



City of Kenmore - 18120 68th Avenue NE - P.O. Box 82607 - Kenmore, WA 98028
Phone: 425-398-8900 - Fax: 425-481-3236 - E-mail: cityhall@kenmorewa.gov

City of Kenmore
City Council Regular Meeting Agenda
7:00 p.m., Monday, July 10, 2017
Kenmore City Hall, Council Chambers
18120 68th Ave. NE, Kenmore, WA 98028

If you have any questions or to confirm agenda items prior to the meeting, or if you require special accommodations, please call the City Clerk at 425-398-8900. You may also stop by City Hall at 18120 68th Avenue NE, Kenmore. Council agendas are also available on our website at www.kenmorewa.gov.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. FLAG SALUTE

IV. AGENDA APPROVAL

V. CITIZEN COMMENTS

- A. This is an opportunity to express your views on issues that are important to you and to the community. Please limit your comments to three (3) minutes.

VI. CONSENT AGENDA

- A. The Following Checks and Electronic Payments are Approved for Payment:
Total Check Numbers 37182 through 37287 in the Amount of \$464,232.62.
Total Payroll Electronic Deposits Dated 06/23/2017 in the Amount of \$80,889.62.
Payroll Check Numbers: 9845, 9846, 9889 & 9890 in the Amount of \$3,484.03.
[Vouchers](#)
- B. Regular City Council Meeting Minutes of June 12, 2017
[Minutes](#)
- C. Resolution 17-297 Adopting Changes to the City's Personnel Policies to Establish a Paid Parental Leave Policy
[Agenda Item](#)
- D. Ordinance 17-0438 Adopting Amendments to the Kenmore Municipal Code in Order to Streamline and Simplify the Zoning Code and Apply Consistent Land Use Terminology Throughout the Zoning Code

[Agenda Item](#)
[Attachment A](#)
[Attachment B](#)
[Attachment C](#)

VII. BUSINESS AGENDA

- A. Spencer Square South Update - Bryan Hampson, Development Services Director and Samantha Loyuk, Associate Planner
[Agenda Item](#)
[Presentation](#)
- B. Kenmore Business Incubator Update - Nancy Ousley, Assistant City Manager
[Agenda Item](#)
- C. Review Proposed Amendments to the Adopted 2017-2022 Capital Improvement Program for Parks, Transportation and Surface Water - Rob Karlinsey, City Manager; Joanne Gregory, Finance and Administration Director; Debbie Bent, Community Development Director and Kris Overleese, Public Works Director
[Agenda Item](#)

VIII. STAFF REPORT

IX. COUNCILMEMBER REPORTS & COMMENTS & INITIATIVES

X. ADJOURNMENT

- 1. UPCOMING MEETING SCHEDULE:
Monday, July 17, 2017 Regular Council Meeting
Monday, July 24, 2017 Regular Council Meeting
Monday, July 31, 2017 Special Council Meeting (IF NEEDED)
No Regular Council Meetings Planned in the Month of August

Voucher Certification and Approval

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Kenmore and that I am authorized to authenticate and certify to said claim.

The following checks and electronic payments are approved for payment:

Total Check numbers: 37182 through 37287 \$ 464,232.62

Payroll Ck #'s: 9845, 9846, 9889 & 9890 in the amounts of: \$1,323.77, \$186.08, \$1,139.15 & \$835.03

Total Payroll electronic deposits dated: 06/23/2017 \$ 80,889.62


City Manager 30 June 2017
Date


Finance Director 6/30/17
Date

Check #	Vendor Name	Description	Check Amount
37182	UNITED STATES POSTMASTER	Check for Newsletter Postage	1,620.80
37183	NATIONWIDE FINANCIAL 401a	Social Security Replacement Plan	13,358.79
37184	NATIONWIDE RETIREMENT SOLUTIONS 457	Deferred Comp Payroll Deduction	295.00
37185	ICMA RETIREMENT TRUST 457 - 304745	Deferred Comp Payroll Deduction	3,885.33
37186	DRS 457	Deferred Comp Payroll Deduction	535.00
37187	AFLAC	Private Medical/ Disability Plans	480.49
37188	BANK OF AMERICA 941	Payroll Taxes	17,066.43
37189	DEPARTMENT OF RETIREMENT SYSTEMS	WA State Retirement	19,868.49
37190	DEPARTMENT OF LABOR AND INDUSTRIES	Worker's Compensation	2,522.95
37191	UNITED WAY OF KING COUNTY	Employee Charitable Contributions	504.00
37192	NATIONAL LIFE OF VERMONT	Life Insurance	123.17
37193	AMERICAN GENERAL LIFE GPO-400S	Life Insurance	409.94
37194	STATE OF FLORIDA DISBURSEMENT UNIT	Payroll Deduction	275.00
37195	NAVIA	Employee Flexible Spending Plan Contributions	494.60
37196	AVIDIA HEALTH	Employee Health Savings Account Contributions	42.30
37197	AWC EMPLOYEE BENEFITS	Employee Health Insurance	50,887.85
37198	LINCOLN NATIONAL LIFE INSURANCE	Life/Long Term Disability/AD&D	1,010.67
37199	BRUCE C ALLEN & ASSOC INC	St. Edward Ballfields Appraisal Services	4,500.00
37200	BRUCE C ALLEN & ASSOC INC	Moorlands Park Property Appraisal Services	4,250.00
37201	BULGER SAFE & LOCK, INC.	Parks Keys - Twedt Property	12.99
37202	CITY OF LAKE FOREST PARK	May Public Works Crew/Services	74,851.11
37203	CONSOLIDATED PRESS	Summer 2017 Newsletter	3,024.11
37204	DEPARTMENT OF ECOLOGY	7/1/16-6/30/17 Stormwater Construction Permit	67.32
37205	DUNN LUMBER COMPANY	Summer Concert Stage Lumber	58.08
37206	EVERGREEN PRINT SOLUTIONS	Check Stock & Treasurer's Receipt Books	811.59
37207	FRUHLING SAND & TOPSOIL	Dirt/Asphalt Dumping & Crushed Rock Purchased	1,064.65
37208	CALPORTLAND COMPANY	Drainage Materials	243.04
37209	HERRERA ENVIRONMENTAL CONSULTANTS	16-C1606 4/1-5/26 Aquatic Vegetation Mgmt	1,701.98
37210	INGLEMOOR HIGH SCHOOL MUSIC BOOSTERS	April Business Open House Music	100.00
37211	JET CITY PRINTING	Kenmore Cup Hydroplane Posters	499.59
37212	KING COUNTY FINANCE	May Adult/Juvenile Detention Work Release/Maint.	9,430.96
37213	KING COUNTY FINANCE	May Road Svcs/2017 Overlay Program	242.05
37214	KING COUNTY FINANCE	May Road Svcs/Signs/Signal Maintenance	3,798.99
37215	SOUND PUBLISHING, INC.	May Bothell/Kenmore Reporter Ads	874.10
37216	KING COUNTY OFFICE OF FINANCE	May Public Defense Indigency Screening	762.58

37217	NORTHSHORE UTILITY DIST	3/31-5/31 Moorlands Park Irrigation	72.71
37218	OFFICE DEPOT	Office Supplies	836.42
37219	PETTY CASH CUSTODIAN	Petty Cash Reimbursement	372.19
37220	PUGET SOUND ENERGY	5/15-6/14 Electricity/Traffic Signals/Street Lights	1,069.75
37221	PUGET SOUND ENERGY	5/15-6/14 City Hall Gas	197.12
37222	PUGET SOUND ENERGY	5/15-6/14 Squire's Landing Electricity	32.53
37223	PUGET SOUND ENERGY	5/15-6/14 Incubator Electric/Gas	451.57
37224	PUGET SOUND ENERGY	5/2-6/1 Various Street Lights	9,426.00
37225	CEMEX	Asphalt/Drainage Work @ 15824 70th Ave NE	661.90
37226	TOTAL LANDSCAPE CORP	City Hall & Parks Landscaping	6,845.95
37227	WA STATE DEPT OF TRANSPORTATION	May Traffic Signal Maintenance	471.34
37228	AURORA RENTS	Saw/Blade Rental-Drainage Work	196.38
37229	MACLEOD RECKORD	16-C1502 Moorlands Park May Professional Svcs	21,616.39
37230	SNOHOMISH COUNTY	May Vactor Disposal Charges	409.00
37231	KONICA MINOLTA BUSINESS SOLUTIONS	Incubator Copier Charges	2.13
37232	BANNER BANK LD	Event Expenses/Target Zero/Social Media	853.30
37233	BANNER BANK CS	Police Dept. Supplies/ Meals	282.56
37234	HDR ENGINEERING, INC	13-C1214 3/5-5/27 SR522 West A	1,292.76
37235	BANNER BANK DB	ABC Imaging Moorlands Park Cad Plot Bond	143.50
37236	BANNER BANK NO	Computer, InBIA Membership, Business Directory	1,519.42
37237	GRAINGER	Tree Watering Bags	178.59
37238	GRAINGER	Tree Watering Bag/Water Key	248.54
37239	BANNER BANK KENMORE	Computers/Lodging/Supplies/Equipment	4,872.88
37240	EVER-MARK, LLC	Target Zero Glow Necklaces	459.40
37241	BANNER BANK JGORDON	Varidesks, Interview Panel Lunch	928.71
37242	SHRED-IT USA LLC	6/15 Shredding Service	61.50
37243	COMCAST BUSINESS	6/14-7/13 City Hall Cable/Internet	159.57
37244	COMCAST BUSINESS	6/10-7/9 Squire's Landing Internet	69.95
37245	PASSPORT TRAVEL AND TOURS	Airfare Spokane/Prosecutor/Public Defender	430.80
37246	TOWN CENTER HARDWARE	May Public Works Supplies	17.56
37247	HORIZON DISTRIBUTORS INC	Parks & ROW Irrigation Parts	63.82
37248	SARAH ROBERTS	May Prosecution Services	10,836.09
37249	PHSI PURE HEALTH SOLUTIONS INC.	City Hall Filtered Water Systems	101.09
37250	PAWS	May Animal Sheltering Services	360.00
37251	PERTEET INC.	12-C1082 April Engineering Services	3,595.49
37252	BANNER BANK BAKER	Airfare/Transportation/Lodging	2,470.24
37253	GREATER BOTHELL CHAMBER OF COMMERCE	Membership Dues	600.00
37254	GREATER BOTHELL CHAMBER OF COMMERCE	Open House Display Table	200.00
37255	JOYCE ZIKER PARKINSON	May Kenmore Village Legal Advice	1,355.00
37256	PETERSON, JANET	Egonomic Evaluations	800.00
37257	OVERLEESE, KRISTEN	Supply Reimbursement/TIB Works	87.40
37258	KENMORE COMMERCIAL LLC	July Incubator Bldg. Lease	3,213.25
37259	SAUVE, GAYLEN	4th of July EMCEE Service	400.00
37260	HERBIG, NIGEL	NLC Airfare Reimbursement	532.10
37261	MARINE FLOATS CORPORATION	Logboom Park Float Installation	2,194.51
37262	SCORE	May Outside Health Services	264.50
37263	LOYUK, SAMANTHA	Certified Arborist Exam/Dues Reimbursement	345.00
37264	HANSEN, COREY	June Incubator Consulting Services	4,180.00
37265	DENUSKI, STACEY	Airfare Reimbursement/NLC Conference	422.09
37266	MUMMA, RYAN	Mileage/ICC Exam Fee Reimbursement	210.77
37267	HERMANSON COMPANY, LLP	City Hall HVAC Preventative Maintenance	1,422.85
37268	GALLATIN PUBLIC AFFAIRS	June Fees for Svcs/Tourism Brochures	2,000.00
37269	STEWART TITLE COMPANY	242604-9007-02 Juanita Drive ROW Title Report	462.00
37270	MOTT MACDONALD GROUP, INC.	17-C1656 4/29-5/26 Logboom Design Svcs	24,271.70
37271	MOTT MACDONALD GROUP, INC.	17-C1657 4/29-5/26 Squire's Landing Design Svcs	31,004.48
37272	BANNER BANK RK	Computers, Registration, Meals	3,574.90

