCULATION

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

Chapter 55 – TOTEM LAKE (TL) ZONES

55.05 User Guide. The charts in KZC 55.09 contain the basic zoning regulations that apply ... left hand column entitled Use. Once you locate the use in which you are interested, read ...

Section 55.07

Zone TL 1A

Section 55.07 – GENERAL REGULATIONS

1. Refer to Chapter 1 KZC to determine what other provision of the code may apply to the subject property.
2. All ground floor uses shall be a minimum of 13 feet in height. This regulation does not apply to parking garages or property with no frontage on NE 128th Street.
3. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
4. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking, other than underground parking, may encroach into the required 10-foot front yard.
5. The ability to accommodate new development in the TL 1A zone is dependent upon the construction of two new streets: 119th Avenue NE, between NE 128th Street and NE 130th Place, and NE 130th Place, between 120th Avenue NE and Totem Lake Boulevard NE, as shown on Plate 34A. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which these streets in whole or in part extend shall contribute to the creation of the streets as follows:
   a. With all new development, the portions of these streets crossing the subject property shall be dedicated as public right-of-way consistent with Plate 34A; and
   b. With all new development exceeding 30 feet in height, the streets shall be improved consistent with Plate 34A.

   Minor deviations in the location and width of the streets may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the streets.
6. Properties located between TL 2 and NE 128th Street may be required to provide a pedestrian connection between TL 2 and NE 128th Street.
7. On the parcel located at the southeast corner of this zone (Tax Parcel No. 6928400025), building height may not exceed 30 feet above average building elevation unless:
   a. Vehicular access is consolidated with a driveway on property to the south, west or north of the subject parcel; or
   b. Alternative access to the subject parcel is provided at a location approved by the Public Works Department; or
   c. Vehicular trip generation onto 120th Ave. NE does not exceed 2015 levels.

Zone TL 1A

USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Gen. Reg. 2 and ~~See~~ Spec. Reg. 2.	B	D	See Chapter 105 KZC	1. The minimum floor area ratio (F.A.R.) for development on the subject property is 1.0, or 100 percent of lot size. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 4(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Attached or Stacked Dwelling Units or Residential Suites	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 4.	30' to 160' above average building elevation. See Gen. Reg. 2 and ~~See~~ Spec. Reg. 3.	C	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 5(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Attached or Stacked Dwelling Units or Residential Suites (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 5. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified. 6. Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.
.050	Church	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' average building elevation. See See Gen. Reg. 2 and Spec. Reg. 3.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use. 3. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.060	School, Day-Care Center or Mini School or Mini-Day-Care	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' above average building elevation. See See Gen. Reg. 2 and Spec. Reg. 4.	D	B	See KZC 105.25. See Spec. Reg. 3.	1. A six-foot-high fence is required along property lines adjacent to outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	Assisted Living Facility	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 2.	B	A	See KZC 105.25.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 4(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Convalescent Center or Nursing Home	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 2.	30' to 160' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 1.	C	B	1 for each bed.	1. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development of the subject property complies with 3(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 2. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.

Zone TL 1A

USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.090	Public Utility	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 1.	A	B	See KZC 105.25.	1. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.100	Government Facility or Community Facility								C See Spec. Reg. 2.			1. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies. 2. Landscape category A or B may be required depending on the type of use on the subject property and the impacts associated with this use.
.110	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										

55.29 User Guide. The charts in KZC 55.33 contain the zones of the City. Use these charts by reading down the left hand column entitled Use. find the regulations that apply to that use.

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

Section 55.31

Zone
TL 4A, 4B, 4C

Section 55.31 – GENERAL REGUL

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. The ground floor of all structures with frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space, shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities;
   b. Parking garages; or
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
3. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
4. Ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest (see also Chapter 105 KZC).
5. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
6. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.
7. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

Zone TL 4A, 4B, 4C

USE ZONE CHART

Section 55.33	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Vehicle Service Station	D.R., Chapter 142 KZC	22,500 sq. ft.	40'	15' on each side	15'	80%	30' average building elevation.	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
				See Spec. Reg. 2.								
.030	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 2.		None	10'	0'	0'		65' above average building elevation. See Gen. Reg. 2.				1. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 2. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use.
.040	Restaurant or Tavern								C		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served. c. Access for drive-through facilities shall not be located between the building and the Cross Kirkland Corridor.
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services										1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Retail establishments providing storage services are not permitted in this zone unless accessory to another permitted use.

Section 55.33 Zone TL 4A, 4B, 4C — USE ZONE CHART

Section 55.33	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation. See Gen. Reg. 2.	C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted in any development containing dwelling units. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Hotel or Motel									E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.080	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	
.090	Private Lodge or Club									B	1 per each 300 sq. ft. of gross floor area.	

Zone TL 4A, 4B, 4C

USE ZONE CHART

Section 55.33	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.100	Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation. See See Gen. Reg. 2.Spec. Reg. 5.	D	E	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 4. The equivalent of the additional gross floor area constructed above 35 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor. 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.110	Church							65' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

(GENERAL REGULATIONS

4. Building and/or landscaping features that highlight the entryway … opment of the parcel located at the southeast corner of TL 5. The features … pter 92 KZC, Design Regulations.

5. The ground floor of all structures on the subject property with … ntage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities.
   b. Parking garages.
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.

6. Ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest.

7. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.

8. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.

9. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

Section 55.39 Zone TL 5 USE ZONE CHART

Section 55.39 USE ? REGULATIONS ?	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.020 Vehicle Service Station	D.R., Chapter 142 KZC.	22,500 sq. ft.	40'	15' on each side	15'	80%	35' above average building elevation. See Gen. Reg. 5.	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
			See Spec. Reg. 2.								
.030 A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 1.		None	10'	0'	0'						1. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.
.040 Restaurant or Tavern								C		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.

Zone TL 5

USE ZONE CHART

Section 55.39	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	35' above average building elevation. See Gen. Reg. 5.	C	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Retail establishments providing storage services are not permitted in this zone unless accessory to another permitted use.
.070	Office Use									D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.080	Hotel or Motel									E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.090	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	
.100	Private Lodge or Club									B	1 per each 300 sq. ft. of gross floor area.	

Section 55.39 Zone TL 5 USE ZONE CHART

Section 55.39 USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.110 Attached or Stacked Dwelling Unit See Spec. Reg. 1.	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	35' above average building elevation. See Gen. Reg. 5.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use with gross floor area on the ground floor equal to or greater than 20 percent of the parcel size of the subject property. Minor reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. At least two stories of the building must be dedicated to residential use. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.120 Church								C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Special Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.

55.41 User Guide. The charts in KZC 55.45 contain the basic zoning regulations that apply in the TL 6A and TL 6B zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet

Section 55.43

Zone TL 6A, 6B

Section 55.43 – GENERAL REGULATIONS

The following regulations apply to all uses in thi

1. Refer to Chapter 1 KZC to determine wh
2. Where feasible, primary access for n esidential uses within TL 6 shall be from 124th Avenue NE, NE 124th Street, or NE 120th Street.
3. The ground floor of all structures w frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, residential development in TL 6A where over 80 percent of the total units in the development are affordable to households earning no more than 60 percent of the King County median income, public utilities, government facilities or community facilities;
   b. Parking garages;
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible; or
   d. Parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE.
4. Within TL 6B, ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest. This regulation does not apply to parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE (see Plate 34G).
5. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
6. The review process for development in this zone is as follows:
   a. In TL 6A, any development activities requiring design review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.
   b. In TL 6B, as set forth in Chapter 142 KZC.
7. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
8. Some development standards or design regulations may be modified as part of the design review process. See Chapter 92 or 142 KZC for requirements.

(GENERAL REGULATIONS CONTINUED ON NEXT PAGE)

Section 55.45 Zone TL 6A, 6B USE ZONE CHART

Section 55.45 USE ? REGULATIONS ?!	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.010 Vehicle Service Station	D.R., Chapter 142 KZC. See Gen. Reg. 6.	22,500 sq. ft.	40'	15' on each side	15'	80%	35' above average building elevation.	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
			See Spec. Reg. 2.								
.020 A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 3.		None	10'	0'	0'		45' above average building elevation. See See Gen. Reg. 3 and Gen. Reg. 11.				1. This use is not permitted in the TL 6B zone. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 3. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use.
.030 Restaurant or Tavern								B		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.

Section 55.45

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 55.45	USE ? REGULATIONS ?	Zone 6B: Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods or providing services, including banking and related financial services	D.R., Chapter 142 KZC. See Gen. Reg. 6.	None	10'	0'	0'	80%	45' above average building elevation. See See Gen. Reg. 3 and Gen. Reg. 11.	C	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Retail establishments providing storage services are not permitted in this zone unless accessory to another permitted use.
.060	Office Use									D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted in any development containing dwelling units. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Hotel or Motel									E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.080	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	

Zone TL 6A, 6B

USE ZONE CHART

Section 55.45 USE ? REGULATIONS ?!	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.090 Private Lodge or Club	D.R., Chapter 142 KZC. See Gen. Reg. 6.	None	10'	0'	0'	80%	45' above average building elevation. See Gen. Reg. 11.	C	B	1 per each 300 sq. ft. of gross floor area.	
.100 Attached or Stacked Dwelling Units. See Spec. Reg. 1.							65' above average building elevation. See See Gen. Reg. 3 and Gen. Reg. 11.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. This requirement does not apply to ground floor residential use in TL 6A where over 80 percent of the total units in the development are affordable to households earning no more than 60 percent of King County median income, adjusted for household size. 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.110 Wholesale Trade See Spec. Reg. 1. Packaging of Prepared Materials Wholesale Printing or Publishing Industrial Laundry Facility			20'				35' above average building elevation. See Gen. Reg. 3.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. This use is only allowed on property in TL 6A. 2. May include, as part of this use, accessory retail sales or service. 3. The building housing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 4. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.

Zone TL 7A, 7B

USE ZONE CHART

Section 55.51	USE ? REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.005	Mixed Use Development Containing Attached or Stacked Dwelling Units	D.R., Chapter 142 KZC. See Gen. Reg. 3.	1.5 acres	10'	0'	0'	80%	80' above average building elevation. See Spec. Reg. 3.	See Spec. Reg. 5.	C	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is p 2. Developmen with gross flo of the subjec approved by that meeting tion of existin space is conf tation. Reside structure only imum depth o on NE 124th Street), between this use and NE 124th Street. 3. The groun[illegible]or of structures shall be a minimum of 13 feet in height. 4. Site design must accommodate future pedestrian connections to the CKC. 5. Landscaping for this use must comply with KZC 95.42(1). Where an existing residential use exists on the adjacent property, KZC 95.42(2) shall apply. 6. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 7. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents.

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

55.53 User Guide. The charts in KZC 55.57 contain the basic zoning regulations that apply in the TL 8 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.55

Zone TL 8

Section 55.55 – GENERAL REGULATIONS

The following regulations apply to all u

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

1. Refer to Chapter 1 KZC to determ erty.
2. Ground floor uses on the two west t contain retail, restaurants, and/or taverns.
3. The ground floor of all structures w frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: Vehicle Service Stations, Private Lodges or Clubs, Stacked Dwelling Units, Churches, Schools, Day-Care Centers, Mini-Schools or Mini-Day-Care Centers, Assisted Living Facilities, Convalescent Centers or Nursing Homes, Public Utilities, Government Facilities or Community Facilities;
   b. Parking garage; or
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
4. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
5. Shared access points must be used to the maximum extent possible. Curb cuts must be limited to minimize traffic congestion (does not apply to Public Utility, Government Facility or Community Facility and Public Park uses).
6. Development must emphasize Totem Lake as the focal point of this zone (does not apply to Public Utility, Government Facility or Community Facility and Public Park uses).
7. Refer to Chapter 90 KZC regarding restrictions on development around Totem Lake and wetland areas.
8. Parcels located east of the strip of land zoned “P” are exempt from Design Review.
9. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
10. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.

Zone TL 8

USE ZONE CHART

Section 55.57	USE ? REGULATIONS ?	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.010	Hotel or Motel See Gen. Reg. 2.	D.R., Chapter 142 KZC. See Gen. Reg. 8.	None	10'	5' each side	10'	70%	80' above average building elevation. See Gen. Reg. 3.	B	E	See KZC 105.25.	1. The following uses are not allowed: The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers, vehicle service station, and storage services; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. 2. Ancillary assembly and manufactured goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent on this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 3. Outdoor storage and drive-in or drive-through facilities are not permitted.
.020	Entertainment, Cultural and/or Recreational Facility See Gen. Reg. 2.											
.040	Any Retail Establishment, other than those specifically listed in this zone, selling goods or providing services, including banking and related financial services. See Spec. Reg. 1.											
.050	Restaurant or Tavern											
.060	Office Use See Gen. Reg. 2.								C	D		1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Section 55.57 Zone TL 8 USE ZONE CHART

Section 55.57	USE ? REGULATIONS ?:	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.070	Attached or Stacked Dwelling Units See Gen. Reg. 2.	D.R., Chapter 142 KZC. See Gen. Reg. 8.	None	10'	5' each side See Spec. Reg. 3.	10' See Spec. Reg. 4.	70%	80' above average building elevation. See Gen. Reg. 3.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. 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. 4. 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.
.080	Development containing attached or stacked dwelling units and offices, restaurants or taverns, or retail uses allowed in this zone. See Gen. Reg. 2. See Spec. Reg. 1.				5' each side. See Spec. Reg. 6.	10' See Spec. Reg. 7.			B	E	For residential: 1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements. For other uses see KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. Ancillary assembly and manufactured goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate and directly related to and dependent on this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail or office uses. 4. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 5. The equivalent of the additional gross floor area constructed above 35 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor. 6. 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. 7. 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.

Zone TL 10A

RESIDENCE XII

USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services. See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	55' above average building elevation.	C	E	1 per each 300 sq. ft. of gross floor area.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. The following uses and activities are prohibited: a. The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers are not permitted; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. b. Retail establishments providing storage services unless accessory to another permitted use. c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses. d. Outdoor storage of bulk commodities unless the square footage of the storage area is less than 10 percent of the retail structure. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
.050	Hotel or Motel										1 per each room. See also Spec. Reg. 3.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. May include ancillary meeting and convention facilities. 3. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.060	Convalescent Center or Nursing Home See Spec. Reg. 2.							See Spec. Reg. 3~~2~~.		A	1 per bed. See Spec. Reg. 2.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Temporary, transitional housing may be developed as an accessory use to a Convalescent Center, so long as the Center was in existence on the property on or before December 31, 2017. Parking requirements for this accessory use shall be established pursuant to KZC 105.25. 3~~2~~. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation

PARKING "BUFFER" AMENDMENTS

Proposed Revisions to Section 105.103.3.c

3. Modifications – A modification to improvement requirements of this chapter may be required or granted if the applicant demonstrates on submitted plans and/or in writing that the following criteria have been met for modifications to the applicable sections:

a. For a modification to KZC 105.10 for vehicular access easements or tracts and for KZC 105.60(2) and (3) and 105.97 for parking area design, the requirements may be modified if:

1) The modifications will not affect the ability to provide any property with police, fire, emergency medical, or other essential services; and

2) One (1) of the following requirements is met:

a) The modification is necessary because of a preexisting physical condition; or

b) The modification will produce a site design superior to that which would result from adherence to the adopted standard.

3) Exception: KZC 105.10(2)(g) relating to screening for access easements or tracts will use the modification criteria for buffering in subsection (3)(g) of this section.

b. For a modification to KZC 105.18 or 105.19 the requirements for pedestrian access may be modified if:

1) The modification is necessary because of the size, configuration, topography or location of the subject property;

2) The modification will provide for equal or improved pedestrian and bicycle safety and convenience; and

3) The modification will not have any substantial detrimental effect on nearby properties and the City as a whole.

c. For a modification to KZC 105.20 and 105.45, a decrease in the required number of spaces may be granted if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study to be sufficient to fully serve the use. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the proposed use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation~~traffic~~ E~~e~~ngineer. The study shall provide at least two (2) days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation~~traffic~~ E~~e~~ngineer. Approval of a parking reduction shall be solely at the discretion of the City. A decrease in the minimum required number of spaces may be based in whole or part on the provision of nationally accepted TDM (transportation demand management) measures.

Data supporting the effectiveness of the TDM measures shall be provided as part of the parking demand and utilization study and approved by the City Transportation. ~~traffic~~ Ee~~e~~ngineer.

For multifamily parking modifications in zones outside of the Totem Lake Urban Center, the parking demand rate result shall be increased by fifteen (15) percent and the resultant total shall then be subject to the visitor parking requirements in KZC 105.20(3).

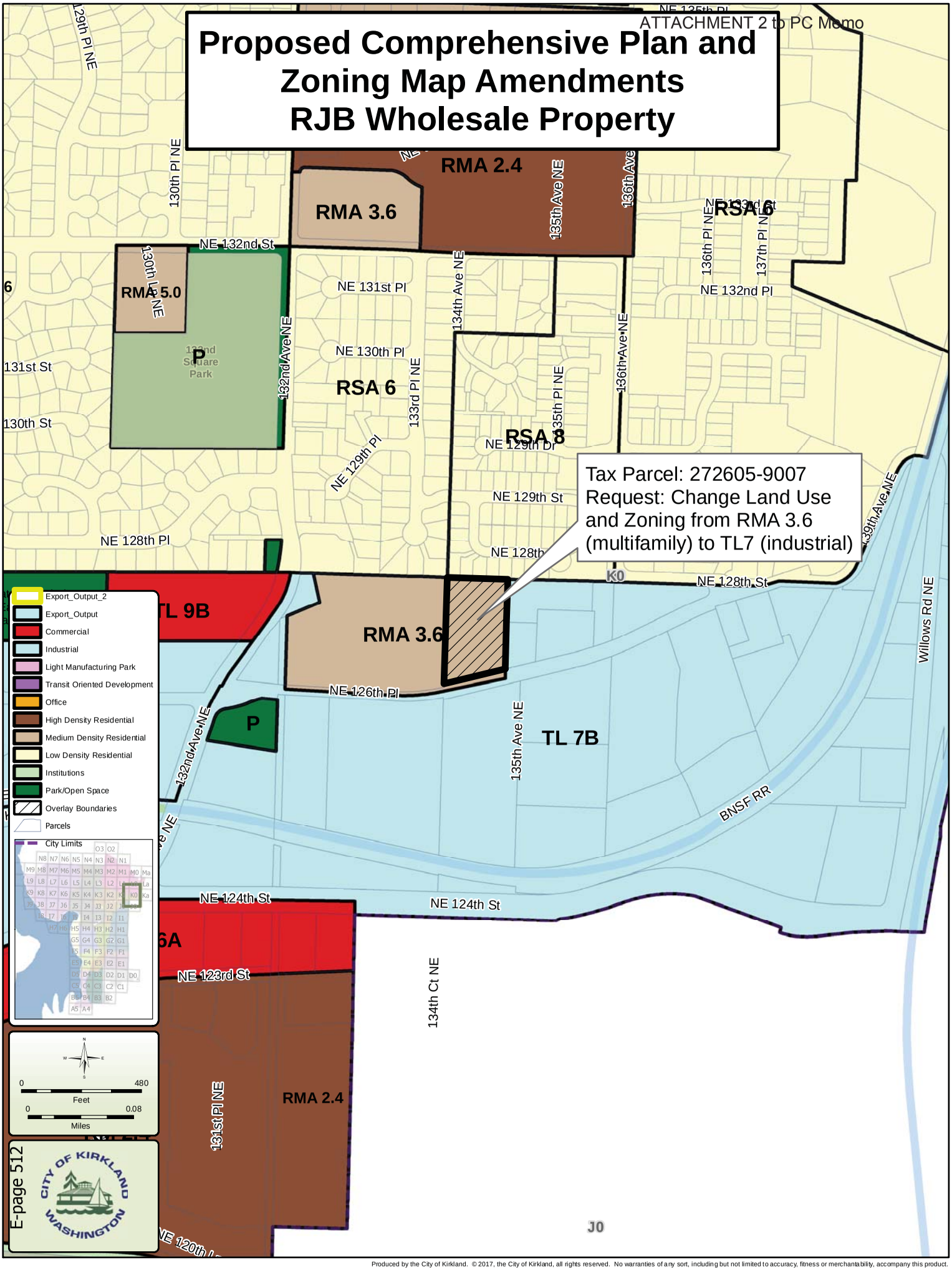
For multifamily parking modifications in TL zones within the Totem Lake Urban Center, the parking demand rate total shall be subject to the visitor parking requirements in KZC 105.20(3), and the applicant must submit a Transportation Management Plan (TMP) for review and approval of the City Transportation Engineer: At a minimum, requirements for the TMP include:

1. A parking management plan for all stalls associated with the development,
2. The provision of free two-zone transit passes for all residents in the development,
3. Confirmation that parking charges will be unbundled from the leases for the development, and
4. A biennial report providing travel survey data for all residential and commercial tenants.

The Planning Official shall not approve or deny a modification to decrease the number of parking spaces without first providing notice of the modification request to the owners and residents of property within 300 feet of the subject property and providing opportunity for comment. The Planning Official shall use mailing labels provided by the applicant, or, at the discretion of the Planning Official, by the City. Said comment period shall not be less than seven (7) calendar days.

Properties located in the CBD 1A, 1B, 2, and 8 zones that receive parking modification approval under this section are not eligible to utilize the special parking provisions in KZC 50.60(3)(a), Certain Floor Area Exempt from Parking Requirements.

Proposed Comprehensive Plan and Zoning Map Amendments RJB Wholesale Property



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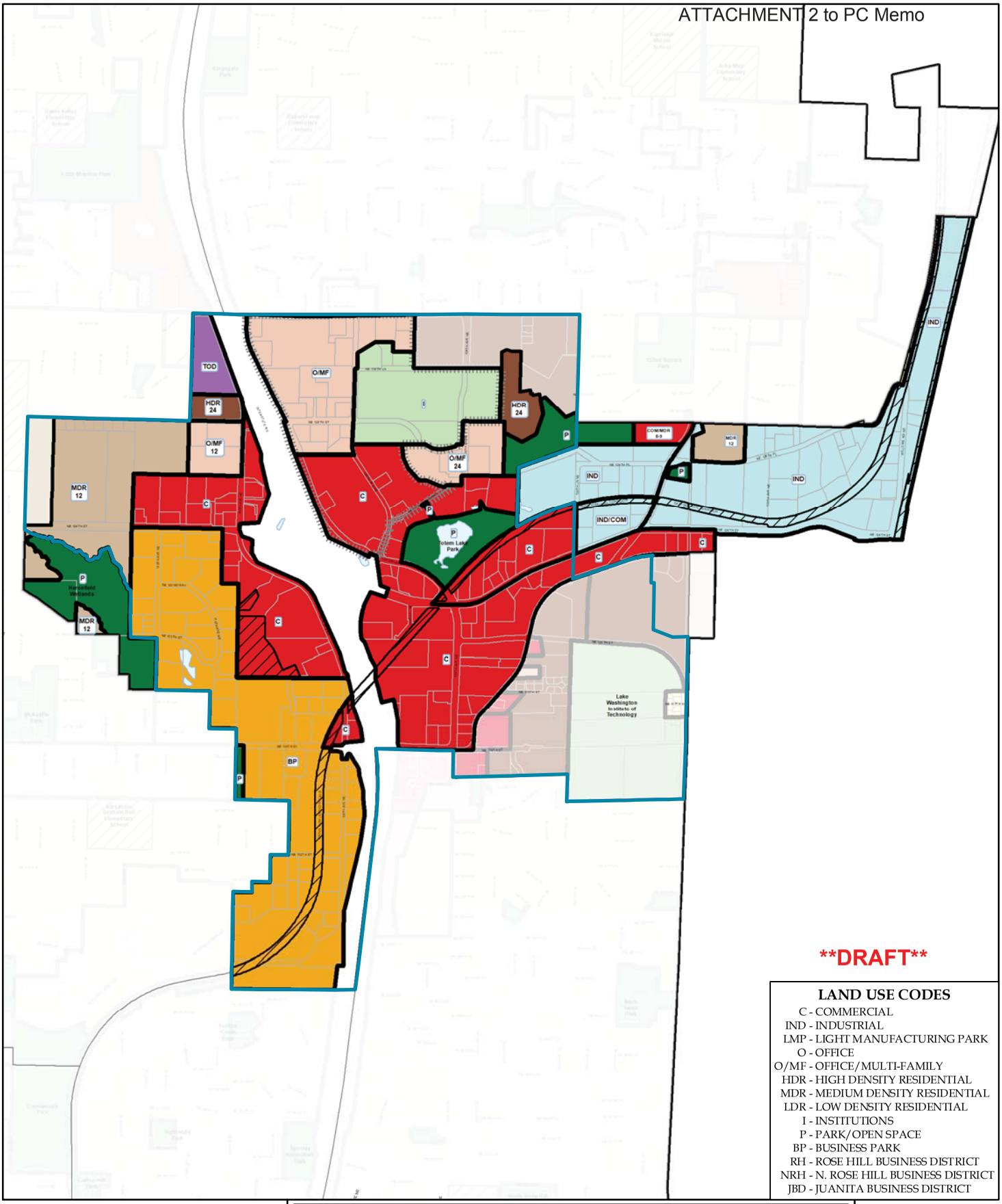
Proposed Policy Changes for RJB Wholesale:

Policy TL-36.3: Support development of multifamily residential use as well as light industrial/office uses east of 132nd Avenue NE and north of NE 126th Place, where topography and critical areas may make development with light industry/office use challenging.

ATTACHMENT 2 to PC Memo



DRAFT

LAND USE CODES

C - COMMERCIAL
IND - INDUSTRIAL
LMP - LIGHT MANUFACTURING PARK
O - OFFICE
O/MF - OFFICE/MULTI-FAMILY
HDR - HIGH DENSITY RESIDENTIAL
MDR - MEDIUM DENSITY RESIDENTIAL
LDR - LOW DENSITY RESIDENTIAL
I - INSTITUTIONS
P - PARK/OPEN SPACE
BP - BUSINESS PARK
RH - ROSE HILL BUSINESS DISTRICT
NRH - N. ROSE HILL BUSINESS DISTRICT
JBD - JUANITA BUSINESS DISTRICT

Totem Lake Business District & Urban Center

Land Use Map

ORDINANCE NO. 4494, 4495
ADOPTED by the Kirkland City Council
December 8, 2015

LAND USE BOUNDARIES
PARCEL BOUNDARIES
SUBAREA BOUNDARY
PLA PLANNED AREA NUMBER
TOTEM CENTER
LDR *5 LAND USE CODE / DENSITY (UNITS/ACRE)
PUBLIC FACILITIES
TOTEM LAKE URBAN CENTER

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
** INDICATES CLUSTERED LOW DENSITY*

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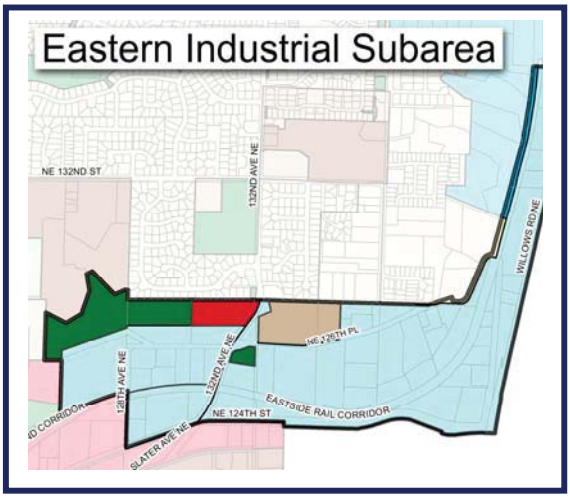
RJB Wholesale Request
Additional Map Changes

The land use designation for the RJB Wholesale property on the maps shown below would change from medium density residential (brown) to light industrial (blue).

Map for Eastern Industrial Subarea



Map associated with Policy TL-36.2:

Map associated with Policy TL-36.3:

Zone TL 7A, 7B

USE ZONE CHART

Section 55.51	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	A Retail Establishment providing storage services. See Spec. Regs. 1, 2 and 3.	D.R., Chapter 142 KZC. See Gen. Reg. 3.	None	10'	0'	0'	90%	TL 7A: 80' above average building elevation. TL 7B: 45' above average building elevation.	A	E	See KZC 105.25.	1. May include accessory living facilities for resident security manager. 2. This use not permitted if any portion of the subject property is located within 150 feet of the Cross Kirkland or Eastside Rail Corridor. 3. This use is not permitted in TL 7A unless accessory to another permitted use.
.070	A Retail Establishment providing building construction, plumbing, electrical, landscaping, or pest control services								B	E	1 per each 300 sq. ft. of gross floor area.	1. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A.
.080	A Retail Establishment selling building materials or hardware											
.085	A Retail Establishment selling marijuana or products containing marijuana						80%					
.090	A Retail Establishment providing rental services						90%					1. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A.
.095	Attached or Stacked Dwelling Units		3,600 sq.ft. per unit				80%				1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is permitted only in TL 7B, north of NE 126th Place, east of 132nd Ave NE, on parcels that abut ~~and west of~~ the RMA 3.6 zone to the east and west. 2. Landscaping for this use must comply with KZC 95.42(1). Where an existing residential use exists on the adjacent property, KZC 95.42(2) shall apply. 3. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 4. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents.

Dorian Collins

From: Dan Shieder <Dan.Shieder@livelmc.com>
Sent: Thursday, October 19, 2017 11:48 AM
To: Dorian Collins
Subject: Kirkland Parking Ratio

Dorian,
As discussed, LMC is strongly supportive of the proposed revisions to the parking requirements in the Totem Lake zones. The Totem Lake neighborhood is among the best situated in Kirkland to provide residents, workers and shoppers with a wide array of services all within walking distance. Residents in particular will be able to choose a lifestyle that takes advantage of immediate proximity to excellent transit, grocery services, and destination-quality retail, all without needing a car. We are finding in all submarkets that apartment residents are becoming more comfortable relying on community services such as Sound Transit and Metro for commuting and on ridesharing services for the less frequent trips. That helps them to choose not to pay all of the costs of car ownership, including parking. That creates benefits for the broader community, including less congestion.

Unfortunately, by mandating a parking ratio that is too high for current needs, Kirkland Zoning Code creates an unnecessary added cost that is ultimately borne by all residents, including those who make the beneficial decision to forgo their cars. By reducing the parking ratios appropriately, developers can meet their threshold profitability requirements at an overall lower rent or price point, which reduces market pressure on affordability. We believe that allowing staff the flexibility to study specific situations and to permit lower parking ratios where appropriate will ultimately lead to better affordability and better experiences for Kirkland residents.

Please pass along our thanks to the staff and commission for working on this issue.

Sincerely,

Dan Shieder
Vice President – Development PNW
LMC, a Lennar company
D 206.428.1937
C 206.683.2966

ResidenceXII
ALCOHOL & DRUG TREATMENT FOR WOMEN

September 11, 1017

Dorian Collins, AICP
Senior Planner
City of Kirkland Planning Department
123 5th Avenue
Kirkland, WA. 98033
dcollins@kirklandwa.gov

Re: Proposed Totem Lake Zoning Code Amendment for Residence XII

Dear Ms. Collins:

Residence XII is hereby revising our request for an amendment to the zoning code. We are continuing to plan for transitional sober housing as an accessory use on our adjacent property but we are no longer interested in co-locating with low income senior housing. Please revise the request to eliminate senior housing as an accessory use.

Per your discussion with Board member, Lisa Roberts, we request that the parking requirement for the transitional housing be reviewed under a case by case basis.

Thank you for all your efforts and advice throughout this process. Your work is very much appreciated.

Sincerely,

Liz M. Braun, Ph.D., CEO
Residence XII
(425) 823-8844
lbraun@residencexii.org

ORDINANCE O-4627

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTERS 55 AND 105 OF THE KIRKLAND ZONING CODE REGARDING STANDARDS THAT APPLY TO DEVELOPMENT IN THE TOTEM LAKE BUSINESS DISTRICT AND URBAN CENTER AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM17-00371.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend various sections of Chapters 55 and 105 of the Kirkland Zoning Code, as set forth in the report and recommendation of the Planning Commission dated November 21, 2017 and bearing Kirkland Planning and Building Department File No. CAM17-00371; and

WHEREAS, prior to making the recommendation, the Kirkland Planning Commission, following notice as required by RCW 36.70A.035, held a public hearing on the amendment proposals on October 19, 2017; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, a SEPA Addendum to Existing Environmental Documents was issued by the responsible official pursuant to WAC 197-11-625 on October 10, 2017; and

WHEREAS, in a public meeting on December 12, 2017, the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission and a report from staff.

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

Section 1. Chapters 55 and 105 of the Kirkland Zoning Code are amended as set forth in Exhibit A attached to this ordinance and incorporated by reference.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall be in force and effect five days after its passage by the Kirkland City Council and publication, pursuant to Section 1.08.017 Kirkland Municipal Code, in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

Section 4. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2017.