37273	TOP TO BOTTOM JANITORIAL, INC.	June City Hall Janitorial Service	3,500.00
37274	MUNIMANAGE, LLC	17-C1668 May Lakepointe Project	2,475.00
37275	FINANCIAL CONSULTING SOLUTIONS GROU	16-C1547 Public Works Services Analysis	9,481.25
37276	TYLER TECHNOLOGIES, INC.	5/24 Core Financials Review	93.75
37277	TYLER TECHNOLOGIES, INC.	April Onsite Services/New Finance Software	5,742.40
37278	GORLIN, LARRY N.	Photo for Rhododendron Park Utility Box	330.00
37279	STANLEY PATRICK STRIPING COMPANY	17-C1638 Retainage Release	1,742.83
37280	BLESSINGTON, DEBBIE	Education/Tuition Reimbursement	446.72
37281	IRON CREEK CONSTRUCTION LLC	Retainage Release Arrowhead Drive Curve Project	3,878.13
37282	DIVA II LLC	Progress Bill #2 Tenant Improvements	55,478.95
37283	BENJOEMUSIC, LLC	July 13th Summer Concert Performer	1,000.00
37284	JEFF SCROGGINS & COLORADO, LLC	July 6th Summer Concert Performer	1,500.00
37285	TACK PHOTOGRAPHY	Professional Photos/Port of Seattle Grant	7,500.00
37286	FERGUSON ENTERPRISES INC #1539	Catch Basin/Frame/Sewer Pipe/Coupling	1,857.07
37287	FASTSIGNS	Deposit for Vinyl Utility Box Wrap	384.87
9845	KROGH, SHELBY	Payroll Check	1,323.77
9846	STUEVE, NATHAN	Payroll Check	186.08
9889	COLAIZZI, MAUREEN	Payroll Check	1,139.15
9890	BINGHAM, SARAH	Payroll Check	835.03
6/23/2017	PAYROLL	Direct Deposit	80,889.62
			<u><u>548,606.27</u></u>

2017	PRIOR VENDOR ACTIVITY	TOTAL	FOR 2017
	A V CAPTURE ALL		4,718.57
	A+ CONFERENCING		336.27
	AAA PRINTING		605.11
	AABCO BARRICADE COMPANY INC.		3,183.05
	ACF WEST INC		1,253.23
	ACTION ENTERTAINMENT		500.00
	ADVANCE TESTING & SERVICE INC		702.00
	AFLAC		2,402.45
	AGORA NW LLC		336.39
	ALCALDE & FAY		25,827.14
	ALEXANDER, JEFF		250.00
	ALL TRAFFIC DATA SERVICES, INC.		1,500.00
	ALPHAGRAPHS US718		823.72
	AM TEST, INC		900.00
	AMERICAN GENERAL LIFE GPO-400S		2,049.70
	AMERICAN PLANNING ASSOCIATION		1,065.00
	AMERICAN PUBLIC WORKS ASSOCIATION		1,295.00
	ANDERSON, LAURI		203.83
	APPLIED TECHNOLOGIES NW INC.		385.00
	ARCADIA HOMES LLC		20.00
	ARTS OF KENMORE		950.00
	ASHEIA BIAS		500.00
	ASSOCIATION OF WA CITIES		15,574.00
	AURORA RENTS		438.49
	AUTOMATED CONTROLS		3,087.90
	AVIDIA HEALTH		253.80
	AWC EMPLOYEE BENEFITS		247,116.78
	AWCPD		100.00
	BAKER, BRIDGIT		238.50
	BAKER, DAVID		1,664.42
	BANK OF AMERICA 941		205,549.10
	BANNER BANK NO		467.89
	BANNER BANK BAKER		5,241.22
	BANNER BANK BH		995.03
	BANNER BANK CS		4,101.29
	BANNER BANK DB		1,066.90
	BANNER BANK JG		8,035.57
	BANNER BANK JGORDON		3,191.81
	BANNER BANK KENMORE		12,332.14
	BANNER BANK LD		5,706.38
	BANNER BANK NO		4,332.38
	BANNER BANK PS		617.09
	BANNER BANK RK		5,252.62
	BANNER BANK VAN NESS		3,610.64
	BASTYR UNIVERSITY		50,200.00
	BERGMANN, SEAN & LINETTE		9,500.00
	BERK CONSULTING		86.86
	BEST HARBOUR DEVELOPMENT LLC		7,500.00
	BLACKBAUD		7,304.24
	BLESSINGTON, DEBBIE		164.95
	BRAVO ENVIRONMENTAL SERVICE		48,065.63
	BRIEN, GAYLYNN		250.00

BRUCE DEES & ASSOCIATES	236.51
BUILDERS EXCHANGE OF WASHINGTON INC	1,010.60
BULGER SAFE & LOCK, INC.	313.38
CABOT DOW ASSOCIATES, INC.	412.50
CALPORTLAND COMPANY	171.17
CANYON VIEW ESTATES	7,561.70
CAPITAL ONE COMMERCIAL/ COSTCO	561.95
CASCADE BICYCLE CLUB	40.00
CASCADE PEST CONTROL	713.05
CEMEX	1,857.94
CHICAGO TITLE	2,697.45
CITY OF BELLEVUE	52,135.00
CITY OF LAKE FOREST PARK	410,410.41
CITY OF SHORELINE	2,914.23
CITY WIDE FENCE COMPANY, INC	1,209.98
CITYWORKS/ AZTECA SYSTEMS INC.	21,900.00
CLARK & SONS EXCAVATING INC.	18,260.00
CODE PUBLISHING COMPANY	3,562.89
COLUMBIA RIDGE LANDFILL	4,461.82
COMCAST	4,723.28
COMCAST BUSINESS	9,374.62
CONSOLIDATED PRESS	6,465.98
CONTOUR FENCE CO. INC.	3,087.90
CORT PARTY RENTAL	168.85
CSAT, LLC	1,200.00
D.R. HORTON	11,885.43
DACO ENTERPRISES, LLC	2,500.00
DAILY JOURNAL OF COMMERCE	2,500.80
DAY WIRELESS SYSTEMS	76.44
DEPARTMENT OF ECOLOGY	14,222.00
DEPARTMENT OF LABOR AND INDUSTRIES	14,528.99
DEPARTMENT OF RETIREMENT SYSTEMS	230,585.75
DEPPA, DOUG	669.02
DEVRIES, DENIS	176.56
DIGITAL REPROGRAPHICS SERVICES INC.	144.32
DIVA II LLC	28,029.07
DRS 457	5,535.00
DURRANT, JEFF	735.50
EA ENGINEERING SCIENCE & TECHNOLOGY	30,959.36
EAST JORDAN IRON WORKS	17,405.02
EASTSIDE HOMES, INC.	106,645.57
ECO-COUNTER	9,580.00
ECONOMIC DEV COUNCIL OF SEATTLE/KC	5,000.00
ECOSS	1,941.26
EMPLOYMENT SECURITY DEPT	249.00
ENVIRONMENTAL SYSTEMS RESEARCH INST	5,694.00
EVERGREEN SAFETY COUNCIL	299.00
EVER-MARK, LLC	2,145.00
FASTSIGNS	1,732.51
FERGUSON ENTERPRISES INC #1539	3,480.22
FINANCIAL CONSULTING SOLUTIONS GROUP	20,464.79
FIRE PROTECTION, INC	3,994.83
FLEMINGS HOLIDAY LIGHTING LLC	3,241.27
FRONTIER	70,713.47

FRUHLING SAND & TOPSOIL	673.50
FUN RENTALS	710.66
GALLATIN PUBLIC AFFAIRS	17,500.00
GOOD TO GO	35.50
GOODSELL POWER EQUIPMENT #2 INC.	55.82
GOPALAKRISHNAN, ANUSHA	250.00
GORDON THOMAS HONEYWELL	20,334.55
GORDON, JENNIFER	150.00
GOVDELIVERY, INC.	11,576.25
GRAINGER	617.65
GREATER BOTHELL CHAMBER OF COMMERCE	2,731.63
GREGORY, JOANNE	2,094.54
GROUP FOUR INC.	3,722.20
HALO BRANDED SOLUTIONS	1,200.66
HANSEN, COREY	30,494.00
HAULAWAY STORAGE CONTAINERS, INC.	462.00
HDR ENGINEERING, INC	41,754.43
HERMANSON COMPANY, LLP	3,050.70
HERRERA ENVIRONMENTAL CONSULTANTS	16,602.05
HESTON VISUAL ARTS	465.38
HIGHWIRE	1,885.59
HOME DEPOT CREDIT SERVICES	113.88
HONEY BUCKET	1,310.10
HOPKINS, CRAIG	325.28
HORIZON DISTRIBUTORS INC	412.75
HSA BANK	42.30
ICMA RETIREMENT TRUST 457 - 304745	39,022.44
INC4INC, INC.	7,500.00
INDEPENDENT STATIONERS	287.57
INSLEE, BEST, DOEZIE & RYDER, P.S.	116,309.93
INTEGRA TELECOM	1,799.53
INTERNATIONAL CITY/CNTY MGMT ASSOC	1,400.00
INTERNATIONAL CODE COUNCIL, INC	114.40
INTERNATIONAL SOC. OF ARBORICULTURE	135.00
IRON CREEK CONSTRUCTION LLC	73,684.37
iWORQ SYSTEMS	2,800.00
JACOBS ENGINEERING GROUP	116,239.85
JAYMARC - AV	46,455.78
JET CITY IMPROV	600.00
JET CITY PRINTING	1,539.33
JOYCE ZIKER PARKINSON	2,824.50
JSH PROPERTIES, INC.	420.12
KAMINS CONSTRUCTION INC.	44,787.69
KENMORE COMMERCIAL LLC	16,066.25
KENMORE HERITAGE SOCIETY	585.00
KING COUNTY ANIMAL SVCS	1,823.00
KING COUNTY FINANCE	183,082.80
KING COUNTY FINANCE W.L.R.D.	7,912.64
KING COUNTY FLEET ADMIN	464.31
KING COUNTY MUNICIPAL CLERKS ASSOC	25.00
KING COUNTY OFFICE OF FINANCE	5,540.40
KING COUNTY RADIO COMM SERVICES	599.24
KING COUNTY RECORDER'S OFFICE	314.00
KING COUNTY SHERIFF	1,340,030.54

KING COUNTY TREASURY	25,351.53
KOMPAN, INC	2,169.20
KONICA MINOLTA BUSINESS SOLUTIONS	1,660.87
KPFF CONSULTING ENGINEERS	81,664.54
KUSTOM SIGNALS, INC.	492.26
LANDSCAPE FORMS, INC.	503.70
LANGUAGE LINE SERVICES, INC.	381.67
LAW OFFICE OF JOHN RONGERUDE, PS	600.00
LENTZ, FLORENCE K.	7,275.00
LIGHTHOUSE CONSULTING INC	27,245.75
LINCOLN NATIONAL LIFE INSURANCE	4,698.11
LOYUK, SAMANTHA	51.90
LUTRON SERVICES CO., INC.	487.50
MAACO	383.25
MACLEOD RECKORD	111,410.10
MAIL FINANCE	1,409.20
MARSHBANK CONSTRUCTION	203,904.37
MCALLISTER, TERESA	132.77
MCCLURE AND SONS, INC.	95,511.90
METROPOLITAN TRANS. COMMISSION	1,500.00
MICRONET, INC.	151.12
MILLER STEPHENS, MARY	7,500.00
MOBILE MINI, INC.	720.21
MOTT MACDONALD GROUP, INC.	95,964.78
MPH INDUSTRIES, INC	100.15
MR. T'S TROPHIES	181.67
MUMMA, RYAN	250.25
MUNIMANAGE, LLC	17,880.00
NATIONAL LIFE OF VERMONT	615.85
NATIONWIDE FINANCIAL 401a	155,700.84
NATIONWIDE RETIREMENT SOLUTIONS 457	3,090.00
NAVIA	6,588.70
NAZARIYA, ANATOLI	1,566.46
NEOPOST USA INC.	247.63
NEW PIG	1,397.04
NICK MINZGHOR	4,650.00
NORTHSHORE CHURCH	210.00
NORTHSHORE FIRE DEPT	1,760.00
NORTHSHORE ROTARY CLUB	404.00
NORTHSHORE UTILITY DIST	74,081.36
NORTHSHORE YMCA	1,625.00
NORTHWEST ARBORICULTURE LLC	9,048.01
NORTHWEST LANDSCAPE SERVICES	13,889.13
NORTHWEST MARINE TRADE ASSOCIATION	440.00
OFFICE DEPOT	8,955.24
OFFICE TEAM	2,135.86
OGDEN, MURPHY, WALLACE	97.50
OLBRECHTS & ASSOCIATES, PLLC	27,089.50
OLYMPIC ENVIRONMENTAL RESOURCES INC	18,563.46
OSBORN CONSULTING INC.	61,662.42
OUSLEY, NANCY	1,155.62
OWEN EQUIPMENT COMPANY	1,246.98
PACE ENGINEERS, INC.	45,940.21
PACIFIC TOPSOILS	453.32