Signed in authentication thereof this _____ day of _____, 2017.

_____
Amy Walen, Mayor

Attest:

_____
Kathi Anderson, City Clerk

Approved as to Form:

_____
Kevin Raymond, City Attorney

ASSISTED LIVING AMENDMENTS

Section 55.75 Zone TL 10B **USE ZONE CHART**

Section 55.75 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.170	Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	70%	55' above average building elevation.	C See Spec. Reg. 4.	B	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. However, expansion of the floor area of this use may not exceed 20 percent of the existing gross floor area of the building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space. 4. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
	Assisted Living Facility	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	5' but 2 side yards must equal at least 15'. See Spec. Reg. 3	10' See Spec. Reg. 4.	70%	65' above average building elevation.	D	A	See KZC 105.25	1. This use is permitted only on parcels located west of the 118th Avenue NE right-of-way alignment (see Housing Incentive Area 5, Plate 37, Chapter 180 KZC). 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. 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. 4. 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.

Zone TL 10C

USE ZONE CHART

Section 55.81 USE ? REGULATIONS ?	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.160 Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	E	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.
Assisted Living Facility. See Spec. Reg. 1.	D.R., Chapter 142, KZC. See Gen. Reg. 5.	None	10'	5' but 2 side yards must equal at least 15'. See Spec. Reg. 4.	10', See Spec. Reg. 5.	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, up to 65' above average building elevation. See Spec. Reg. 2	D	A	See KZC 105.25	1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC). 2. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 65 feet. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. The side yard may be reduced to 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. 5. 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.

Section 55.87 Zone TL 10D USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.170	Development Containing Stacked or Attached Dwelling Units and one or more of the following uses: • Retail establishments, including restaurants and taverns, and/or • Office uses	D.R., Chapter 142 KZC.	10 Acres	10'	0'	0'	80 %	80' above average building elevation. See Spec. Reg. 5.	See Spec. Reg. 6.	E	See KZC 105.25.	1. A development which includes one or more of the uses specifically listed in this "use" column may also include one or more of the other uses allowed in this zone. 2. Development must be located on property adjacent to the Cross Kirkland Corridor (CKC), and provide building and site orientation to the CKC. 3. Vehicular and pedestrian access must be oriented away from primary access routes for industrial traffic. 4. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of a light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents. 5. Maximum building height for development that includes land on both sides of the CKC is 100 feet. At least 25 percent of the gross floor area of the development must be on either side of the corridor to satisfy this requirement. 6. The landscaping requirement adjacent to property in TL 10D shall comply with KZC 95.42(1). Where existing residential use abuts the parcel boundaries, KZC 95.42(2) applies.
	Assisted Living Facility, See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 3.	None	10'	5', but 2 side yards must equal at least 15'. See Spec. Reg. 4.	0'	80 %	Where adjoin a low density zone, 30' above average building elevation. Otherwise, 65' above average building elevation. See Spec. Reg. 1.	D	A	See KZC 105.25.	1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC). 2. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of a light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. The side yard may be reduced to 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.

Zone TL 1A

USE ZONE CHART

CORRECTIONS - SPECIAL REGULATIONS

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Spec. Reg. 2.	B	D	See Chapter 105 KZC	1. The minimum floor area ratio (F.A.R.) for development on the subject property is 1.0, or 100 percent of lot size. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 2-4(a) above. 2) Design of buildings meets guidelines for [illegible]et forth in Design Guidelines (Chapter 142 KZC, [illegible]apter 3.30 KMC). 3) Floor plates may not exceed 10,00[illegible]re feet per floor, for the portion of the building abo[illegible]eet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.040	Attached or Stacked Dwelling Units or Residential Suites	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 4.	30' to 160' above average building elevation. See Spec. Reg. 3.	C	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 3 ~~5~~(a) above. 2) Design of buildings meets guidelines for tower[illegible] forth in Design Guidelines (Chapter 142 KZC, and [illegible]ter 3.30 KMC). 3) Floor plates may not exceed 10,000 sq[illegible] feet per floor, for the portion of the building above 80 [illegible]n height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.070	Assisted Living Facility	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Spec. Reg. 2.	B	A	See KZC 105.25.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 24(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and [illegible]er 3.30 KMC). 3) Floor plates may not exceed 10,000 s[illegible] per floor, for the portion of the building above 8[illegible] height, except on those parcels where road ded[illegible]s required pursuant to General Regulation 5. On th[illegible] parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Convalescent Center or Nursing Home	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 2.	30' to 160' above average building elevation. See Spec. Reg. 1.	C	B	1 for each bed.	1. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development of the subject property complies with 1~~3~~(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and C[illegible] 3.30 KMC). 3) Floor plates may not exceed 10,000 squa[illegible]er floor, for the portion of the building above 80 f[illegible]eight, except on those parcels where road dedicati[illegible]required pursuant to General Regulation 5. On these[illegible]s, floor plates may not exceed 20,000 square feet o[illegible]rs between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 2. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.

Section 55.15 Zone TL 1B USE ZONE CHART

Section 55.15	USE ? / REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Development Containing Both Office Use and Attached or Stacked Dwelling Units or Residential Suites	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 1.	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Spec. Reg. 2.	C	D	For residential: 1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements. For other uses see KZC 105.25.	1. Twenty-foot yard required where properties abut NE 132nd Street. 2. Building height is regulated as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 4; or b) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 24(a) above, 2) Design of buildings meets guidelines for tow[illegible] set forth in Design Guidelines (Chapter 142 KZC, and [illegible]r 3.30 KMC). 3) Floor plates may not exceed 10,000 s[illegible] floor, for the portion of the building above 80 f[illegible]ght. 4) Methods for mitigating any si[illegible] shadowing and lighting impacts of the increased buil[illegible]eight on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Zone TL 1B

USE ZONE CHART

Section 55.15 USE REGULATIONS		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Attached or Stacked Dwelling Units or Residential Suites (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with ~~46~~(a) above. 2) Design of buildings meets guidelines for towe[illegible]set forth in Design Guidelines (Chapter 142 KZC, and C[illegible] 3.30 KMC). 3) Floor plates may not exceed 10,000 squ[illegible]r floor, for the portion of the building above 80 feet[illegible]t. 4) Methods for mitigating any signifi[illegible]adowing and lighting impacts of the increased build[illegible]ght on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 5. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 6. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.

Section 55.15 Zone TL 1B USE ZONE CHART

Section 55.15	USE ? / REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Assisted Living Facility (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with ~~35~~(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and [illegible] 3.30 KMC). 3) Floor plates may not exceed 10,000 s[illegible]t per floor, for the portion of the building above 80 f[illegible]ght. 4) Methods for mitigating any si[illegible] shadowing and lighting impacts of the increased buildi[illegible]eight on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.

Section 55.15 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.090	Convalescent Center or Nursing Home	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 1.	0'	0'	80%	30' to 160' above average building elevation. See Spec. Reg. 2.	C	B	1 for each bed.	1. Twenty-foot yard required where properties abut NE 132nd Street. 2. Building height is regulated as follows: a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 4; or 2) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 24(a) above. 2) Design of buildings meets guidelines for towe[r] set forth in Design Guidelines (Chapter 142 KZC, and [C]r 3.30 KMC). 3) Floor plates may not exceed 10,000 s[q] [f]er floor, for the portion of the building above 80 f[ee]ght. 4) Methods for mitigating any si[g]shadowing and lighting impacts of the increased [h]eight on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.

Zone TL 4A, 4B, 4C

USE ZONE CHART

Section 55.33	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.100	Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation. See Spec. Reg. ~~5~~ 4.	D	E	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 4. The equivalent of the additional gross floor area constructed above 35 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor. 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.110	Church							65' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.

Section 55.51 Zone TL 7A, 7B USE ZONE CHART

Section 55.51	USE ? REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Packaging of Prepared Materials Manufacturing See Spec. Regs. 1. and 3.	D.R., Chapter 142 KZC. See Gen. Reg. 3.	None	10'	0'	0'	90%	TL 7A: 80' above average building elevation. TL 7B: 45' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from pre-prepared material; and f. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. May include, as part of this use, accessory retail sales, office or service utilizing not more than 35 percent (50 percent for properties located within 150 feet of the Cross Kirkland or Eastside Rail Corridor) of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.015	Breweries, Wineries, Distilleries										1 per each 1,000 sq. ft. of gross floor area. Tasting rooms 1 per each 100 sq. ft. of gross floor area.	1. May include tasting rooms, accessory retail sales, or office utilizing not more than 35 percent of the gross floor area (no limit on properties in this zone where a restaurant use is allowed).
.020	Warehouse Storage Service										1 per each 1,000 sq. ft. of gross floor area.	1. May include, as part of this use, accessory retail sales, office or service utilizing no more than 35 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.030	Wholesale Trade											
.040	Industrial Laundry Facility											
.050	Wholesale Printing or Publishing											

UNCOUPLE RESIDENTIAL USE SUITES FROM COMBINED LISTING

Section 55.09 — Zone TL 1A — USE ZONE CHART

Section 55.09 USE ? REGULATIONS ?:	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.040 Attached or Stacked Dwelling Units ~~or Residential Suite~~s	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 4.	30' to 160' above average building elevation. See Spec. Reg. 3.	C	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 5(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Attached or Stacked Dwelling Units ~~or Residential Suites~~ (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. ~~5. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.~~ ~~6. Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.~~
.050	Church	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' average building elevation. See Spec. Reg. 3.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use. 3. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.060	School, Day-Care Center or Mini School or Mini-Day-Care	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' above average building elevation. See Spec. Reg. 4.	D	B	See KZC 105.25. See Spec. Reg. 3.	1. A six-foot-high fence is required along property lines adjacent to outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.

Section 55.15 USE REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.020 Development Containing Both Office Use and Attached or Stacked Dwelling Units ~~or Residential Suites~~ (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 4. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and are dependent upon this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other uses. 5. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted if the subject property contains dwelling units. ~~6. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.~~ ~~7. Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.~~
.030 Restaurant or Tavern	D.R., Chapter 142 KZC	See Spec. Reg. 1.								1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use. 2. This use is not allowed within 100 feet of NE 132nd Street. Access to this use from NE 132nd Street is not permitted.

Section 55.15 Zone TL 1B USE ZONE CHART

Section 55.15	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Any Retail Establishment, other than those specifically listed in this zone and those prohibited by Spec. Reg. 3, selling goods and providing services including banking and other financial services	D.R., Chapter 142 KZC	See Spec. Reg. 1.								1 per each 300 sq. ft. of gross floor area.	1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use. 2. The location of drive-through facilities may not compromise pedestrian movement. 3. The following uses and activities are prohibited: a. Vehicle and/or boat sales, repair, service or rental facilities; b. Retail establishments providing storage services unless accessory to another permitted use; c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses; d. Outdoor storage of bulk commodities, except in the following circumstances: 1) If the square footage of the storage area is less than 10 percent of the retail structure, 2) If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers. 4. Floor area for this use may not exceed 5,000 square feet.
.050	Attached or Stacked Dwelling Units ~~or Residential Suites~~	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 3.	0'	0'	85% See Spec. Reg. 5.	30' to 160' above average building elevation. See Spec. Reg. 4.	C	A	1.2 per studio unit 1.3 per 1 bedroom unit 1.6 per 2 bedroom unit 1.8 per 3 or more bedroom unit See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. Twenty-foot yard required where properties abut NE 132nd Street. 4. Building height is regulated as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 4; or 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Zone TL 1B

USE ZONE CHART

Section 55.15 USE REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.050 Attached or Stacked Dwelling Units ~~or Residential Suites~~ (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 6(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height. 4) Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 5. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. ~~6. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.~~

Zone TL 2

USE ZONE CHART

Section 55.21 USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.050 Office Use	D.R., Chapter 142 KZC.	Less than 1.5 acres.	0'	0'	0'	80%	30' above average building elevation.	B	D	See Spec. Reg. 4.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and are dependent upon this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other office uses. 3. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. d. A veterinary office is not permitted if the subject property contains dwelling units. 4. If a medical, dental or veterinary office, then one per each 200 square feet of gross floor area. Otherwise, one per 300 square feet of floor area. A reduction in the number of parking stalls required will be considered per KZC 105.103, due to the proximity to the transit center.
.060 Attached or Stacked Dwelling Units ~~or Residential Suites~~								D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. This use may not be located on the ground floor of a structure, except for lobbies, which shall not exceed 10 percent of the ground floor of the structure. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. ~~4. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified.~~ REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.21 Zone TL 2 USE ZONE CHART

Section 55.21	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Attached or Stacked Dwelling Units ~~or Residential Suites~~ (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE ~~5. Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.~~
.070	Vehicle Service Station	D.R., Chapter 142 KZC.	Less than 1.5 acres.	See Spec. Reg. 4.			80%	30' above average building elevation.	A	E	See KZC 105.25.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. May not be more than two vehicle service stations at any intersection. 3. This use may not front exclusively on 120th Avenue NE. 4. Gas pump islands must be setback at least 20 feet from all property lines. Canopies and covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
.080	Hotel or Motel			0'	0'	0'			D		1 per each room. See Spec. Reg. 3.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. May include ancillary meeting and convention facilities. 3. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.090	Church									B	See Spec. Reg. 3.	1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. May include accessory living facilities for staff persons. 3. One for every four people based on maximum occupancy load of any area of worship. No parking is required for day-care or school ancillary to the use.

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec.Reg. 3	30-160'above average building elevation. See Spec.Reg. 2	C	A	See Spec. Reg 4.	1. Residential development must provide a minimum density of 50 dwelling units per gross acre. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 5(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties.

Zone TL 1A

USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Space	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
												REGULATIONS CONTINUED FROM PREVIOUS PAGE 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 4. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 5, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. .. 5. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements:

Section 55.09

Zone TL 1A

USE ZONE CHART

REGULATIONS CONTINUED FROM PREVIOUS PAGE

1) Charge for on-site parking, unbundled from the rent, for tenants who have cars.
2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars
3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges.
4) Adequate secured and sheltered bicycle parking to meet anticipated demand.
5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City.
6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.
7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.
8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

6. All residential suites and all required parking within a project shall be under common ownership and management.

7. Development shall either:

a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or

b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.

8. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Zone TL 1B

USE ZONE CHART

Section 55.15	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 4.	30' to 160' above average building elevation. See Spec. Reg. 3.	C	A	See Spec. Reg. 5.	1. Residential development must provide a minimum density of 50 dwelling units per gross acre. 2 Twenty-foot yard required where properties abut NE 132nd Street. 3. Building height is regulated as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 4; or 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 6(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height. 4) Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or

Section 55.15	Zone TL 1B	U S E Z O N E C H A R T									REGULATIONS CONTINUED FROM PREVIOUS PAGE b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 5. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 6, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 6. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars.

												REGULATIONS CONTINUED FROM PREVIOUS PAGE 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP. 8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

Section 55.15	Zone TL 1B	U S E Z O N E C H A R T										REGULATIONS CONTINUED FROM PREVIOUS PAGE c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer. 7. All residential suites and all required parking within a project shall be under common ownership and management. 8. Development shall either: a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 9. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.21 Zone TL 2

USE ZONE CHART

Section 55.21	USE ■ REGULATIONS ■	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS					MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites	D.R., Chapter 142 KZC	Less than 1.5 acres	0'	0'	0'	80%	30' above average building elevation	D	A	See Spec. Reg. 3.	.1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. This use may not be located on the ground floor of a structure, except for lobbies, which shall not exceed 10 percent of the ground floor of the structure. 3. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 4, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 4. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative

commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.

8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

5. All residential suites and all required parking within a project shall be under common ownership and management.

6. Development shall either:

a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or

b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.

7. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.33

Zone TL 4A, 4B, 4C

USE ZONE CHART

Section 55.33	USE ■ REGULATIONS ■	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MINIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	Residential Suites See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation.	D	E	See Spec. Reg. 3.	1. This use is permitted only in the TL 4A subarea. 2. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 3. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 4, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 4. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and

												REGULATIONS CONTINUED FROM PREVIOUS PAGE conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP. 8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements. c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer. 5. All residential suites and all required parking within a project shall be under common ownership and management. 6. Development shall either: a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 7. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.39 **Zone TL 5**

USE ZONE CHART

Section 55.39	USE ■ REGULATIONS ■	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MINIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	Residential Suites See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	35' above average building elevation.	D	A	See Spec. Reg. 2.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the parcel size of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 3, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 3. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

												REGULATIONS CONTINUED FROM PREVIOUS PAGE conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP. 8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements. c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer. 4. All residential suites and all required parking within a project shall be under common ownership and management. 5. Development shall either: a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 6. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.45 **Zone TL 6A, 6B**

USE ZONE CHART

Section 55.45	USE ■ REGULATIONS ■	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MINIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	Residential Suites See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation. See Gen. Reg. 11.	D	A	See Spec. Reg. 2.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 3, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 3. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or

other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.

8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

4. All residential suites and all required parking within a project shall be under common ownership and management.

5. Development shall either:

a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or

b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.

6. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.51 **Zone TL 7A, 7B**

USE ZONE CHART

Section 55.51	USE ■ REGULATIONS ■	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS					MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
	Residential Suites See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 3.	1.5 acres	10'	0'	0'	80%	80' above average building elevation.	See Spec. Reg. 5.	C	See Spec. Reg. 7.	1. This use is permitted only in TL 7A. 2. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. Residential use may be located on the ground floor of a structure only if there is an intervening commercial use with a minimum depth of 20 feet (as measured from the face of the building on NE 124th Street), between this use and NE 124th Street. 3. The ground floor of structures shall be a minimum of 13 feet in height. 4. Site design must accommodate future pedestrian connections to the CKC. 5. Landscaping for this use must comply with KZC 95.42(1). Where an existing residential use exists on the adjacent property, KZC 95.42(2) shall apply. 6. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents. 7. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 8, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 8. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars REGULATIONS CONTINUED FROM PREVIOUS PAGE.

3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges.
4) Adequate secured and sheltered bicycle parking to meet anticipated demand.
5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City.
6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.
7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.
8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

9. All residential suites and all required parking within a project shall be under common ownership and management.
10. Development shall either:
   a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or
   b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.
11. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

Section 55.57 **Zone TL 8**

USE ZONE CHART

Section 55.57	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MINIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Reqd. Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	Residential Suites See Gen. Reg. 2.	D.R., Chapter 142 KZC. See Gen. Reg. 8.	None	10'	5' each side. See Spec. Reg. 1.	10' See spec. Reg.2.	70%	80' above average building elevation.	D	A	See Spec. Reg. 3.	1. 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. 2. 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.1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or pro- posed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 3. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 4, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. For managed and non-managed developments, parking for visitors shall be provided at a rate of an additional 5% above the parking requirement. 4. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and

detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.

7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.

8) Acknowledgement by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.

c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer.

5. All residential suites and all required parking within a project shall be under common ownership and management.

6. Development shall either:

a. Be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified or

b. Provide for at least 10 percent of the units in new residential suite developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.

7. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.

55.65 User Guide. The charts in KZC 55.69 contain the basic zoning regulations that apply in the TL 10A zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.67

Zone TL 10A

Section 55.67 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. For structures located within 30 feet of a parcel in a low density zone (or a low density use in PLA 17), KZC 115.136 establishes additional limitations on structure size.
3. Vehicular access to NE 124th Street should be limited and consolidated where possible. Properties with frontage on 113th Avenue NE must be accessed via 113th Avenue NE rather than NE 124th Street.
4. Development must retain and maintain the existing hill form and vegetation along the eastern boundary of the zone, north of 115th Avenue NE.

5~~. Any development activities requiring Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.~~

5~~6~~. A 50-foot-wide sight-obscuring landscaped buffer must be provided adjacent to any residential zone, except the TL 11 zone to the west.

6~~7~~. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.

7~~8~~. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.

Zone TL 10A

USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Wholesale trade, Wholesale printing or publishing, Manufacturing of electrical equipment, Manufacturing of scientific or photographic equipment, Packaging of prepared materials, Manufacturing of textile or leather products from pre-prepared material, Manufacturing of paper products from pre-prepared material, or manufacturing of plastic products from pre-prepared material	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5~~.	None	10'	5' but 2 side yards must equal at least 15'	10'	80%	See Spec. Reg. 3.	C	C	1 per each 1,000 sq. ft. of gross floor area.	1. Outdoor storage is prohibited. 2. The discharge of any substance that creates any impact detrimental to the environment or adjacent residents is not permitted. 3. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation. 4. Ancillary warehouse space associated with a listed permitted use is allowed.

Section 55.69 Zone TL 10A USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Office Use High Technology	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	5' but 2 side yards must equal at least 15'	10'	80%	See Spec. Reg. 2.	C See Spec. Reg. 3.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per each 300 sq. ft. of gross floor area. If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses. 2. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation. 3. Outdoor storage is prohibited. 4. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outdoor runs and other outdoor facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
.030	Restaurant or Tavern See Spec. Reg. 1.				0'	0'		55' above average building elevation.	C	E	1 per 100 sq. ft. of gross floor area.	1. Where this use is located on a parcel without frontage on NE 124th Street: a. Gross floor area for the use may not exceed 4,000 square feet. b. Drive-in and drive-through facilities are not permitted. 2. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.

Zone TL 10A

USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services. See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	80%	55' above average building elevation.	C	E	1 per each 300 sq. ft. of gross floor area.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. The following uses and activities are prohibited: a. The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers are not permitted; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. b. Retail establishments providing storage services unless accessory to another permitted use. c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses. d. Outdoor storage of bulk commodities unless the square footage of the storage area is less than 10 percent of the retail structure. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
.050	Hotel or Motel										1 per each room. See also Spec. Reg. 3.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. May include ancillary meeting and convention facilities. 3. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.060	Convalescent Center or Nursing Home							See Spec. Reg. 2.		A	1 per bed.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.

Section 55.69 Zone TL 10A USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	80%	See Spec. Reg. 5.	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 3. May include accessory living facilities for staff persons. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 5. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.
.080	Church				5' but 2 side yards must equal at least 15'.	10'		See Spec. Reg. 2.	C		1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use. 2. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.
.090	Public Utility							See Spec. Reg. 3.	A		See KZC 105.25.	1. Outdoor uses are not permitted. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses. 3. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.
.100	Government Facility or Community Facility								C See Spec. Reg. 2.			

55.71 User Guide. The charts in KZC 55.75 contain the basic zoning regulations that apply in the TL 10B zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.73

Zone TL 10B

Section 55.73 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.

2. For structures located within 30 feet of a parcel in a low density zone (or a low density use in PLA 17), KZC 115.136 establishes additional limitations on structure size.

3. New development on properties across which the planned extension of 118th Avenue NE to NE 116th Street is located, as shown on Plate 34C, Chapter 180 KZC, shall contribute to the creation of the street as follows:
   a. With all new development, the portions of this street crossing the subject property shall be dedicated as public right-of-way consistent with Plate 34C; and
   b. The street shall be improved as determined by the Public Works Director.

   Minor deviations in the location and width of the street may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the street.

4. Vehicular access to NE 116th is permitted only via 118th Avenue NE, or if the subject property does not have access to 118th Avenue NE. (Does not apply to Public Park use.)

~~5. Any development activities requiring Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no Design Review is required.~~

5~~6~~. Development must be designed to retain the existing hill along NE 116th Street and retain, at a minimum, 25 percent of the viable significant trees. The City may require greater than 25 percent depending on the location and clustering of trees. (Does not apply to Public Park use.)

6~~7~~. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.

7~~8~~. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

Zone TL 10B

USE ZONE CHART

Section 55.75 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.010 Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	5' but 2 side yards must equal at least 15'. See Spec. Reg. 4.	10' See Spec. Reg. 5.	70%	65' above average building elevation.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is permitted only on parcels located west of the 118th Avenue NE right-of-way alignment (see Housing Incentive Area 5, Plate 37, Chapter 180 KZC). 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. The side yard may be reduced to 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. 5. 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.

Section 55.75 Zone TL 10B USE ZONE CHART

Section 55.75 USE ? REGULATIONS ?:		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Manufacturing See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	20'	0'	0'	70%	35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramic products, electrical equipment, scientific or photographic equipment; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from pre-prepared material; and f. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. Outdoor fabrication is not permitted. Outdoor storage must be located as far as possible from the adjoining residential zones and the freeway. 3. May include as part of this use accessory retail sales, office or service occupying not more than 20 percent (50 percent for manufacturing uses on properties located within 150 feet of the Cross Kirkland Corridor) of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 4. The structure containing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. However, expansion of the floor area of this use may not exceed 20 percent of the existing gross floor area of the building. 5. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space. 6. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage. 7. Breweries, wineries and distilleries may include tasting rooms, accessory retail sales, or office utilizing not more than 20 percent of the gross floor area (no limit for properties located within 150 feet of the Cross Kirkland Corridor).
.025	Breweries, Wineries, and Distilleries										1 per each 1,000 sq. ft. of gross floor area.Tasting rooms 1 per each 100 sq. ft. of gross floor area.	
.030	Warehouse Storage Services										1 per each 1,000 sq. ft. of gross floor area.	

Zone TL 10B

USE ZONE CHART

Section 55.75 USE ? REGULATIONS ?		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Wholesale Trade	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	20'	0'	0'	70%	35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. Outdoor fabrication is not permitted. Outdoor storage must be located as far as possible from the adjoining residential zones and the freeway. 2. May include as part of this use, accessory retail sales, office or service occupying not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 3. The structure containing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. However, expansion of the floor area of this use may not exceed 20 percent of the existing gross floor area of the building. 4. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space. 5. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.
.050	Industrial Laundry Facility											
.060	Wholesale Printing or Publishing											
.070	Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control								B			
.080	Office Use							55' above average building elevation.	C	D	If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply only to veterinary offices: a. Outdoor runs or other outdoor facilities for the animals must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.085	Restaurant or Tavern (see Spec. Regs. 1 and 2).									E	1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted on properties within 150 feet of the Cross Kirkland Corridor. 2. No drive-through or drive-in facilities are permitted.

Section 55.75 Zone TL 10B USE ZONE CHART

Section 55.75 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.090	High Technology	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5~~.	None	10'	0'	0'	70%	55' above average building elevation.	C See Spec. Reg. 3.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 2. Refer to KZC 115.105 for provisions regarding outside use, activity and storage. 3. Any outdoor storage area shall be buffered according to Landscape Category A.
.095	Vehicle or Boat Repair, Services, Washing or Rental See Spec. Reg. 1.									E	See KZC 105.25.	1. This use is permitted on parcels abutting NE 118th Street, east of 118th Avenue NE. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 3. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.100	Mini-Day-Care See Spec. Reg. 5.								D	B		1. A six-foot-high fence is required along the property lines adjacent to the outside play area. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; and b. The use is integrated into the design of the building.

Zone TL 10B

USE ZONE CHART

Section 55.75	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.110	Church	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	70%	55' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Special Regulation 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to the use.
.120	A Retail Establishment providing storage services See Spec. Reg. 3.								A	E	See KZC 105.25.	1. May include accessory living facilities for staff persons. 2. Outdoor storage must be located as far as possible from the adjoining residential zones and the freeway. 3. This use is not permitted on properties: a. West of the 118th Avenue NE right-of-way alignment and its future extension to NE 116th Street. b. Within 150 feet of the Cross Kirkland Corridor/Eastside Rail Corridor.
.130	Public Utility									B		1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.140	Government Facility or Community Facility								C See Spec. Reg. 1			
.150	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review proposals.										
.160	School or Day-Care Center	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	70%	55' above average building elevation.	C	B	See KZC 105.25.	1. A six-foot-high fence along the side and rear property lines is required only along the property lines adjacent to the outside play areas. 2. Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses. 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 5. Electrical signs shall not be permitted. 6. May include accessory living facilities for staff persons.

Section 55.75 Zone TL 10B USE ZONE CHART

Section 55.75 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.170	Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	70%	55' above average building elevation.	C See Spec. Reg. 4.	B	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. However, expansion of the floor area of this use may not exceed 20 percent of the existing gross floor area of the building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space. 4. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.

55.77 User Guide. The charts in KZC 55.81 contain the basic zoning regulations that apply in the TL 10C zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.79

Zone
TL 10C

Section 55.79 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
3. When a permitted use is included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
4. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 152 KZC for requirements.
5. ~~The review process for development in this zone is as follows:~~
   a. ~~Where property does not abut a public right-of-way, including the Cross Kirkland Corridor, any structures up to 30 feet in height which require Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.~~
   b. ~~Otherwise, as set forth in Chapter 142 KZC.~~

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Zone TL 10C

USE ZONE CHART

Section 55.81	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~.	None	10'	5' but 2 side yards must equal at least 15'. See Spec. Reg. 5.	10' See Spec. Reg. 6.	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, up to 65' above average building elevation. See Spec. Reg. 3.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC). 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 65 feet. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 5. 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. 6. 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.

Section 55.81 Zone TL 10C USE ZONE CHART

Section 55.81 USE ? REGULATIONS ?:		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Warehouse Storage Service	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	20'	5' but 2 side yards must equal at least 15'	10'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, up to 35' above average building elevation.	D	C	1 per each 1,000 sq. ft. of gross floor area.	1. May include, as part of this use, accessory retail sales, office or service occupying no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 2. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.
.030	Wholesale Trade											
.040	Industrial Laundry Facility											
.050	Wholesale Printing or Publishing											
.060	Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control				0'	0'		Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	B	E		1. May include, as part of this use, accessory retail sales, office or service occupying no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 2. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A. 3. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.

Zone TL 10C

USE ZONE CHART

Section 55.81	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	A Retail Establishment providing banking and related financial services	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	80%	Same as primary use.	C	E	1 per each 300 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. It will not be located in a separate structure from the primary use; c. It will not exceed 50 percent of the ground floor area of the building; d. The use is integrated into the design of the building; and e. There is no vehicle drive-in or drive-through.
.080	Office Use							Where adjoining a low density zone, then 30' above average building elevation. Otherwise, 45' above average building elevation. See also Spec. Reg. 2.	C See also Spec. Reg. 1(a).	D	If medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations. 2. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 55 feet.
.090	High Technology								A		If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 2. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 55 feet. 3. May include, as part of this use, accessory retail sales or service occupying not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 4. Refer to KZC 115.105 for provisions regarding outside use, activity and storage.

Section 55.81 Zone TL 10C USE ZONE CHART

Section 55.81 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.100 School, Day-Care Center, Mini-School or Mini-Day-Care Center See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~	None	10'	0'	0'	80%	Same as primary use.	D	B	See KZC 105.25.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. An on-site passenger loading area may be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons.
.110 Public Utility							Where adjoining a low density zone, then 30' above average building elevation. Otherwise, 45' above average building elevation. See also Spec. Reg. 2.	C See Spec. Reg. 1.			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses. 2. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 55 feet.
.120 Government Facility Community Facility											
.130 Vehicle or Boat Sales, Repair, Services, Washing or Rental See Spec. Reg. 1.								A	E		1. Vehicle or boat sales or rental uses are only permitted if the property abuts NE 116th Street. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.
.140 Restaurant or Tavern See Spec. Reg. 1.							Same as primary use.	C		1 per each 100 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. It is not located in a separate structure from the primary use; c. The use is integrated into the design of the building; d. There is no vehicle drive-in or drive-through.
.150 Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										

Zone TL 10C

USE ZONE CHART

Section 55.81	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.160	Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. ~~See Gen. Reg. 5.~~.	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	E	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.

55.83 User Guide. The charts in KZC 55.87 contain the basic zoning regulations that apply in the TL 10D zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.85

Zone TL 10D

Section 55.85 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.

2. When a permitted use is included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.

~~3. The review process for development in this zone is as follows:~~
~~a. Where property does not abut a public right-of-way including the Cross Kirkland Corridor, structures up to 30 feet in height which require Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.~~
~~b. Otherwise, as set forth in Chapter 142 KZC.~~.

3~~4~~. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

Zone TL 10D

USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.010 Packaging of Prepared Materials Manufacturing See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from pre-prepared material; and f. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. May include, as part of this use, accessory retail sales, or service using not more than 20 percent (50 percent for properties located within 150 feet of the Cross Kirkland Corridor) of the gross floor area. The floor area of accessory office use is not limited. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 3. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage. 4. Breweries, wineries, and distilleries may include tasting rooms, accessory retail sales, or office utilizing not more than 20 percent of the gross floor area (no limit for properties located within 150 feet of the Cross Kirkland Corridor).
.015 Breweries, Wineries and Distilleries										1 per each 1,000 sq. ft. of gross floor area. Tasting rooms 1 per each 100 sq. ft. of gross floor area.	

Section 55.87 Zone TL 10D USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?.		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Warehouse Storage Service	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. May include, as part of this use, accessory retail sales, or service occupying no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 2. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.
.030	Wholesale Trade											
.040	Industrial Laundry Facility											
.050	Wholesale Printing or Publishing											
.060	Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control								B	E		1. May include, as part of this use, accessory retail sales, office or service occupying no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 2. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A. 3. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.