PAMPLIN MEDIA GROUP	190.00
PARAMETRIX INC	392.50
PASSPORT TRAVEL AND TOURS	598.00
PAWS	1,600.00
PENDLETON, MICHAEL	3,745.50
PERSONAL BEST/ TOPHEALTH	117.74
PERTEET INC.	31,211.48
PETTY CASH CUSTODIAN	424.85
PHSI PURE HEALTH SOLUTIONS INC.	605.70
PHSI PURE WATER FINANCE	301.86
PLANNING ASSOCIATION OF WASHINGTON	160.00
PLANTS NORTHWEST, INC.	3,269.30
PUGET SOUND CLEAN AIR AGENCY	17,756.00
PUGET SOUND ENERGY	79,829.02
PUGET SOUND FINANCE OFFICERS ASSOC	50.00
PUGET SOUND REGIONAL COUNCIL	8,294.00
QUALITY BUSINESS SYSTEMS INC.	6,702.52
QUINN, JANET	74.68
RANDALL, BRIAN	679.15
REDFIELD PROPERTIES LLC	2,500.00
REIQUAM, PETER	12,500.00
REPUBLIC SERVICES	3,431.34
RESOURCE EXPLORATION, LLC	8,000.00
RFI ENTERPRISES INC.	10,876.80
RYCO EQUIPMENT, INC.	630.44
SALTER, JON	612.00
SARAH ROBERTS	43,344.36
SCHARBACH, WAYNE	106.05
SCHINDLER ELEVATOR CORPORATION	1,717.85
SCHNEE, CARLA	193.57
SCORE	171,690.43
SEATTLE PHOTO BOOTHS	565.02
SEATTLE TIMES	5,164.07
SEXTANT MARKETING GROUP	8,209.22
SHI INTERNATIONAL CORP.	375.59
SHRED-IT USA LLC	421.93
SIGN UP, SIGN CO, INC	658.85
SIMONDS COURT LLC	8.36
SITTS & HILL ENGINEERS, INC.	4,409.86
SKAGIT GARDENS	3,321.32
SKYWARD CONSTRUCTION	58,921.18
SNOHOMISH COUNTY	3,192.00
SOFTWAREONE, INC.	11,103.50
SOUND CITIES ASSOC	14,189.83
SOUND PUBLISHING, INC.	2,798.00
SPERRY, LAURIE	1,266.76
STANLEY PATRICK STRIPING COMPANY	27,508.68
STANTON, ANN	93.50
STAPLES ADVANTAGE	2,008.12
STARDOM SERVICES, INC.	2,550.00
STATE OF FLORIDA DISBURSEMENT UNIT	3,300.00
STATE OF WA DEPARTMENT OF LICENSING	480.00
STATEWIDE RENT-A-FENCE INC.	3,791.76
STEWART MACNICHOLS HARMELL, INC.	30,250.00

STEWART TITLE COMPANY	43,744.89
SUMMIT TREE AND LAND, INC.	4,489.50
SWANK MOTION PICTURES, INC.	1,914.00
TELESYSTEMS WEST	351.20
THE GREENBUSCH GROUP, INC.	6,829.91
THE SEATTLE TIMES NIE	950.00
THE WATERSHED COMPANY	3,493.56
TIM HUNTER CREATIVE SERVICES	1,250.00
TOP TO BOTTOM JANITORIAL, INC.	14,000.00
TOTAL LANDSCAPE CORP	31,480.28
TOWN CENTER HARDWARE	418.08
TRINITY CONTRACTORS, INC.	96,048.01
TUFF SHED, INC	1,872.83
TYLER TECHNOLOGIES, INC.	29,459.48
UFF DA LOGISTICS	283.59
UNITED STATES POSTMASTER	3,202.99
UNITED WAY OF KING COUNTY	2,772.00
UPS STORE	2,296.68
URBAN FORESTRY SERVICES, INC.	1,500.00
US POSTAL SERVICE (HASLER)	5,430.24
UTILITIES UNDERGROUND LOCATION CTR	1,353.21
VAN NESS, ALLAN	148.40
VAUGHAN, KENT	7,500.00
VELLAT, MARC H.	32,050.00
VERIZON WIRELESS	3,181.89
VERSATILE MOBILE SYSTEMS	260.88
VERTICAL VISUAL SOLUTIONS INC.	12,658.20
W.S.S.O. Advanced Training	780.00
WA ASSOC OF BUILDING OFFICIALS	2,450.00
WA ASSOC OF CODE ENFORCEMENT	35.00
WA ASSOC OF PUBLIC RECORDS OFFICERS	350.00
WA CITIES INSURANCE AUTHORITY	265,141.00
WA FINANCE OFFICERS ASSOCIATION	150.00
WA STATE DEPT OF LABOR & INDUSTRIES	141.60
WA STATE DEPT OF TRANSPORTATION	2,464.02
WAGE WORKS	288.00
WASHINGTON CITY/COUNTY MGMT ASSOC	315.00
WASHINGTON ENERGY SERVICES CO. LLC	28.00
WASHINGTON MUNICIPAL CLERKS ASSOC	100.00
WASHINGTON STATE DEPT OF REVENUE	4,877.35
WASHINGTON STATE PATROL	897.24
WELLS FARGO FINANCIAL	3,262.15
WETHERHOLT & ASSOCIATES, INC	7,855.00
WETLANDS & WOODLANDS INC	9,677.06
WINTERBOURNE LANDSCAPE	1,152.39
YOM: FULL SERVICE COURT REPORTING	9,055.00
ZONAR SYSTEMS	525.33
ZUMAR	1,988.53
	<u>\$6,372,233.70</u>

**City of Kenmore, Washington
City Council Regular and Special Meeting Minutes
June 12, 2017**

CALL SPECIAL MEETING TO ORDER — The Kenmore City Council meeting was called to order by Mayor Baker at 5:30 p.m.

Councilmembers present: Mayor David Baker and Councilmembers Brent Smith, Laurie Sperry, Milton Curtis, Nigel Herbig and Stacey Denuski.

Councilmembers excused: Deputy Mayor Allan Van Ness.

Staff present: Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Debbie Bent, Community Development Director; Bryan Hampson, Development Services Director; Rod Kaseguma City Attorney; Dawn Reitan, Assistant City Attorney; Sarah Bingham, Graduate Intern and Kelly Chelin, City Clerk.

RECESS TO EXECUTIVE SESSION:

The meeting recessed to executive session at 5:30 p.m. to discuss Property Negotiations, Potential Litigation and Litigation Pursuant to RCW 42.30.110 (1) (b) and RCW 42.30 110 (1) (i) for approximately 90 minutes.

RECONVENE TO REGULAR SESSION:

The meeting reconvened to regular session at 6:50 p.m.

The Council took a short break from 6:50 p.m. to 7:00 p.m.

CALL REGULAR MEETING TO ORDER — The Kenmore City Council meeting was called to order by Mayor Baker at 7:00 p.m.

FLAG SALUTE

The Council led the flag salute.

AGENDA APPROVAL

Mayor Baker requested the following changes:

1. Presentation to introduce Shelby Krogh be moved to the June 19, 2017 meeting.
2. Presentation for Walk Friendly Communities Award be moved to the June 19, 2017 meeting.
3. Business Agenda Item for Code Changes Addressing Vegetation and Sidewalk Maintenance be moved to the June 26, 2017 meeting.

MOTION: Councilmember Curtis made a motion to approve the revisions to the agenda, Councilmember Herbig seconded the motion. The motion passed unanimously.

PRESENTATION

Introduce Maureen Colaizzi, Parks Project Manager - Lauri Anderson, Senior Planner

Mary's Place - Update on Community Meetings and Proposed Kenmore Location - Marty Hartman, Executive Director and Dan McGrady, Member of Board of Directors for Mary's Place

CITIZEN COMMENTS

Vicki Grayland, 20308 73rd Avenue NE, Kenmore.

Ms. Grayland spoke against the Saint Edward ballfields. She asked the Council to explain where they are going to get the funds to build these fields.

Macy Ratliff, 14925 73rd Avenue NE, Kenmore.

Ms. Ratliff stated that she was thrilled to hear Mary's Place is coming to Kenmore. She spoke about the ballfields and said she appreciated the beauty at Saint Edward Park.

Jolen Ratliff, 14925 73rd Avenue NE, Kenmore.

Mr. Ratliff stated he loved Saint Edward Park. He loves the openness and solitude of that park which has value. He said he's not against sports however he's not in favor of the improvements suggested for the ballfield.

Karen McFadden, 19604 66th Avenue NE, Kenmore.

Ms. McFadden said she is worried about the LED lighting proposed for the field. She also does not want to see artificial turf there. The turf may not be healthy for the kids playing on it.

Richard Fried, 20315 60th Avenue NE, Kenmore.

Mr. Fried introduced himself as the President of the Little League. He had all the kids stand up from the Little League team. He stated that the kids need a safe place to play sports. Right now, the fields are swampy and uneven.

Patrick O'Brien, 6330 NE 181st Street, Kenmore.

Mr. O'Brien stated that he is for the ballfields but not for over \$4 million. He said that improvements could be done to the existing ballfields but not with artificial turf.

Paul Schmidt, 14817 74th Place NE, Kenmore.

Ms. Schmidt stated that Edward do need lights and turf at the Saint Edward ballfields. He urged the Council to go forward with making it a useful field.

Stuart Hogge, 21624 2nd Avenue SE, Bothell.

Mr. Hogge said he supports the ballfields given that he has two sons that are involved in Little League. He believes there is plenty of room at that park for all users.

Keith Dunbar, 14310 93rd Avenue NE, Kirkland.

Mr. Dunbar stated that he lives in Finn Hill and is a retired parks employee. He stated that its not traditional to have lighting and artificial turf at a state park.

Phyllis Finley, 5962 NE Arrowhead Drive, Kenmore.

Ms. Finley urged the Council to make a decision with the residents' tax dollars. She would like the City to make the best decision with the least amount of disruption to the park and wildlife.

Doug Levy, 15619 62nd Place NE, Kenmore.

Mr. Levy stated that the park can still have its solitude and useful playfields. Everyone can benefit from this park. He encouraged the Council to move forward.

Elizabeth Mooney, 5934 NE 201st Street, Kenmore.

Ms. Mooney stated that the City could put artificial turf in other areas of the City. She does not want to see it at Saint Edward ballfields. She stated you can't take a 100-year-old eco-system and move it just anywhere. She believes the park will be ruined.

Tennille Marx, 14923 73rd Avenue NE, Kenmore.

Ms. Marx said she was in support of the ballfield project. She stated that she believes it builds community.

Graysen Holes, 15611 100th Place NE, Bothell.

Mr. Holes stated that he believes the City does need the fields because there have been games canceled due to the rain and swampy field.

Acting Mayor Curtis stated that due to the late hour, the Council will allow for 1 minute citizen comments from this point forward or wait and have 3 minutes at the end of the meeting.

Doug Hill, 5859 NE 153rd Place, Kenmore. (Signed up but was not present)

Peter Lauce, 6501 NE 151st, Kenmore.

Mr. Lauce urged the Council to look at the parking for the future lodge. The lodge might change the parking plans for the proposed ballfields.

Andrew Smith, 15313 73rd Avenue NE, Kenmore. (Signed up but did not want to speak)

Alan Marx, 14923 Avenue NE, Kenmore.

Mr. Marx stated he lives in Finn Hill. He stated that the Saint Edward state park has a lot of area and has enough room for everyone.

Brent Anderson, 16304 81st Place NE, Kenmore.

Spoke to the RCO grant and the PAUE being first introduced in January. He is against the ballfields at Saint Edwards.

Anne Anderson, 16304 81st Place NE, Kenmore.

Ms. Anderson stated that she is against the ballfields at Saint Edward State park. She talked about the potential pollution problems because of the hotel.

Janet Hay, 6303 NE 181st #301, Kenmore.

Ms. Hay stated that she is concerned with the proposed lights at the field after studying the environmental map.

Frances Hill, 15602 East Shore Drive, Lynnwood.

Ms. Hill relayed to the Council that she is not in favor of the ballfields.

John Hendrickson, 5919 NE 202nd Lane, Kenmore.

Mr. Hendrickson spoke against the ballfields.

Danny How, 15609 62nd Place NE, Kenmore.

Mr. How spoke in favor of the ballfields.

Derek Cone, 18603 66th Avenue NE, Kenmore.

Mr. Cone spoke in favor of the ballfields.

Note: Mayor Baker left at approximately 8:15 p.m. Councilmember Curtis took over the meeting.

CONSENT AGENDA

Councilmember Curtis moved to approve the consent agenda as submitted, Councilmember Herbig seconded the motion. The motion passed 7-0.

The consent agenda included the following:

The Following Checks and Electronic Payments are Approved for Payment:

Total Check Numbers 36889 through 36978 in the Amount of \$251,332.68.

Total Payroll Electronic Deposits Dated 05/12/2017 in the Amount of \$78,005.25.

City Council Meeting Minutes of April 17, 2017 and April 19, 2017

The Following Checks and Electronic Payments are Approved for Payment:

Total Check Numbers 36979 through 37068 in the Amount of \$624,367.26.

Total Payroll Electronic Deposits Dated 5/26/2017 in the Amount of \$79,812.19.

Wire Transfer for Debt Service Payment on 6/1/2017 in the Amount of \$137,177.79.