Zone TL 10D

USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?.	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.070 A Retail Establishment providing banking and related financial services	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	10'	0'	0'	80%	Same as primary use.	B	E	1 per each 300 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building; c. It will not be located in a separate structure from the primary use; d. It will not exceed 50 percent of the ground floor area of the building; and e. There is no vehicle drive-in or drive-through.
.080 High Technology							Where adjoining a low density zone, 30' above average building elevation. Otherwise, 80' above average building elevation. See Spec. Reg. 1.	C See Spec. Reg. 5.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. If this use is located in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC), maximum building height is 65 feet above average building elevation. 2. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 3. May include as part of this use, accessory retail sales or service occupying not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 4. Refer to KZC 115.105 for provisions regarding outside use, activity and storage. 5. Any outdoor storage area must be buffered according to Landscape Category A.
.090 Office Use								C See also Spec. Reg. 2(a).		If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. If this use is located in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC), maximum building height is 65 feet above average building elevation. 2. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.

Section 55.87 Zone TL 10D USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.100	Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	10'	5', but 2 side yards must equal at least 15'. See Spec. Reg. 5.	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 65' above average building elevation. See Spec. Reg. 1.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC). 2. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of a light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents. 3. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 5. 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.
.110	Day-Care Center and Mini-Day-Care Center See Spec. Reg. 1.		10'	0'			Same as primary use.		B	See KZC 105.25.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. An on-site passenger loading area may be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.

Zone TL 10D

USE ZONE CHART

Section 55.87 USE ? REGULATIONS ?.		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.120	Public Utility	D.R., Chapter 142 KZC. ~~See Gen. Reg. 3.~~	None	10'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 80' above average building elevation. See Spec. Reg. 1.	C See Spec. Reg. 2.	B	See KZC 105.25.	1. If this use is located within Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC) maximum building height is 65 feet above average building elevation. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.130	Government Facility Community Facility											
.140	Restaurant or Tavern See Spec. Reg. 1.							Same as primary use.	B	E	1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted as a primary use on properties located within 150 feet of the Cross Kirkland Corridor. On other properties, this use is only permitted if accessory to a primary use, where: a. It will not exceed 20 percent of the gross floor area of the building; b. It is not located in a separate structure from the primary use; c. The use is integrated into the design of the building. 2. No vehicle drive-in or drive-through facilities are permitted.
.150	Entertainment, Cultural and/or Recreational Facility			20'				Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A		See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.
.160	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										

55.41 User Guide. The charts in KZC 55.45 contain the basic zoning regulations that apply in the TL 6A and TL 6B zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.43

Zone TL 6A, 6B

Section 55.43 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.

2. Where feasible, primary access for nonresidential uses within TL 6 shall be from 124th Avenue NE, NE 124th Street, or NE 120th Street.

3. The ground floor of all structures with frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, residential development in TL 6A where over 80 percent of the total units in the development are affordable to households earning no more than 60 percent of the King County median income, public utilities, government facilities or community facilities;
   b. Parking garages;
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible; or
   d. Parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE.

4. Within TL 6B, ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest. This regulation does not apply to parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE (see Plate 34G).

5. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.

~~6. The review process for development in this zone is as follows:~~
   ~~a. In TL 6A, any development activities requiring design review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.~~
   ~~b. In TL 6B, as set forth in Chapter 142 KZC.~~

6~~7~~. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.

7~~8~~. Some development standards or design regulations may be modified as part of the design review process. See Chapter 92 or 142 KZC for requirements.

(GENERAL REGULATIONS CONTINUED ON NEXT PAGE)

(GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)

~~8~~9. In TL 6B, development must provide a grid of internal access roads (see Plate 34G) pursuant to the following standards:

a. A centralized east-west connection that forms the spine for the site. Such a connection would reduce the need for vehicular circulation on NE 124th Street.

b. Two to three north-south connections from NE 124th Street to the east-west connection noted above. A desirable distance between access roads is between 250 and 300 feet. The maximum allowable distance between access roads shall be 350 feet. These may be public or private streets. Wider separation (up to 500 feet) may be considered where properties dedicate a minimum 30-foot-wide public pedestrian corridor.

c. Suggested cross-sections for each of these roads:
   1) Two travel lanes (one lane each way);
   2) On-street parallel parking;
   3) Eight- to 12-foot-wide sidewalks on each side of the street with street trees placed 30 feet on-center. Sidewalk width may be reduced where planting strips (minimum four feet wide) are maintained between the street and sidewalk.

   The above access roads may be private or public.

9~~10~~. The applicant shall install a through-block pathway or other pathways to link streets and/or activities. (See Plate 34G.) Include at least one mid-block east-west pathway connecting uses to 116th Avenue NE and a network of north-south pathways at intervals no greater than 350 feet that link uses to NE 124th Street. Through-block pathways may be integrated with internal access roads and/or provided within separate pedestrian-only corridors. See KZC 105.19 for through-block pathway standards. Additional through-block pathways not shown in the Comprehensive Plan may be required by the City on parcels larger than two acres in order to enhance pedestrian access on large sites.

10~~11~~. No portion of a structure on the subject property within 40 feet of Slater Avenue in TL 6A may exceed 30 feet above the elevation of Slater Avenue as measured at the midpoint of the frontage of the subject property on Slater Avenue.

Section 55.45 Zone TL 6A, 6B USE ZONE CHART

Section 55.45 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.010 Vehicle Service Station	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6~~.	22,500 sq. ft.	40'	15' on each side	15'	80%	35' above average building elevation.	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
			See Spec. Reg. 2.								
.020 A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 3.		None	10'	0'	0'		45' above average building elevation. See Gen. Reg. 1~~0~~1.				1. This use is not permitted in the TL 6B zone. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 3. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use.
.030 Restaurant or Tavern								B		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.

Section 55.45

Zone 6B

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 55.45	USE ? REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods or providing services, including banking and related financial services	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6~~.	None	10'	0'	0'	80%	45' above average building elevation. See Gen. Reg. 10~~1~~.	C	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Retail establishments providing storage services are not permitted in this zone unless accessory to another permitted use.
.060	Office Use									D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted in any development containing dwelling units. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Hotel or Motel									E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.080	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	

Section 55.45	USE ? REGULATIONS ?!	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage / Height of Structure				
				Front	Side	Rear					
.090	Private Lodge or Club	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6~~.	None	10'	0'	0'	80% / 45' above average building elevation. See Gen. Reg. 101.	C	B	1 per each 300 sq. ft. of gross floor area.	
.100	Attached or Stacked Dwelling Units. See Spec. Reg. 1.						65' above average building elevation. See Gen. Reg. 101.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. This requirement does not apply to ground floor residential use in TL 6A where over 80 percent of the total units in the development are affordable to households earning no more than 60 percent of King County median income, adjusted for household size. 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.110	Wholesale Trade See Spec. Reg. 1. Packaging of Prepared Materials Wholesale Printing or Publishing Industrial Laundry Facility			20'			35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. This use is only allowed on property in TL 6A. 2. May include, as part of this use, accessory retail sales or service. 3. The building housing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 4. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.

Section 55.45

Section 55.45	USE ? REGULATIONS ?	Zone 6B: Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.120	Church	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6~~.	None	10'	5' on each side	10'	80%	45' above average building elevation. See Gen. Reg. 10~~1~~.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.
.130	School, Day-Care Center, Mini-School or Mini-Day-Care Center				0'	0'			D		See KZC 105.25.	1. A six-foot high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. May include accessory living facilities for staff persons. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.

Zone TL 6A, 6B

USE ZONE CHART

Section 55.45 USE ? REGULATIONS ?!	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.140 Assisted Living Facility Convalescent Center Nursing Home	D.R., Chapter 142 KZC. ~~See Gen. Reg. 6.~~	None	10'	0'	0'	80%	45' above average building elevation. See Gen. Reg. 10~~1~~.	D	A	Assisted Living: 1.7 per independent unit. 1 per assisted living unit. Convalescent Center or Nursing Home: 1 per bed.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.150 Public Utility								A	B	See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.160 Government Facility Community Facility								C See Spec. Reg. 1.			
.170 Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

HEIGHT CALCULATION

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

Chapter 55 – TOTEM LAKE (TL) ZONES

55.05 User Guide. The charts in KZC 55.09 contain the basic zoning regulations that apply … left hand column entitled Use. Once you locate the use in which you are interested, read …

Section 55.07

Zone TL 1A

Section 55.07 – GENERAL REGULATIONS

1. Refer to Chapter 1 KZC to determine what other provision of the code may apply to the subject property.
2. All ground floor uses shall be a minimum of 13 feet in height. This regulation does not apply to parking garages or property with no frontage on NE 128th Street.
3. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
4. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking, other than underground parking, may encroach into the required 10-foot front yard.
5. The ability to accommodate new development in the TL 1A zone is dependent upon the construction of two new streets: 119th Avenue NE, between NE 128th Street and NE 130th Place, and NE 130th Place, between 120th Avenue NE and Totem Lake Boulevard NE, as shown on Plate 34A. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which these streets in whole or in part extend shall contribute to the creation of the streets as follows:
   a. With all new development, the portions of these streets crossing the subject property shall be dedicated as public right-of-way consistent with Plate 34A; and
   b. With all new development exceeding 30 feet in height, the streets shall be improved consistent with Plate 34A.

   Minor deviations in the location and width of the streets may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the streets.
6. Properties located between TL 2 and NE 128th Street may be required to provide a pedestrian connection between TL 2 and NE 128th Street.
7. On the parcel located at the southeast corner of this zone (Tax Parcel No. 6928400025), building height may not exceed 30 feet above average building elevation unless:
   a. Vehicular access is consolidated with a driveway on property to the south, west or north of the subject parcel; or
   b. Alternative access to the subject parcel is provided at a location approved by the Public Works Department; or
   c. Vehicular trip generation onto 120th Ave. NE does not exceed 2015 levels.

Zone TL 1A

USE ZONE CHART

Section 55.09	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Gen. Reg. 2 and ~~See~~ Spec. Reg. 2.	B	D	See Chapter 105 KZC	1. The minimum floor area ratio (F.A.R.) for development on the subject property is 1.0, or 100 percent of lot size. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 4(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.040	Attached or Stacked Dwelling Units or Residential Suites	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 4.	30' to 160' above average building elevation. See Gen. Reg. 2 and ~~See~~ Spec. Reg. 3.	C	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 5(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Attached or Stacked Dwelling Units or Residential Suites (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 5. Residential suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified. 6. Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.
.050	Church	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' average building elevation. See See Gen. Reg. 2 and Spec. Reg. 3.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use. 3. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.060	School, Day-Care Center or Mini School or Mini-Day-Care	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' above average building elevation. See See Gen. Reg. 2 and Spec. Reg. 4.	D	B	See KZC 105.25. See Spec. Reg. 3.	1. A six-foot-high fence is required along property lines adjacent to outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09 USE ? REGULATIONS ?		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	Assisted Living Facility	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 2.	B	A	See KZC 105.25.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 4(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09 Zone TL 1A USE ZONE CHART

Section 55.09 USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.080 Convalescent Center or Nursing Home	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 2.	30' to 160' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 1.	C	B	1 for each bed.	1. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development of the subject property complies with 3(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 2. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.

Zone TL 1A

USE ZONE CHART

Section 55.09 USE ? REGULATIONS ?		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.090	Public Utility	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 1.	A	B	See KZC 105.25.	1. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.100	Government Facility or Community Facility								C See Spec. Reg. 2.			1. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies. 2. Landscape category A or B may be required depending on the type of use on the subject property and the impacts associated with this use.
.110	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										

55.29 User Guide. The charts in KZC 55.33 contain the zones of the City. Use these charts by reading down the left hand column entitled Use. find the regulations that apply to that use.

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

Section 55.31

Zone
TL 4A, 4B, 4C

Section 55.31 – GENERAL REGUL

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. The ground floor of all structures with frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space, shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities;
   b. Parking garages; or
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
3. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
4. Ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest (see also Chapter 105 KZC).
5. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
6. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.
7. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

Section 55.33	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Vehicle Service Station	D.R., Chapter 142 KZC	22,500 sq. ft.	40'	15' on each side	15'	80%	30' average building elevation.	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
				See Spec. Reg. 2.								
.030	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 2.		None	10'	0'	0'		65' above average building elevation. See Gen. Reg. 2.				1. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 2. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use.
.040	Restaurant or Tavern								C		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served. c. Access for drive-through facilities shall not be located between the building and the Cross Kirkland Corridor.
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services										1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Retail establishments providing storage services are not permitted in this zone unless accessory to another permitted use.

Section 55.33 Zone TL 4A, 4B, 4C — USE ZONE CHART

Section 55.33 USE ? REGULATIONS ?:		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation. See Gen. Reg. 2.	C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted in any development containing dwelling units. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Hotel or Motel									E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.080	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	
.090	Private Lodge or Club									B	1 per each 300 sq. ft. of gross floor area.	

Zone TL 4A, 4B, 4C

USE ZONE CHART

Section 55.33 USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.100 Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation. See See Gen. Reg. 2.Spec. Reg. 5.	D	E	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 4. The equivalent of the additional gross floor area constructed above 35 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor. 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.110 Church							65' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

(GENERAL REGULATIONS

4. Building and/or landscaping features that highlight the entryway … opment of the parcel located at the southeast corner of TL 5. The features … pter 92 KZC, Design Regulations.

5. The ground floor of all structures on the subject property with … ntage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities.
   b. Parking garages.
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.

6. Ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest.

7. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.

8. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.

9. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

Section 55.39 Zone TL 5 USE ZONE CHART

Section 55.39 USE ? REGULATIONS ?		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Vehicle Service Station	D.R., Chapter 142 KZC.	22,500 sq. ft.	40'	15' on each side	15'	80%	35' above average building elevation. See Gen. Reg. 5.	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
				See Spec. Reg. 2.								
.030	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 1.		None	10'	0'	0'						1. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.
.040	Restaurant or Tavern								C		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.

Zone TL 5

USE ZONE CHART

Section 55.39	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	35' above average building elevation. See Gen. Reg. 5.	C	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Retail establishments providing storage services are not permitted in this zone unless accessory to another permitted use.
.070	Office Use									D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.080	Hotel or Motel									E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.090	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	
.100	Private Lodge or Club									B	1 per each 300 sq. ft. of gross floor area.	

Section 55.39 Zone TL 5 USE ZONE CHART

Section 55.39 USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.110 Attached or Stacked Dwelling Unit See Spec. Reg. 1.	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	35' above average building elevation. See Gen. Reg. 5.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use with gross floor area on the ground floor equal to or greater than 20 percent of the parcel size of the subject property. Minor reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. At least two stories of the building must be dedicated to residential use. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.120 Church								C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Special Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.

55.41 User Guide. The charts in KZC 55.45 contain the basic zoning regulations that apply in the TL 6A and TL 6B zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet

Section 55.43

Zone TL 6A, 6B

Section 55.43 – GENERAL REGULATIONS

The following regulations apply to all uses in th

1. Refer to Chapter 1 KZC to determine wh
2. Where feasible, primary access for n esidential uses within TL 6 shall be from 124th Avenue NE, NE 124th Street, or NE 120th Street.
3. The ground floor of all structures w frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, residential development in TL 6A where over 80 percent of the total units in the development are affordable to households earning no more than 60 percent of the King County median income, public utilities, government facilities or community facilities;
   b. Parking garages;
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible; or
   d. Parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE.
4. Within TL 6B, ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest. This regulation does not apply to parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE (see Plate 34G).
5. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
6. The review process for development in this zone is as follows:
   a. In TL 6A, any development activities requiring design review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.
   b. In TL 6B, as set forth in Chapter 142 KZC.
7. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
8. Some development standards or design regulations may be modified as part of the design review process. See Chapter 92 or 142 KZC for requirements.

(GENERAL REGULATIONS CONTINUED ON NEXT PAGE)

Section 55.45 Zone TL 6A, 6B USE ZONE CHART

Section 55.45 USE ? REGULATIONS ?!	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.010 Vehicle Service Station	D.R., Chapter 142 KZC. See Gen. Reg. 6.	22,500 sq. ft.	40'	15' on each side	15'	80%	35' above average building elevation.	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
			See Spec. Reg. 2.								
.020 A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 3.		None	10'	0'	0'		45' above average building elevation. See See Gen. Reg. 3 and Gen. Reg. 11.				1. This use is not permitted in the TL 6B zone. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 3. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use.
.030 Restaurant or Tavern								B		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.

Section 55.45

Section 55.45	USE ? REGULATIONS	Zone 6B: Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods or providing services, including banking and related financial services	D.R., Chapter 142 KZC. See Gen. Reg. 6.	None	10'	0'	0'	80%	45' above average building elevation. See See Gen. Reg. 3 and Gen. Reg. 11.	C	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Retail establishments providing storage services are not permitted in this zone unless accessory to another permitted use.
.060	Office Use									D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted in any development containing dwelling units. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Hotel or Motel									E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.080	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	

Section 55.45 USE ? REGULATIONS ?!	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.090 Private Lodge or Club	D.R., Chapter 142 KZC. See Gen. Reg. 6.	None	10'	0'	0'	80%	45' above average building elevation. See Gen. Reg. 11.	C	B	1 per each 300 sq. ft. of gross floor area.	
.100 Attached or Stacked Dwelling Units. See Spec. Reg. 1.							65' above average building elevation. See See Gen. Reg. 3 and Gen. Reg. 11.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. This requirement does not apply to ground floor residential use in TL 6A where over 80 percent of the total units in the development are affordable to households earning no more than 60 percent of King County median income, adjusted for household size. 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.110 Wholesale Trade See Spec. Reg. 1. Packaging of Prepared Materials Wholesale Printing or Publishing Industrial Laundry Facility			20'				35' above average building elevation. See Gen. Reg. 3.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. This use is only allowed on property in TL 6A. 2. May include, as part of this use, accessory retail sales or service. 3. The building housing the use shall have been in existence on December 31, 2005, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 4. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.

Zone TL 7A, 7B

USE ZONE CHART

Section 55.51 USE ? REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
			Front	Side	Rear						
.005 Mixed Use Development Containing Attached or Stacked Dwelling Units	D.R., Chapter 142 KZC. See Gen. Reg. 3.	1.5 acres	10'	0'	0'	80%	80' above average building elevation. See Spec. Reg. 3.	See Spec. Reg. 5.	C	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is p 2. Developmen with gross flo of the subjec approved by that meeting tion of existin space is conf tation. Reside structure only imum depth o on NE 124th Street), between this use and NE 124th Street. 3. The groun or of structures shall be a minimum of 13 feet in height. 4. Site design must accommodate future pedestrian connections to the CKC. 5. Landscaping for this use must comply with KZC 95.42(1). Where an existing residential use exists on the adjacent property, KZC 95.42(2) shall apply. 6. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 7. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents.

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

55.53 User Guide. The charts in KZC 55.57 contain the basic zoning regulations that apply in the TL 8 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.55

Zone TL 8

Section 55.55 – GENERAL REGULATIONS

The following regulations apply to all u

Insert the following text: Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five (5) feet.

1. Refer to Chapter 1 KZC to determ erty.
2. Ground floor uses on the two west t contain retail, restaurants, and/or taverns.
3. The ground floor of all structures w frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height. This requirement does not apply to:
   a. The following uses: Vehicle Service Stations, Private Lodges or Clubs, Stacked Dwelling Units, Churches, Schools, Day-Care Centers, Mini-Schools or Mini-Day-Care Centers, Assisted Living Facilities, Convalescent Centers or Nursing Homes, Public Utilities, Government Facilities or Community Facilities;
   b. Parking garage; or
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
4. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
   a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
   b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
5. Shared access points must be used to the maximum extent possible. Curb cuts must be limited to minimize traffic congestion (does not apply to Public Utility, Government Facility or Community Facility and Public Park uses).
6. Development must emphasize Totem Lake as the focal point of this zone (does not apply to Public Utility, Government Facility or Community Facility and Public Park uses).
7. Refer to Chapter 90 KZC regarding restrictions on development around Totem Lake and wetland areas.
8. Parcels located east of the strip of land zoned “P” are exempt from Design Review.
9. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
10. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.

Zone TL 8

USE ZONE CHART

Section 55.57	USE ? REGULATIONS ?:	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARD (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.010	Hotel or Motel See Gen. Reg. 2.	D.R., Chapter 142 KZC. See Gen. Reg. 8.	None	10'	5' each side	10'	70%	80' above average building elevation. See Gen. Reg. 3.	B	E	See KZC 105.25.	1. The following uses are not allowed: The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers, vehicle service station, and storage services; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. 2. Ancillary assembly and manufactured goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent on this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 3. Outdoor storage and drive-in or drive-through facilities are not permitted.
.020	Entertainment, Cultural and/or Recreational Facility See Gen. Reg. 2.											
.040	Any Retail Establishment, other than those specifically listed in this zone, selling goods or providing services, including banking and related financial services. See Spec. Reg. 1.											
.050	Restaurant or Tavern											
.060	Office Use See Gen. Reg. 2.								C	D		1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Section 55.57 Zone TL 8 USE ZONE CHART

Section 55.57	USE ? REGULATIONS ?:	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	Attached or Stacked Dwelling Units See Gen. Reg. 2.	D.R., Chapter 142 KZC. See Gen. Reg. 8.	None	10'	5' each side See Spec. Reg. 3.	10' See Spec. Reg. 4.	70%	80' above average building elevation. See Gen. Reg. 3.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. 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. 4. 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.
.080	Development containing attached or stacked dwelling units and offices, restaurants or taverns, or retail uses allowed in this zone. See Gen. Reg. 2. See Spec. Reg. 1.				5' each side. See Spec. Reg. 6.	10' See Spec. Reg. 7.			B	E	For residential: 1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements. For other uses see KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. Ancillary assembly and manufactured goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate and directly related to and dependent on this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail or office uses. 4. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 5. The equivalent of the additional gross floor area constructed above 35 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor. 6. 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. 7. 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.

Zone TL 10A

RESIDENCE XII

USE ZONE CHART

Section 55.69	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services. See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	55' above average building elevation.	C	E	1 per each 300 sq. ft. of gross floor area.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. The following uses and activities are prohibited: a. The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers are not permitted; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. b. Retail establishments providing storage services unless accessory to another permitted use. c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses. d. Outdoor storage of bulk commodities unless the square footage of the storage area is less than 10 percent of the retail structure. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
.050	Hotel or Motel										1 per each room. See also Spec. Reg. 3.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. May include ancillary meeting and convention facilities. 3. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.060	Convalescent Center or Nursing Home See Spec. Reg. 2.							See Spec. Reg. 3~~2~~.		A	1 per bed. See Spec. Reg. 2.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Temporary, transitional housing may be developed as an accessory use to a Convalescent Center, so long as the Center was in existence on the property on or before December 31, 2017. Parking requirements for this accessory use shall be established pursuant to KZC 105.25. 3~~2~~. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation

PARKING "BUFFER" AMENDMENTS

Proposed Revisions to Section 105.103.3.c

3. Modifications – A modification to improvement requirements of this chapter may be required or granted if the applicant demonstrates on submitted plans and/or in writing that the following criteria have been met for modifications to the applicable sections:

a. For a modification to KZC 105.10 for vehicular access easements or tracts and for KZC 105.60(2) and (3) and 105.97 for parking area design, the requirements may be modified if:

1) The modifications will not affect the ability to provide any property with police, fire, emergency medical, or other essential services; and

2) One (1) of the following requirements is met:

a) The modification is necessary because of a preexisting physical condition; or

b) The modification will produce a site design superior to that which would result from adherence to the adopted standard.

3) Exception: KZC 105.10(2)(g) relating to screening for access easements or tracts will use the modification criteria for buffering in subsection (3)(g) of this section.

b. For a modification to KZC 105.18 or 105.19 the requirements for pedestrian access may be modified if:

1) The modification is necessary because of the size, configuration, topography or location of the subject property;

2) The modification will provide for equal or improved pedestrian and bicycle safety and convenience; and

3) The modification will not have any substantial detrimental effect on nearby properties and the City as a whole.

c. For a modification to KZC 105.20 and 105.45, a decrease in the required number of spaces may be granted if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study to be sufficient to fully serve the use. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the proposed use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation~~traffic~~ E~~e~~ngineer. The study shall provide at least two (2) days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation~~traffic~~ E~~e~~ngineer. Approval of a parking reduction shall be solely at the discretion of the City. A decrease in the minimum required number of spaces may be based in whole or part on the provision of nationally accepted TDM (transportation demand management) measures.

Data supporting the effectiveness of the TDM measures shall be provided as part of the parking demand and utilization study and approved by the City Transportation. ~~traffic~~ Ee~~e~~ngineer.

For multifamily parking modifications in zones outside of the Totem Lake Urban Center, the parking demand rate result shall be increased by fifteen (15) percent and the resultant total shall then be subject to the visitor parking requirements in KZC 105.20(3).

For multifamily parking modifications in TL zones within the Totem Lake Urban Center, the parking demand rate total shall be subject to the visitor parking requirements in KZC 105.20(3), and the applicant must submit a Transportation Management Plan (TMP) for review and approval of the City Transportation Engineer: At a minimum, requirements for the TMP include:

1. A parking management plan for all stalls associated with the development,
2. The provision of free two-zone transit passes for all residents in the development,
3. Confirmation that parking charges will be unbundled from the leases for the development, and
4. A biennial report providing travel survey data for all residential and commercial tenants.

The Planning Official shall not approve or deny a modification to decrease the number of parking spaces without first providing notice of the modification request to the owners and residents of property within 300 feet of the subject property and providing opportunity for comment. The Planning Official shall use mailing labels provided by the applicant, or, at the discretion of the Planning Official, by the City. Said comment period shall not be less than seven (7) calendar days.

Properties located in the CBD 1A, 1B, 2, and 8 zones that receive parking modification approval under this section are not eligible to utilize the special parking provisions in KZC 50.60(3)(a), Certain Floor Area Exempt from Parking Requirements.

PUBLICATION SUMMARY
OF ORDINANCE O-4627

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTERS 55 AND 105 OF THE KIRKLAND ZONING CODE REGARDING STANDARDS THAT APPLY TO DEVELOPMENT IN THE TOTEM LAKE BUSINESS DISTRICT AND URBAN CENTER AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM17-00371.

SECTION 1. Provides amendments to Chapters 55 and 105 of the Kirkland Zoning Code.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code

SECTION 4. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2017.

I certify that the foregoing is a summary of Ordinance 4627 approved by the Kirkland City Council for summary publication.

_____
Kathi Anderson, City Clerk

ORDINANCE O-4628

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, ZONING AND LAND USE REGARDING CHANGES FOR THE TOTEM LAKE BUSINESS DISTRICT AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, CHAPTER 55 OF THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING CODE AND ZONING MAP CONFORM TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM17-00371.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481, as amended, Chapter 55 of the Kirkland Zoning Code, Ordinance 3719, as amended and a portion of the Zoning Map, Ordinance 3710, as amended, to ensure the zoning map conforms to the Comprehensive Plan and the City complies with the Growth Management Act, as set forth in the report and recommendation of the Planning Commission dated November 21, 2017, and bearing Kirkland Planning and Building Department File No. CAM17-00371; and

WHEREAS, prior to making the recommendation the Planning Commission, following notice as required by RCW 35A.63.070, held on October 19, 2017, a public hearing, on the amendment proposals and considered the comments received at the hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA addendum to Existing Environmental Documents issued October 10, 2017, including supporting environmental documents, issued by the responsible official pursuant to WAC 197-11-625; and

WHEREAS, in a public meeting on December 12, 2017, the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission.

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

Section 1. Comprehensive Plan Text and Figures amended. The Comprehensive Plan text and figures in the Totem Lake Business district Plan are amended. The Comprehensive Plan, Ordinance 3481, as amended, is amended in accordance with Exhibit A attached to this Ordinance and incorporated by reference.

Section 2. Zoning Map Amended: The official City of Kirkland Zoning Map as adopted by Ordinance 3710 is amended in accordance with Exhibit B attached to this Ordinance and incorporated by reference.

Section 3. Official Map Change: The Director of the Planning and Building Department is directed to amend the official City of Kirkland Zoning Map to conform with this ordinance, indicating thereon the date of the ordinance's passage.

Section 4. Zoning Code Text Change: Chapter 55 of the Kirkland Zoning Code is amended as set forth in Exhibit C attached to this ordinance and incorporated by reference.

Section 5. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 6. This Ordinance shall be in full force and effect five days from and after its passage by the City Council and publication, pursuant to Kirkland Municipal Code Section 1.08.017, in summary form attached to the original of this Ordinance and by this reference approved by the City Council as required by law.

Section 7. A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2017.

Signed in authentication thereof this _____ day of _____, 2017.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

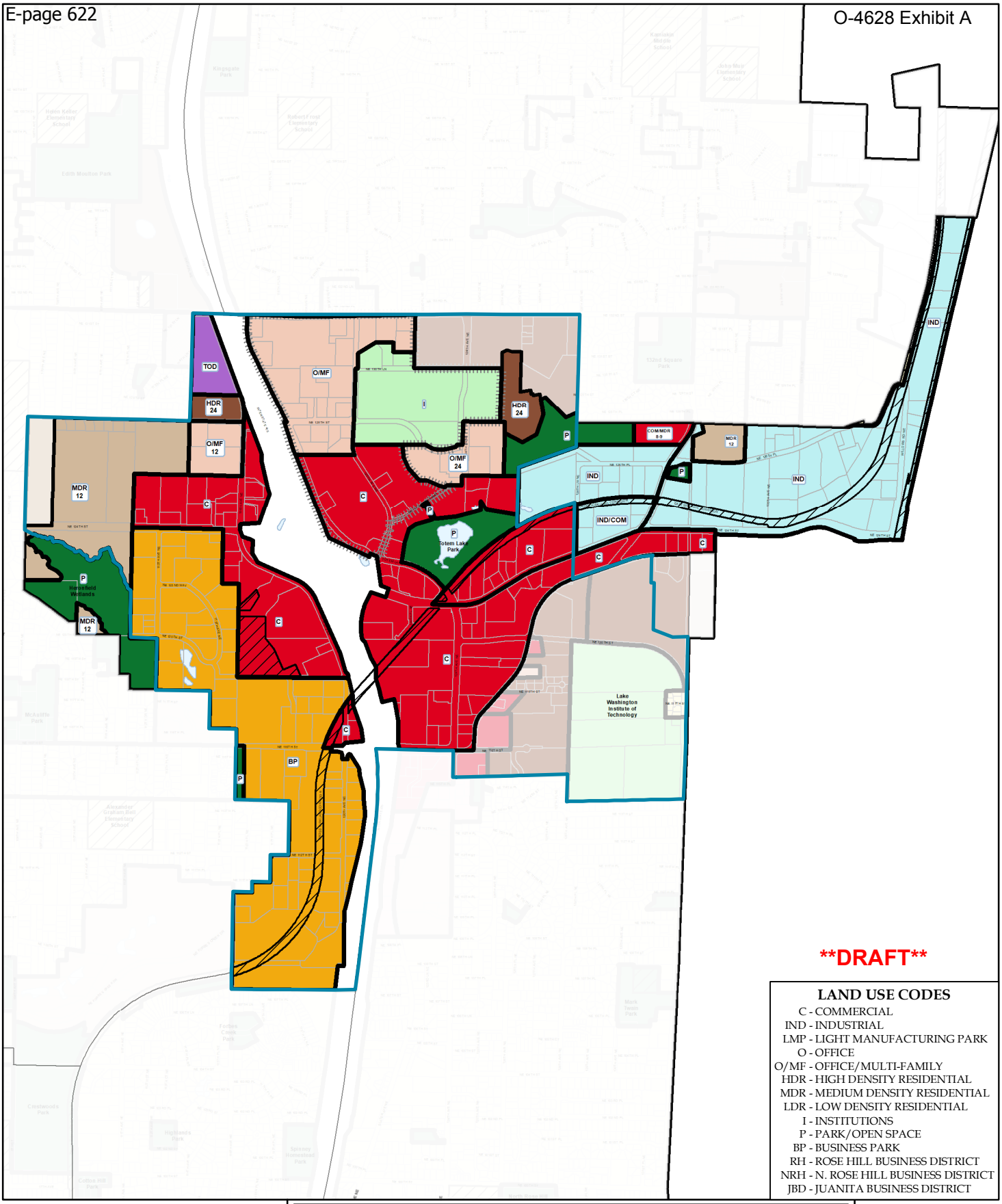
_____
City Attorney

Proposed Policy Changes for RJB Wholesale:

Policy TL-36.3: Support development of multifamily residential use as well as light industrial/office uses east of 132nd Avenue NE and north of NE 126th Place, where topography and critical areas may make development with light industry/office use challenging.

Steep slopes within High Landslide Hazard Areas, dense vegetation and wetlands exist within some areas east of 132nd Avenue NE. On these parcels, development with multifamily residential use may provide opportunities to avoid potential wetlands, buffers and steeper areas through the siting of units in several smaller structures that follow existing topography. Since these properties lie within a successful light industry/office area, residential development should include substantial buffers and other elements to minimize conflicts with existing and future light industry/office neighbors.