City Council Meeting Minutes of April 24, 2017, May 1, 2017 and May 8, 2017

Authorize the City Manager to Execute Contract No. 17-C1650 for the Construction of the Moorlands Park Improvements Project

Receive and File Automatic Renewal of the Interlocal Cooperation Agreement (ICA) Regarding the Community Development Block Grant (CDBG) Program for 2018-2020

Authorize the City Manager to Execute an Agreement with Hyas Group for an Amount not to Exceed \$22,500

Authorize the City Manager to Execute the Interlocal Agreement with City of Marysville for the Rental of Outdoor Video Services for Movies @ the Square Events to be Held in the Town Square

BUSINESS AGENDA

Status Update on the St. Edward Ballfield Improvement Project - Rob Karlinsey, City Manager

City Manager Karlinsey provided a progress report on the St. Edward State Park ballfield improvement project. For next steps, staff recommends continuing to proceed with negotiating terms for a 20-year lease with State Park Staff and preparing materials for a land use permit application (critical area variance) and SEPA application. Staff also recommends that if light sensitive, State-priority species bats are present at St. Edward State Park (based on the results of the upcoming State Park study June/July), that field lighting be excluded from the project. Staff is requesting direction on staff recommendations.

The renovation of the ballfields supports year-round recreation opportunities. The field will be available for scheduled use by youth and adult sport leagues as well as for informal recreational use by the public and other activities and events. The renovation will also support existing recreation uses: an adult cricket league that currently uses the field between May and October; the Wilderness Awareness School program; and informal recreation. The field is not currently used by any other youth or adult organized leagues. The youth and soccer leagues serving Kenmore are part of a larger service area and have experienced significant growth over the last few years and competition for use of fields. Renovating the fields at St. Edward will help meet Kenmore's proportionate share of fields for youth soccer and baseball.

Lease Status: A long-term lease agreement is required between the City and State Parks to allow the City to improve, manage and maintain the ballfields at St. Edward State Park. On 1/22/16 a Memorandum of Agreement (Contract 16-C1507) was executed by the City and State Parks to work towards a long-term lease agreement. City staff and parks staff have been working on terms of a 20-year draft lease but there are still details to work out. The date for Commission action on the lease has not yet been determined. At the 5/17/17 State Park Commission meeting several commissioners expressed the desire to act on the lease by year end.

Critical Area Variance Permit Status and SEPA Status: Since December 2016, staff has been compiling materials in support of a SEPA application and a critical area variance permit application to allow variance from the wetland buffer width requirement. A variance application is a Type 2 administrative decision by the Development Services Director appealable to the Kenmore Hearing Examiner. A combined SEPA process for the variance permit and lease is also required. Public comment periods and an appeal period are part of the SEPA and permit process.

The following is a tentative schedule for the permit and SEPA process.

- Late June: Submit critical area variance permit application and SEPA checklist
- August: Notice of Application for the permit with a 21-day public comment period
- September: Issue "draft" SEPA determination with a 14-day public comment period
- October: Issue SEPA and Permit decision with a 21-day appeal period
- November: Possible State Park Commission consideration of the ballfields lease. It is also anticipated that State Parks would schedule a public meeting in Kenmore to receive public comment prior to the Parks Commission's November meeting held in Westport.

Status of Issues/Questions: Both City staff and State Parks staff have been compiling information to address questions raised by the State Park Commissioners at their November 2016 and January 2017 meetings, and questions from citizens.

- **Location of the headwaters of Stream 0226:** Several citizens questioned the location of the headwaters of Stream 0226 that is located southeast of the existing grass ballfield. In 2017 the City's consultant ESA completed an updated "draft" Critical Area Report which defined the start of the stream channel approximately 500 feet south of the existing ballfield. A previous 2008 Critical Area Report identified the stream channel beginning 50 to 100 feet south of the ballfield. On 5/8/17 city staff, state park staff, the City's environmental consultant and interested citizens met with WDFW staff on site. WDFW staff identified the likely location of the start of the stream; it appears that the stream at its identified location will not be affected by the project. This information regarding the stream will be referenced in an updated Critical Area report and SEPA checklist.

- **Confirmation of the wetland boundary:** Several citizens questioned the location of the wetland boundary delineated by ESA, the City's environmental consultant. The Department of Ecology (DOE) has the regulatory authority to confirm wetland boundaries when there is a dispute. On 3/17/17 city staff, state park staff, the city's environmental consultant and several citizens met with DOE staff on site but the verification could not be completed due to heavy rains in previous weeks. On 5/9/17 DOE revisited the site and confirmed the location of the wetland boundary as delineated by the City's consultant.
- **Field lighting and bats:** State Park Commissioners raised questions about the effect of field lighting on nocturnal animals, particularly bats. State Parks staff are in the process of compiling a literature review and have consulted with WDFW. At the 5/17/17 Commission meeting, State Park staff recommended that a consultant be hired to complete a study in June and July to assess if light sensitive bats are present at the park. City staff recommends excluding field lighting from the project for the duration of the lease if the conclusion of the study is that light sensitive, State-priority species bats are present at the park. If light sensitive bats are not present, then City staff recommends including field lighting in the project.
- **Field use and field lighting:** The existing grass field is in poor condition. The grass field is currently used by The Olympic Cricket Club and Northwest Cricket club for practice and weekend games but is not used by any other youth or adult leagues. The proposed ballfield improvements will not preclude use of the field by the Wilderness Awareness School as their program is weekdays from 9-3pm and scheduled practice for Little League and Soccer starts generally at 4:00 pm on weekdays. The draft lease terms will likely require that the City dedicate use of the field to State Parks for State Parks scheduled play, unscheduled play or open play or State Parks sponsored event of no less than 24 daylight hours per week between March 1st and November 1st with at least four of the hours available one weekday no sooner than 3 pm. The lease will also likely require no City scheduled games, practice games or tournament use on Memorial Day weekend or weekends and holidays July 1 through Labor Day without the prior consent of State Parks designated representative. Based on these terms, Attachment #2 shows use of fields by sports leagues under two scenarios: 1. Field lighting and no summer weekend practice/game use and 2. No field lighting and no summer weekend practice/game use. Lighting the fields increases available hours by approximately 36%. Fields are anticipated to be used approximately 60% by youth and 40% by adults, both with and without lights.
- **Noise and park users:** State Park Commissioners raised questions about noise from field use and how far away it could be heard by park users e.g. trail users. The City hired the Greenbusch Group in March 2017 to complete a noise study. The report is anticipated to be received the first week of June, and results will be incorporated into the SEPA checklist.
- **Parking demand:** State Park Commissioners raised questions about parking demand. State Park staff hired Sound Engineering late 2016 to review the parking study prepared by the City's consultant Fehr & Peers related to parking demand associated with ballfield use and provide an estimated 20-year parking demand project for general park visitor use. The study was completed in April 2017. The City received a copy of the study 5/15/17 which is currently being reviewed by the City's traffic consultant, Fehr & Peers. Results will be incorporated in the SEPA checklist.

There are 220 parking stalls available for visitors to St. Edward State Park; these visitors include ballfield users and spectators. The proposed project will increase the parking supply by 19 new parking stalls. The existing strip of gravel parking on the West side of the ball field (20 parking spaces) will be paved and restriped and pavement extended to add 8 new parking stalls. In addition, the northernmost parking lot (55 parking spaces) will be restriped to add 11 new parking stalls. Sound Engineering recommends a total of 36 stalls be added related to ballfield use over the term of the lease. Timing for provision of additional stalls (potentially 17) is still to be determined and will likely be addressed in the lease.

Proposed Ballfield Improvement Project Description: The City proposes improvements to the existing grass ballfield area footprint (approximately 3.5 acres) in St. Edward State Park to accommodate two little league fields, two youth soccer fields, one full-size soccer field or one full-size cricket field (see Attachment #1).

- Wetland and Wetland Buffer: The ballfields will be shifted to the West and moved outside of the delineated Wetland area (but still within the existing grass footprint), so there will be no direct Wetland impacts. Installation of the synthetic turf field would cover 37,932 square feet of disturbed Wetland buffer, which is currently mowed grass (and is currently disturbing the buffer). Another 4,725 square feet of mowed Wetland buffer would be filled during site grading, but not covered with synthetic turf. Approximately 30,000 square feet of Wetland enhancement and 25,000 square feet of Wetland buffer enhancement (total 1.3 acres) is proposed as mitigation for buffer impacts.
- Stormwater and Turf: As part of ballfield site preparation, approximately 131,000 square feet of sod will be removed from under the field. Once the sod is stripped, a 6-inch thick layer of free-draining aggregate will be placed over the subgrade, which will be covered with a 6-inch thick plastic grating drainage system. The field will be graded flat and covered with a non-toxic synthetic turf and contain a rounded silica sand or organic infill. The new 100,632 square foot synthetic turf field will be pervious, and a subsurface stormwater system will be installed to provide drainage for the field. Controlled stormwater detention will maintain the natural hydrology to the surrounding Wetland. To integrate and blend the turf into the cultural landscape, the turf will be a dark green color as recommended by the Department of Archaeology and Historic Preservation.
- Pathways: Porous concrete will be used to provide a walking path around the perimeter of the fields, to support the backstop posts and to provide a floor surface in the new dugouts. An ADA-accessible permeable trail, approximately 6 feet wide, will be installed to connect the Western side of the fields to the parking areas and access road. Soils that are disturbed by installation of the pathways will be hydroseeded with native grass seed following construction.
- Field Lighting and Pedestrian Lighting: Field lighting consisting of ten LED floodlight poles and lighting fixtures around the perimeter of the field are proposed to accommodate field use. A draft lease term requires that lighting be allowed no later than 9 pm each evening. State Parks will be contracting with a consultant to complete a study to determine if there are State-priority, light sensitive bat species present at the park. If these species are present, then staff recommends that field lighting be excluded from the ballfield project. The proposed lighting will consist of LED floodlights mounted on 70 foot tall galvanized steel poles. The poles will be installed as close to the field as possible to not compromise the safety of the players, to allow for pedestrian access, and to minimize impacts to wildlife habitat in the vicinity to the extent possible. Lighting will

use the latest technology to minimize glare and light spillage. Lighting hours will be outlined in the lease agreement between the City of Kenmore and the State Park Commission, likely no earlier than 3pm or later than 9pm during scheduled field use. To further integrate the lighting fixtures to blend into the cultural landscape, the pole color will be a dark green, as recommended by the Washington State Department of Archaeology and Historic Preservation.

The paving and illumination plan shows three proposed pedestrian light fixtures to be installed to illuminate the proposed improved parking area immediately West of the field. The color and type of fixture will be consistent with existing light fixtures at St. Edward State Park.

- Backstops, Bleachers, Dugouts and Shed: The existing backstop in the northwest corner of the field will be removed, and two new backstops will be installed; one in the northwest corner and the other in the southeast corner. The backstops will be approximately 24 feet high and made from chain-link fencing or netting material supported by metal posts. The dugouts will also be constructed of chain-link fencing with roofs. Covered bleachers are proposed and a small equipment shed (10' x 25') will be constructed near the southwest corner of the field. To further integrate improvements to blend into the cultural landscape, the backstop color will be green and the bleacher seating green or brown, as recommended by the Washington State Department of Archaeology and Historic Preservation.
- Trees and Landscaping: The conclusion of the City's Tree Protection plan is that no trees need to be removed to install ballfield improvements. Tree protection measures will be implemented during construction in accordance with recommendations in the Tree Protection Plan. State Park staff may remove any retained trees in the future if they are determined to be hazard trees in accordance with the State Park hazard tree policy such as posing a danger to structures or field users. Based upon a recommendation from the Washington State Department of Archaeology and Historic Preservation a mix of native conifers and shrubs will be planted adjacent to the north side of the field. The new plants will be installed to screen the ballfield, while still retaining some views of the ballfield and adjacent forest.
- Cultural/Historic Landscape: In addition to the measures described above as recommended by the Department of Archaeology and Historic Preservation to integrate ballfield improvements into the cultural landscape, several cultural landscape restoration mitigation measures would be undertaken at the Nun's Garden, The Orchard and The Grotto at St. Edward State Park. Restoration measures will be consistent with treatment recommendations outlined in the 2006 Cultural Landscape Inventory prepared for St. Edward State Park prepared by the National Parks Service. If the project does not include field lighting, then restoration mitigation measures could also change.
- Shoreline Restoration: The current lease negotiations also include a proposal for a future shoreline restoration project at St. Edward State Park Lake Washington. While not a mitigation measure required for the ballfield project, some shoreline restoration may be pursued by the City of Kenmore in partnership with Washington State Parks, as a future project phase, dependent on grant funding. Additional SEPA review will be completed at the time of Shoreline Permit review. A preliminary project scope proposes to remove large angular boulders that form a bulkhead and three groins along the state park shoreline and fill remaining voids and depressions with gravels and sands that match the

natural lakebed substrate. Enhancement of shoreline vegetation by planting additional coniferous trees and shrubs would also be a likely component of the project.