O-4628 Exhibit A



DRAFT

LAND USE CODES

C - COMMERCIAL
IND - INDUSTRIAL
LMP - LIGHT MANUFACTURING PARK
O - OFFICE
O/MF - OFFICE/MULTI-FAMILY
HDR - HIGH DENSITY RESIDENTIAL
MDR - MEDIUM DENSITY RESIDENTIAL
LDR - LOW DENSITY RESIDENTIAL
I - INSTITUTIONS
P - PARK/OPEN SPACE
BP - BUSINESS PARK
RH - ROSE HILL BUSINESS DISTRICT
NRH - N. ROSE HILL BUSINESS DISTRICT
JBD - JUANITA BUSINESS DISTRICT

Totem Lake Business District & Urban Center

Land Use Map

ORDINANCE NO. 4494, 4495
ADOPTED by the Kirkland City Council
December 8, 2015

LAND USE BOUNDARIES
PARCEL BOUNDARIES
SUBAREA BOUNDARY
PLA PLANNED AREA NUMBER
TOTEM CENTER
LDR *5 LAND USE CODE / DENSITY (UNITS/ACRE)
PUBLIC FACILITIES
TOTEM LAKE URBAN CENTER

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
** INDICATES CLUSTERED LOW DENSITY*

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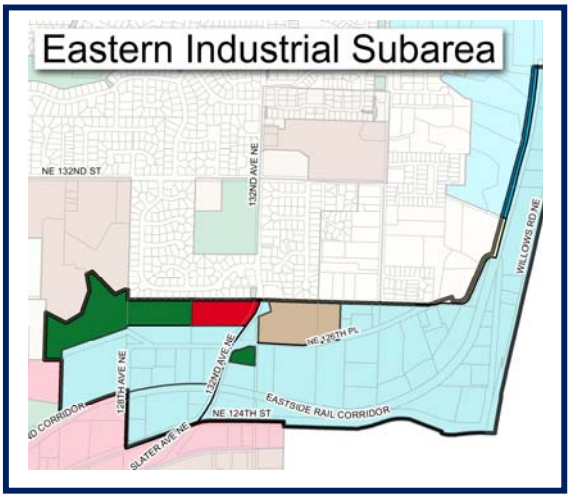
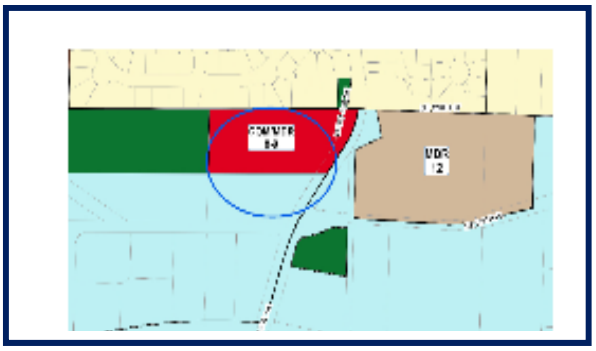
RJB Wholesale Request
Additional Map Changes

The land use designation for the RJB Wholesale property on the maps shown below would change from medium density residential (brown) to light industrial (blue).

Map for Eastern Industrial Subarea

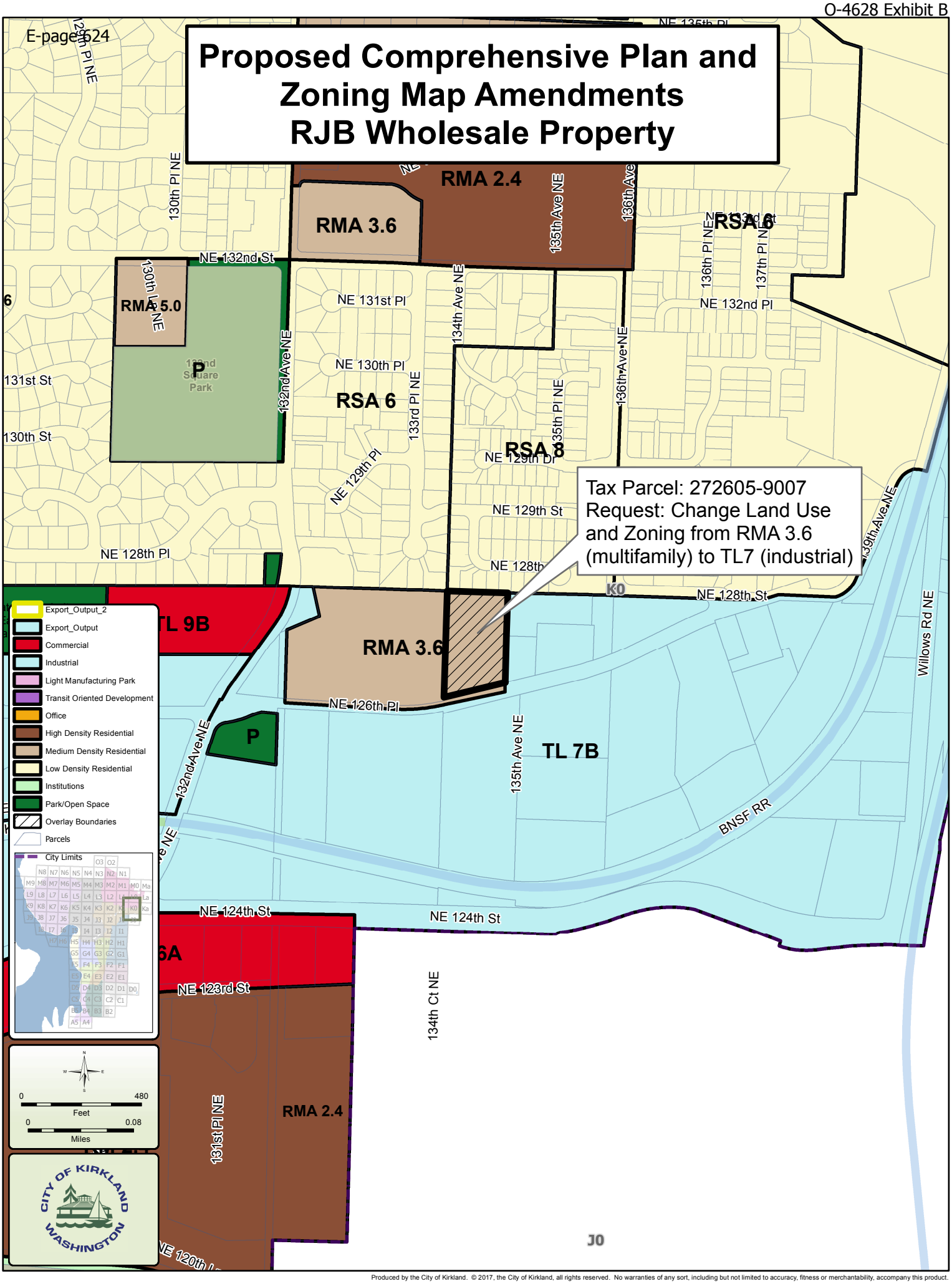


Map associated with Policy TL-36.2:



Map associated with Policy TL-36.3:

Proposed Comprehensive Plan and Zoning Map Amendments RJB Wholesale Property



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Zone TL 7A, 7B

USE ZONE CHART

Section 55.51	USE ? REGULATIONS ?	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	A Retail Establishment providing storage services. See Spec. Regs. 1, 2 and 3.	D.R., Chapter 142 KZC. See Gen. Reg. 3.	None	10'	0'	0'	90%	TL 7A: 80' above average building elevation. TL 7B: 45' above average building elevation.	A	E	See KZC 105.25.	1. May include accessory living facilities for resident security manager. 2. This use not permitted if any portion of the subject property is located within 150 feet of the Cross Kirkland or Eastside Rail Corridor. 3. This use is not permitted in TL 7A unless accessory to another permitted use.
.070	A Retail Establishment providing building construction, plumbing, electrical, landscaping, or pest control services								B	E	1 per each 300 sq. ft. of gross floor area.	1. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A.
.080	A Retail Establishment selling building materials or hardware											
.085	A Retail Establishment selling marijuana or products containing marijuana						80%					
.090	A Retail Establishment providing rental services						90%					1. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A.
.095	Attached or Stacked Dwelling Units		3,600 sq.ft. per unit				80%				1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is permitted only in TL 7B, north of NE 126th Place, east of 132nd Ave NE, on parcels that abut ~~and west of~~ the RMA 3.6 zone to the east and west. 2. Landscaping for this use must comply with KZC 95.42(1). Where an existing residential use exists on the adjacent property, KZC 95.42(2) shall apply. 3. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 4. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents.

PUBLICATION SUMMARY
OF ORDINANCE O-4628

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, ZONING AND LAND USE REGARDING CHANGES FOR THE TOTEM LAKE BUSINESS DISTRICT AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, CHAPTER 55 OF THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING CODE AND ZONING MAP CONFORM TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM17-00371.

SECTION 1. Provides amendments to the Comprehensive Plan text and figures in the Totem Lake Business District Plan.

SECTION 2. Provides amendments to the Kirkland Zoning Map.

SECTION 3. Provides that the Director of the Planning and Building Department is directed to amend the Zoning Map.

SECTION 4. Provides amendments to Chapter 55 of the Kirkland Zoning Code.

SECTION 5. Provides a severability clause for the ordinance.

SECTION 6. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code

SECTION 7. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2017.

I certify that the foregoing is a summary of Ordinance 4628 approved by the Kirkland City Council for summary publication.

_____
Kathi Anderson, City Clerk

CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3600 - www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Angela Ruggeri, AICP, Senior Planner
Eric R. Shields, AICP, Planning Director

Date: December 1, 2017

Subject: HOUGHTON/EVEREST NEIGHBORHOOD CENTER COMPREHENSIVE PLAN UPDATES
FILE NO. CAM16-02742

I. RECOMMENDATION

Adopt the ordinance amending the Comprehensive Plan to include updates for the Houghton/Everest Neighborhood Center (HENC).

II. BACKGROUND

The ordinance amending the Comprehensive Plan to include updates for the HENC will be before the City Council at the December 12th Council meeting. It includes amendments to the Land Use Element, the Central Houghton Neighborhood Plan and the Everest Neighborhood Plan (see Exhibit A to ordinance).

A related zoning ordinance, including the proposed changes to the Zoning Map and Zoning Code for the HENC, along with a resolution for proposed changes to the Design Guidelines, will be before the Council at its meeting on January 16, 2018. This bifurcation of the zoning and land use changes is because Comprehensive Plan changes may only be made once per year (with limited exceptions) but zoning code changes may be made multiple times throughout the year. Having two separate ordinances allow the HENC Comprehensive Plan changes to be adopted on December 12, 2017 along with the other Comp Plan changes while providing staff additional time to incorporate zoning changes discussed at the Council meetings following the original study session on this topic.

The recommendations from the Planning Commission (PC) and Houghton Community Council (HCC) on the Houghton/Everest Neighborhood Center Plan amendments were presented to the City Council at a study session on June 6, 2017. The information is available at the following link: http://www.kirklandwa.gov/depart/council/Meetings/Agendas/agnd060617.htm

Additional information was brought to the City Council at its regular meetings on July 5th, July 18th, September 19th, October 3rd, November 8th and November 21st (links provided below).

http://www.kirklandwa.gov/depart/council/Meetings/Agendas/agnd070517.htm

http://www.kirklandwa.gov/depart/council/Meetings/Agendas/agen071817.htm

http://www.kirklandwa.gov/depart/council/Meetings/Agendas/agnd091917.htm

http://www.kirklandwa.gov/depart/council/Meetings/Agendas/agnd100317.htm

http://www.kirklandwa.gov/depart/council/Meetings/Agendas/specmtgagnd110817.htm

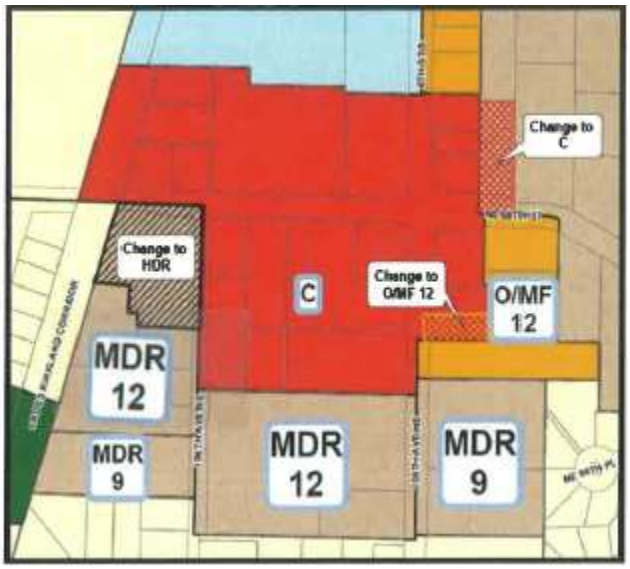
http://www.kirklandwa.gov/depart/council/Meetings/Agendas/agnd112117.htm

Land Use Element Amendments

The proposed Changes to the Land Use Element include:

- Changes to the City's land use map, which match the changes made to the two neighborhood chapters.

Proposed Land Use Map Changes



- An addition to Table LU-2: Residential Densities and Comparable Zones which adds a category under "High Density" for more than 48 dwelling units per acre. The HENC 2 zone falls under this category (see Land Use Map above – black hatched area).

Central Houghton Neighborhood Plan Amendments

The proposed amendments include the following key concepts:

- The Neighborhood Center is primarily to serve the adjacent neighborhoods.
- Maximum height in the Neighborhood Center is limited to 3 stories (35').

- Heights above 30' are only allowed if buildings step up to three stories. Careful attention must be given to design, pedestrian orientation and neighborhood service uses must be provided.
- Higher density residential uses are allowed west of 106th Avenue NE and directly south of NE 68th Street.
- The City property has been removed from the Neighborhood Center and will remain under the medium density designation.
- The split land use designation for the Northwest University office building will be corrected and the entire site will be designated O/MF 12. A small portion of the site was previously designated commercial. This property has been removed from the Neighborhood Center (see Land Use map on page 2 – yellow hatched area).
- Clarification of transportation policy wording is also included.

Everest Neighborhood Plan Amendments

The proposed amendments include the following key concepts:

- The Neighborhood Center is primarily to serve the adjacent neighborhoods.
- The property to the east of the properties adjacent to 6th Street South has been designated commercial to encourage development and combined access with adjacent properties. This property was previously designated medium density residential, 12 units per acre. It is allowed to be developed as a commercial property, however, due to an old lawsuit related to the site (see Land Use Map on page 2 – red hatched area).
- Redevelopment plans for properties on the west side of 6th Street South/108th Avenue NE should promote a coordinated strategy for redevelopment of the neighborhood center.
- Heights above 30' are only allowed if buildings step up to three stories. Careful attention must be given to design and pedestrian orientation, and neighborhood serving uses must be provided.
- Maximum height in the Neighborhood Center is 35', with the exception listed below.

  The City may authorize an additional two stories (5 stories maximum) if the proposed project is part of a Master Plan, which is approved by the City Council through a legislative process and includes the following:

  - Provision for a southbound right turn lane from 6th Street South to NE 68th as recommended in the 6th Street Corridor Transportation Study.
  - Consolidation of the property on the northwest corner of NE 68th Street and 6th Street South with the property or properties west of the corner property.
  - Compliance with the principles outlined above for development in this commercial area.
  - A circulation plan and a driveway consolidation plan for the Everest portion of the Houghton/Everest Neighborhood Center north of NE 68th Street.

How to achieve the goals listed above.

By putting requirements for the master plan in the Comprehensive Plan, it signals the Council's openness to consider additional height as an incentive for the south bound right turn lane in the Everest portion of the Houghton/Everest Neighborhood Center. The southbound right turn lane was the only project in the 6th Street Corridor Transportation Study that reduced congestion at

the intersection. More information on the right turn lane may be found in the Study itself which will come before the Council for final adoption in the first quarter of 2018. The requirements and additional height will not be included in the Zoning Code until an actual proposal for the master plan is received and approved by the City Council.

In order to provide a legislative process for approval of the master plan, the following steps must be taken when a master plan is proposed.

- The property owner will request Zoning Code amendments to include the proposed master plan per chapter 135 of the Zoning Code: "Amendments to the Text of the Zoning Code".

- Chapter 135 allows for proposed changes to the Zoning Code to be considered through the legislative process outlined in Chapter 160 – Process IV of the Zoning Code.

- The process required through Chapter 160 is a public process including noticing and a public hearing before the Planning Commission. The Planning Commission then makes a recommendation to the City Council and the Council makes the final decision.

- The City Council will have the opportunity to either approve or disapprove the proposed master plan at that time. If the Council approves the changes to the Zoning Code, the criteria for the master plan will then be added to the Zoning Code and will be used by staff and the Design Review Board to complete a more detailed review of the project.

cc: Planning Commission
Houghton Community Council

ORDINANCE O-4629

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, ZONING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM16-02742.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission and the Houghton Community Council to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481, as amended, as set forth in the reports and recommendations of the Planning Commission dated May 25, 2017 and the Houghton Community Council dated May 22, 2017, and bearing Kirkland Planning and Building Department File No. CAM16-02742; and

WHEREAS, prior to making the recommendation the Planning Commission and the Houghton Community Council, following notice as required by RCW 35A.63.070, held on March 23, 2017, a joint public hearing on the amendment proposal and considered the comments received at the hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation, a SEPA addendum to Existing Environmental Documents, issued by the responsible official pursuant to WAC 197-11-625; and

WHEREAS, in a public meeting on December 12, 2017, the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission and Houghton Community Council; and

WHEREAS, RCW 36.70A.130, requires the City to review all amendments to the Comprehensive Plan concurrently and no more frequently than once every year.

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

Section 1. Comprehensive Plan amended. The Central Houghton Neighborhood Plan; Everest Neighborhood Plan; the City-wide Land Use Map in the Land Use Element; and Table LU-2: Residential Densities and Comparable Zones in the Land Use Element are amended. The Comprehensive Plan, Ordinance 3481, as amended, is amended in accordance with Exhibit A attached to this Ordinance and incorporated by reference.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. To the extent that the subject matter of this Ordinance is subject to the disapproval jurisdiction of the Houghton Community Council as created by Ordinance 2001, the Ordinance shall become effective with the Houghton community either upon approval of the Houghton Community Council, or upon failure of the Community Council to disapprove this Ordinance within 60 days of its passage.

Section 4. Except as provided in Section 3, this Ordinance shall be in full force and effect five days from and after its passage by the City Council and publication, pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this Ordinance and by this reference approved by the City Council.

Section 5 A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2017.

Signed in authentication thereof this _____ day of _____, 2017.

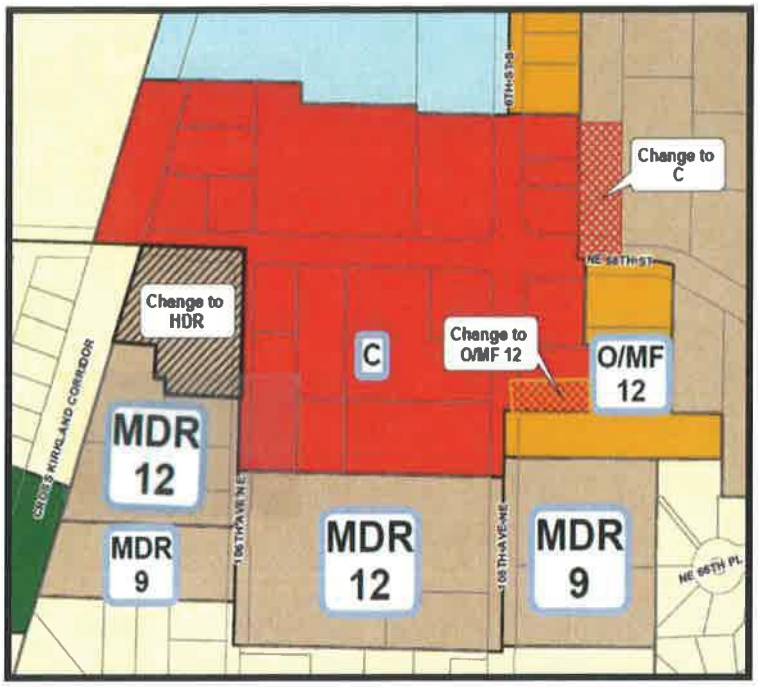
_____
Amy Walen, Mayor

Attest:

_____
Kathi Anderson, City Clerk

Approved as to Form:

_____
Kevin Raymond, City Attorney



Changes to Figure LU-1
Comprehensive Land Use Map

Table LU-2

Residential Densities and Comparable Zones

General Residential Densities	Residential Densities as Specified in Comprehensive Plan in Dwelling Units per Net Acre (d/a)	Comparable Zoning Classification
GREENBELT/URBAN SEPARATOR	Up to 1 d/a	RSA – 1
LOW DENSITY	Up to 1 d/a	RS – 35,000, RSX – 35,000
	Up to 3 d/a	RS – 12,500, RSX – 12,500
	4 – 5 d/a	RS – 8,500, RSX – 8,500, RS – 7,200, RSX – 7,200, RSA – 4
	6 d/a	RS – 7,200, RSX – 7,200, RSA – 6
	7 d/a	RS – 6,300
	8 – 9 d/a	RS – 5,000, RSX – 5,000, RSA – 8
MEDIUM DENSITY	8 – 9 d/a	RM – 5,000, RMA – 5,000
	10 – 14 d/a	RM – 3,600, RMA – 3,600
HIGH DENSITY	15 – 18 d/a	RM – 2,400, RMA – 2,400, BNA
	19 – 24 d/a	RM – 1,800, RMA – 1,800, BNA
	48 d/a	BN, MSC 2
	More than 48 d/a	**HENC 2**

1. OVERVIEW

The Central Houghton Neighborhood is bounded by the Cross Kirkland Corridor and the Lakeview Neighborhood on the west; Interstate 405 right-of-way on the east; and NE 68th Street on the north. The southern boundary is the Kirkland City limit (see Figure CH-1, Central Houghton Land Use Map). 108th Avenue NE provides the main north-south vehicular, bicycle and pedestrian connection through the neighborhood, while NE 68th Street provides an east-west connection.

Central Houghton is predominately a single-family neighborhood. Other land uses within the neighborhood consist of medium **and high** density residential, offices, neighborhood-oriented businesses and a variety of schools, including Northwest University.

The ~~business district~~ **Neighborhood Center**, located along NE 68th Street, is the neighborhood's only commercial area. The undeveloped 73-acre Watershed Park takes up a large area in the southeastern corner of the neighborhood. Carillon Woods Neighborhood Park is in the central part of the neighborhood and Phyllis A. Needy Neighborhood Park provides a smaller neighborhood park adjacent to 108th Avenue NE.

2. VISION STATEMENT

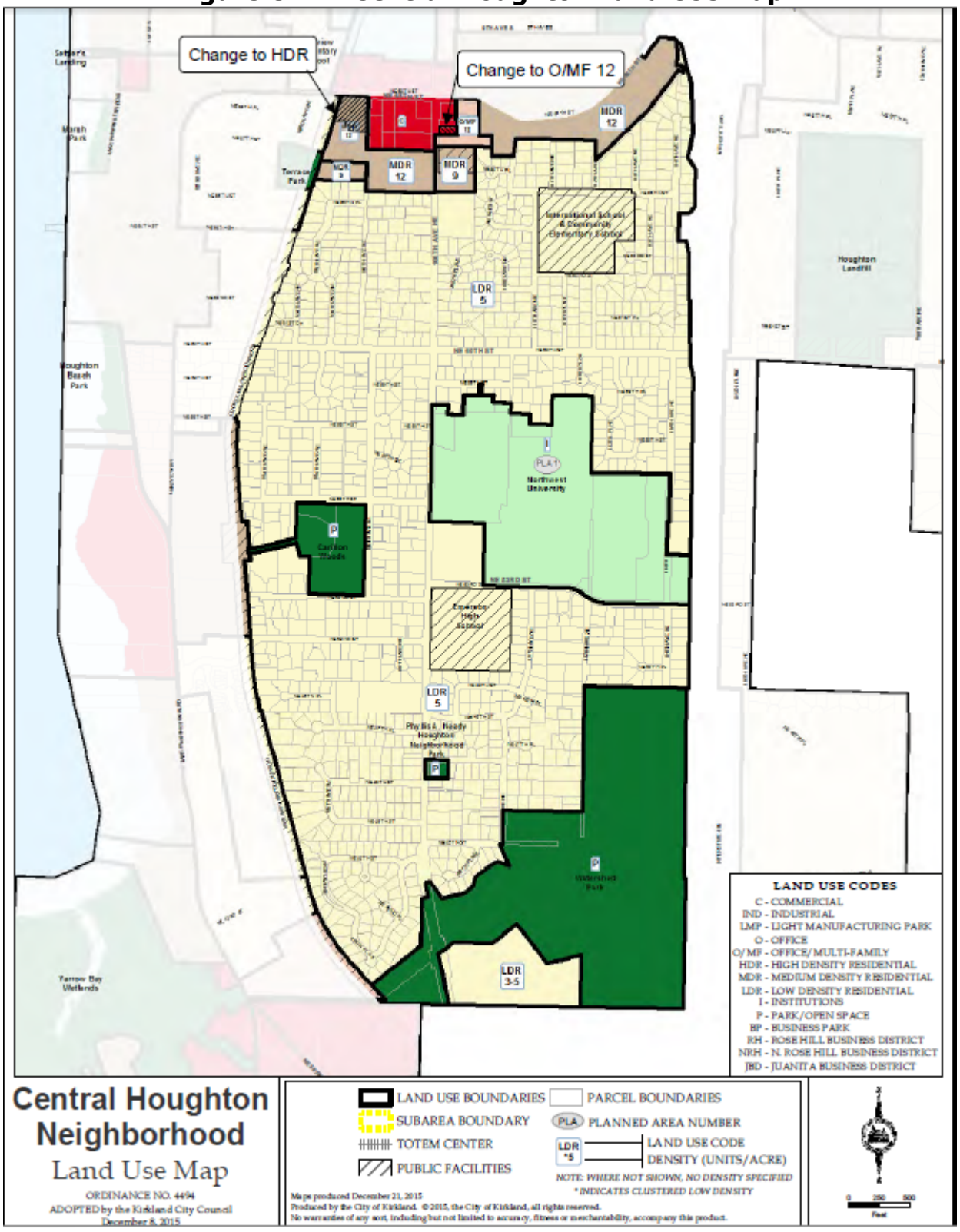
The vision statement is a verbal description of the character and qualities of the Central Houghton Neighborhood at a future time when the goals and policy direction expressed in this neighborhood plan are realized.

The Central Houghton Neighborhood has a rich and unique history. The area's political history as part of a separate city until 1968 fostered a deep community identity, establishing a tradition in which residents seek opportunities for involvement and stewardship in the neighborhood's future.

The neighborhood's predominantly low density residential character has been maintained, while the changing and varied needs of the population are accommodated through a diverse housing stock. Greater housing choices, as well as efforts to preserve affordability in housing, help to expand housing opportunities for all residents within the neighborhood.

Central Houghton is a friendly, accessible neighborhood, with safe and inviting pedestrian and bicycle routes. Healthy and active living is promoted through attractive streets and trails. Traffic on the neighborhood's major streets, 108th Avenue NE and NE 68th Street, is managed well, with improvements designed to be compatible with surrounding development. The Cross Kirkland Corridor provides pedestrian and bicycle connections linking the corridor to parks and other neighborhood gathering places.

Figure CH-1: Central Houghton Land Use Map



Local citizens value the variety of opportunities to meet in shops and restaurants within the Houghton/Everest ~~Business District~~ **Neighborhood Center**, as well as in casual locations in the neighborhood's parks and natural areas. The Houghton/Everest ~~Business District~~ **Neighborhood Center** has evolved into a thriving, pedestrian-oriented mixed use center, with businesses available to meet the retail and service needs of the community. Appropriate streetscapes, site layouts and building designs provide an attractive and coordinated appearance within the ~~district~~ **Center**. Careful attention to the placement and design of vehicle and pedestrian access from commercial areas to surrounding streets contributes to an efficient street network, and avoids conflicts with nearby low density areas.

Several schools and the Northwest University campus add to the Central Houghton community by providing neighborhood residents with a connection to the schools' students, parents, and facilities, as well as with residents of other Kirkland neighborhoods and the larger community. These campuses are valued and supported, not only for their role in providing educational opportunities and fostering community relationships, but for the additional open space they provide and share with the neighborhood.

The Central Houghton Neighborhood provides many beautiful open space experiences including the views, tree canopy and neighborhood parks. The residents cherish and preserve the territorial views, including the expansive views of Lake Washington, Seattle and the Olympic Mountains, the slopes, and the natural watershed areas that contribute to the neighborhood's distinctive character. The tree canopy in the neighborhood has been managed and enhanced, and adds to the neighborhood's peaceful setting. The neighborhood's parks meet the needs of the neighborhood's residents. Phyllis A. Needy Park provides a place for active play for the neighborhood's youngest residents, while Carillon Woods meets the neighborhood's recreational needs with a play area and both paved and natural trails. Opportunities for residents to quietly observe and enjoy wildlife habitat and open space exist at Carillon Woods and at the south end of the neighborhood, in the Watershed Natural Area.

Central Houghton residents take great pleasure and pride in calling this beautiful neighborhood their home.

5. LAND USE

Residential land uses occupy the majority of the Central Houghton neighborhood. Schools, including the expansive campus of Northwest University, are dispersed throughout the low-density residential core, while two large park and open space areas, Carillon Woods and the Watershed Natural Area, are located in the central and southern portions of the neighborhood. Multifamily apartments and condominiums are clustered along the northern edge of Central Houghton, where they adjoin the neighborhood's only commercial area, the Houghton/Everest Neighborhood Center.

RESIDENTIAL

Goal CH-3: Promote and retain the residential character of the neighborhood while accommodating compatible infill development and redevelopment.

Policy CH-3.1: Retain the predominately detached single-family housing style in the Central Houghton neighborhood.

Central Houghton is a well established neighborhood that has predominately low density (five to six dwelling units per acre) traditional single-family residential development. The land use transitions from low density residential to medium **and high** density multifamily and commercial development in the northern portion of the neighborhood near NE 68th Street. A mix of housing styles and sizes is important to the neighborhood's character.

Goal CH-4: Allow alternative residential development options that are compatible with surrounding development.

Policy CH-4.1: Allow a variety of development styles that provide housing choice in low density areas.

Providing housing options for a wide spectrum of households is an important value to support and encourage. Alternative housing provides more housing choice to meet changing housing demographics such as smaller households and an aging population. Allowing design innovations can help lower land and development costs and improve affordability. Compatibility with the predominant traditional detached single-family housing style in the neighborhood will determine the acceptance of housing alternatives. Alternative housing types such as cottage, compact single-family, accessory dwelling units, and clustered dwellings are appropriate options to serve a diverse population and changing household size and composition.

Policy CH-4.2: Encourage diversity in size of dwelling units by preserving and/or promoting smaller homes on smaller lots.

Diversity can be achieved by allowing properties to subdivide into lots that are smaller than the normal minimum lot size allowed in the zone if the size of houses on the small lots is limited. This encourages diversity, maintains neighborhood character, and provides more housing choice. Up to 50 percent of the single-family lots in a subdivision should be allowed to be smaller than the zoning designation allows if a small house is retained or built on the small lots. The lots containing the small houses should be no less than 5,000 square feet in the RS 7.2 zones and no less than 6,000 square feet in the RS 8.5 zones. The size of the houses on the small lots would be limited by a maximum floor area ratio and all other zoning regulations would apply.