BACKGROUND:

- 11/9/15 Council meeting, Council consensus directing staff to consider what is necessary for the City to assume control of the uses, improvements and maintenance of the ballfields, including potential costs.
- 12/14/15 letter from the City Manager to the Director of Washington State Parks, proposing to work on a long-term lease agreement
- 1/11/16 ballfield concept design presented to Council.
- 1/22/16 Contract 16-C1507 Memorandum of Understanding between the City and State Parks for preparing a long-term solution, likely a lease with final approval by the State Parks Commission whereby the City improves, manages and maintains the ballfields.
- 2/23/16 open house, presenting ballfield design concept.
- 3/31/16 presentation of ballfield design concept to the Park Commission.
- 5/23/16 Council authorizes the City Manager to execute Contract No. 16-C1561, the SEPA lead agency agreement assigning lead agency responsibilities for the proposed ballfield project.
- 8/8/16 Staff submitted SEPA application 16-0097 and a Public Agency Utility Exception (PAUE) permit application PAUE 16-0098
- 8/31/16 status update to the Park Commission real estate committee.
- 9/9/16 SEPA notice issued providing a 21-day comment period.
- 10/31/16 Staff submitted revised documents to address SEPA comments and PAUE review comments.
- 11/16/16 status update to the Park Commission.
- 11/28/16 Growth Board decision on an appeal of the PAUE ordinance 16-0418, invalidating the ordinance and remanded it back to the City for action. As of 11/28/16 the PAUE application was therefore also void.
- On 5/8/17 the Council adopted Resolution 17-295 confirming that the PAUE regulations as existed prior to the adoption of Ordinance 16-0418.
- 1/26/17 status update to the Park Commission.
- 5/17/17 status update to the Park Commission.
- 5/22/17 status update to Council.

Council and staff engaged in a discussion.

PUBLIC HEARING

Land Use Streamlining Project - Proposed Changes to the Land Use Terminology Used in the Zoning District Charts and Other Sections of the Zoning Code - Lauri Anderson, Senior Planner

Senior Planner Anderson explained that at the Council meetings on April 17 and May 8, staff reviewed proposed changes to the Zoning Code to provide more flexibility in land use interpretations and to simplify the code for applicants and permit review staff by consistently implementing a standardized set of land use terms. The streamlining project goal is to consolidate more than 200 existing land use definitions down to about 50, and to use these definitions in the zoning district charts and other code sections with as little change to the policy direction or intent of each zone as possible.

After the close of the public hearing, the City Council may direct questions to staff. City Council deliberation and consideration of ordinance adoption will occur at a future City Council meeting.

Councilmember Curtis opened the public hearing at 9:16 p.m.
There Were no comments from the audience.
Councilmember closed the public hearing at 9:16 p.m.

This ordinance will come back to a future meeting for adoption.

Discussion of Paid Parental Leave Policy for City Employees - Sarah Bingham, Graduate Intern

Intern Bingham explained that at the January Council Retreat, the Council discussed establishing a paid parental leave policy for City employees. At the retreat, the Council requested that Staff research the possibility of a paid parental leave policy for future discussion. While the City is not under any legal obligation to provide such a policy, several other governments in the surrounding area, including King County, the City of Seattle and the City of Shoreline, have recently established paid parental leave policies. Paid parental leave policies have been associated with positive health outcomes, reduced gender and economic disparities, and reduced employee turnover¹. At the retreat, the consensus of the Council was to look into the possibility of providing around six Weeks of paid parental leave.

Council and staff engaged in a discussion.

The consensus of the Council was to go with Option 2 presented: All eligible employees will receive six Weeks of paid parental leave regardless of their leave balances. An employee may then choose to take up to six more additional Weeks of leave from their other accrued paid leave reserves. Eligible employees are permitted to use the six Weeks of paid parental leave before other paid leaves. Additionally, the employee may choose to take less than six Weeks of paid parental leave.

Based on that consensus, a resolution formalizing a parental leave policy will be brought forward on a later date.

Authorize the City Manager to Enter into Assignment of the Intellectual Rights for Cartoon Character Hank Heron with an Amount not to Exceed \$7,500 - Sarah Bingham, Graduate Intern

Intern Bingham explained that community-building expert Peter Kageyama came to Kenmore in 2015 and spoke at a “For the Love of Kenmore” event. This training has inspired the community, including our very own co-workers at City Hall, to look for fun and creative ways to engage citizens and show love for the City. Kent Vaughan, the City’s Senior Civil Engineer, developed the fun and family-friendly cartoon bird character of “Hank Heron,” who has been incorporated into a number of City projects and communication pieces. Hank Heron can be seen throughout Kenmore on construction signs and other City announcements, and is also featured throughout our 2017-2018 biennial budget document, including the cover.

Up until this time, Kent has received no compensation for his cartoon work; he has simply donated his own time and effort to produce Hank Heron cartoons for the City. Due to Hank Heron’s prevalence throughout different projects, staff feels it is necessary for the City to purchase the rights to Hank Heron from Kent at a fair price. After purchasing the rights to Hank

Heron, the City would then pay Kent, as an independent contractor, for any additional Hank Heron cartoon work for City projects. The agreement would also allow Kent to continue using Hank Heron as a character in Kent's other non-city-related comic strips.

The 2017-2018 Budget has allocated \$47,456 for marketing and media relations in 2017. Purchasing the rights to Hank Heron will cost the City \$7,500. Kent will also be given 25% of any profits the City makes by selling Hank Heron merchandise in the future. However, this will be unlikely because the City does not seek to make a profit and generally sells items at cost value. An additional agreement is being reached to pay Kent \$50 an hour for any further cartoon work he does on behalf of the City. This work would be performed on his own time outside of his regular work hours for the City.

MOTION: Councilmember Herbig made a motion to authorize the City Manager to Enter into Assignment of the Intellectual Rights for Cartoon Character Hank Heron with an Amount not to Exceed \$7,500, Councilmember Denuski seconded the motion. The motion passed 5-0 (Mayor Baker and Deputy Mayor Van Ness absent)

STAFF REPORT

Utility Box Art - Sarah Bingham, Graduate Intern

Graduate Intern Bingham explained that the City is looking into decorating several traffic utility boxes with vinyl wraps. This project expands on the "For the Love of Kenmore" effort to provide emotional connections between members of the community and the City.

Utility boxes are an essential part of the City's infrastructure, and yet the actual metal boxes are quite unattractive, and can often be the target of graffiti. Covering these unappealing boxes in fun and interesting images would be a great way to create love notes for the community and provide a unique way for citizens to connect with the City. When community-building expert Peter Kageyama visited Kenmore, he taught that when citizens can connect emotionally with their City, they become more invested in all aspects of improving the community.

Many other cities throughout the country and region have successfully developed utility box art programs. Examples of decorated utility boxes can be found in the Appendix. These projects have received a positive response from the public, and have also helped to discourage and prevent graffiti. Some cities have artists paint directly on utility boxes, while others print images of paintings or drawings on vinyl wraps. Our contact from WSDOT recommended vinyl wraps because paint can seep into cracks or vents and compromise the utility box. Vinyl wraps should last three to five years before needing to be removed.

Many of the utility boxes in Kenmore are owned by PSE or WSDOT. Currently, neither organization has given the City permission to decorate their utility boxes in Kenmore. However, after recent communication, both organizations seem open to some type of pilot program in the future. The City owns several traffic signals throughout Kenmore, and the accompanying utility boxes. This project will start with the City-owned boxes, and hopefully expand to other boxes in the future.

The first utility box staff is planning to decorate is located on the northeast corner of Juanita Dr. and 170th St., on the edge of Rhododendron Park. Edward plan to cover this box with a photograph (actually taken at the park) of rhododendron flowers. Covering the box with a photograph is a simple way to tie the box to its surroundings and beautify the area. In addition, the City is working with Kent Vaughan, the City's Senior Civil Engineer, to create a Hank Heron cartoon scene to cover a utility box located in front of City Hall.

Staff is also coordinating with the Arts of Kenmore to develop a plan to hire local artists to design wraps for other City-owned traffic boxes in the future. This program could potentially include a community feedback element where citizens vote on different art options. This would present a great opportunity to increase engagement and community ownership of the project.

The costs of this project will come from paying artists for their designs, and printing and installing the vinyl wraps. Providing payments for public art projects attracts more professional and higher-quality submissions. However, the payments for this project do not need to be extremely high because artists would get to keep their original work. Other cities with similar programs have paid artists \$500 to \$1,000 for each piece used. The photographer who has taken photos for the box at Rhododendron Park has requested around \$300 for the use of his photo.

Vinyl printing and installation will be done by a sign company. The City is waiting to hear back from four different sign companies on quotes for the utility box at Rhododendron Park. Based on the quotes staff have received so far, printing and installing the vinyl should cost around \$800 to \$1,000.

The City plans to proceed with decorating the first two boxes in the near future. This project will not only help promote the image of Kenmore, but also provide citizens with a chance to appreciate a part of the City they have likely overlooked in the past.

Council loved the concept and encouraged staff to proceed with the project.

City Manager Karlinsey reported on the aquatic vegetation plan.

ADJOURNMENT

Councilmember Curtis adjourned the meeting at 9:49 p.m.

David Baker, Mayor

ATTEST:

Kelly M. Chelin, City Clerk



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Resolution #17-297 A Resolution Adopting Changes to the City's Personnel Policies to Establish a Paid Parental Leave Policy Proposed Council Action/Motion: Discuss Resolution #17-297 and Approve, Deny or Modify the Proposed Resolution	For Council Meeting Agenda of: July 10, 2017 Department: City Manager's Office Prepared by: Sarah Bingham, Intern for City Manager <u>Initial &</u> <u>Date</u> Approved by Department Head: <i>[Signature]</i> Approved by City Attorney: <i>KW via email</i> Approved by Finance Director: <i>[Signature]</i> Approved by City Manager: <i>[Signature]</i> <i>29 June 2017</i> Exhibits/Attachments: Proposed Resolution #17-297, Attachment A – Paid Parental Leave Policy, Attachment B– Policy Paper	
Expenditure Required \$ Variable	Amount Budgeted \$ 0	Appropriation Required \$ 0
<u>INFORMATION/BACKGROUND:</u> At the June 12, 2017 Council meeting, the Council discussed the possibility of providing paid parental leave for City employees. The Council reviewed a draft policy with two variations for how to provide leave. The Council agreed that the City should move forward with a paid parental leave policy, and of the two options presented, the Council preferred Option 2, which gave eligible employees six weeks of paid leave before requiring them to take any other type of leave. The Council was concerned with the actual costs of this policy once passed, and therefore a data collecting and reporting section has been added to the policy. Based on advice from the City Attorney, more detailed language about the specific types of leave employees may use with this policy has also been added. Employees can choose to take six additional weeks of leave after the six weeks of paid parental leave. During these six weeks, employees are not required to exhaust their paid leave reserves before taking leave without pay. However, to avoid a situation where an employee's leave is extended significantly beyond the intended 12 weeks, the policy allows the City to limit employees' ability to use paid leave to extend their parental leave beyond 12 weeks after taking leave without pay. The Washington State Legislature is close to passing House Bill 1116, which would establish a state-wide family and medical insurance benefit starting in 2019. While the City's policy may need to be evaluated once this state benefit is in place, a City policy would still be beneficial to		

employees over the next few years.
<u>FISCAL CONSIDERATION:</u> Paid parental leave increases costs if the City needs to backfill an employee's absence to get work done. The estimated cost to fill a midlevel employee for six weeks is around \$9,500. If positions are not backfilled, then workloads would need to be adjusted to accommodate the absence of an employee. The attached policy paper (Attachment B) provides further discussion on the financial impact of a paid parental leave policy. The actual costs of needing to backfill employees due to this policy will be tracked and reported on annually.
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u> City of Kenmore Vision Statement: • Supports the safety, health and welfare of all of its citizens. • Is inclusive and family friendly

**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 17-297**

**A RESOLUTION OF THE CITY COUNCIL OF KENMORE,
WASHINGTON, ADOPTING CHANGES TO THE CITY'S
PERSONNEL POLICIES TO ESTABLISH A PAID
PARENTAL LEAVE POLICY.**

WHEREAS, since their original adoption, the City's Personnel Policies have been updated on several occasions to modify policies as necessary; and

WHEREAS, the City Council has expressed a desire to promote the safety, health, and welfare of City employees; and

WHEREAS, the City of Kenmore believes that providing paid time off for working parents to care for a new child allows time to create and strengthen bonds between the child and parents and foster stronger families, and contributes to the social and emotional health of children; and

WHEREAS, the City of Kenmore believes that providing paid time off to bond with a new child helps employees to become more productive and effective at their work, helps the City retain and recruit talent, and helps employees to balance their responsibilities between work and home; and

WHEREAS, when men and women are equally incentivized to take parental leave, the perception of women as the sole family caregiver is diminished, minimizing bias against mothers and women in the workplace; and

WHEREAS, the City Council, having given full consideration to the proposed revisions to the Personnel Policies;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Adoption of new addition to the City Personnel Policies. The City Council adopts the "Paid Parental Leave" policy, included with this Resolution as "Attachment A."

Section 2. Effective Date. This Resolution shall be added to the existing Personnel Policies Manual and shall take effect and be in force immediately.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, AT A REGULAR MEETING THEREOF THIS ____ DAY OF JUNE, 2017.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

Rod Kaseguma, City Attorney

ATTACHMENT A

Paid Parental Leave Policy

Paid Parental Leave

The purpose of paid parental leave is to provide new parents with the opportunity to bond with their newborn or newly-adopted children, which has a positive, lifelong impact on a child's development. The City encourages employees to take sufficient family time to maintain a healthy productive workforce.

Eligibility

Paid parental leave is available to all regular employees who have been employed with the City for at least six months of continuous services at the time of experiencing one of the following qualifying events:

- a) Birth of an employee's child; or
- b) Adoption of a child who is 17 years old or younger. This provision does not apply to the adoption of a stepchild by a stepparent.

Benefit Amount

All eligible employees will receive six weeks of paid parental leave regardless of their leave balances. An employee may then choose to take up to six more additional weeks of leave, either by using their other accrued paid leave reserves, or by taking leave without pay. Employees are not required to exhaust their accrued paid leave before taking leave without pay; provided, that the City may, in its discretion, disallow the use of paid leave to extend parental leave beyond a total of 12 weeks if it determines that such extension will disrupt, interfere with or compromise City operations. Additionally, an employee may choose to take less than six weeks of paid parental leave.

Regular part-time and job-share employees will receive parental leave on a pro-rata basis, based upon the percentage that their normal weekly schedule bears to a full-time, 40-hour work week. Temporary employees are not eligible for any parental leave pursuant to this policy.

An employee who does not return to work for at least six months of continuous service following the parental leave will be required to reimburse the City an amount equal to the paid parental leave benefits received by the employee. By accepting paid parental leave, the employee acknowledges this condition and authorizes the City to deduct from his or her final paycheck any reimbursement amount owed by the employee pursuant to this policy.

Paid parental leave may not be cashed out under any circumstance.

Benefit Period, Frequency, and Concurrency

Paid parental leave must be used within 12 months of the qualifying event. After 12 months, any remaining unused paid parental leave time will be forfeited and no longer available.

An employee may use paid parental leave on an intermittent or part-time basis, as long as it is consistent with the department's operational needs, and it is approved in writing by the

employee's department head prior to the leave. The department head shall have final discretion as to whether intermittent or part-time parental leave is consistent with the department's operational needs. In cases where intermittent or part-time parental leave is not approved, the employee must use paid parental leave in one consecutive increment.

An eligible employee will receive the full allotment of paid parental leave for each qualifying event. However, the birth or contemporaneous adoption of multiple children (e.g., twins) only qualifies as one event.

Job Protection and Health Benefits

Paid parental leave is protected leave. An employee returning from parental leave shall be entitled to an equivalent position with the same pay benefits and working conditions as the position held by the employee prior to leave, unless the City's circumstances have so changed that the employee's position would have been eliminated even if the employee had not been on parental leave and no other equivalent positions are available (examples of this might include layoffs, budget cuts, Department reorganizations, etc). The employee will continue to receive all health benefits and shall continue to accrue vacation and sick leave during the period of paid parental leave.

Procedure for Requesting Paid Parental Leave

1. Provide notice- In all but a small minority of cases, employees will have advance notice of the need for paid parental leave. Except in the rare circumstance when the need for leave is unexpected, at least 30 days' notice must be given to the respective department head. In the rare case when the need for leave is not foreseeable, you must provide notice as soon as possible.
2. Discuss your anticipated leave duration and schedule with your immediate supervisor. If you plan to take intermittent or part-time leave, this must be approved by your department head in writing prior to the leave.
3. Provide the City with appropriate documentation to certify your eligibility for the paid parental leave benefit.

Data Collecting and Reporting

The Finance and Administration Department will track data related to the use and costs of paid parental leave and will report total use and costs to the City Council annually for the first four years of implementation.

ATTACHMENT B

Evaluating a Paid Parental Leave Policy for City Employees

June 2017



Prepared by Sarah Bingham, Graduate Intern, under the direction of
City Manager Rob Karlinsey

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Executive Summary

At the January Council Retreat, the Council discussed the possibility of establishing a paid parental leave policy and directed staff to look into it further and report back to the City Council. A draft policy has been prepared, and this paper examines the benefits and costs of providing City employees with paid parental leave.

Background of Paid Parental Leave Policies

Paid parental leave (PPL) is an added leave benefit in addition to accrued sick and vacation leave. The intent of PPL is to provide new mothers and new fathers time to care for and bond with a new child. The City is not under any legal requirement to provide paid parental leave, and presently does not have a specific parental leave policy. The current federal and state legislation only mandate unpaid leave, and also only apply to organizations with more than 50 employees. Few cities in the area have established a PPL policy. Recently, paid parental or family leave programs have been introduced by King County, the City of Seattle, and the City of Shoreline.

Benefits of Paid Parental Leave

Paid parental leave programs have been associated with some economic, health, and social benefits.¹ Several specific benefits include:

- Increased employee retention
- Increased child and maternal health
- Increased paternal engagement
- Increased gender and socioeconomic equality

Costs of Paid Parental Leave

The cost of a PPL policy would depend on the type of policy the Council chooses; two options have been prepared within the draft policy based on the policies of King County and Seattle. Option 1 (modeled after King County) would first require employees to use up all but two weeks of their accrued leave. The City would then provide paid leave so that the total length of leave would equal twelve weeks. Option 2 (modeled after Seattle) would provide six weeks of paid leave regardless of employees' leave balances. Option 2 would likely cost the City more than Option 1. Between the two options, staff recommends Option 2 because it would be easier to administer and would be more equitable for all employees.

As employees' salaries are already budgeted for, additional costs would arise if the City needed to temporarily backfill employees out on leave. Based on the past five years, around one City employee a year has used accrued leave following the birth of a child. In these circumstances, the City has avoided backfilling employees by distributing work to other staff. However, as more

¹ Barbara Gault, Heidi Hartmann, Ariane Hegewisch, Jessica Milli, Lindsey Reichlin. "Paid Parental Leave in the United States," *Institute for Women's Policy Research*, 2014.

employees utilize a PPL policy, the City may likely need to backfill employees on leave. The cost estimate of needing to backfill a midlevel employee for six full weeks is around \$9,500.

Conclusion

Kenmore would be the first city of its size in the area to establish a paid parental leave policy. A PPL policy would be an added benefit to City employees and their families. However, the potential costs of needing to backfill employees on parental leave should be carefully considered.

Introduction

The makeup of the workforce in the United States continues to grow more diverse, with almost half of the workforce being made up of women.² Working parents are increasingly sharing the responsibilities of raising and providing for children. Despite this trend, the United States is the only high-income country in the world that does not mandate any form of paid maternity leave.³ However, many businesses and organizations throughout the country are starting to recognize the benefits of providing both mothers and fathers paid leave after the birth or adoption of a child. Paid parental leave programs have been positively associated with economic, health, and social benefits.⁴

At the January Council Retreat, the Council discussed the possibility of establishing a paid parental leave policy for City employees. Currently, only 15% of municipal workers in the United States are eligible for some type of paid parental or family leave.⁵ A draft paid parental leave policy for City employees has been prepared, and this paper examines the benefits and costs of providing such a policy.

Legal Background

While there are several laws on the federal and state level that support unpaid family leave, only a few of them directly apply to City employees. The Family and Medical Leave Act (FMLA), passed in 1993, requires that companies with more than 50 workers allow eligible employees, male and female, to take up to twelve weeks of unpaid, job-protected leave within one year of the birth, adoption, or foster placement of a child.⁶ The FMLA also allows employees to take the same amount of leave if they personally have a serious health condition, or to care for an immediate family member with a serious health condition. The FMLA does not apply to the City of Kenmore because the City has fewer than 50 employees total.

Washington State laws that support family leave include the Family Leave Act (FLA) and the Family Care Act (FCA).⁷ The FLA provides the same leave benefits as the FMLA and also only applies to organizations with more than 50 employees, and therefore does not apply to City employees. The FCA applies to all organizations with more than 8 employees, and mandates that employees must be allowed to use their sick leave, vacation leave, and other paid leaves to care for sick family members, which can include caring for a spouse recovering from childbirth.⁸

² "The Economics of Paid and Unpaid Leave," *The Council of Economic Advisors*, 2014.

³ Barbara Gault, Heidi Hartmann, Ariane Hegewisch, Jessica Milli, Lindsey Reichlin. "Paid Parental Leave in the United States," *Institute for Women's Policy Research*, 2014.

⁴ Ibid

⁵ "Determining the Long-Term Savings and Short-Term Costs of Paid Parental Leave," *Innovation Ohio Education Fund*, 2016, <http://innovationohio.org/2016/01/08/paid-leave-doesnt-have-to-be-a-budget-buster-for-ohio-cities/>.

⁶ Flannery Collins, "Parental Leave for Local Government Employees," *MRSC.org*, 2015.

<http://mrsc.org/Home/Stay-Informed/MRSC-Insight/September-2015/Parental-Leave-for-Local-Government-Employees.aspx>.

⁷ Ibid

⁸ Ibid

Washington State Administrative Code has also established that all women who are temporarily disabled or sick due to pregnancy or childbirth are allowed to take unlimited, unpaid leave.⁹

The City of Kenmore is under no legal requirement to provide paid parental leave, and currently does not have a specific policy on parental leave. In the past, each situation has been primarily addressed on a case-by-case basis. New mothers have been able to take as much leave as necessary, but they have been required to use a combination of their sick, vacation, and shared leave reserves. New fathers have used their vacation and sick leave to stay home with a new child. Sick leave has been allowed based on the doctor's written order that there was a need for the father to care for his spouse or child for a certain period of time.

Paid Parental Leave Policies in the Region

Very few local governments in the area have instituted PPL for their employees. The City of Bothell follows the FMLA, but requires employees wishing to stay home with a new child to use up all but one week of vacation leave before taking unpaid leave.¹⁰ Lake Forest Park offers unpaid leave through the FMLA, but employees may choose to use their accrued sick and vacation leaves. The City of Kirkland follows FMLA as well, but requires employees to first use up to three weeks of vacation leave and then three weeks of sick leave before using any other type of leave, including leave without pay.

King County and Seattle both passed paid parental leave policies for their employees in the past few years. King County requires employees to use all but two weeks of their accrued leave before providing supplemental paid leave for up to a total of twelve weeks. The City of Seattle provides eight weeks of paid leave to all eligible employees, and then supplements four more weeks as needed based on employees' accrued leave reserves.

At the beginning of this year, Shoreline passed a program modeled after King County's policy. Shoreline's "Supplemental Paid Family Leave" policy, however, allows eligible employees to take paid leave for any qualifying event under the Family and Medical Leave Act or the City's Victims of Domestic Violence Leave policy. The City's objective behind this broader policy was to provide a policy that would apply to more employees needing to deal with family issues beyond caring for a new child. A more comprehensive summary of these three cities' policies can be found in Appendix A, while their entire policies can be found in Appendix B.

Benefits of Paid Parental Leave

The following section includes a further explanation of some of the economic, health, and social benefits that have been associated with paid parental leave programs.

⁹ Flannery Collins, "Parental Leave for Local Government Employees," *MRSC.org*, 2015. <http://mrsc.org/Home/Stay-Informed/MRSC-Insight/September-2015/Parental-Leave-for-Local-Government-Employees.aspx>.

¹⁰ Personnel Policies and Procedures, Family and Medical Leave, <http://www.bothellwa.gov/172/City-Personnel-Policies>

Increased Employee Retention

Paid parental leave has the potential to reduce employee turnover. Data from the U.S. Census shows that women, specifically working mothers, are 5.4% less likely to leave their place of employment if they have access to paid parental leave.¹¹ A study that examined the results of California's state-facilitated paid family leave (PFL) program found that 83% of employees who used the PFL program returned to the same employer, compared to 74% of employees who did not use the PFL program.¹²

Finding and training new employees can be very costly. Estimates from the Center for American Progress show that it costs around 20% of a worker's annual salary to hire and train a new employee.¹³ Increased retention through a paid parental leave policy could reduce future City costs associated with employee turnover. In addition, family-friendly policies help attract and retain talented employees. In a survey that was administered to 200 human resource managers across the country, two-thirds of the managers cited family-supportive policies, including flexible schedules, as the most important factor in attracting and retaining employees.¹⁴ As few cities in the area have implemented a PPL policy, providing paid parental leave may give Kenmore a boost in competing for the best employees in the region.

Increased Child & Maternal Health

Paid parental leave programs are associated with positive child health indicators. The return of mothers to work within the first 12 weeks after having a child has been connected with reductions in breastfeeding and immunizations for children.¹⁵ Paid parental leave addresses some of these problems. A study that examined California's state-run paid family leave program found that women who took paid family leave breastfed their children twice as long as women who did not participate in the program.¹⁶ An international study also found that paid leave has been positively associated with decreases in neonatal, infant, and child mortality rates.¹⁷

While the majority of research focuses on maternity leave and child health, paternity leave can also be beneficial for children as well. Longer paternity leaves are related with increased father

¹¹ "Determining the Long-Term Savings and Short-Term Costs of Paid Parental Leave," *Innovation Ohio Education Fund*, 2016, <http://innovationohio.org/2016/01/08/paid-leave-doesnt-have-to-be-a-budget-buster-for-ohio-cities/>.