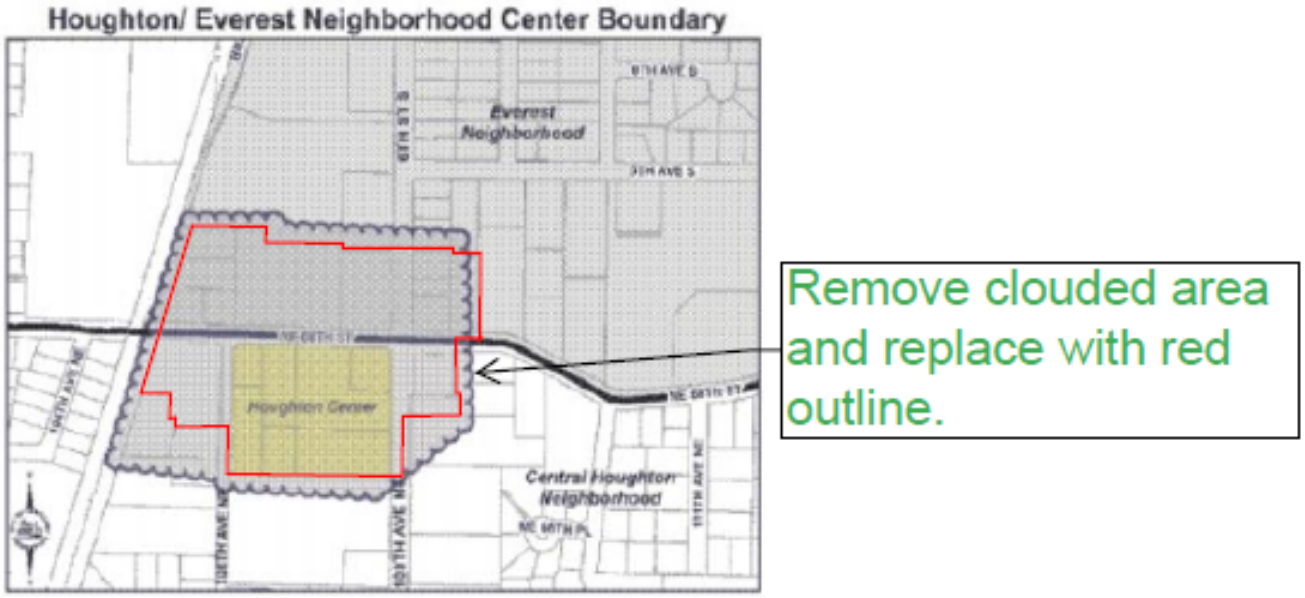
Policy CH-4.3: The residential land south of NE 68th Street and surrounding the Houghton/Everest Neighborhood Center area is suitable for <u>medium to high</u> residential densities (see MDR, <u>HDR</u> and O/MF land use designations on Figure CH-1).

The area south of NE 68th Street and surrounding the Houghton/Everest Center is appropriate for medium **<u>to high</u>** densities because of topographic features and surrounding neighborhood conditions. This area provides a good transition between the low density residential uses to the south, and the commercial shopping area to the north.

COMMERCIAL

Houghton/Everest Neighborhood Center

The Houghton/Everest Neighborhood Center is defined as a "Neighborhood Center" commercial area in the Land Use Element of the Comprehensive Plan. It includes properties on the north and south sides of NE 68th Street in both the Central Houghton and Everest Neighborhoods.



Goal CH-5: Promote a strong and vibrant Neighborhood Center with a mix of commercial and residential uses <u>that primarily serve the adjacent neighborhoods.</u>

Policy CH-5.1: Coordinate with the Everest Neighborhood to develop a plan for the Houghton/Everest Neighborhood Center, which overlays properties along the NE 68th Street corridor in both the Everest and Central Houghton neighborhoods (see inset).

This plan should promote a coordinated strategy for the Neighborhood Center while minimizing adverse impacts on surrounding residential areas. ~~The existing land use map designations will be used until the land use, zoning and development regulations for the entire Neighborhood Center are re-examined.~~

Policy CH-5.2: Encourage a mix of uses within the Houghton/Everest Neighborhood Center that includes commercial development such as neighborhood-oriented shops, services, and offices, as well as multifamily residential use.

A variety of uses, including retail, office and residential, should be combined in order to contribute to a vibrant mixed use Neighborhood Center.

Policy CH-5.3: Implement transportation improvements <u>including those in the 6th Street Corridor Transportation Study</u> that support the existing and planned land uses in the Neighborhood Center and adjoining neighborhoods.

A review of transportation impacts should be done for all new development in the Neighborhood Center. <u>This review should also include determination of the best location for a new east/west connection between 106th Avenue NE and 108th Avenue NE.</u> ~~with~~ Transportation system improvements should be designed to encourage traffic to use existing arterials and to include traffic calming devices on neighborhood streets. Alternate modes of transportation should also be encouraged.

Policy CH-5.4: ~~Expand the area designated for higher intensity use to~~ <u>Allow higher residential density on properties on the</u> west <u>side of 106th Avenue NE</u> ~~of Houghton Center~~ and south of NE 68th Street.

Land located west of the Houghton Center shopping area, directly east of the Cross Kirkland Corridor, has the potential to provide higher density residential use within walking distance of retail and business services. The Cross Kirkland Corridor provides a wide buffer between this area and the low density residential area to the west. **<u>A connection to the Cross Kirkland Corridor should be provided from 106th Street through this area.</u>**

Goal CH-6: Promote high quality design by establishing building, site, and pedestrian design standards that apply to commercial and multifamily development in the Houghton/Everest Neighborhood Center.

Policy CH-6.1: Establish design guidelines and regulations that apply to all new, expanded or remodeled commercial, multifamily or mixed use buildings in the Houghton/Everest Neighborhood Center.

These design guidelines and regulations should support appropriate building scale and massing, produce buildings that exhibit high quality design with a sense of permanence, and incorporate site design which includes pedestrian features and amenities that contribute to the livability of the surrounding area. They should also strengthen the visual identity of the neighborhood center by addressing streetscape improvements and public views to the lake along NE 68th Street.

Houghton Center: The shopping center development located at the southwest corner of NE 68th Street and 108th Avenue NE (shown in yellow on the map) is known as the "Houghton Center." This large strip retail development sits on several parcels occupying approximately five acres. Redevelopment to a more cohesive, pedestrian-oriented concept may be feasible since a single owner controls the bulk of the site. In addition to its potential to serve the community through expanded neighborhood commercial uses, Houghton Center can contribute to the livability and vitality of the neighborhood by providing residents and visitors with a welcoming place to shop, congregate and relax.

Goal CH-7: Support the transition of the Houghton Center into a pedestrian-oriented mixed use development with access to transit, that includes ~~including~~ retail, with office or residential and other compatible uses that primarily serve the adjacent neighborhoods.

Policy CH-7.1: Promote a pedestrian-oriented development concept through standards for a coordinated master plan for Houghton Center including retail, with office and/or residential and other compatible uses.

A master plan for the Houghton Center should provide for a complementary arrangement of facilities, pedestrian amenities, open spaces, and linkages, as well as shared parking that meets the needs of Houghton Center and a coordinated sign system.

Policy CH-7.2: Reduce ingress and egress conflicts within and around Houghton Center through creation of a circulation system for vehicles and pedestrians as part of a master plan for development of the property.

The circulation system for both pedestrians and vehicles should provide the minimum amount of ingress and egress locations necessary for an effective circulation system into and through Houghton Center.

Policy CH-7.3: Allow building heights ~~to step~~ up to ~~five~~ three stories if certain retail uses that primarily serve the neighborhood are provided. Careful attention ~~is~~ should be given through the Design Review process to pedestrian orientation, building modulation, upper story stepbacks, and use of materials to reduce the appearance of bulk and mass.

Specific design guidelines should be developed to ensure that modulation is used to break down scale and massing of buildings into smaller and varied volumes, and to provide upper story stepbacks from the sidewalks to improve the pedestrian experience and maintain human scale.

6. TRANSPORTATION

The circulation patterns in the Central Houghton Neighborhood are well established. 108th Avenue NE, a designated minor arterial, provides the primary north-south route through the Central Houghton Neighborhood. It also provides local access for a substantial number of residences, schools and businesses (see Figures CH-5 and CH-6).

NE 68th Street which forms the northern boundary of the neighborhood is also a minor arterial. NE 52nd Street is designated a collector street providing an east-west connection between 108th Avenue NE and Lake Washington Boulevard. NE 53rd Street between 108th Avenue NE and 114th Avenue NE is also a collector street. All other streets within the neighborhood are classified as neighborhood access streets. They provide access to adjacent residences and connect to the collectors and minor arterials.

Nonmotorized transportation is addressed in the City's Active Transportation Plan and implemented through the Capital Improvement Program or through private development. The design of these improvements should enhance neighborhood access while fitting into the unique areas they traverse.

Goal CH-11: Maintain mobility along 108th Avenue NE as a major vehicle, transit, pedestrian and bicycle corridor through the neighborhood.

Policy CH-11.1: ~~Retain~~ The existing three-lane configuration for 108th Avenue NE, should be monitored to determine appropriate measures to mitigate transportation impacts.

Traffic on 108th Avenue NE is often heavy, particularly during morning and evening commute periods. Congestion restricts local access to and from 108th Avenue NE and creates conflicts for bicyclists, **transit riders,** adjacent residents, and pedestrians, including children arriving at and leaving the schools. Future traffic levels should be monitored and appropriate measures should be considered to mitigate impacts.

Policy CH-11.2: Enhance attractiveness and accessibility of 108th Avenue NE for all modes of transportation.

A master plan for 108th Avenue NE should be established through a public process. The plan should consider installation of streetscape amenities such as pedestrian lighting, street furniture, and low level landscaping to enhance the pedestrian experience and the continuation, widening and signing of bicycle lanes.

Policy CH-11.3: Implementation of street improvements should occur through both the City's Capital Improvement Program process and through site-specific private development.

The means to implement improvements should be determined on a comprehensive area-wide basis and, to the extent possible, on an incremental basis by encouraging or requiring the incorporation of improvements into private developments.

Policy CH-11.4: Support transportation measures that will reduce commuter or pass through traffic through the neighborhood.

The City should support and encourage the following measures:

1. Alternatives to single-occupancy vehicles for commuting purposes, such as public transportation, **bicycling, walking,** ~~commuter pools~~ **high capacity transit and** high-occupancy vehicles (HOV).~~, and potentially other transportation modes such as light rail.~~

2. Improvements to the I-405/SR 520 corridors.

Goal CH-12: Encourage mobility and the use of nonmotorized transportation by providing improvements for pedestrians and bicyclists.

Policy CH-12.1: Improve the pedestrian and bicycle circulation systems both as a recreation amenity and alternative transportation option.

Pedestrian and bicycle pathways are part of the transportation system but also provide recreational opportunities. Pathways and trails should be provided to activity nodes such as the Houghton/Everest Neighborhood Center, parks and transit facilities, and the Lakeview Neighborhood. Directional signs indicating path locations should also be provided.

Policy CH-12.2: Support future development of the Cross Kirkland Corridor as a multipurpose trail for pedestrians and bicycles with access points along the corridor consistent with the CKC Master Plan and the Park Recreation and Open Space Plan.

The unused BNSF railroad right-of-way, known as the Cross Kirkland Corridor, provides an opportunity for a bicycle, pedestrian and ~~rail transportation corridor~~ **high capacity transit corridor**. Pedestrian and bicycle transportation is a high priority, but regardless of the function of the corridor it should be designed so that it will:

- Serve as a gateway to the City.
- Provide neighborhood pedestrian and bicycle connections, with the highest priority access points at NE 52nd, NE 60th and NE 68th Streets.
- Be compatible with adjacent neighborhoods.
- Ensure a high degree of safety.
- Show environmental stewardship.

3. LAND USE

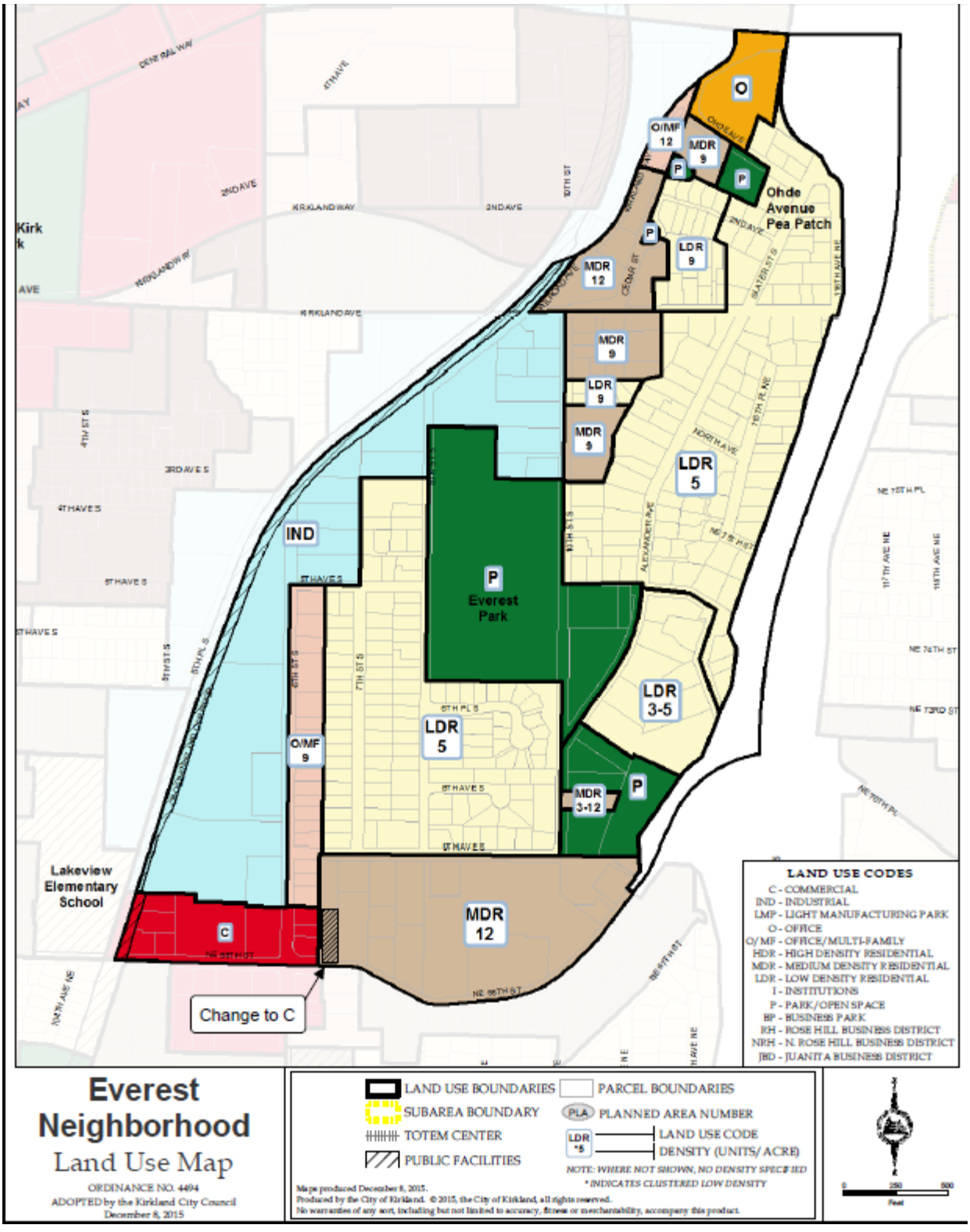
Figure EV-3 shows the land use designations in the Everest Neighborhood.

RESIDENTIAL

Single-family densities are to be maintained west and south of Everest Park.

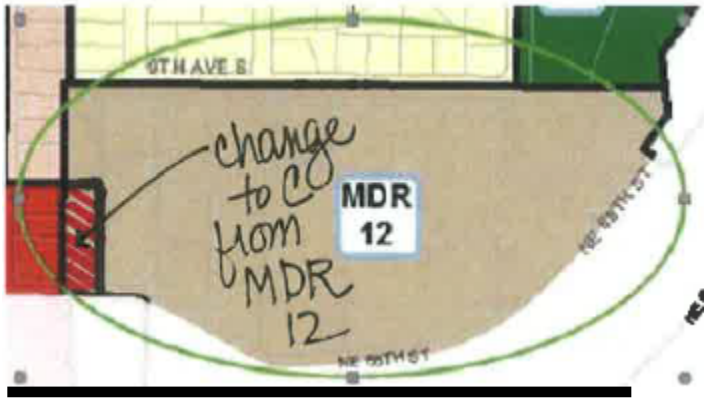
Most of the Everest Neighborhood is residential in character, including older single-family homes, which add variety to Kirkland's housing supply and provide alternatives to multifamily units and newer single-family homes (see Land Use Chapter). The residential land immediately west and south of Everest Park should be maintained at low residential densities (up to five dwelling units per acre). New single-family development could help stabilize and prolong single-family use in this area.

Figure EV-1: Everest Geologically Hazardous Areas
Figure EV-2: Everest Wetlands, Streams, and Lakes
Figure EV-3: Everest Land Use


O
O/MF 12
MDR 9
P
Ohde Avenue Pea Patch
LDR 9
MDR 12
MDR 9
LDR 9
MDR 9
LDR 5
IND
P
Everest Park
LDR 3-5
LDR 5
O/MF 9
MDR 3-12
P
MDR 12
C
Change to C
Lakeview Elementary School
Everest Neighborhood
Land Use Map
ORDINANCE NO. 4494
ADOPTED by the Kirkland City Council
December 8, 2015
LAND USE CODES
C - COMMERCIAL
IND - INDUSTRIAL
LMP - LIGHT MANUFACTURING PARK
O - OFFICE
O/MF - OFFICE/MULTI-FAMILY
HDR - HIGH DENSITY RESIDENTIAL
MDR - MEDIUM DENSITY RESIDENTIAL
LDR - LOW DENSITY RESIDENTIAL
I - INSTITUTIONS
P - PARK/OPEN SPACE
BP - BUSINESS PARK
RH - ROSE HILL BUSINESS DISTRICT
NRH - N. ROSE HILL BUSINESS DISTRICT
JBD - JUANITA BUSINESS DISTRICT
LAND USE BOUNDARIES
SUBAREA BOUNDARY
TOTEM CENTER
PUBLIC FACILITIES
PARCEL BOUNDARIES
PLA PLANNED AREA NUMBER
LDR *5 LAND USE CODE / DENSITY (UNITS/ ACRE)
NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
* INDICATES CLUSTERED LOW DENSITY
Maps produced December 8, 2015.
Produced by the City of Kirkland. © 2015, the City of Kirkland, all rights reserved.
No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.
0 250 500
Feet

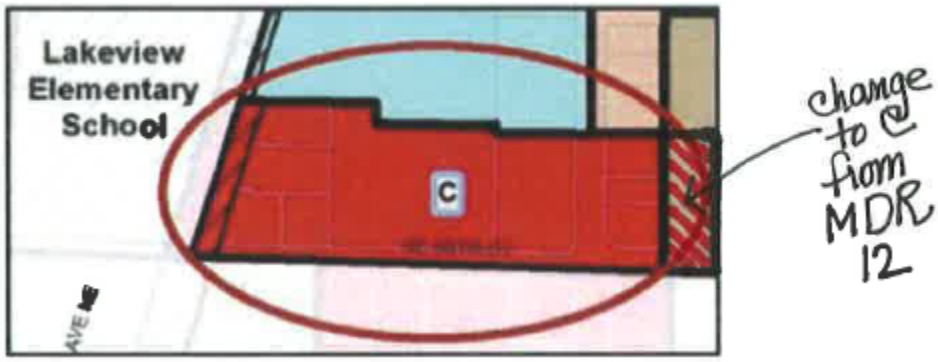
Midblock split of professional office/multifamily uses between 6th Street South and 7th Street South is discussed.

The block fronting on 6th Street South (see Figure EV-3) may develop as either office or multifamily. Multifamily should be medium density (up to nine dwelling units per acre). The easterly extension of such future development should be strictly limited to the midblock line between 6th and 7th Streets South, and access should be restricted to 6th Street South only.



Multifamily development along NE 68th Street and east of 6th Street South (up to 12 dwelling units per acre) is to be continued.

The southern portion of the Everest Neighborhood is impacted by the existence of a freeway interchange and by heavy traffic volumes along NE 68th Street. South of 9th Avenue South most land has been committed for multifamily use, although a few older single-family homes and some undeveloped land still exists. Future multifamily development in this area should be limited to a maximum of 12 dwelling units per acre.



COMMERCIAL

The Houghton/Everest Neighborhood Center to be contained within its present boundaries. A plan for future development of the commercial area should be coordinated with the Central Houghton Neighborhood.

~~The Houghton/Everest Neighborhood Center is a commercial area that spans the north and south side of NE 68th Street. Commercial uses in this area should satisfy neighborhood needs rather than include intensive uses which would be located more appropriately in the Downtown or other major commercial centers (see the Land Use Chapter). Within the Everest Neighborhood, the height of structures in this area should not exceed 35 feet. The Everest and Central Houghton Neighborhoods should coordinate a plan for the Houghton/Everest Neighborhood Center along both the north and south sides of NE 68th Street and involve the surrounding neighborhoods in the process. The plan should promote a coordinated strategy for future redevelopment of the Neighborhood Center which minimizes adverse impacts on surrounding residential areas. The plan should include a transportation corridor study for 6th Street South.~~

~~The existing land available for commercial use is sufficient to meet the needs of the neighborhood. Property along 6th Street South is impacted by heavy traffic volumes and by the existence of industrial and office activities located primarily to the west. These influences detract from the desirability of this area for residential use. Convenient access, however, makes this area suitable for a variety of economic activities.~~

The Land Use Element designates the Houghton/Everest Neighborhood Center as a commercial and mixed use area. It spans the north and south side of NE 68th Street and includes property on the east side of 6th Street and 108th Avenue NE. The Neighborhood Center should serve the needs for goods and services of the local community. Uses within the neighborhood center may include retail, restaurants, office, service businesses and housing with grocery and drug stores a high priority anchor to serve the everyday needs of the community. Housing provides the opportunity for people to live close to shops, services, employment, transit and the Cross Kirkland Corridor. Redevelopment plans for properties on the west side of 6th Street South/108th Avenue should promote a coordinated strategy for redevelopment of the Neighborhood Center on both sides of NE 68th Street.

The following principles should be incorporated into development plans and standards for the area:

- **Preserve and enhance neighborhood-serving retail, especially grocery stores.**
- **Promote a mix of complementary uses.**
- **Promote high quality design by establishing building, site and pedestrian design standards and guidelines.**
- **Foster walkable neighborhoods and increased transit service.**
- **Create gathering places and opportunities for social interaction.**

Properties along 6th Street South, 108th Avenue NE and NE 68th Street are impacted by heavy traffic volumes. Future development and transportation improvements should incorporate the recommendations from the 6th Street Corridor Transportation Study. A new east/west connection from 106th Avenue NE through the Neighborhood Center should also be considered.

Properties to the east of 6th Street South should be encouraged to develop together with joint access off of 6th Street South.

Building heights should be allowed to step up to three stories if certain retail uses that primarily serve the neighborhood are provided. Careful attention should be given through the Design Review process to pedestrian orientation, building modulation, upper story stepbacks, and use of materials to reduce the appearance of bulk and mass.

With regard to building height, an additional two stories (five stories maximum) may be authorized by a Master Plan, which is approved by the City Council after full legislative process with opportunities for public participation. The Master Plan shall include the following:

- **Provision for a southbound right turn lane from 6th Street South to NE 68th Street, as recommended in the 6th St. Corridor Transportation Study;**
- **Consolidation of the property on the northwest corner of NE 68th Street and 6th Street South and property or properties west of the corner property;**
- **Compliance with the principles outlined above for development in this commercial area; and**
- **A circulation plan and a driveway consolidation plan for the Everest portion of the Houghton/Everest Neighborhood Center north of NE 68th Street.**

TRANSPORTATION

STREETS, BICYCLE AND PEDESTRIAN CIRCULATION

Circulation patterns and improvements are recommended.

The circulation pattern in the Everest Neighborhood is fairly well established and allows for convenient travel through the neighborhood with minimal impacts on the majority of residential uses (see Figures EV-4, EV-5 and EV-6). Kirkland Way and NE 68th Street serve as major east/west corridors for through traffic. Sixth Street South is, and should remain, the major north/south corridor for through traffic. Interstate 405 is located along the eastern boundary of the Everest Neighborhood. Future modifications to circulation patterns in the Everest Neighborhood should conform to the following provisions. See also the Transportation Chapter:

(1) Industrial traffic in residential areas should be discouraged.

Industrial access should be directed towards the nearest arterial street capable of handling the traffic (see Figure EV-4).

(2) Kirkland Way and Cross Kirkland Corridor trestle.

Although Kirkland Way presently accommodates a significant amount of traffic, this route poses several problems. Numerous accidents have occurred in the vicinity of the Cross Kirkland Corridor bridge (old railroad trestle crossing). The City should continue to find ways to solve these traffic problems.

(3) Portions of 10th Street South to remain unopened.

Wetlands are present southeast of Everest Park and therefore 10th Street South south of Slater Avenue South should not become a through traffic route.

(4) Improve the pedestrian/bicycle circulation system in the neighborhood by providing improvements for pedestrians and bicycles according to Figure EV-5 and consistent with the Transportation Master Plan.

Major pedestrian and bicycle pathways should be built through the area according to the designations shown in Figures EV-5 and EV-6. Unopened segments of 10th Street South, Alexander Avenue, and Slater Avenue South contain unimproved pathways which provide a pedestrian link to Everest Park for the areas to the east. Because of presence of wetlands vehicular and pedestrian access may be limited; however, these pathways should remain. If the rights-of-way are developed, the improvements should be designed to accommodate pedestrian and bicycle traffic in order to maintain the existing access to Everest Park. An additional east/west pedestrian corridor is needed between 10th Street South and 8th Street South. Portions of Kirkland Way between Kirkland Avenue and NE 85th Street lack sidewalks. The City should pursue funding to make sidewalk connections along the street. Furthermore, public pedestrian access should be developed from the east end of 9th Avenue South to NE 70th Street to provide convenient access to public transit facilities near Interstate 405.

(5) Methods to alleviate traffic and parking problems on 8th Street South should be studied.

The residential portion of 8th Street South between Railroad Avenue and 9th Avenue South has been impacted by traffic and parking associated with industrial uses to the north and users of Everest Park. Consequently, the City should undertake measures to reduce these impacts. Traffic control measures also should be required of future industrial and/or park development.

Figure EV-4: Everest Street Classifications

Figure EV-5: Everest Street Pedestrian System

Figure EV-6: Everest Bicycle System

(6) Support development of the Cross Kirkland Corridor as a multipurpose trail for pedestrians and bicycles with access points along the corridor.

The Cross Kirkland Corridor provides an opportunity for a bicycle, pedestrian and ~~rail transportation~~ **high capacity transit corridor**. With development, redevelopment or platting, public pedestrian and bicycle access easements should be provided for properties adjacent to the Cross Kirkland Corridor consistent with the CKC Master Plan and the PROS Plan.

(7) Support transportation measures that will reduce commuter or pass through traffic through the neighborhood.

PUBLICATION SUMMARY
OF ORDINANCE O-4629

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, ZONING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM16-02742.

SECTION 1. Provides amendments to the Comprehensive Plan for the Central Houghton Neighborhood, the Everest Neighborhood and the Land Use Element.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Establishes that this ordinance, to the extent it is subject to disapproval jurisdiction, will be effective within the disapproval jurisdiction of the Houghton Community Council Municipal Corporation upon approval by the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

SECTION 4. Except as provided in Section 3, establishes the effective date of the Ordinance and authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code.

SECTION 6. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2017.

I certify that the foregoing is a summary of Ordinance No. O-4629 approved by the Kirkland City Council for summary publication.

_____
Kathi Anderson, City Clerk

CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.kirklandwa.gov

MEMORANDUM

To: City Council

From: Kurt Triplett, City Manager

Date: December 7, 2017

Subject: REVISED 2017-2018 CITY WORK PROGRAM RESOLUTION

RECOMMENDATION:

That the City Council reviews and approves Resolution R-5290 revising the 2017-2018 City Work Program to defer exploration of potential fire station modernization and public safety operations ballot measures to future years.

BACKGROUND DISCUSSION:

On February 21, 2017, the City Council approved Resolution R-5239 adopting the 2017-2018 City Work Program. The 2017-2018 City Work Program included two initiatives related to meeting the City's long held commitment to providing better emergency response times to the neighborhoods in the north part of the City, as well as improving fire and emergency medical services throughout the entire City:

- Renovate Fire Station 25, construct new Station 24, and site new Station 27 to further the Goals of Public Safety, and Dependable Infrastructure; and
- Explore potential ballot measures for Fire Station modernization and public safety operations to further the Goals of Public Safety, Dependable Infrastructure, and Financial Stability.

These two Work Program items were designed to work in tandem. The City would complete the Fire Station 25 renovation, build a new Fire Station 24 and acquire a site for a new Station 27 through a significant commitment of existing City resources. Central to the exploration of a fire ballot measure was that new Fire Station 24 would be constructed and operating prior to any public vote in November 2018. The City's intent was to ensure that all investments in fire facilities that could be made by the City were completed, so that the public could be confident that if the City asked for voter approved tax dollars, the City really did need the revenue and could deliver on the improvements funded by a ballot measure.

Revising the 2017-2018 City Work Program

When the Council began adopting a two year City Work Program to run concurrent with the biennial budget, it also acknowledged that conditions could change significantly over that two year period that might result in a change in priorities. Therefore, the Council established the

practice of reviewing the City Work Program when also reviewing and adopting mid-biennial budget adjustments. Resolution R-5239 affirms this practice and calls for an evaluation of the City Work Program as part of the 2017 mid-biennial budget process.

City staff have completed an evaluation and are recommending that the 2017-2018 City Work Program be revised to defer exploration of fire facilities and operations ballot measures as several major conditions have changed since the City Work Program adoption in February 2017.

Fire Station 24/WAL Properties Parcel – The Rite Aid Site

The first changed condition is that new Fire Station 24 will not be completed in 2018. On May 17, 2016, after a multi-year process to identify an appropriate site that met response time objectives, the City Council approved an ordinance authorizing the condemnation of a commercial property owned by WAL properties at the intersection of 100th Ave NE and NE 132nd Street. This parcel includes an existing building and parking lot leased by Thrifty Payless as a Rite Aid store. WAL properties was not opposed to the condemnation, which requires the City to pay fair market value for the property. This site became commonly known as the Rite Aid site. The initial timelines of the condemnation contemplated the property would be acquired by early 2017 and Fire Station 24 would be designed during 2017 and constructed in 2018.

In February 2017, Rite Aid initiated discovery requests with the City of Kirkland and began to raise concerns about the City's acquisition. Attempts to reach a mediated settlement with Rite Aid over the next few months were unsuccessful and Rite Aid filed a lawsuit opposing the condemnation. The issue was resolved in Kirkland's favor at the King County Superior Court, but Rite Aid has appealed the decision. This legal challenge has prevented securing the property necessary to construct Fire Station 24 for over a year. This delay is increasing the cost of both property acquisition and construction of the station due to the escalating real estate market and robust construction environment. To help address these additional costs, the Council will be considering a revised CIP on December 12 to move acquisition dollars from the Station 27 project to help complete the purchase of the Rite Aid site. City staff are also negotiating a right of first refusal and an option to purchase the identified Station 27 property to ensure the site will be available in the future.

Although the City's attorneys are confident the Rite Aid site will ultimately be acquired, construction of the station is now projected to be completed by the middle of 2019 at the earliest. The City Manager has continued settlement talks with Rite Aid in hopes to reduce that timeline, but has not yet been able to reach an agreement.

A May 5, 2017 memo to the Council providing more background on the issues with Rite Aid, as well as links to past memos and documents describing the City's extensive efforts to site the new Fire Station 24 and provide improved fire and emergency medical response to the new north neighborhoods, is included as Attachment A.

Higher Property Taxes From Other Jurisdictions

An additional changed condition is a significant accumulation of property tax increase on Kirkland residents and businesses levied by the State, Sound Transit, King County and potentially the Lake Washington School District since the original Work Program was adopted in February 2017.

Although Sound Transit 3 was passed by voters in the fall of 2016, the cumulative impact of the ST3 taxes was not felt by the public until the first property tax bills were received in February 2017. Kirkland tax payers will soon see the imposition of higher state property taxes as a result of State legislation passed in the summer of 2017 to fully fund basic education to comply with the McCleary Supreme Court decision. Additional property taxes were approved by King County voters for the Veterans, Seniors and Human Services levy in November 2017. Both the State and King County taxes will appear on tax bills in February 2018.

Finally, in the fall of 2017, the Lake Washington School District Board placed three additional property tax measures on the February 13, 2018 ballot, including a capital bond measure, a capital levy, and an educational programs and operations levy. It is unclear how the public will respond to the cumulative financial impact of these property taxes and how that might negatively impact the outcome of a Kirkland ballot measure in the fall of 2018.

Exploring a ballot measure requires a large investment of financial resources and time from the City staff, Council, and the community. The City usually convenes a large stakeholder group and spends months educating them on the underlying financial and operational issues and then solicits a recommendation from the group. Surveys are also usually conducted and public hearings and town halls held throughout the City. This level of effort would need to begin quickly in 2018. Given the importance of the ballot measure in maintaining fire and emergency medical response times, the timing of the ballot measure should be reconsidered in light the impacts of other jurisdictions' tax measures. Staff is recommending that the Council defer consideration of any ballot measures for fire facilities and operations until the economy has had time to adjust to the higher tax rates levied by other taxing authorities on Kirkland residents and businesses, and Fire Station 25 renovation and Fire Station 24 construction are completed.

If the Council concurs with the staff recommendation, adopting the attached resolution will revise the 2017-2018 City Work Program accordingly. The main elements of the resolution include:

- Revising the Work Program to delete the exploration of fire facilities and operations ballot measures in 2017-2018;

- Directing the City Manager to complete renovation of Fire Station 25, construction of Fire Station 24 and secure the rights to acquire site for a new Fire Station 27 as quickly as possible; and

- Directing the City Manager to identify appropriate staffing levels for the new Fire Station 24 when it is complete and to propose options for funding those staffing levels in the 2019-2020 Biennial Budget.

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Marilynne Beard, Deputy City Manager

Date: May 5, 2017

Subject: NORTH KIRKLAND FIRE STATION LAND ACQUISITION

RECOMMENDATION:

City Council provide direction regarding next steps for acquiring the WAL Property (commonly referred to as the Rite Aid site) for a new fire station. Next steps could include:

1. Continue exploring co-location on the site with Rite Aid while continuing condemnation proceedings.
2. Set aside efforts to co-locate on the site with Rite Aid and continue condemnation proceedings for the entire parcel for public use.
3. Request additional information and consider the options at a later date.

BACKGROUND DISCUSSION:

Condemning commercial property for public use is something that the City takes very seriously. The City rarely condemns commercial property, and only if the Council deems the public purpose as critical to the safety and well-being of the community. To understand why the acquisition of the Rite Aid site through condemnation has been deemed necessary by the Council, the purpose of this memo is to provide background on the City's efforts to improve fire service in north Kirkland by building a new station in the vicinity of NE 132nd St. and 100th Avenue NE to serve Finn Hill and Juanita.

History of Fire Station Siting Discussions and Decisions

Discussions between Fire District #41 that served the now-annexed areas of Finn Hill, Juanita and Kingsgate and the City of Kirkland regarding improving fire response on Finn Hill dates back prior to 2007. Fire District #41's proposal was to consolidate Station 25 on Juanita Drive and Station 24 (currently closed) on 84th Avenue NE into one new station strategically located to serve all of Finn Hill within target response times. In 2011, after voters had approved the annexation of Finn Hill, Juanita and Kingsgate, and just before the effective date of June 1, 2011, the Fire District #41 Commissioners issued debt to provide funding for the station consolidation project. In May 2011, the District executed an interlocal agreement with the City of Kirkland transferring the project to the City along with the debt proceeds and the District's cash assets to fund construction of the consolidated station.

In August 2013, the Fire Department completed a strategic plan that called for a detailed analysis of response times to identify the best options for placement of fire and emergency services resources in the City, including resources to serve north Kirkland. On June 17, 2014, the City Council received the "Standard of Coverage and Deployment Plan" completed by Emergency Services Consulting International (ESCI). The study suggested that the City consider two options for the longer term, including the consolidated station option discussed above. The second option was to maintain Station 25 at its current site and build a new Station 24 in the north Juanita area. This became known as the "dual station" model. In August 2014, the City Council was provided further analysis of the two options. At that meeting, the City Council directed staff to pursue the "dual station" option. About that same time, the City Council approved temporary funding for a fourth firefighter at Station 25 to improve response capabilities to the area while the options were being evaluated.

Key to the analysis of the dual station model was identification of potential properties for the new north Kirkland Station (also called the "new" Station 24 as it was to replace the closed station on 84th Avenue NE). Response time analysis provided through GIS mapping identified the general vicinity that provided the greatest coverage on Finn Hill and Juanita. The optimal location was determined to be in the vicinity of the intersection of NE 132nd Street and 100th Avenue NE. A total of 22 properties were identified by the City's architect and real estate consultants to be evaluated. Evaluation criteria included:

- Parcel size
- Topography and site limitations such as the presence of wetlands
- Access to arterials
- Proximity to City boundaries
- Estimated cost
- Compatibility with surrounding uses and uses that would be displaced
- Impact on response times

The 22 properties included single family residential, commercial and a church. The consultants, working with City staff, were able to eliminate some of the properties based on these criteria. By November 2014, there were seven potential sites still under consideration, including:

1. Residential property at 14207 100th Avenue NE ("Halstead Property")
2. Albertson's Property
3. Residential property at 14237 and 14239 100th Avenue NE ("Photakis Property")
4. Rite Aid Parking Lot
5. Vacant City-owned property at the corner of NE 140th Street and 100th Avenue NE
6. Juanita Community Church at 10007 NE 132nd Street
7. Former gas station property at 9950 NE 132nd Street

In December 2014, Goodwill Industries submitted a permit application for tenant improvements at the former Albertson's site. The City Council expressed their support for allowing Goodwill to locate a store at that site and eliminated it from the list of potential fire station sites.

Once the dual station concept was chosen, the City also needed to revisit the 2011 interlocal agreement with Fire District #41 which assumed the consolidated station option. In working with former District commissioners and bond counsel, a draft resolution was developed clarifying the intent of the 2011 interlocal to improve fire services to the area formerly within

the District's boundaries. On September 15, 2015, the City Council received the draft resolution along with the City Manager's recommended action plan to improve fire and emergency services in the City. Staff also recommended that the Council hold a public hearing on the resolution at a subsequent Council meeting. The hearing was held at the October 20, 2015 meeting and the resolution (R-5156) clarifying intent was approved. A second resolution (R-5163) was also approved endorsing the City Manager's recommended plan for improving fire and emergency medical services throughout the City. The long term plan involved building the new station 24 and relocating station 27 east of I405 so as to improve service to Finn Hill, Juanita, Kingsgate and Totem Lake.

While the remaining sites were feasible, there were technical issues with the vacant city-owned property such as grade, square footage and access. The Photakis Property was considered to be too close to the City's corporate borders creating the likelihood that the engine company would respond to calls for service outside the City's boundaries being the closest station to an unincorporated area to the north. This had the potential for creating a degradation of service within Kirkland. The gas station site was not sufficient in size and presented traffic conflicts for ingress and egress.

By November 2015, three properties were still under consideration including the Rite Aid Site, the Halstead Property and the Juanita Community Church. Only the Halsteads had been contacted by the City's real estate consultant and they indicated their intent to sell the property to a private developer. Staff had been unable to locate and contact the owner of the Rite Aid property. Considering the diminishing prospects for siting the station, the City inquired into residential properties located on the north east corner of NE 132nd Street and 100th Avenue NE. A preliminary test fit performed by TCA architects concluded that three to four properties would need to be purchased to provide adequate space for a fire station. At the January 19, 2016 City Council meeting, an ordinance authorizing the use of eminent domain to acquire up to four residential parcels was approved. Preliminary appraisals were completed and staff began contacting the property owners to pursue negotiated sales. Three of the property owners were willing to consider selling their properties while the fourth property owner had not responded.

The City did purchase one of the properties (the "Johnson Property") and was in contact with the three remaining owners. As part of the City's due diligence, a restrictive covenant on all fourteen properties in the subdivision was discovered that restricted use of the properties to single family residential units. To extinguish the covenant, either a majority of the thirteen remaining property owners would have to agree, or the City would have to condemn the covenant. Staff contacted the remaining property owners who indicated that they were not willing to voluntarily extinguish the covenant. Short of a lengthy legal process, the City could not build a fire station on the identified properties. The City Council agreed to suspend the effort and directed to staff to begin discussions with the Juanita Community Church.

Staff contacted the Pastor and Elders of the church to learn more about the property, their congregation and their interests. They were open to the idea of relocating but were happy with their current location that draws from a fairly extensive area, primarily on the eastside. They are a growing congregation with an increasing number of young families. They agreed to present the concept to the congregation. They returned with a list of requirements that included purchase of the property by the City as well as sufficient resources to purchase a new property and construct a new church of the same or larger size as their current facility. The City's real estate consultant identified possible properties, however, staff concluded that the

cost of meeting their financial requirements was well beyond the project budget and more than any of the other sites considered. Although condemnations proceedings were an option, the City Council chose not to continue its pursuit of this property.

In the meantime, the owner of the Rite Aid parcel was identified and contacted by the City's real estate consultant. The owner, operating under the name WAL Properties, indicated an interest in selling the property and was open to condemnation proceedings. On May 17, 2016, the City Council approved an ordinance beginning condemnation proceeds for the WAL property. Under condemnation, the existing lease and sublease on the property would be extinguished and apportionment of the compensation paid by the City for the property would be left to WAL Properties and the lessors. The City obtained a preliminary appraisal which totaled $3,070,000. WAL Properties indicated it would accept that price under a negotiated sale provided the City assumed the leases. The primary lease holder is Safeway (now Albertsons) with a sublease to Rite Aid. The City determined that the financial liability of assuming the leases was, most likely, in excess of the amount the City was willing to pay for the property and opted to proceed with condemnation proceedings.

During this same time, the City was searching for properties to provide expanded space for the City's maintenance facilities that the City had outgrown after the annexation. In particular, the City was looking for a place to relocate all or a portion of the Parks Maintenance shops. The City asked TCA architects to determine the feasibility of alternate public uses of portions of the WAL property (information begins on page 42). TCA's report was presented at the City Council retreat on February 3, 2017. Alternate uses studied included the Parks Maintenance Facility and additional Fire Department uses including a community room, training facility and space for a fourth engine bay to accommodate future residential density in north Kirkland. TCA concluded that the Rite Aid site was not large enough to accommodate the entire Parks Maintenance facility but could accommodate some maintenance elements or fire training facilities.

On February 2017, Thrifty Payless Inc. (owners of Rite Aid) filed a discovery request with the City. Rite Aid's attorneys had indicated prior to that time that they planned to contest public use and necessity, asserting that the City did not need the entire site for the fire station itself and that the taking was larger than needed. Their assertion was based, in part, on early drawings prepared by TCA architects that were preliminary test fits of using only half of the Rite Aid property. The test fit indicated it was possible to fit a station on a portion of the parcel. However, the test fit concept was never fully vetted to consider the practicality or future needs for the fire station such as a training facility, additional vehicle bays, a community room, or space for future expansion to accommodate the City's continued growth.

After the discovery request had been filed, representatives of the Rite Aid property management division contacted staff to determine whether the City would be willing to consider co-location on the site with a new, smaller Rite Aid store. Given the potential for another lengthy legal process should Rite Aid appeal the public use and necessity decision, the City indicated that it would consider a proposal. It should be noted that the law related to condemnation does not allow the City to condemn an entire parcel (as approved in the condemnation ordinance) and then resell all or a portion of it to a private entity. Property acquired by condemnation must be put to a public use. Co-location would only be possible under a negotiated sale. Either Rite Aid or the City could enter into a negotiated sale with WAL Properties and then lease back a portion of the site to the other party. Given the expected long-term presence of the fire station, the City needs to retain control of the entire parcel to

assure the fire station could remain at that location and to protect the City's ability to use the site for future needs.

Subsequently, City staff met with Rite Aid legal and property management staff where Rite Aid presented their proposed concept drawing for shared use showing Rite Aid at the front of the property and the fire station at the back. Based on that initial meeting and the drawing provided by Rite Aid, the City asked TCA Architecture to analyze the pros and cons of the Rite Aid concept and to develop alternate concepts of how the two uses might be included on the one parcel.

The preliminary concepts produced by TCA Architecture included the following:

- Rite Aid in the back, Fire Station in the front (a drive-through station).
- Rite Aid in the front, Fire station in the back (a drive through station).
- Rite Aid and the Fire Station sharing frontage; assumes re-development of the Goodwill at the same time.
- Rite Aid in the back; Fire Station in the back (a non-drive through station to provide better Rite Aid exposure.)
- Rite Aid and the Fire Station sharing frontage; more urban and assumes property line flexibility. In this concept, the Goodwill site could take on many configurations/sizes or be allocated for an alternate use, however the general thought is to push the parking to the back and create a more urban edge.

The preliminary concepts developed by TCA Architecture utilized the smaller footprint suggested by Rite Aid. The newer Rite Aid stores are 11,115 square feet and all have a drive-thru pharmacy pick-up. After review by the City, deemed all options but two as too constraining on the operations of the fire station. The City shared the final two concepts with Rite Aid: one concept with the fire station in the front and Rite Aid in the back that provided greater visibility to the Rite Aid by moving the fire station to the west, and another in which the Rite Aid and the fire station shared frontage with most parking in the back.

Rite Aid responded with a modified version of TCA's concept of the Rite Aid and fire station sharing frontage. They contended that a street presence is important to the success of their business. Rite Aid's version moved the building back from the frontage in order to provide added customer parking in the front of the building and moved the pharmacy drive through to the back of the building.

The last two concepts, 1) the "sharing frontage" concept developed by TCA and provided to Rite Aid and 2) Rite Aid's modified version of the same TCA concept are included as Attachment A. The most recent Rite Aid proposal presented new conflicts and questions that have yet to be resolved. General issues of vehicle access, the implications of a structure built to essential facility standards sharing an interior wall with a commercial use, and any impacts on Goodwill, have not been fully vetted. Further, while the final design process for the fire station has not yet begun, co-location with Rite Aid would invariably require a smaller footprint for the fire station than would be possible if the fire station occupied the full Rite Aid property. Co-location with Rite Aid would likely eliminate any opportunities to provide space for fire training, a community room, additional vehicle bays, or future expansion areas.

Community Involvement

Through the years, the City and Fire District #41 held numerous public meetings about the need for additional emergency response capabilities in north Kirkland. In the mid to late-2000s, the Fire District held a series of public meetings about the consolidated station option with the possibility of pursuing voted debt for financing. The meetings were well-attended and participants expressed concerns about the proposed sites and impacts on services.

When the City decided to place an annexation measure on the ballot, the District put its plans on hold pending the outcome of the annexation election. Many public meetings were held concerning annexation, many of which included discussions of the City's intent to follow-through with emergency service improvements.

Fire Department and City Manager's Office staff as well as City Councilmembers have attended a number of neighborhood meetings where the topic of fire and emergency services was on the meeting agenda. Depending on the timing and neighborhood, the public continues to be interested in the projects.

The City was contacted by a Lake Washington School District Board member along with the Principal of Juanita Elementary School about the impacts of having a fire station located nearby the school. Issues of traffic, pedestrian safety and noise were discussed. Fire and City Manager's Office staff met twice with them and a subsequent meeting with representatives of the Juanita Elementary PTSA was also held.

On January 24, 2017, the City hosted a community meeting at the Juanita Community Church concerning the fire station project. An invitation was mailed to approximately 3,500 residents and businesses in the surrounding neighborhoods. Staff from the Fire Department, City Manager's Office, Public Works and representatives from the City Council were present to provide an overview of the need for the fire station and to answer questions.

The City created a North Kirkland Fire Station web page to provide updates on the project and notices of meetings.

When more is known about the exact location and timing of the station project, further public outreach will be conducted to assure that the community's concerns are heard and that their questions are answered.

Current Status

In order to expedite the co-location discussions, the City developed a series of essential requirements that would need to be met in order to allow co-location with Rite Aid. These requirements were forwarded to Rite Aid on May 4, 2017, as shown below.

City of Kirkland Essential Requirements/Needs for Sharing Parcel with Rite Aid

1. ***Location.*** *The fire station must share frontage with Rite Aid. The fire station and any new building on the parcel must have the same setback as to prevent a "pinch point" for vehicles accessing the portion of the parcel behind the building(s).*

2. ***Fire Department Access.***

    a. *Fire Department access must be unrestricted (e.g., no delay due to Goodwill lines, Rite Aid Pharmacy drive-thru lines, delivery trucks, etc.) for returning fire engines.*
    b. *Turning radii must be met for all that access the parcel. This must include Fire, Goodwill/Rite Aid delivery, as applicable, and garbage/recycling pick-up.*
    c. *Access to the parcel is preferred from NE 132nd Street. If not feasible, one or more multiple-party permanent ingress/egress easements must be secured.*
    d. *Fire engines from other stations need to be able to access the fire station to drop off equipment. (For example, the apron must be long enough for the engines to pass each other or have a large enough "hammerhead" for the engine to turn around in the apron and not block the engines/aid car that are responding from Fire Station 24.)*

3. ***Public Access.*** *The fire station public entry should be clear and visible to visitors. The public parking must be near to the public entry, be ADA compliant, and provide safe access to the public entry point.*

4. ***Code Compliance.*** *Site coverage, setbacks, surface water requirements, and all other code requirements must be met.*

5. ***Building.*** *Any new building on the parcel must be built as an essential facility per International Building Code. The City must have review and approval authority on the plans and specifications for the Rite Aid building. The City will not contribute to the costs of designing, permitting, modifying and/or constructing Rite Aid's building.*

6. ***Ownership.*** *The City must own the entire parcel, including all buildings, existing and future, on the parcel. Rite Aid would be granted a long term lease with the City at terms to be negotiated.*

7. ***Sale of Property.*** *A purchase and sale agreement with the City, the owner of the property, lessee, and sub-lessee must reached in which all existing leases related to the Rite Aid parcel are extinguished.*

As of this writing, the City has not had further discussions with Rite Aid. Staff will report to the Council any new information from Rite Aid at the May 16 Council meeting. While considerable time and expense has been devoted to working toward a mutually-acceptable agreement that allows Rite Aid to remain on the site, protecting the community and the City's long term investment in public safety facilities remains the highest priority. At the same time, the City has continued to experience high levels of in-fill residential development and redevelopment of commercial properties. Much of this development is occurring on Finn Hill, in Totem Lake and in Juanita. The ability to meet current and future service delivery demands by planning for the future now will assure a more cost-effective and sustainable future. In addition to the current response time needs Station 24 will help to address, the City and its public safety partners have emerging opportunities that may require additional property:

- Additional Bay – Station 24 is well-positioned to meet future service demands. The ability to add a fourth vehicle bay could add dual response capability from that station and/or relocation of the ladder truck.

- Fire Training Facility – Much of the Fire Department's required training takes place outside the City limit either at the Bellevue Fire training facility or at the Northshore Fire training facility. Both locations required Kirkland crews to leave Kirkland, impacting the firefighting and emergency medical response capability within the City. The rear portion of the WAL Properties site could provide on-site training with minimal physical improvements needed. A companion training room could serve as a community meeting space in the evenings.

- Community Meeting Space – One of the needs identified by community stakeholders is additional space for community meetings. Although many groups meet at public school facilities, they are not always available and require a fee.

- NORCOM Relocation – NORCOM, the City's regional dispatch agency is beginning a study of alternative sites. They are outgrowing their leased space in Bellevue City Hall and additional space is not available for them at Bellevue's facility. Co-locating the dispatch center with a fire station may be a cost-effective solution for NORCOM and could offset some of the City's property acquisition costs.

- Other City Uses – Although the site was found to be insufficient to meet the entire maintenance center expansion needs, it could be used as a satellite location to store maintenance equipment and/or supplies.

Options and Council Direction Requested

The City Council can consider three different paths forward:

1. Continue negotiations with Rite Aid for co-location, provided the City's requirements can be met, while continuing condemnation proceedings should negotiations fail to reach an acceptable end.

   This option would potentially prevent the dislocation of a retail outlet, serving to maintain sales tax revenue and preserve a business for the community. It may also prevent a lengthy legal process that could delay design of the station. Continuing condemnation proceedings during the co-location discussion provides a back-up should the City and Rite Aid be unsuccessful in agreeing on a co-location model.

   This option, if successful, would likely constrain the fire station design and preclude use of the site for future service expansion.

2. Pursue condemnation of the full parcel and set aside efforts to co-locate with Rite Aid.

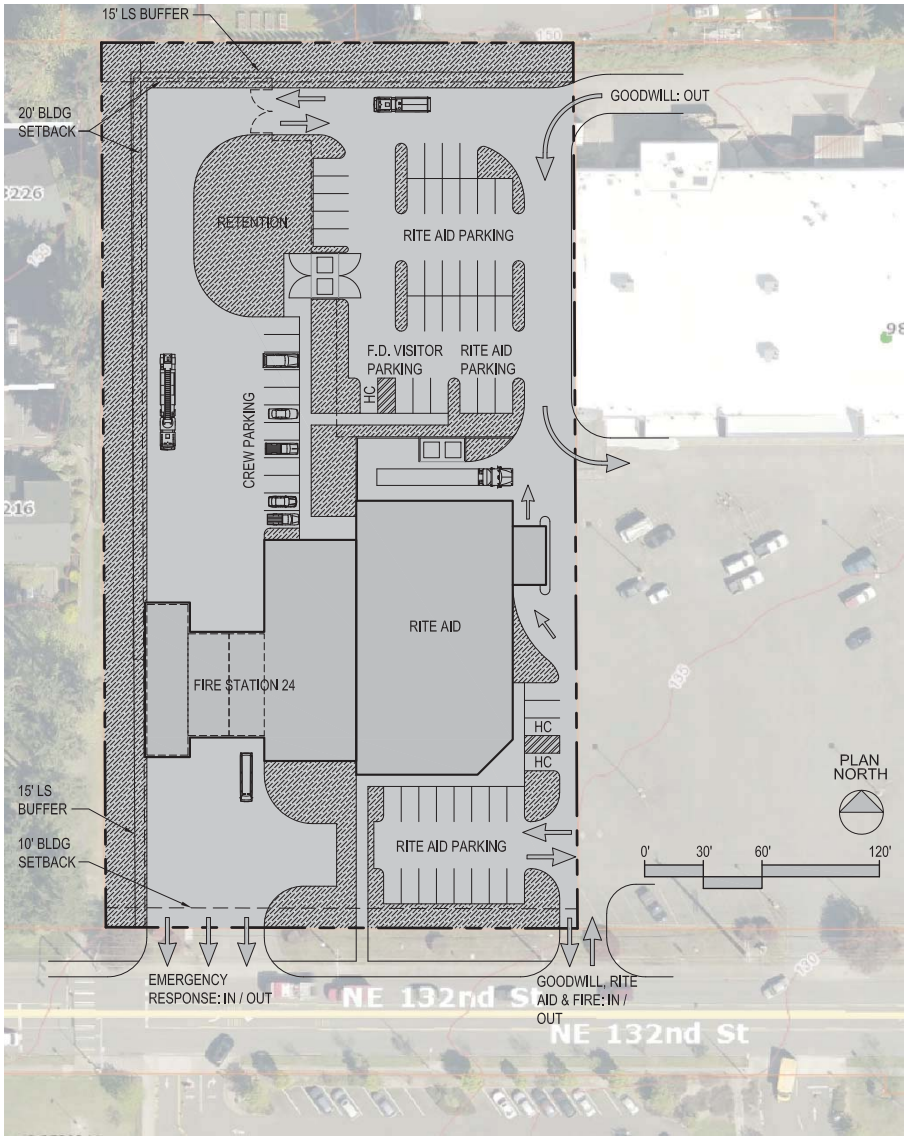
   This option provides the greatest flexibility for meeting fire and emergency medical service demands now and in the future. It would assure the design and construction of an operationally-efficient fire station with potential for expansion to meet the City's continuing growth. It also allows for enhancements, such as a training facility and/or a

community meeting room. This option also retains the City's full control of the parcel for future expansion or public needs.

However, this option would require the eventual closure of the Rite Aid store. Closure of the store would result in lost sales tax revenue and loss of a local business used by the community. The store could remain open until design is complete and construction is ready to begin.

3. Request additional information as needed to allow for direction at a future Council meeting.

   This option would allow the City Council to have any additional information it feels is necessary that may be helpful in bringing this issue to resolution.



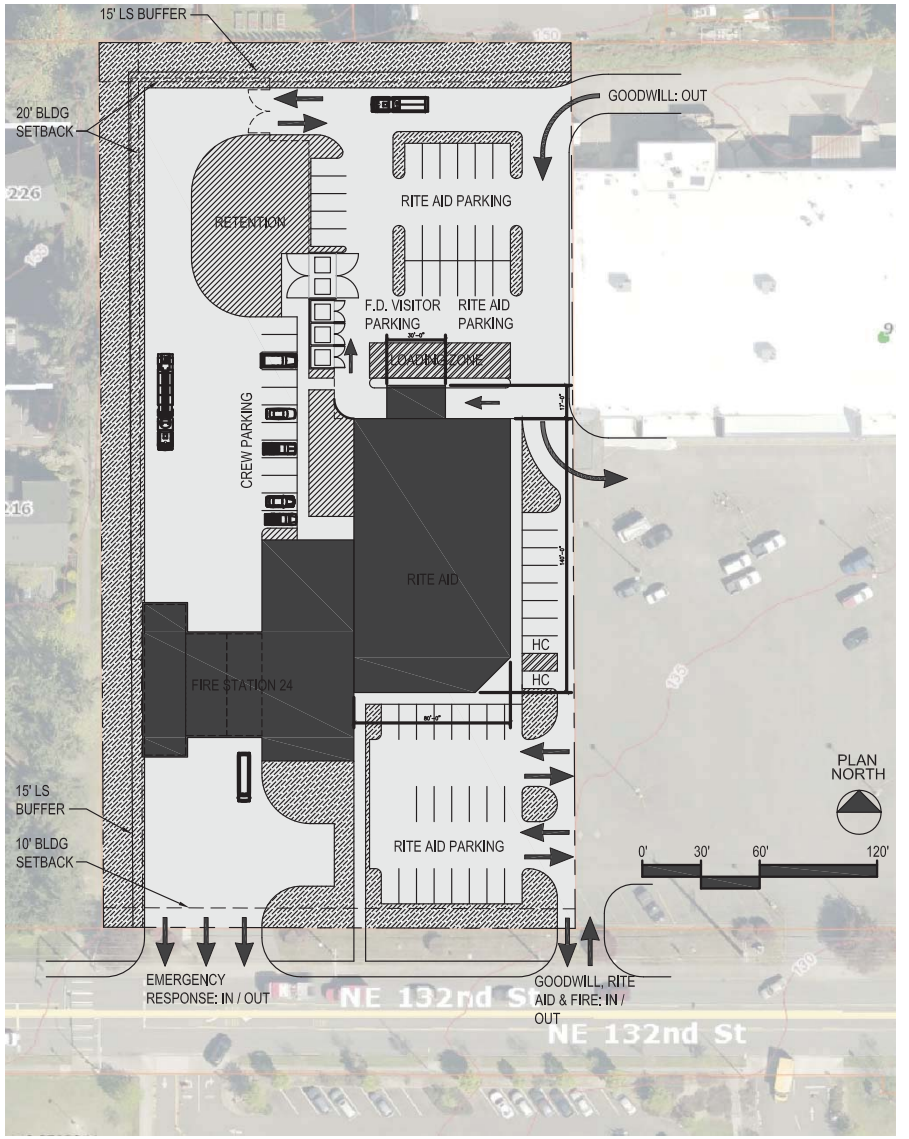
OPTION 1

1" = 60'

City of Kirkland Site Use Study

March 08, 2017

T C A architecture · planning



OPTION 1

1" = 60'

~~City of Kirkland Site Use Study~~

Drawing from Rite Aid

T C A ~~architecture · planning~~

RESOLUTION R-5290

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND REVISING THE 2017-2018 CITY WORK PROGRAM TO DEFER EXPLORATION OF POTENTIAL FIRE STATION MODERNIZATION AND PUBLIC SAFETY OPERATIONS BALLOT MEASURES.

WHEREAS, on February 21, 2017, the City Council approved Resolution R-5239, adopting the 2017-2018 City Work Program which included an initiative to "Explore potential ballot measures for Fire Station modernization and public safety operations to further the goals of Public Safety, Dependable Infrastructure, and Financial Stability"; and

WHEREAS, Resolution R-5239 stated that "since over the course of two years new issues may arise that require substantial City resources and City Council review, the adopted 2017-2018 City Work Program will be evaluated during the mid-biennial budget process to proactively determine whether emerging items can be accommodated, deferred, or if the City Work Program must be revised or reprioritized"; and

WHEREAS, the City Council has concluded that the 2017-2018 City Work Program should be revised to defer exploration of fire facilities and operations ballot measures, as several conditions have changed since the adoption of the City Work Program; and

WHEREAS, the City Council assumed in Resolution R-5239 that Fire Station 24 would be constructed and operating prior to any potential public vote in November of 2018; and

WHEREAS, a condemnation legal challenge has prevented securing the property necessary to construct Fire Station 24 for over a year and, although the City is confident the site will be acquired, construction of the station is not projected to be completed until the middle of 2019; and

WHEREAS, additional changed conditions include taxpayer concerns about significant new property taxes and vehicle license taxes implemented by voters as part of Sound Transit 3 in November of 2016, higher state property taxes as a result of state legislation passed in the summer of 2017 intended to fully fund basic education, and the passage by voters of additional King

County property taxes through the Veterans, Seniors and Human Services levy in November of 2017; and

WHEREAS, in the fall of 2017, the Lake Washington School District Board of Directors placed three property tax measures on the February 13, 2018 ballot in Kirkland, including a capital bond measure, a capital levy, and an educational programs and operations levy; and

WHEREAS, the City Council is concerned about the cumulative financial impact of the foregoing on the residents and businesses of Kirkland, and desires to defer consideration of a Kirkland property tax measure for fire facilities and operations, perhaps until the economy has had time to adjust to the higher tax rates imposed by other jurisdictions and Fire Station 25 renovation and Fire Station 24 construction are completed.

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

Section 1. The 2017-2018 City Work Program Initiatives are amended to delete Initiative number three and renumber the remaining Work Program Initiatives accordingly:

1. Implement the Cross Kirkland Corridor Master Plan focused on the Totem Lake Connector and South Kirkland Park and Ride bridges to further the goals of **Balanced Transportation, Parks and Recreation, Economic Development**, and **Neighborhoods**.
2. Renovate Fire Station 25, construct new Station 24, and site new Station 27 to further the goals **of Public Safety** and **Dependable Infrastructure**.
~~3. Explore potential ballot measures for Fire Station modernization and public safety operations to further the goals of **Public Safety, Dependable Infrastructure,** and **Financial Stability**.~~
~~4~~ 3. Expand the Maintenance Center to meet the service needs of the larger City to further the goals of **Dependable Infrastructure,** and **Parks, Open Space and Recreation Services.**
~~5~~ 4. Partner with A Regional Coalition for Housing, churches and non-profits to construct a permanent women/family shelter in Kirkland to further the goals of **Human Services** and **Housing**.

~~6~~ 5. Fund capital investments to support growth in Totem Lake to further the goals of **Economic Development, Balanced Transportation,** and **Parks, Open Space and Recreation Services.**

~~7~~ 6. Replace the City's core financial and human resources software to further the goal of **Financial Stability**.

~~8~~ 7. Facilitate Community Policing through implementation of Police Strategic Plan to further the goals of **Public Safety** and **Neighborhoods**.

~~9~~ 8. Partner with Sound Transit, the State Department of Transportation and King County Metro Transit to ensure that investments along I-405 serve Kirkland's mobility needs to further the goals of **Balanced Transportation** and **Economic Development**.

~~10~~ 9. Procure a new solid waste contract and engage King County and Kirkland residents to determine the future of the Houghton Transfer Station and Houghton Landfill to further the goals of **Environment** and **Dependable Infrastructure**.

Section 2. The City Manager is hereby authorized and directed to complete the renovation of Fire Station 25, complete the construction of Fire Station 24, and secure the rights to acquire a final site for a new Station 27 as soon as practicable and consistent with the public interest as articulated herein by the Council.

Section 3. The City Manager is also authorized and directed to develop a plan to adequately staff Fire Station 24 upon completion of the station and include options for funding the staffing plan in the 2018-2019 Biennial Budget.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2017.

Signed in authentication thereof this ____ day of _____, 2017.

_____
Amy Walen, Mayor

Attest:

_____
Kathi Anderson, City Clerk

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Ellen Miller-Wolfe, Economic Development Manager
Philippa Marsh, Special Projects Coordinator

Date: November 16, 2017

Subject: Recommendation to accept the donation of the M.V. Kalakala painting by artist, S.A. Cookson

RECOMMENDATION:

It is recommended that City Council approve by motion the recommendation of the Kirkland Cultural Arts Commission (KCAC) to accept the donation of the *MV Kalakala* painting. The KCAC recommendation is based on the historic value of the painting which hung in the offices of the Black Ball Ferry Line, the company which preceded the State of Washington as owners of the ferry. The artwork, an original oil on canvas by Stanley A. Cookson c. 1035, is a faithful depiction of the ferryboat Kalakala and depicts an artifact that played a particularly significant part in Kirkland's past and the region's maritime history. In addition, based on the appraiser's condition notes and photographs, the KCAC further recommends that the City Council consider possible conservation treatment.

BACKGROUND DISCUSSION:

The estate of James Martin wishes to donate the painting of the MV Kalakala by Stanley A. Cookson to the City of Kirkland. An appraisal by Mary Sudar, Accredited Senior Appraiser, provides the Charitable Donation Value at $4,800 and the Fair Market Value at $2,500 (Attachment A and B).

As stated in the appraisal:

> The painting is a "portrait of the MV Kalakala ["Flying Bird"], iconic Washington State flagship ferry of the Black Ball Line (Puget Sound Navigation Co.), designed and constructed in the Art Deco style, ca. 1935. Painting of the vessel under sail on Puget Sound, apparently depicted on her usual run between Seattle and Bremerton, with two sailboats in left foreground and a shipping vessel in far right background against low hills. Signed lower left "Cookson" for Stanley A. Cookson (US/California and Washington, 1908 - 1995). Oil on canvas.
>
> Provenance indicates that Cookson painted several works which hung inside the Kalakala. This image reportedly hung in the office of Captain Alexander Peabody,

president of the Puget Sound Navigation Company. The PSNC/Black Ball Line was later purchased by R.J and Lois Acheson and became Black Ball Freight Service and Black Ball Transport, and this painting reportedly remained in those offices.