¹² Eileen Appelbaum and Ruth Milkman. "Leave That Pays," *Center for Economic and Policy Research*, 2011.

¹³ "Determining the Long-Term Savings and Short-Term Costs of Paid Parental Leave," *Innovation Ohio Education Fund*, 2016, <http://innovationohio.org/2016/01/08/paid-leave-doesnt-have-to-be-a-budget-buster-for-ohio-cities/>.

¹⁴ "The Economics of Paid and Unpaid Leave," *The Council of Economic Advisors*, 2014.

¹⁵ Lawrence Berger, et al. "Maternity Leave, Early Maternal Employment and Child Health and Development in the US," *The Economic Journal* (115), 2005.

¹⁶ Eileen Appelbaum and Ruth Milkman. "Leave That Pays," *Center for Economic and Policy Research*, 2011.

¹⁷ Judy Heymann, et al. "Creating and Using New Data Sources to Analyze the Relationship Between Social Policy and Global Health: The Case of Maternal Leave," *Public Health Reports* (126:127-134), 2011.

engagement and bonding.¹⁸ This is significant because increased father engagement has been linked to improved health and development outcomes for children.¹⁹

Paid parental leave policies are also linked with increases in maternal health. Women who take maternity leaves longer than twelve weeks report fewer depression symptoms. Similarly, longer leaves, and especially paid leaves, are associated with lower reported levels of stress and depression for working mothers.²⁰

Increased Social Equality

Paid parental leave policies that apply to both men and women help to reduce gender stereotypes and inequalities. Unfortunately, maternity leave policies, though well-intended, can lead to women being unfairly discriminated against when it comes to hiring or promotion opportunities.²¹ In the past, fathers in the U.S. have also been discouraged from taking long paternity leaves.²² Parental leave policies that apply to and are utilized by both mothers and fathers help to normalize parental leave for men, and lessen the perception that childcare is primarily the responsibility of women.

Paid parental leave also minimizes differences between employees with varying socioeconomic situations. Without paid parental leave, certain employees with less financial stability may feel that they cannot afford to use up their paid leave reserves or take unpaid leave after welcoming a new child.²³

Costs of Paid Parental Leave

The specific costs of a PPL policy would depend on how extensive of a plan the City chooses. The draft PPL policy contains two different options on how much paid parental leave is provided. Option 1 is based off of King County's policy, and Option 2 is based off of Seattle's policy (See Appendices A & B).

In Option 1, employees are given up to twelve weeks of paid parental leave. However, employees must use all of their paid leave reserves except for one week of vacation leave and one week of sick leave before the City provides any supplemental paid leave. With this option, employees will not be expected to fully drain their paid leave reserves in order to take the desired length of parental leave. According to this policy, the City would provide different amounts of paid parental leave based on how much accrued leave an employee has. For employees who have

¹⁸ "Paternity Leave, Why Parental Leave for Fathers is so Important for Working Families," *United States Department of Labor*, 2012.

¹⁹ *Ibid*

²⁰ Barbara Gault, Heidi Hartmann, Ariane Hegewisch, Jessica Milli, Lindsey Reichlin. "Paid Parental Leave in the United States," *Institute for Women's Policy Research*, 2014.

²¹ Claire Cain Miller, "When Family-Friendly Policies Backfire," *The New York Times*, 2015. <https://www.nytimes.com/2015/05/26/upshot/when-family-friendly-policies-backfire.html>.

²² "Paternity Leave, Why Parental Leave for Fathers is so Important for Working Families," *United States Department of Labor*, 2012.

²³ Barbara Gault, Heidi Hartmann, Ariane Hegewisch, Jessica Milli, Lindsey Reichlin. "Paid Parental Leave in the United States," *Institute for Women's Policy Research*, 2014.

accrued a large amount of paid leave, the City will need to supplement very little. A potential negative of this option is that it seems to punish long-term employees who have built up larger paid-leave reserves. This policy may also incentivize employees to use up their paid leave reserves before going on parental leave in order to get the City to cover more time.

Option 2 is a smaller and simpler version of the City of Seattle's policy. In this version, the City would provide six weeks of paid parental leave to all eligible employees before employees would need to use any of their accrued paid leave. Employees would then be able to take additional leave from their accrued leave reserves for up to six more weeks. This policy would be simpler to administer than Option 1 and would treat employees more equitably. However, Option 2 would likely cost the City more than the first option, as it would probably be used by more employees. Of these two options, staff recommends Option 2 because it would be easier to administer and would be more equitable to City employees. A further discussion of the potential costs of paid parental leave can be found in the following section.

Short-Term Costs

The administrative costs in carrying out this policy would be very minimal as the structure to manage it is already in place through the Finance and Administration Department. As employees' salaries are already budgeted for, additional short-term costs associated with a paid parental leave policy would arise if the City needed to temporarily backfill employees out on leave.²⁴

Most organizations with a paid parental leave policy do not need to bring in temporary workers; they are simply able to shift work to other staff or postpone certain projects until the employee returns.²⁵ Other municipalities with PPL policies have faced difficulty in covering employees who work in fire and police services, because their work cannot simply be spread out across the remaining employees.²⁶ The City of Kenmore contracts these services and does not provide them internally, therefore the City would not need to consider this as another potential cost.

Of City employees, the average leave mothers have taken following the birth of a child in the past five years has been twelve weeks. The average leave fathers have taken following the birth of a child has been four weeks. Within the past five years, no temporary workers were brought in to cover employees on leave following the birth of a new child. However, some remaining employees faced significant additional workloads during leaves with longer lengths, and would recommend bringing in some level of temporary assistance for similar situations in the future.

With a new paid parental leave policy, especially a policy that provides six weeks of paid leave to all eligible employees, it is reasonable to assume that more employees, especially fathers, may take longer leaves than they have previously. Additionally, even though the City has not hired temporary workers for these situations in the past, hindsight has shown that backfilling would be

²⁴ "Determining the Long-Term Savings and Short-Term Costs of Paid Parental Leave," *Innovation Ohio Education Fund*, 2016, <http://innovationohio.org/2016/01/08/paid-leave-doesnt-have-to-be-a-budget-buster-for-ohio-cities/>.

²⁵ Ibid

²⁶ Ibid

beneficial in certain circumstances with extended leaves. In order to backfill an employee, the City could expect to sustain additional costs at a similar rate to that of the employee on leave. The potential cost of needing to backfill a midlevel employee for six weeks would be around \$9,500.

The estimate of \$9,500 is based on the need to backfill an employee for a full six weeks. However, the City may only need to bring in temporary workers part-time or for just a portion of the leave. Notice of parental leave can usually be given several months in advance, which can provide department heads with enough time to schedule projects and workloads strategically during the absence of an employee. Therefore, the cost of filling in for an employee for six weeks may be lower than this estimate. It is also important to note that an employee requiring parental leave is a rare event, with around one occurring per year.

Long-Term Costs

One consideration of the long-term implications of a paid parental leave policy would be that employees may leave the City with larger vacation and sick balances, and therefore increase the City's long-term liability. This should not be a major concern as there are already caps on how much accrued sick leave and vacation leave can be cashed out upon leaving the City.

Conclusion

While the City of Kenmore is under no legal obligation to provide paid parental leave, a PPL policy would be an addition benefit to City employees and their families. Instituting a paid parental leave policy would likely cause additional costs to the City through the need to hire temporary workers to cover employees on leave, and these additional costs should be carefully considered.

Appendix A: Brief Summary of Local Paid Parental Leave Policies

This section contains a summary of the paid parental or family leave policies for King County, the City of Seattle, and the City of Shoreline.

King County

King County's PPL policy began in 2016. The policy allows eligible employees, both male and female, to receive up to twelve weeks of paid leave following the birth, adoption, or foster-to-adopt placement of a child. This policy will draw on employees' paid leave reserves, but will allow employees to keep one week of vacation leave and one week of sick leave. The County will then make up the difference to make the paid leave for each employee a total of twelve weeks. Therefore, the amount of weeks of paid family leave an employee could be given from the County will vary by how much paid sick leave and paid vacation leave an employee has accumulated. The leave must be used within 12 months of the child's birth or placement.

Eligibility Requirements:

- All qualified leave-eligible employees who have been employed by the County for at least six continuous months.
- Have experienced the birth, adoption, or foster-to-adopt placement of a child.

City of Seattle

The City of Seattle first established a PPL policy in 2015 but has recently expanded their policy at the beginning of this year. All eligible employees receive eight weeks of paid parental leave regardless of their leave balances. The next four weeks of leave will draw from employees' leave reserves. The city will allow employees to keep one week of vacation leave and two weeks of sick leave and then supplement those four weeks for employees who need it, equaling a total of twelve weeks of paid leave for all employees. The leave must be used within 12 months of the child's birth or placement.

Eligibility Requirements:

- All leave-eligible employees who have completed six months of City employment.
- Have experienced the birth, adoption, or foster-to-adopt placement of a child.

City of Shoreline

The City of Shoreline established their paid family leave policy this year, and it closely models King County's policy. However, their policy provides paid leave for any event established by the FMLA- including situations such as taking care of an immediate family member who is sick. All eligible employees will receive the equivalent of his or her full pay for twelve weeks. The paid leave will come from an employee's leave reserves, but an employee will be allowed to keep two weeks of their accrued leave. The City will then make up the difference so that all employees have a total of twelve weeks of paid leave. The leave must be used within 12 months of the qualifying event.

Eligibility Requirements:

- Have worked for the City continuously for at least 12 months and for at least 1,250 hours over the previous 12 months.
- Have a qualifying event under the FMLA or the Victims of Domestic Violence Policy.

Appendix B: Full Paid Parental Leave Policies

The most recent paid parental or family leave policies of King County, the City of Seattle, and the City of Shoreline can be found below.

King County Paid Parental Leave Policy (3/3/17)

Policy

Paid Parental Leave provides new parents the opportunity to bond with their children, which has a positive, lifelong impact on a child's development. Additionally, it supports the County's Equity and Social Justice guiding principles by reducing disparities between how low- and high-wage employees take leave.

Paid Parental Leave supplements an employee's accrued paid leaves. The employee will receive the equivalent of his or her full salary for up to a total of twelve weeks, when combined with the employee's accrued leave (except for one week of sick leave and one week of vacation leave), following the birth, adoption, or foster-to-adopt placement of a child with the employee.

Eligibility

- Paid Parental Leave is available to all leave-eligible employees who have been employed with the County for at least six months of continuous service at the time of the birth, adoption, or foster-to-adopt placement ("qualifying event").
- Participants must be either a non-represented employee or an employee represented by a union that has signed an agreement to participate in the program. A list of participating unions can be found at <http://www.kingcounty.gov/audience/employees/pay-benefits/paid-parental-leave/union-participation.aspx>
- If both parents work for King County, then each employee is entitled to up to 12 weeks of Paid Parental Leave.

Benefit Amount

- An employee's supplemental leave benefit is calculated based on the employee's accrued leave balances at the time of the qualifying event.
- The employee will receive the equivalent of his or her full salary for up to a total of twelve weeks, when combined with the employee's accrued leave (except for one week of sick leave and one week of vacation leave, or the equivalent for Benefit Time). For example:
 - If at the time of the qualifying event, the employee has three weeks of accrued vacation leave and two weeks of sick leave.
 - Two weeks of vacation leave and one week of sick leave would be applied towards the twelve weeks of Paid Parental Leave.
 - Then, the County would provide the employee an additional nine weeks of supplemental leave, for a total of twelve weeks of Paid Parental Leave.

- A calculator is available at:
<http://www.kingcounty.gov/~media/employees/benefits/documents/leaves/paid-parental-leave-calculator.ashx?la=en>
- The employee is permitted to use the supplemental leave first. Additionally, the employee may choose to take less than twelve weeks of leave.
- Supplemental Paid Parental Leave is not subject to cash out.
- An employee who does not return to work for at least six months of continuous service following the leave, will be required to reimburse King County for the salary received while on supplemental paid parental leave.

Benefit Period, Frequency, and Concurrency

- Paid Parental Leave must be used within twelve months of the qualifying event.
- An employee may use Paid Parental Leave on an intermittent or part-time basis, as long as it is consistent with the department's operational needs, and it is approved in writing by the employee's supervisor prior to the leave.
- Paid Parental Leave will run concurrently with the County's family and medical leave, as well as federal and state family and medical leave laws, to the fullest extent permitted by law.

Job Protection, Health Benefits, and Seniority

- Paid Parental Leave is protected leave. Barring required budget cuts or layoffs, an employee's job cannot be eliminated while the employee is on leave. Further, no retaliatory action may be taken against an employee for participating or planning to participate in the program.
- The employee will continue to receive all health benefits and shall continue to accrue vacation and sick leave during the period of Paid Parental Leave.
- Collective bargaining agreements will determine how Paid Parental Leave affects seniority.