Mr. Martin worked for Black Ball and thus the painting came to him. Overall condition is good with some surface dust and dirt and a slight darkening or yellowing of the surface varnish. In a wide molded wood and plaster period frame, apparently original to the painting, with a stylized repeating wave design and a dark antiqued gilt finish. Overall 53 1/4" w. x 33 1/4" h. with frame, 47" w. x 27" h. canvas on stretchers only.

The KCAC unanimously approved the recommendation to accept the donation in their November 15, 2017 meeting (Attachment D).

The expectation is that the painting will hang in City Hall, one of several prints and paintings, many with historical themes that the KCAC in coordination with the City Hall Steering Committee is seeking to locate as part of the City Hall renovation. The KCAC believes that the painting is in stable condition so can be hung as is, but cleaning could improve its appearance as would a more contemporary frame.

If the Council concurs with the KCAC recommendation, it should adopt a motion to accept the donation of the *MV Kalakala* painting by Stanley A. Cookson.

American Society of Appraisers
Providing Value Worldwide

MARY SUDAR

Accredited Senior Appraiser
American Society of Appraisers

1201 Pacific Avenue, Suite 600, Tacoma, Washington 98402
Mailing address: PO Box 463, Burley, Washington 98322

253.759.9440 360.874.2062 Fax

October 23, 2017

The Estate of James Martin
c//o Farr Law Group
Attn: Deborah Mystakidis
PO Box 890
Enumclaw, Washington 98022

RE: Personal Property Appraisal -- MV *Kalakala* Ferry Painting

Dear Ms. Mystakidis,

I have completed the Fair Market Value appraisal for charitable donation purposes of the painting of the MV *Kalakala*, property of the late James Martin. I examined, photographed and documented this artwork at the residence of Gay Bural, Personal Representative for Mr. Martin's estate, 30232 Southeast 392nd Street, Enumclaw, Washington, on September 23, 2017. Ms. Bural was present throughout my visit and assisted in providing such information as she had about the artwork's provenance, which was supplemented by the information provided to me by you via a September 6, 2017, email. Condition of the artwork is as of the date of my visit, September 23, 2017; value of this painting is as of the date of this report, October 23, 2017.

The item discussed here has been examined, researched to the best of my ability, and identified to assist in determining the appropriate value as indicated in the report. This value is based on recent available sales information for items of similar or comparable quality, age, kind and condition. This value represents the average cost in the appropriate retail or wholesale secondary marketplace, and not any one source in particular. It does not include sales tax, buyers' premiums, or any other applicable charges.

In my opinion, the total **Fair Market Value** for charitable donation purposes of the painting described and illustrated below is **$4,800.00** The completed report is 7 pages long, including this two-page letter of transmittal. A photographic record, consisting of one single-sided sheet keyed to the appraisal document, is included.

Please note that this artwork represents a particularly significant part of Puget Sound history. The MV *Kalakala* epitomized the height of Art Deco design, utilized the new arc-welding construction technique [as opposed to rivets] which emphasized the sleek lines of this iconic vessel, supplied transportation for workers commuting between Seattle and Bremerton for over three decades, including the boom years of WWII, provided a

provided a unique social gathering place as it took on the character of a floating nightclub after hours, and was reportedly the first Washington State ferry to have an indigenous (Chinook) name, a tradition which remains to this day. The artist himself, Stanley A. Cookson, was active in the middle years of the 20th century and was known for his maritime scenes, so this painting, rendered in the realistic "WPA" style of the time, also represents an important era in the region's art history. This particular image, which has some of the characteristics of popular postcard views of the *Kalakala* published in the 1930s and 1940s, also incorporates elements of other aspects of regional maritime history, such as the inclusion of the sailboat which might represent either the early days of sail on Puget Sound or the popular water sport, along with the rendering of the commercial or naval vessel which can be seen in the background, another important element of the area's history and economy. And as a final point, the *Kalakala* in her previous incarnation as the *Peralta* was brought from San Francisco to the Lake Washington Shipyards near Houghton (since annexed to Kirkland) for rebuilding as a ferry. For many years, the Kalakala was a closely identified with Seattle in popular culture as the Space Needle would be in later years.

Please feel free to call if you have any further questions regarding the information provided here, or if you need additional assistance in valuation of any property not documented here. Thank you for the opportunity of assisting you with this appraisal project.

Sincerely yours,

Mary Sudar, ASA
Accredited Senior Appraiser
American Society of Appraisers
www.SudarAppraisals.com

American Society of Appraisers
Providing Value Worldwide

APPRAISAL

Mary Sudar
Accredited Senior Appraiser
American Society of Appraisers

1201 Pacific Avenue, Suite 600
Tacoma, Washington 98402
253.759.9440

PO Box 463
Burley, Washington 98322
360.874.2062 Fax

This is to certify that I, Mary Sudar, ASA, have examined the items listed below and have determined, in my opinion, their Fair Market Values to be as stated. A market data approach, drawing from the appropriate retail, wholesale, primary and/or secondary markets, was employed in order to arrive at these valuation conclusions.

Name: **The Estate of James Martin by Deborah Mystakidis, Farr Law Group**

Address: **Mailing address: Farr Law Group, ATTN: Deborah Mystakidis, PO Box 890, Enumclaw, Washington 98022 (Property viewed at residence of PR Gay Bural, 30232 SE 392nd Street, Enumclaw, Washington 98022)**

Date of inventory: **September 23, 2017**

Applicable date of values: **May 29, 2017 (Date of death)**

Photo	Item	Description	Appraised value
Photos 1 -- 4	Painting	Portrait of the MV *Kalakala* ["Flying Bird"], iconic Washington State flagship ferry of the Black Ball Line (Puget Sound Navigation Co.), designed and constructed in the Art Deco style, ca. 1935. Painting of the vessel under sail on Puget Sound, apparently depicted on her usual run between Seattle and Bremerton, with two sailboats in left foreground and a shipping vessel in far right background against low hills. Signed lower left "Cookson" for Stanley A. Cookson (US/California and Washington, 1908 - 1995). Oil on canvas. Provenance indicates that Cookson painted several works which hung inside the *Kalakala*. This image reportedly hung in the office of Captain Alexander Peabody, president of the Puget Sound Navigation Company. The PSNC/Black Ball Line was later purchas-	

APPRAISAL

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Photos 1 - 4	Painting (cont.)	ed by R.J and Lois Acheson and became Black Ball Freight Service and Black Ball Transport, and this painting reportedly remained in those offices. Mr. Martin worked for Black Ball and thus the painting came to him. Overall condition is good with some surface dust and dirt and a slight darkening or yellowing of the surface varnish. In a wide molded wood and plaster period frame, apparently original to the painting, with a stylized repeating wave design and a dark antiqued gilt finish. Overall 53 1/4" w. x 33 1/4" h. with frame, 47" w. x 27" h. canvas on stretchers only.	
		TOTAL FAIR MARKET VALUE FOR CHARITABLE DONATION PURPOSES, MV *KALAKALA* PAINTING BY STANLEY A. COOKSON	**$ 4,800.00**

REFERENCES

The subject property described in this appraisal has been researched in numerous reference books, price lists, and auction catalogs, web sites and in personal conferences with dealers and/or collectors engaged in buying and/or selling similar items in the appropriate marketplace. Among the materials used for research were the following:

ArtNet. International Fine Arts Auction Database. New York: ArtNet.

ArtPrice.com. Database of art market information including biographies and sales records.

AskArt.com. Database of biographical and auction/sales records for regional and international artists.

Hughes, Edan. Artists in California, 1786-1940. Sacramento, CA: Crocker Art Museum, 2014.

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Ogallerie.com. Portland, Oregon. Archive of prices realized for regional Northwest auction house.

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Russell, Steven J. Kalakala: Magnificent Vision Recaptured. Seattle, WA: Puget Sound Press, 2002.

Vendio.com. Database of prices realized in Internet auction sales.

LIMITING CONDITIONS

All opinions as to values stated are presented as the appraiser's considered opinion and best judgment based on the facts and dates set forth in the report. The appraiser assumes no responsibility for change in market conditions or for the inability of the owner to locate a purchaser at the appraised value.

All items were personally viewed by the appraiser unless so noted in the appraisal report.

Items were viewed in a residential setting and as such, lighting conditions, movability of large items, location of items, removal of art work from walls, quantity of goods in closets, drawers, etc., limit full and complete inspection as well as provenance and condition.

Authenticity of paintings and art work and provenance of antiques and decorative arts is assumed, but not guaranteed. This appraisal is based on the readily apparent identity of the items appraised and no further opinion or guarantee of authenticity, attribution or authorship is made.

Sources are assumed to be reliable for information reported to the appraiser by others including published price lists, auction house reports, etc.

The appraiser has used her best efforts to determine ownership of all assets reported but assumes no liability for assets included or excluded from this report. Unless otherwise stated, the appraisal value is based upon whole ownership of all assets and unencumbered by liens, fractional interests, etc.

Measurements and weights are approximate. Paintings are measured width first and then height. Wood identity is not guaranteed without further research.

NCV means, in the appraiser's opinion, that the item has **no cash value.**

We assume no liability with respect to any action that may be taken on the basis of this appraisal report. Because personal property appraisal and evaluation is not a pure science, estimates of Fair Market Values may vary. This report is provided solely as an estimate of approximate Fair Market Values of these items.

The appraiser, by reason of this appraisal, shall not be required to give consultation or testimony as an expert witness in any legal hearing or before any court of law unless justly and fairly compensated for such service.

The appraisal is to be used and interpreted only in its entirety and only for its specifically stated purpose (i.e. Fair Market Value) as indicated.

Ownership of this report belongs only to the client named. Use by anyone else requires obtaining permissior from the client. The information in this report is confidential.

CERTIFICATION STATEMENT

I, Mary Sudar, ASA, personal property appraiser, state the following:

Due diligence has been exercised to ensure that the statements expressed in this appraisal, and upon which these valuation conclusions are based, are true and correct to the best of my knowledge and ability.

I have made a personal inspection of the property that is the subject of this report, unless otherwise noted.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased, professional analyses, opinions and conclusions.

I have no present or contemplated future personal interest in the items discussed here, which might prevent this from being a fair and unbiased report.

My fees for valuation services were not contingent upon the values or opinions stated in this report, nor were they contingent upon the reporting of a predetermined value or directions in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

The valuation conclusions were based on current market information as of the date the examination was made, for items of comparable or identical quality and condition, available in the appropriate retail, wholesale, primary or secondary marketplace.

No one provided significant professional assistance to the person signing this report, except as noted.

This report was developed and prepared in conformity with the code of professional ethics of the American Society of Appraisers and the Uniform Standards of Professional Appraisal Practice (2014-15 edition) as outlined by the Appraisal Standards Board of the Appraisal Foundation.

The American Society of Appraisers has a mandatory recertification program for all of its members.
I am in compliance with the requirements of this program..

Mary Sudar, ASA
Accredited Senior Appraiser
American Society of Appraisers

10/23/17
Date

Fair Market Value may be defined as the price at which an item of property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts. This is not a forced sale price, but it is a price which the general public would pay for a comparable item in its most common market, taking the location of the item into consideration whenever possible.

American Society of Appraisers
Providing Value Worldwide

MARY SUDAR

Accredited Senior Appraiser
American Society of Appraisers

1201 Pacific Avenue, Suite 600, Tacoma, Washington 98402
Mailing address: PO Box 463, Burley, Washington 98322

253.759.9440 360.874.2062 Fax

October 23, 2017

The Estate of James Martin
c//o Farr Law Group
Attn: Deborah Mystakidis
PO Box 890
Enumclaw, Washington 98022

RE: Personal Property Appraisal -- MV *Kalakala* Ferry Painting

Dear Ms. Mystakidis,

I have completed the Fair Market Value appraisal for estate purposes of the painting of the MV Kalakala, property of the late James Martin. I examined, photographed and documented this artwork at the residence of Gay Bural, Personal Representative for Mr. Martin's estate, 30232 Southeast 392nd Street, Enumclaw, Washington, on September 23, 2017. Ms. Bural was present throughout my visit and assisted in providing such information as she had about the artwork's provenance, which was supplemented by the information provided to me by you via a September 6, 2017, email. Condition of the artwork is as I noted it on that day. The FMV provided here is as of the date of Mr. Martin's death, May 29, 2017.

The item discussed here has been examined, researched to the best of my ability, and identified to assist in determining the appropriate value as indicated in the report. This value is based on recent available sales information for items of similar or comparable quality, age, kind and condition. This value represents the average cost in the appropriate retail or wholesale secondary marketplace, and not any one source in particular. It does not include sales tax, buyers' premiums, or any other applicable charges.

In my opinion, the total **Fair Market Value** for estate purposes of the painting described and illustrated below is **$2,500.00** The completed report is 7 pages long, including this two-page letter of transmittal. A photographic record, consisting of one single-sided sheet keyed to the appraisal document, is included.

Please feel free to call if you have any further questions regarding the information provided here, or if you need additional assistance in valuation of any property not documented here. Thank you for the opportunity of assisting you with this appraisal project.

Sincerely yours,

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APPRAISAL

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Mary Sudar, ASA
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American Society of Appraisers

10/23/17
Date

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Cultural Arts Commission Meeting
November 15, 2017 4-6pm
Kirkland City Hall – Council Chambers

Present: Ryan James (Chair) Carol Belval (Vice-Chair) Linda Paros, Michelle Lustgarten, Sophie Dutton Dawn Laurant, Dana Nunnelly, Lani Brockman, Philly Marsh (Staff)

Absent: Barbie Collins-Young, Nancy Whittaker, Christine Exline, Gaerda Zeiler, Marianna Hanefeld

Guests:
Aaron McDonald and COWI Architect Team for Totem Lake Connector
Kelly Dylla and J. Gordon and Ed McCarthy from Kirkland Arts Center

Welcome: Meeting came to order at 4:04pm. Minutes from October 18 were approved (Dawn moved, Michelle seconded unanimous).

The commission recommended a packet of information that commission members should bring each meeting

Totem Lake Connector Recommendation
The Commission heard a presentation from Aaron McDonald and the architects on the preferred railing, lighting and overlook and respond based on the public policy guidelines for the aesthetic merit and context in the city collection.

The commission did not have any objections to the fencing and railing options presented.

The consultants showed pixelated, graphic and abstract ripple ideas for the rest area/splash zone and described that the treatment could be flush or have some thickness. This area will be revisited in the future.

The consultants also presented the overlook proposal and indicated that the overlook could be incorporated, or nothing could happen, or there could be a slight widening of the spiral. The majority of the comments were positive and in favor of the overlook but the Commission did express some concern over congestion that the plank would cause to the main thoroughfare. They suggested widening the concrete deck for another splash zone and maybe providing benches. These changes would make it more of a destination than it already is and will cause people want to visit more. The thrill factor of the plank is a really cool thing.

The consultants described aesthetic lighting that could be color and move across bridge like the aurora borealis.

Park Lane Proposal and Approval
The Commission heard background from City Staff and the proposal from Kirkland Arts Center and artist Ed McCarthy. Machettes were presented and the artist described that there will be a dialogue between them and how he intends them to interact with the public. He said they would be pretty easy to install.

DRAFT

The commission was very excited about the proposed art and think there will be so many opportunities for great photos and a tourist attraction. It will also be a great opportunity to highlight STEM to STEAM and integrate the art into educational curriculum.

Ed anticipates selling the pieces for about $4,000 each but would leave the pieces up when they sell.

The Commission approved Ed McCarthy proposal for Park Lane starting in August (Dana moved, Dawn seconded, unanimous)

The Kirkland Arts Center also presented five pieces of art by John Vaynek and John Forsman that could be installed immediately and remain on display until Ed McCarthy's work was ready in August. There were some concerns about one of the pieces fitting on the plinth and safety issues.

The Commission approved the second proposal from KAC and the authority that the formed committee of Carol, Linda and Dawn could work with the KAC to determine the sixth plinth and a replacement if any of the proposed pieces do not work out. (Carol moves, Dana seconds, unanimous).

Kalakala Painting Recommendation

The Commission heard the background and an update from Dawn.

The Commission recommend(ed) acceptance of the donation of the Kakalaka painting due to its historic value and that the City Council consider possible conservation treatment. (Dawn moved, Carol seconded, unanimous)

Public Art Projects

Staff gave a brief update and turned over to the committees for additional comments.

a. Kalakala Concepts – Four artists selected to develop concepts by Dec 18.
b. Totem Lake Park – Committee meeting on 11/17 to review submissions
c. Other Parks – Contracting with artist by the end of the year potential increase in budget
d. Fire stations – Committee meeting on November 27
e. City Hall - Staff meeting with designer to determine opportunities for existing art
f. Art on the CKC – To discuss in January
g. Greenways – Review Workbook in January
h. Park Lane – Already discussed
i. Totem Lake Connector – Already discussed

Other Items

- No meeting in December
- Retreat in February extend to 7:30pm

Meeting adjourned at 5:58 pm

Minutes prepared by Philly Marsh

DRAFT

CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Rob Jammerman, Public Works Development Engineering Manager
Kathy Brown, Director of Public Works
Michael Olson, Director of Finance and Administration
Stephanie Croll, Senior Assistant City Attorney

Date: November 30, 2017

Subject: FIRST READING OF COMMUNICATIONS MASTER USE PERMIT FOR SEATTLE SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS

RECOMMENDATION:

It is recommended that the City Council approve the first reading of the attached Ordinance, which grants a Communications Master Use Permit to Seattle SMSA Limited Partnership dba Verizon Wireless ("Verizon").

Approval of the first reading will move this item forward to the adoption of the Ordinance at a future Council meeting. The Ordinance will grant Verizon the use of the City rights-of-way and certain utility easements throughout the city for wireless communications purposes, specifically small cell network facilities.

BACKGROUND DISCUSSION:

A small cell network is defined in the Kirkland Zoning Code Chapter 117 as "an interrelated network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area." This will be the first Communications Master Use Permit issued in Kirkland for small cell network facilities.

Until recently, wireless technology has mainly made use of macrocell sites, the type we are accustomed to seeing on tall transmission poles or towers, with a large on- or in-ground equipment enclosures. Small cell wireless facilities are increasing in number, to extend service coverage and/or increase network capacity. Small cells are typically on shorter poles or structures, and both the antennas and equipment are typically located on poles, with wire or wireless technology, overhead or underground, to connect the small cells to the core network (this connection is termed "backhaul").

In 2016, Kirkland Zoning Code Title 117 was amended to comply with new wireless regulations adopted by the FCC. Included in the revisions were the above-definition of small cell facilities, and the process by which they are reviewed and approved.

On April 3, 2017, Odelia Pacific Corp, on behalf of Verizon, submitted a complete application for a Communications Master Use Permit for the installation of small cell facilities on multiple utility poles throughout the City.

The City Attorney's Office advises that RCW 35A.47.040 should be followed when approving a Communications Master Use Permit (similar process to approval of a franchise). Under the RCW, the City Council may not adopt an ordinance or resolution adopting a franchise until five days after its introduction. Therefore, City staff recommends that Council approve the first reading of the attached Ordinance at this meeting. City staff would then bring the Ordinance back for final adoption on January 2, 2018.

Ordinance
Exhibit A
Exhibit B

ORDINANCE O-4633

AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING SEATTLE SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS, A DELAWARE LIMITED PARTNERSHIP, A NON-EXCLUSIVE COMMUNICATIONS MASTER USE PERMIT FOR THE RIGHT, PRIVILEGE, AND AUTHORITY TO MAKE USE OF THE PERMIT AREA FOR COMMUNICATIONS PURPOSES.

WHEREAS, Seattle SMSA Limited Partnership d/b/a Verizon Wireless ("Grantee") has requested that the City grant it the right to install, operate and maintain a wireless communications system within the public rights of way of the City; and

WHEREAS, the City Council finds it desirable for the welfare of the City and its residents that such a non-exclusive permit be granted to Grantee; and

WHEREAS, the City Council has the authority under state and local law to grant permits for the use of its street rights of way; and

WHEREAS, the City is willing to grant the rights requested by Grantee subject to certain terms and conditions.

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

Section 1. Definitions. For purposes of this Communications Master Use Permit (the "Permit"), the terms defined in Kirkland Municipal Code ("KMC") 26.08.020 shall apply. In addition, the terms below have the following meanings:

A. "Affiliate" means an entity which owns or controls, is owned or controlled by, or is under common ownership with Grantee.

B. "City" means the City of Kirkland, a municipal corporation of the State of Washington.

C. "Small Cell Wireless" means a personal wireless services facility that meets both of the following qualifications: (i) each antenna is located inside an antenna enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and (ii) primary equipment enclosures are no larger than seventeen cubic feet in volume. The following associated equipment may be located outside the primary equipment enclosure and if so located, are not included in the

calculation of equipment volume (but remain included in the definition of Small Cell Facilities): Electric meter, concealment, telecomm demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch. Small Cell Facilities shall also include all necessary cables, transmitters, receivers, equipment boxes, backup power supplies, power transfer switches, electric meters, coaxial cables, wires, conduits, ducts, pedestals, antennas, electronics, and other necessary or convenient appurtenances used for the specific wireless communications facility. Equipment enclosures with equipment generating noise that exceed the noise limits allowed in the Codes or associated permit are excluded from "Small Cell Facilities." Services do not include personal wireless services and associated facilities that fall outside of the definition of Small Cell Facilities (i.e. macro facilities).

D. "Facilities" means all appurtenances or tangible things owned, leased, operated, or licensed by the Grantee, including but not limited to wireless communications antennas, transmitters, receivers, equipment boxes, backup power supplies, power transfer switches, cut-off switches, electric meters, coaxial cables, fiber optic cables, wires, telecom demarcation boxes and related materials and equipment; and any and all other equipment, appliances, attachments, appurtenances and other items necessary, convenient, or in any way appertaining to any and all of the foregoing. Said facilities shall be used for the sole purpose of providing a small cell network.

E. "Communications Master Use Permit" or "Permit" shall mean the initial authorization or renewal thereof, granted by the City, through this Ordinance, or a subsequently adopted Ordinance, which authorizes the use of rights-of-way in the Permit Area for construction and operation of the Grantee's Facilities for the purpose of offering communications service.

F. "Permit Area" means the geographic area as set forth in Exhibit A attached hereto and incorporated herein by reference.

G. "Person" means an individual, partnership, association, joint stock company, trust, corporation, limited liability company or governmental entity.

H. "Rights-of-way" means any highway, street, shoulder, landscape area between sidewalk and curb or shoulder, alley, sidewalk, utility easement (unless the City's use of the utility easement is solely restricted to another use or other uses), or other public rights-of-way for motor vehicles or any other uses under the City's control and/or in its jurisdictional boundaries. It does not include (1) state highways; (2) structures, including poles and conduits located within the right-of-way; (3) federally granted trust lands or forest board trust lands; (4) lands

owned or managed by the state Parks and Recreation Commission; (5) federally granted railroad rights-of-way acquired under 43 U.S.C. 912 and related provisions of federal law that are not open for motor vehicle use; or (6) parks or other public property not used as a public right-of-way, including the Cross Kirkland Corridor.

I. "Communications Service" means the transmission of information in electronic or optical form, including, but not limited to, voice, video, or data, whether or not the transmission medium is owned by the provider itself. Communications Service includes wireless communication services and telephone service, but does not include cable TV or commercial video service or over-the-air broadcasts to the public at large from facilities licensed by the Federal Communications Commission or any successor thereto.

Section 2. Permit Area and Authority Granted.

A. Facilities within Permit Area. The City does hereby grant to Grantee the right, privilege, authority and Permit to use Rights-of-way in the Permit Area to construct, support, attach, connect and stretch Facilities between, maintain, repair, replace, relocate, upgrade, remove, enlarge, operate and use Facilities in, upon, over, under, along and across Rights of way in the Permit Area for purposes of Communications Services, to the extent not inconsistent with Section 4 herein.

B. Permission Required to Enter Onto Other City Property. Nothing contained in this Ordinance is to be construed as granting permission to Grantee to go upon any other public place other than Rights-of-Way within the Permit Area in this Ordinance. Permission to go upon any other property owned or controlled by the City must be sought on a case by case basis from the City.

C. Amendments to the Permit area may be proposed by the Grantee during the term of this Permit. The Public Works Director shall review the amendment request to determine if it should be granted or if a new Master Use Permit is necessary.

Section 3. Construction and Maintenance.

A. Grantee's Facilities shall be located, relocated and maintained within the Permit Area so as not to unreasonably interfere with the free and safe passage of pedestrian and vehicular traffic and ingress or egress to or from the abutting property and in accordance with the laws of the State of Washington. Whenever it is necessary for Grantee, in the exercise of its rights under this Permit, to make any excavation in the right of way, Grantee shall obtain prior approval from the City of Kirkland Public Works Department, pay the applicable permit fees, and obtain any necessary permits for the excavation work. Grantee shall meet the

City's specifications per the Kirkland Municipal Code ("KMC") and the Public Works Pre-Approved Plans and Policies.

Section 4. Location and Relocation of Facilities.

A. Grantee shall place any new Facilities underground where existing telecommunications and cable facilities are located underground. Provided, however, this requirement shall not apply to that specific portion of the Facilities that are required to remain above ground in order to be functional. Any new Facilities to be located above-ground shall be placed on existing utility poles and shall be small cell type equipment in a form substantially similar to that pictured in Exhibit B, attached hereto. No new utility poles, ground mounted equipment or overhead utility lines shall be installed in connection with placement of new above-ground facilities except as otherwise approved by the City under this Permit or under a separate permit.

In order to minimize negative visual impact to the surrounding area, The Public Works Director may deny a request to install above ground small cell wireless facilities (antennas and associated facilities) if more than one hundred (100) cubic feet of above ground wireless facilities exist within a one hundred fifty foot (150') radius of the proposed facility location.

B. At the City's request, all Facilities shall be concealed or enclosed as much as technologically feasible in an equipment box, cabinet or other unit, in a design substantially similar to that pictured in Exhibit B. All external cables and wires shall be sheathed or enclosed in conduit so that wires are not visible or visually minimized to the extent feasible.

Grantee shall construct Grantee's conduits and standoffs (collectively, the "conduits") that are attached to the utility poles in accordance with KMC requirements and, whenever technologically feasible, shall install Grantee's Conduits so as to minimize the visible impact of such conduits.

C. All Facilities on a utility pole (except stand-offs and conduits) shall be installed at least ten (10) feet above ground and shall not exceed seventeen (17) cubic feet unless otherwise approved by the Public Works Director.

D. Grantee shall keep and maintain all small cell equipment installed in the public right-of-way in commercially reasonable condition and repair throughout the term of this Permit. Any equipment that is vandalized, damaged or marked with graffiti shall be repaired and/or cleaned within fourteen (14) days of receipt of written notice.

E. The City may require Grantee to relocate Facilities within the Right-of-Way when reasonably necessary for construction, alteration,

repair or improvement of the Rights-of-Way for the purpose of public health, welfare and safety, at no cost to the City, except as may be required by KMC 26.36.050. The City's decision to require the relocation of Grantee's Facilities shall be made in a reasonable, uniform and non-discriminatory manner. Pursuant to the provision of Section 5, Grantee agrees to protect and save harmless the City from any customer or third-party claims for service interruption or other losses in connection with any such change or relocation.

F. The Grantee shall indemnify, hold harmless and pay the costs of defending the City against any and all claims, suits, actions, damages, or liabilities for delays on City construction projects caused by or arising out of the failure of the Grantee to relocate its Facilities in a timely manner; provided, that the Grantee shall not be responsible for damages due to delays caused solely by the City, or circumstances beyond the control of the Grantee.

G. In the event that the City orders the Grantee to relocate its Facilities for a project which is primarily for private benefit, the private party or parties causing the need for such project shall reimburse the Grantee for the cost of relocation in the same proportion as their contribution to the total cost of the project, pursuant to RCW 35.99.060(4).

H. In the event of an unforeseen emergency that creates a threat to public safety, health or welfare, the City may require the Grantee to relocate its Facilities at its own expense, any other portion of this Section notwithstanding.

Section 5. Indemnification.

A. Grantee agrees to indemnify, defend, and hold the City harmless as set forth in KMC 26.40.030. In addition, Grantee shall indemnify, defend and hold the City, its agents, officers, employees , volunteers and assigns harmless from and against any and all claims, demands, liability, loss, cost, damage or expense of any nature whatsoever, including all costs and reasonable attorney's fees, made against them on account of injury, sickness, death or damage to persons or property which is caused by or arises out of, in whole or in part, the acts, failures and/or omissions of Grantee or its agents, servants, employees, contractors, subcontractors or assigns arising out of this Permit. *Provided, however,* such indemnification shall not extend to injury or damage caused by the sole negligence or willful misconduct of the City, its agents, officers, employees, volunteers or assigns.

B. In the event any such claim or demand be presented to or filed with the City, the City shall promptly notify Grantee thereof, and Grantee shall have the right, at its election and at its sole cost and

expense, to settle and compromise such claim or demand, provided further, that in the event any suit or action be initiated against the City based upon any such claim or demand, the it shall likewise promptly notify Grantee thereof, and Grantee shall have the right, at its election and its sole cost and expense, to settle and compromise such suit or action, or defend the same at its sole cost and expense, by attorneys of its own election.

Section 6. Default.

A. If Grantee shall fail to comply with any of the provisions of this Permit, unless otherwise provided in this Permit, the City may, in addition to the remedies provided in KMC Chapter 26.44, serve upon Grantee a written order to comply within thirty (30) days from the date such order is received by Grantee. If Grantee is not in compliance with this Permit after expiration of the thirty (30) day period, the City may act to remedy the violation and may charge the reasonable costs and expenses of such action to Grantee. The City may act without the thirty (30) day notice in case of an emergency. If any failure to comply with this Permit by Grantee cannot be corrected with due diligence within said thirty (30) day period, then the time within which Grantee may so comply shall be extended for such time as may be reasonably necessary and so long as Grantee works promptly and diligently to effect such compliance. If Grantee is not in compliance with this Permit, and is not proceeding with due diligence in accordance with this section to correct such failure to comply, then the City may in addition, by ordinance and following written notice to Grantee, declare an immediate forfeiture of this Permit.

B. In addition to other remedies provided in KMC Chapter 26.44, this Permit, or otherwise available at law, if Grantee is not in compliance with requirements of the Permit, and if a good faith dispute does not exist concerning such compliance, the City may place a moratorium on issuance of pending Grantee right-of-way use permits until compliance is achieved.

Section 7. Nonexclusive Permit. This Permit is not and shall not be deemed to be an exclusive Permit. This Permit shall not in any manner prohibit the City from granting other and further permits over, upon, and along the Permit Area, provided such other permits do not unreasonably interfere with Grantee's use and placement of its Facilities in any Rights-of-Way and/or Permit Area. This Permit shall not prohibit or prevent the City from using the Permit Area or affect the jurisdiction of the City over the same or any part thereof. Nothing within this Section limits Grantee's obligations to indemnify, defend and hold the City harmless as provided in Section 5 herein.

Section 8. Permit Term.

A. This Permit is and shall remain in full force and effect for a period of ten (10) years from and after the effective date of the Ordinance, provided that the term may be extended for two (2) additional five (5) year terms upon the agreement of Grantee and the City not more than one hundred eighty (180) days and nor less than ninety (90) days from the expiration of the current Permit; and provided further, however, Grantee shall have no rights under this Permit nor shall Grantee be bound by the terms and conditions of this Permit, unless Grantee shall, within thirty (30) days after the effective date of the Ordinance, file with the City its written acceptance of this Permit, in a form acceptable to the City Attorney. When an extension is proposed by the Grantee, the Grantee shall provide proof to the City that all existing Facilities are in compliance with design standards set forth herein as illustrated in Exhibit B.

B. If the City and Grantee fail to formally renew this Permit prior to the expiration of its term or any extension thereof, this Permit shall automatically continue in full force and effect until renewed or until either party gives written notice at least one hundred eighty (180) days in advance of intent not to renew this Permit.

Section 9. Compliance with Codes and Regulations.

A. The rights, privileges and authority herein granted are subject to and governed by this Ordinance and all other applicable ordinances and codes of the City of Kirkland (collectively, the "Codes"), as they now exist or may hereafter be amended, including but not limited to the provisions of Kirkland Municipal Code Title 26, Title 19, Title 5, and Kirkland Zoning Code Title 117. Nothing in this Ordinance limits the City's lawful power to exercise its police power to protect the safety and welfare of the general public. Any location, relocation, erection or excavation by Grantee shall be performed by Grantee in accordance with applicable federal, state and city rules and regulations, including the City's Public Works Pre-Approved Plans and Policies, and any required permits, licenses or fees, and applicable safety standards then in effect (collectively, "Regulations"). Notwithstanding the foregoing, Codes and Regulations shall not include any amended law, rule or regulation or newly created law, rule or regulation that violates Grantee's rights to continue or modify existing non-conforming uses, or any other changes to laws, rules or regulations, which do not apply to previously constructed real estate improvements or wireless communication facilities.

B. In the event that any territory served by Grantee is annexed to the City after the effective date of this Permit, such territory shall be

governed by the terms and conditions contained herein upon the effective date of such annexation.

Section 10. Undergrounding. New Facilities shall be installed underground pursuant to Section 4 of this Permit. Grantee acknowledges the City's policy of undergrounding of Facilities within the Permit Area. Grantee will cooperate with the City in the undergrounding of Grantee's existing Facilities with the Permit Area. If, during the term of this Permit, the City shall direct Grantee to underground Facilities within any Permit Area, such undergrounding shall be at no cost to the City, except as may be provided in RCW Chapter 35.99. Grantee shall comply with all federal, state, and City regulations on undergrounding. If the City undertakes any street improvement which would otherwise require relocation of Grantee's above-ground facilities, the City may, by written notice to Grantee, direct that Grantee convert any such Facilities to underground Facilities. Notwithstanding anything to the contrary contained herein, the undergrounding requirement shall not apply to that portion of the Facilities that are required to remain above ground in order to be functional, but the Grantee will be responsible for providing such needed facilities to maintain the above ground function.

Section 11. Record of Installations and Service.

A. With respect to excavations by Grantee and the City within the Permit Area, Grantee and the City shall each comply with its respective obligations pursuant to Chapter 19.122 RCW and any other applicable state law.

B. Upon written request of the City, Grantee shall provide the City with the most recent update available of any plan of potential improvements to its Facilities within the Permit Area; provided, however, any such plan so submitted shall be for informational purposes within the Permit Area, nor shall such plan be construed as a proposal to undertake any specific improvements within the Permit Area. The City agrees to keep confidential any such plans to the extent permitted by law.

C. As-built drawings and maps of the precise location of any Facilities placed by Grantee in any Right of Way shall be made available by Grantee to the City within 10 (ten) working days of the City's written request. These plans and maps shall be provided at no cost to the City and shall include hard copies and/or digital copies in a format specified by the City.

Section 12. Shared Use of Excavations and Trenches.

A. If either the City or Grantee shall at any time after installation of the Facilities plan to make excavations in the area covered by this

Permit and as described in this Section, the party planning such excavation shall afford the other, upon receipt of written request to do so, an opportunity to share such an excavation, *provided that*: (1) such joint use shall not unreasonably delay the work of the party causing the excavation to be made or unreasonably increase its costs; (2) such joint use shall be arranged and accomplished on terms and conditions satisfactory to both parties. In addition, pursuant to RCW 35.99.070, the City may request that Grantee install additional conduit, ducts and related access structures for the City pursuant to contract, under which Grantee shall recover its incremental costs of providing such facilities to the City.

B. The City reserves the right to require Grantee to joint trench with other permitees if both entities are anticipating trenching within the same general area and provided that the terms of this Section are met.

Section 13. Insurance.

A. Grantee shall procure and maintain for the duration of this Permit, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of work under this Permit by Grantee, its agents, representatives or employees in the amounts and types set forth below. Any policy of insurance shall be written on an occurrence basis.

(1) Commercial general liability insurance shall be written on ISO occurrence form or its equivalent and shall cover liability arising from bodily injury (including death) and property damage; including premises operation, products and ongoing and completed operations and explosion, collapse and underground coverage extensions. Commercial General Liability insurance shall be written with limits of $5,000,000 per occurrence and $10,000,000 general aggregate and a $2,000,000 products completed operations aggregate limit. The City shall be included as an additional insured as their interest may appear under this Permit using ISO Additional Insured-Completed Operations endorsement or a substitute endorsement or endorsements providing at least as broad coverage;

(2) Commercial Automobile liability insurance covering all owned, non-owned and hired vehicles. Coverage shall be at least as broad as ISO form. Commercial Auto Liability shall be written with a combined single limit of $1,000,000 per accident for bodily injury and property damage; and

(3) Worker's compensation within statutory limits and employer's liability insurance with limits of $1,000,000 for each accident/disease/policy limit.

B. The insurance policies required by this section shall be maintained at all times by the owner.

C. Upon receipt of notice from its insurer(s) Grantee shall endeavor to provide the City with thirty (30) days prior written notice of cancellation of any policy required herein.

D. Grantee's insurance coverage shall be primary insurance as respects the City. Any insurance, self-insurance or insurance pool coverage maintained by the City shall be in excess of Grantee's insurance and shall not contribute with it.

E. Grantee shall furnish the City with certificates of the foregoing insurance coverage and a copy of the additional insured endorsement, before issuance of the Permit.

F. Grantee shall have the right to self-insure any or all of the above-required insurance. Any such self-insurance is subject to approval by the City.

G. Grantee's maintenance of insurance as required by this Permit shall not be construed to limit the liability of Grantee to the coverage provided by such insurance, or otherwise limit City's recourse to any remedy to which the City is otherwise entitled at law or in equity.

H. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

I. Failure on the part of the Grantee to maintain the insurance as required shall constitute a material breach of the Permit, upon which the City may, after giving five business days' notice to the Grantee to correct the breach, immediately terminate the Permit.

Section 14. Assignment.

A. All of the provisions, conditions, and requirements herein contained shall be binding upon Grantee, and no right, privilege, license or authorization granted to Grantee hereunder may be assigned or otherwise transferred without the prior written authorization and approval of the City, which the City may not unreasonably withhold, condition or delay. Notwithstanding the foregoing, Grantee, without the consent of, but upon notice to the City, may assign this agreement in whole or in part to: (a) an Affiliate (as defined in this Permit); or (b) the

surviving entity in the event of a merger or acquisition of substantially all of Grantee's assets.

B. Grantee may lease the Facilities or any portion thereof to another or provide capacity or bandwidth in its Facilities to another, *provided that:* Grantee at all times retains exclusive control over such Facilities and remains responsible for locating, servicing, repairing, relocating or removing its Facilities pursuant to the terms and conditions of this Permit.

Section 15. Abandonment and Removal of Facilities. Grantee's Facilities may be considered abandoned pursuant to KMC Ch. 26.20. In the event of abandonment, the parties shall refer to their options in KMC 26.20.

Section 16. Miscellaneous.

A. If any term, provision, condition or portion of this Permit shall be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Permit which shall continue in full force and effect. The headings of sections and paragraphs of this Permit are for convenience of reference only and are not intended to restrict, affect, or be of any weight in the interpretation or construction of the provisions of such sections of paragraphs.

B. Grantee shall pay for the City's reasonable administrative costs in drafting and processing this Ordinance and all work related thereto, provided that such costs shall not exceed Ten Thousand Dollars ($10,000). Grantee shall further be subject to all permit fees associated with activities and the provisions of any such permit, approval, license, agreement of other document, the provisions of this Permit shall control.

C. Failure of either party to declare any breach or default under this Permit or any delay in taking action shall not waive such breach or default, but that party shall have the right to declare any such breach or default at any time. Failure of either party to declare one breach or default does not act as a waiver of that party's right to declare another breach or default.

Section 17. Notice. Any notice or information required or permitted to be given to the parties under this Permit may be sent to the following addresses unless otherwise specified:

City:
City of Kirkland
Public Works Director
123 Fifth Ave.
Kirkland, WA 98033

Grantee:
Seattle SMSA Limited Partnership
d/b/a Verizon Wireless
Attn: Network Real Estate
180 Washington Valley Road
Bedminster, New Jersey 07921

With a copy to:
Seattle SMSA Limited Partnership
d/b/a Verizon Wireless
Attn: Pacific Marker General Counsel
15505 Sand Canyon Ave.
Irvine, CA 92618

Notice shall be deemed given upon receipt in the case of personal delivery, three days after deposit in the United States Mail in the case of regular mail, or the next day in the case of overnight delivery.

Section 18. Effective date. This Ordinance, being in compliance with RCW 35A.47.040, shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017 Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2017.

Signed in authentication thereof this _____ day of _____, 2017.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

O-4633
Exhibit A

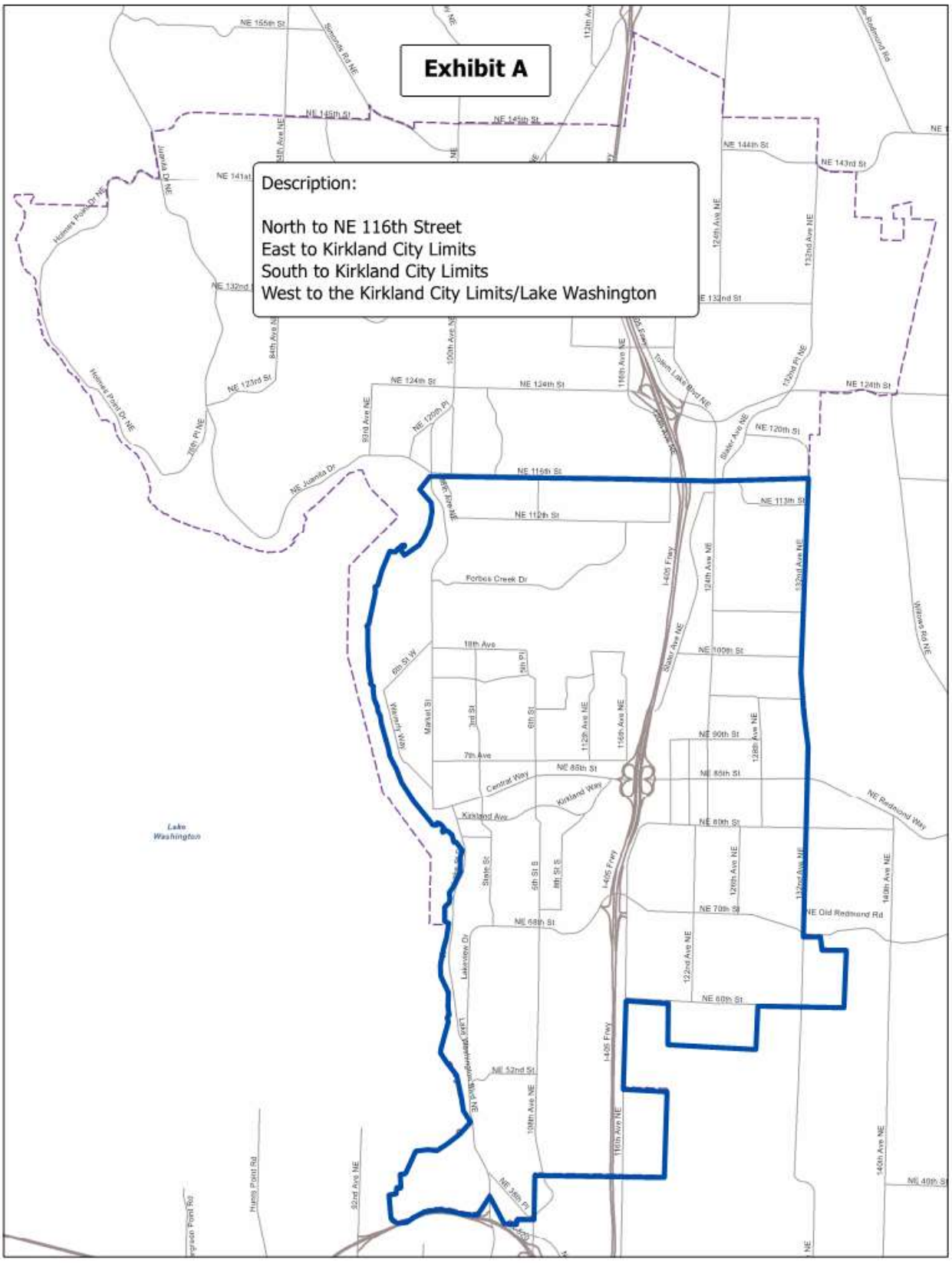

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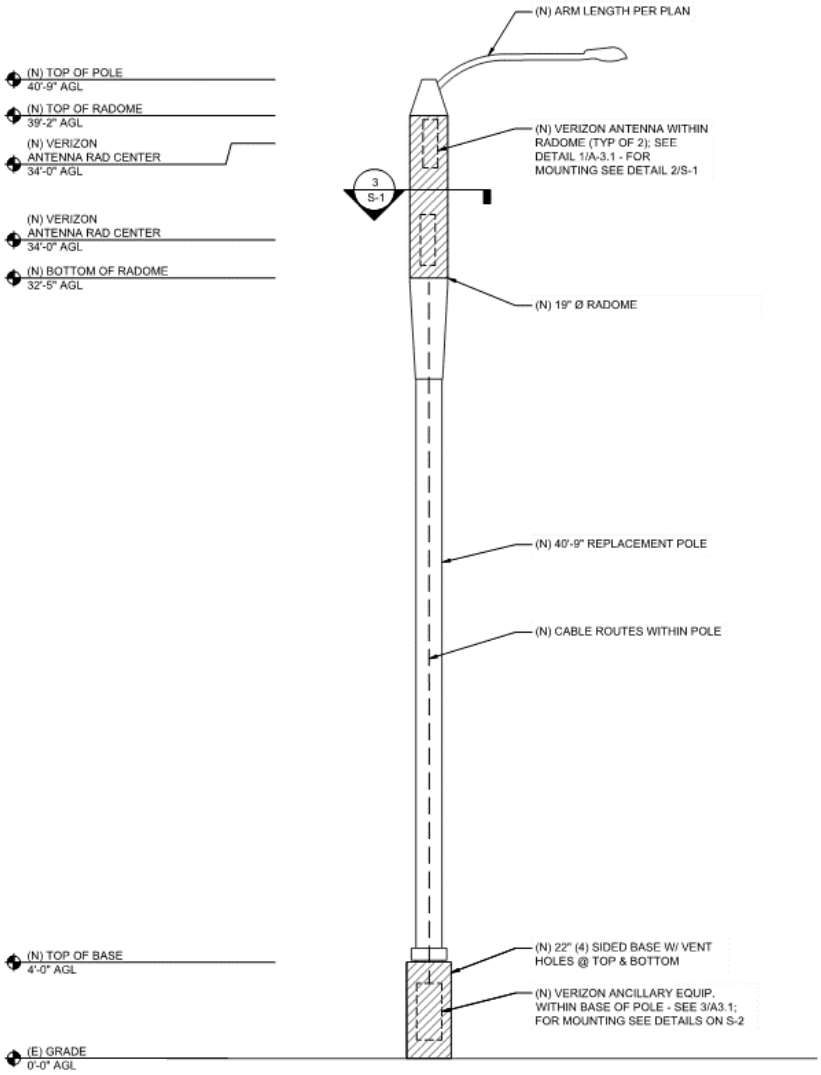
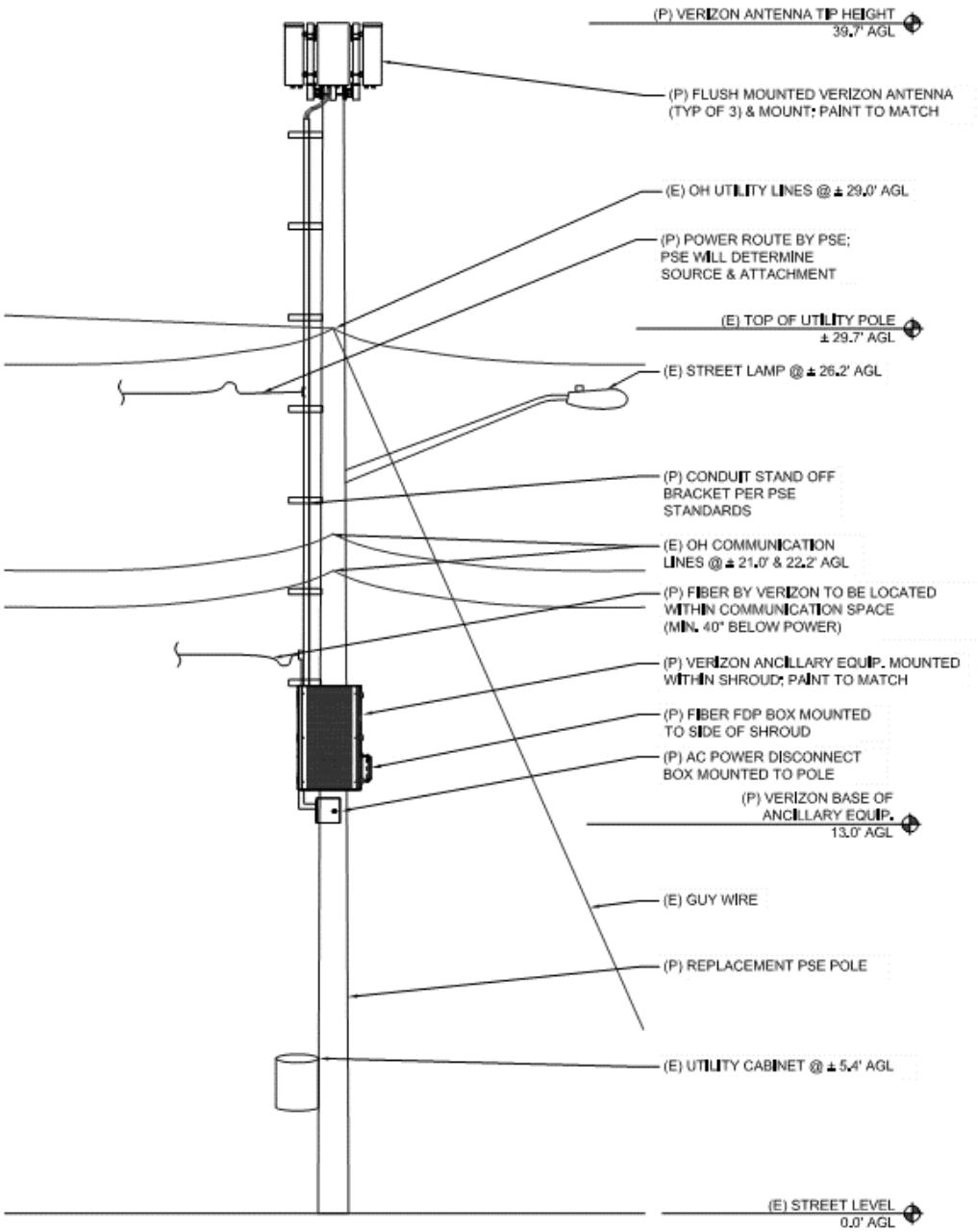
Exhibit B



1	TYPICAL (N) LIGHT POLE ELEVATION	SCALE: NTS (11X17) SCALE: NTS (22X34)

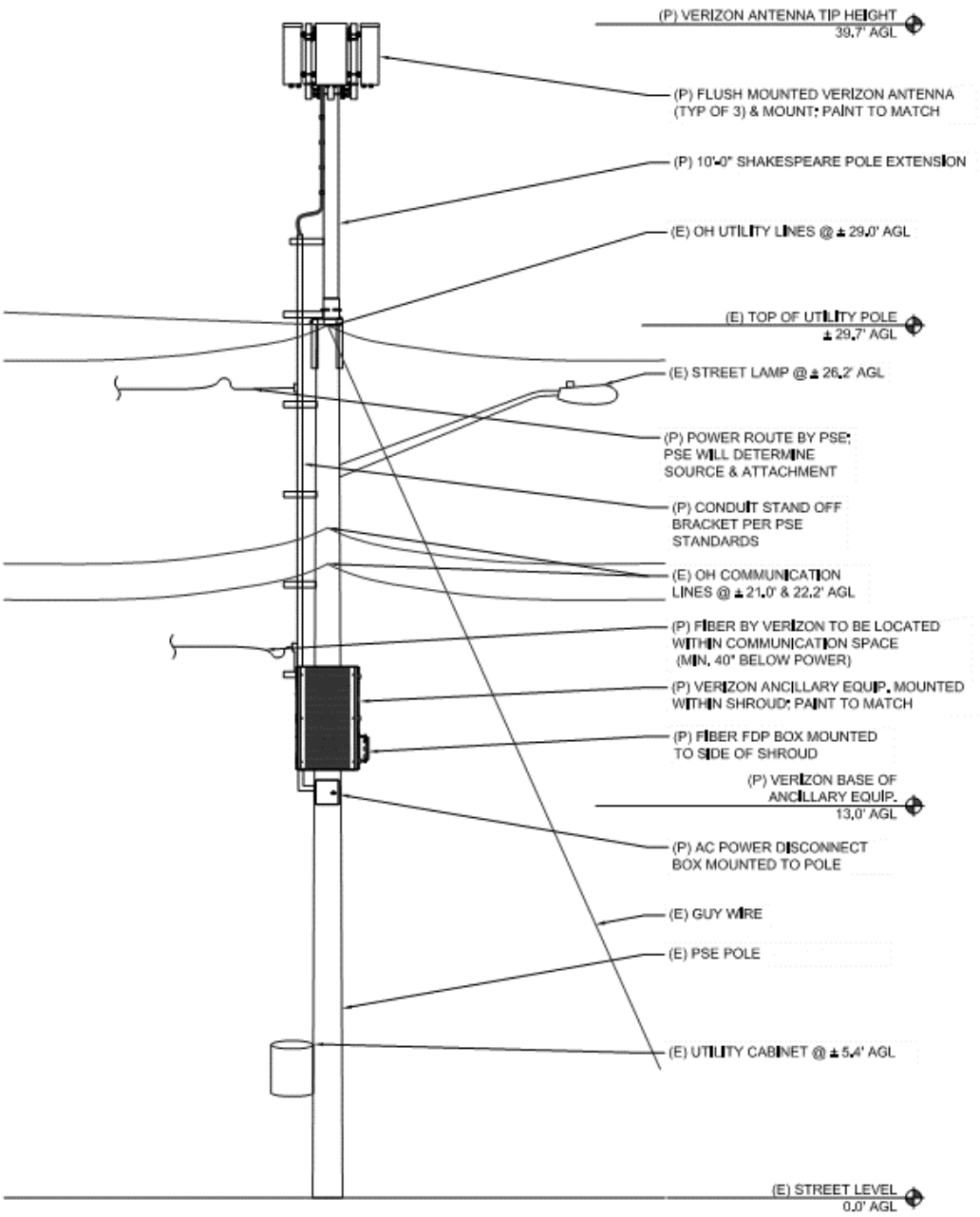
Exhibit B



NODE # 4	
PSE POLE #	225647 / 166347
LATITUDE:	47.694972° N
LONGITUDE:	122.201228° W
TOP OF (E) POLE:	29.7' AGL

2	NODE 4 REPLACEMENT POLE	SCALE: 3/16" = 1'-0" (11X17) SCALE: 3/8" = 1'-0" (22X34)	0' 5' 10'

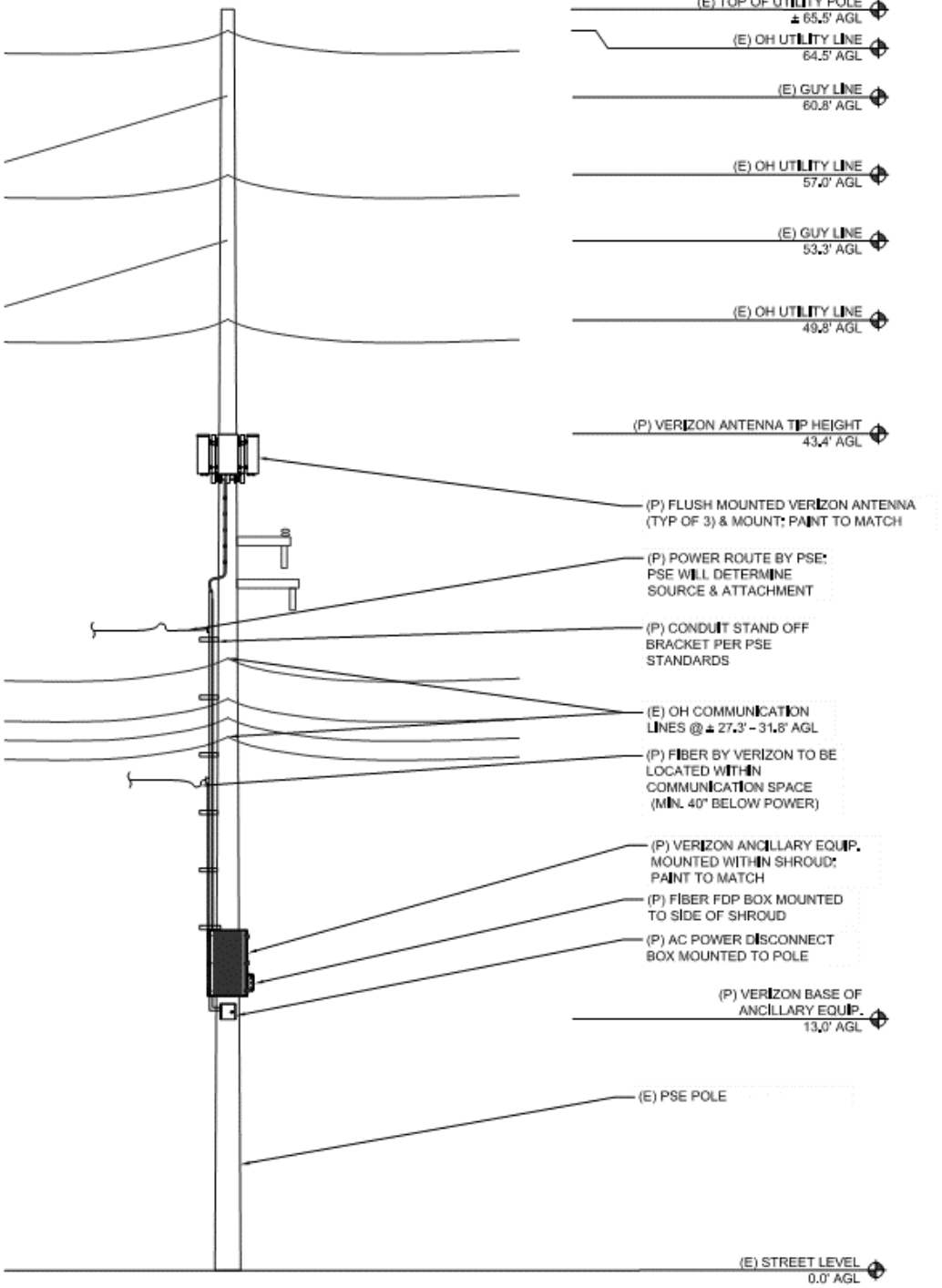
Exhibit B



NODE # 4	
PSE POLE #	225647 / 166347
LATITUDE:	47.694972° N
LONGITUDE:	122.201228° W
TOP OF (E) POLE:	29.7' AGL

2	NODE 4 POLE EXTENSION	SCALE: 3/16" = 1'-0" (11X17) SCALE: 3/8" = 1'-0" (22X34)	0' 5' 10'

Exhibit B



NODE # 5	
PSE POLE #	225645 / 166429
LATITUDE:	47.694942° N
LONGITUDE:	122.198075° W
TOP OF (E) POLE:	65.5' AGL

2	NODE 5 ELEVATION	SCALE: 1/8" = 1'-0" (11X17) SCALE: 1/4" = 1'-0" (22X34)	0' 4' 8' 16'

PUBLICATION SUMMARY
OF ORDINANCE O-4633

AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING SEATTLE SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS, A DELAWARE LIMITED PARTNERSHIP, A NON-EXCLUSIVE COMMUNICATIONS MASTER USE PERMIT FOR THE RIGHT, PRIVILEGE, AND AUTHORITY TO MAKE USE OF THE PERMIT AREA FOR COMMUNICATIONS PURPOSES.

SECTIONS 1 - 17. Issues a right of way Master Use Permit to Seattle SMSA Limited Partnership D/B/A Verizon Wireless, a Delaware Limited Partnership for wireless communications purposes and sets forth the terms and conditions of the Permit.

SECTION 18. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2017.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
City Clerk

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

MEMORANDUM

To: City Council

From: Kurt Triplett, City Manager

Date: December 06, 2017

Subject: DRAFT FEBRUARY 2 RETREAT TOPICS

RECOMMENDATION:

That the Council reviews the draft retreat topics for the February 2, 2017 Policy Initiatives Retreat, and provides direction on final topics. Based on Council feedback, a more detailed draft retreat agenda will be brought back to the January 2, 2018 Council meeting. Final retreat agenda approval will occur at the January 16, 2018 Council meeting.

BACKGROUND DISCUSSION:

Since 2011, the City Council has elected to conduct two annual off-site retreats in the first half of each year. These retreats have been at locations in or near the City of Kirkland, and the purpose has been to establish policy and financial priorities for the City. The first retreat has traditionally been focused on policy initiatives, and usually occurs in late January or early February. The second retreat has been dedicated to financial and capital project issues and usually occurs in May. The 2018 policy initiative retreat is scheduled for February 2, 2018. A location has not yet been determined.

Staff is looking for Council direction on potential topics as lead time is needed to prepare memos and presentations on each of the selected topics for the retreat. After Council review and discussion at the January 2 Council meeting, staff will bring back a final agenda for approval by the Council at the January 16 Council meeting.

Council Goal Review From "Wants, Needs, and Resources" Framework

In 2014, as part of the 2015-2016 Budget process, the City Council requested that the City Manager develop a framework to help the Council identify the "wants" and "needs" of the community prior to the expiration of the Annexation Sales Tax Credit in 2021, as well the "resources" to fund them.

A detailed *Wants, Needs and Resources (WNR)* framework and review cycle was included in the 2015-2016 Budget Message. The framework proposed that wants and needs would be identified in various ways, including department strategic plans, comprehensive plan and master plan updates, resident surveys, community input such as "suggest a project", and stakeholder input from neighborhood associations, non-profits and business organizations. The WNR framework proposed that these wants and needs be then prioritized by Council Goals, City Work

Programs and biennial budgets. Resources would be allocated through budgets and potential ballot measures. A cycle of assessment of wants, needs and resources was also included and is summarized below.

2014 - Citizen Survey
2014 - Adopt 2015-2016 Budget
2015 - Adopt 2015-2016 Priority Council Goals and 2015-2016 City Work Program
2015 - Adopt 2015-2021 Capital Improvement Projects List (Off-cycle due to Kirkland 2035)
2015 - **Consider Ballot Measure to fund ARC**
2016 - Citizen Survey
2016 - Review and Update Council Goals
2016 - Adopt 2017-2018 Budget
2016 - Adopt 2016-2022 Capital Improvement Projects List
2016 - **Consider Ballot Measure to fund ARC or Fire Strategic Plan Implementation**
2017 - Adopt 2017-2018 Priority Council Goals and 2017-2018 City Work Program
2018 - Citizen Survey
2018 - Review and Update Council Goals
2018 - Adopt 2019-2020 Budget
2018 - Adopt 2018-2024 Capital Improvement Projects List
2018 - **Consider Ballot Measure to fund Fire Strategic Plan Implementation**
2019 - Adopt 2019-2020 Priority Council Goals and 2019-2020 City Work Program
2020 - Adopt 2021-2022 Budget
2020 - Adopt 2020-2026 Capital Improvement Projects List
2020 - **Consider Ballot Measure for Transportation Benefit District**
2021 - Adopt 2021-2022 Priority Council Goals and 2021-2022 City Work Program

The Council has completed each of the items from 2014 to 2017. In 2015 a ballot measure to fund the Aquatic, Recreation and Community Center was placed on the ballot and did not pass. In 2016 the Council considered a potential fire strategic plan ballot measure at the policy retreat and decided to defer the issue to 2018. Exploring a potential fire service capital and operating measure was adopted as part of the 2017-2018 City Work Program. The Council will be deciding whether or not to defer such a measure to future years as part of the December 12 Council meeting.

The adopted 2017-2018 Budget includes money for the 2018 Citizen Survey and results of that survey will be provided to the Council as part of the May 2018 financial retreat. The 2019-2020 Budget and 2018-2024 CIP process will be the subject of the May retreat as well.

According to the WNR cycle, following Council elections, the newly constituted Council should review the Council Goals in 2018 and decide whether they should be amended. For example, should any of the Goals be revised as a result of the Welcoming and Inclusive Community Initiative? Should a Goal be established for community engagement? Staff recommends that this review of Council Goals be one of the topics of the retreat.

City Manager Identified Retreat Topics

The City Manager has identified an additional preliminary set of topics for the policy retreat based on a series of individual meetings with all Councilmembers, as well as reviewing the City Work Program and Council committee agenda items.

- Public Safety – Implementation of Fire and Police Strategic Plans as well as emergency preparedness
- Strategies to reduce homelessness and increase housing affordability
- Transportation system improvements – integration with WSDOT and Sound Transit projects, local transit investments, ITS, pavement condition, sidewalks, bike lanes, greenways, pedestrian safety
- Parks system improvements – potential revisit of the ARC, open space purchases, recreation programs, artificial turf fields and improved maintenance
- Community engagement, responsiveness and improved customer service
- Smart City initiatives and technology investments
- "Council Potpourri" - Facilitated discussion to identify other Council policy topics
- Other?

Staff is seeking direction on which of these topics, or any additional topics, should be brought back for Council consideration on January 2, 2018.