Procedure for Requesting Paid Parental Leave

1. Provide notice – In all but a small minority of cases, employees will have advance notice of the need for Paid Parental Leave. Except in the rare circumstance when the need for leave is unexpected, at least thirty days' notice must be given to the department human resources representative and/or immediate supervisor. In the rare case when the need for leave is not foreseeable, you must provide notice as soon as possible.
2. Discuss your anticipated leave duration and schedule with the department human resources representative and/or your immediate supervisor. If you plan to take intermittent or part-time leave, this must be approved in writing prior to the leave.
3. Complete the *Protected Family and Medical Leave Request Form* found under "Leave Request" at
<http://www.kingcounty.gov/~media/employees/benefits/documents/leaves/fmla-request-form-fillable.ashx?la=en>

4. Submit the *Protected Family and Medical Leave Request Form*, along with acceptable documentation of the birth, adoption, or foster-to-adopt placement of the child, to the department human resources representative.
5. If you enter your own time, use PeopleSoft time reporting codes (TRC):
 - 754 – for concurrent FMLA/KCFML Paid Parental Leave time
 - 755 – for concurrent KCFML Paid Parental Leave time
 - 751 – for Paid Parental Leave time (not concurrent with FMLA or KCFML)

Questions

Refer all questions or comments to your department's HR Service Delivery Manager or to the Human Resources Division.

City of Seattle Paid Parental Leave Policy (2/17/17)

Chapter 4.27 - PAID PARENTAL LEAVE

Sections:

4.27.010 - Definitions

Unless another meaning is clearly indicated from the context, as used in this chapter:

"City" means the City of Seattle.

"Eligible employee" means an individual who has completed six months of City employment as an employee, as defined in Section 4.04.030, or as a temporary worker eligible for benefits under subsection 4.20.055.C.

"Reduced leave schedule" means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

"Single 12-month period" shall mean a 12-month period measured forward from the date of birth of a child, or placement of a child for adoption, foster care, or legal guardianship.

"Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

1. Under 18 years of age; or
2. 18 years of age or older and incapable of self-care because of a mental or physical disability.

"Week" shall mean 40 hours, prorated for part-time employees.

4.27.020 - Leave provisions

- A. Eligible employees are entitled to up to a total of 12 weeks of paid leave in addition to any paid and unpaid leave to which they may otherwise be entitled, except as provided in subsection 4.27.020.B, during any single 12 month period for one or more of the following:
 1. The birth of a son or daughter of the employee and in order to care for such son or daughter.
 2. The placement of a son or daughter with the employee for adoption, foster care, or legal guardianship.
- B. It is the intent of this Chapter 4.27 that all eligible employees have access to at least 12 weeks of paid leave for the non-medical care of a new son or daughter, without having to exhaust all of their accrued vacation and sick leave balances. To meet that intent, in addition to the paid vacation leave accrued pursuant to Chapter 4.34 and paid sick leave accrued pursuant to Chapter 4.24, paid parental leave is provided to eligible City employees as follows:
 1. Upon the qualifying birth or placement of a son or daughter, the City shall provide eight weeks of paid parental leave to be used for the non-medical care of that child within 12 months of the qualifying event.
 2. For eligible employees whose combined eight weeks of paid parental leave provided in subsection 4.27.020.B.1 and accrued vacation and sick leave, as accounted for in

subsection 4.27.020.B.3, amounts to less than 12 weeks on the date of the qualifying birth or placement, the City shall provide whatever additional paid parental leave is needed to reach a total of 12 weeks.

3. When determining what, if any, additional paid parental leave to provide in subsection 4.27.020.B.2, the City shall not count one week of an eligible employee's accrued vacation leave and two weeks of an employee's accrued sick leave towards the 12 week benefit, with the intent that the employees retain such vacation leave and sick leave to use in accordance with existing City policy regarding such leave usage.
- C. The entitlement to paid leave under subsections 4.27.020.A.1 and 4.27.020.A.2 for birth or placement of a son or daughter shall expire at the end of the 12-month period beginning on the date of such birth or placement.

4.27.030 - Notice.

- A. In any case in which the necessity for paid leave under Section 4.27.020 A(1) or A(2) is foreseeable based on an expected birth or placement, the employee shall provide the City with at least 30 days' notice, before the date of leave is to begin, of the employee's intention to take leave, except that if the date of birth or placement requires the leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

4.27.040 - Leave taken intermittently or on a reduced schedule.

- A. Leave under Section 4.27.020 A(1) or A(2) shall not be taken by an employee intermittently or on a reduced schedule unless the employee and City agree.

4.27.050 - Exhaustion of Other Paid Leave Not Required.

An employee need not exhaust his or her accrued sick leave, compensatory time and/or vacation leave prior to requesting and taking the Paid Parental Leave provided in this chapter.

4.27.060 - Employment and benefit protection.

Eligible employees who have been granted leave under this chapter shall be entitled to the same employment and benefit protections consistent with the protections of the City's family and medical leave benefit in Seattle Municipal Code Section 4.26.050 and the rules promulgated pursuant thereto.

4.27.070 - Certification Requirement.

- A. The City may require employees to submit documentation to certify their eligibility for the Paid Parental Leave benefit. The Seattle Human Resources Director shall promulgate rules for the administration of such certification process.

4.27.080 - Failure to Return to Work.

- A. The City may recover the value of the Paid Parental Leave from the employee if the employee fails to return to work following his or her leave of absence.

4.27.090 - Rulemaking.

The Seattle Human Resources Director is authorized and directed to promulgate rules consistent with this chapter.

4.27.100 - Data collection and reporting

City departments, via the City's payroll system, shall track data related to employees who utilize the paid parental leave provided in this Chapter 4.27. The data should include employee gender, tenure with the city, hours of paid parental leave used, job title, and employing City department at the time the leave was used. In addition, information on the approximate backfill cost to the City, by department, should be identified.

An annual report containing the information in the immediately preceding paragraph shall be submitted by the Seattle Department of Human Resources to the Mayor and City Council in the annual Workforce Equity Accountability Report. The first report is due by the end of the second quarter of 2018, and shall be submitted every year thereafter unless the Mayor and Chair of the City Council's Gender Equity, Safe Communities and New Americans committee, or its successor, agree an annual report is no longer necessary. Such agreement shall be in writing and filed with the City Clerk.

City of Shoreline Paid Family Leave Policy (2/27/17)

K. Supplemental Paid Family Leave

Applies to: Regular employees

Supplemental Paid Family Leave provides employees an increased ability to attend to family matters by supplementing an employee's accrued paid leaves. The employee will receive the equivalent of his or her full pay for up to a total of twelve weeks, when combined with the employee's accrued leave (except for two weeks of their accrued leave), to pay for a qualified family leave. Refer to Section VI Benefits, Family Leave under FMLA or Victims of Domestic Violence leave to learn what constitutes a qualifying event.

1. Eligibility

Supplemental Paid Family Leave is available to all regular employees who have:

- Worked for the City continuously for at least 12 months and for at least 1,250 hours over the previous 12 months; and
- Have a qualifying event under FMLA or under the Victims of Domestic Violence policy*; and
- Lack enough accrued leave to maintain a balance of two weeks and to pay for a leave of absence of up to 12 weeks.

2. Benefit Amount

An employee's Supplemental Paid Family leave benefit is calculated when an employee's accrued leave balances are down to two weeks or less. Accrued leave balances for purposes of this policy include sick leave, vacation, personal holiday, compensatory time and management leave. Employees may choose which type of leave they use first but are encouraged to use any personal holidays, management leave or compensatory time first because those leaves expire at the end of the year.

The employee will receive the equivalent of their full salary for up to a total of twelve weeks, when combined with the employee's accrued leave (except for two weeks of their accrued leave). Regular part time employees will receive this benefit on a pro-rata basis relative to their normal work week. The following is an example:

An employee has a qualifying event for a twelve week family leave of absence. At the time of the qualifying event, the employee has five weeks of accrued leave and will accrue an additional 1.2 weeks (6 days) of vacation and sick leave during the leave of absence. With the five weeks of accrued leave on the books at the time of the qualifying event and with the additional 1.2 weeks of accrual, the employee will have a total of 6.2 weeks of accrued leave. In this example, the following would happen:

4.2 weeks of the employee's accrued leave would be applied towards the twelve weeks of Paid Family Leave.

Then, when the employee's balance of accrued leave is down to two weeks, the City would provide the employee with 5.8 weeks of

Supplemental Paid Family Leave, so that the employee's twelve week family leave may be a fully paid leave.

If the qualifying event is the birth, adoption or foster care placement of a child and both parents work for the City and meet the eligibility requirements, the total Supplemental Paid Family leave available to the couple is 12 weeks. The City may grant leave to only one parent at time.

The employee must use all but two weeks of their accrued leave before using Supplemental Paid Family leave.

Supplemental Paid Family Leave may not be cashed out under any circumstance.

3. Benefit Period, Frequency, and Concurrency

Supplemental Paid Family Leave must begin and be completed within twelve months of the qualifying event.

An employee may use Supplemental Paid Family Leave on an intermittent or part-time basis, as long as it is consistent with the department's operational needs, and is approved in writing by the employee's director prior to the leave.

Supplemental Paid Family Leave will run concurrently with the City's family and medical leave, and federal and state family and medical leave laws, to the fullest extent permitted by law. Supplemental Paid Family Leave is limited to a maximum of 12 weeks every three years and is calculated on a rolling thirty six month period.

4. Job Protection and Health Benefits

Supplemental Paid Family Leave is protected leave. Barring required budget cuts or layoffs, an employee's job cannot be eliminated while the employee is on Supplemental Paid Family leave. Further, no retaliatory action may be taken against an employee for participating or planning to participate in the program.

The employee will continue to receive health benefits according to the underwriting rules of the relevant health plans and shall continue to accrue vacation and sick leave according to City policy during the period of Supplemental Paid Family Leave.

5. Procedure for Requesting Supplemental Paid Family Leave

- a) Provide notice –Unless a leave is unexpected, at least thirty days' notice must be given to the Human Resources department and the Immediate Supervisor. In the case when the need for leave is not foreseeable, employees must provide notice as soon as possible.
- b) Discuss your anticipated leave duration and schedule with the Human Resources department and your Immediate Supervisor. If you plan to take intermittent or part-time leave, this must be approved in writing prior to the leave.
- c) Complete the Supplemental Paid Family Leave Request Form.

- d) Submit the Supplemental Paid Family Leave Request Form along with the completed paperwork to request an FMLA leave; or along with your request for a leave under the Victims of Domestic Violence policy.

6. Time Recording

Record your time using the time card codes provided by Payroll.

*Reasons for taking leave under the FMLA:

- To care for an employee's child after birth or placement for adoption or foster care. Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.
- To care for an employee's spouse, child or parent who has a serious health condition.
- To care for a spouse, son, daughter, parent or next of kin who has a serious health condition as a result of military service 'military family care'.
- For qualifying exigencies (as defined by the FMLA) when a spouse, parent, son or daughter serving in the military is on, called to, or notified of impending call to covered active duty.
- If a serious health condition makes an employee unable to perform the functions of his or her job.

Reasons for taking leave under the Victims of Domestic Violence Leave policy:

- Employees who are victims of domestic violence, sexual assault, or stalking may take reasonable unpaid leave from work to take care of legal or law enforcement needs or to get medical treatment, social services assistance, or mental health counseling.
- Employees who are qualifying family members of a domestic violence victim are also eligible for leave under this policy.



City Council Business Agenda Item City of Kenmore, WA

Subject/Topic: Land Use Streamlining project: Adoption of Ordinance 17-0438. Proposed Council Action/Motion: Adopt Ordinance 17-0438.	For Council Meeting Agenda of: July 17, 2017 Department: <u>Community Development</u> Prepared by: <u>Debbie Bent, Community Development Director and Lauri Anderson, Senior Planner</u> <u>Initial & Date</u> Approved by Department Head: <u>DA 6/21/17</u> Approved by City Attorney: <u>R. Larson by phone 6/23/17</u> Approved by Finance Director: <u>[Signature] 6/27/17</u> Approved by City Manager: <u>[Signature] 28 June 2017</u> Exhibits/Attachments: 1. Ordinance 17-0438
Expenditure Required \$0 Amount Budgeted: \$0 Appropriation Required \$0	
INFORMATION/BACKGROUND: At your meetings on April 17 and May 8, staff reviewed proposed changes to the Zoning Code to provide more flexibility in land use interpretations and to simplify the code for applicants and permit review staff by consistently implementing a standardized set of land use terms. The streamlining project goal is to consolidate more than 200 existing land use definitions down to about 50, and to use these definitions in the zoning district charts and other code sections with as little change to the policy direction or intent of each zone as possible. A public hearing on the project was held on June 12, 2017. Staff now recommends that the Council adopt Ordinance 17-0438. Previous City Council agenda materials for this project can be found at: https://kenmore.civicweb.net/filepro/documents/76768?preview=79404 (Item VII.C) and at https://kenmore.civicweb.net/filepro/documents/76768?preview=80100 (Item XII.C).	
FISCAL CONSIDERATION: None at this time.	
COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED: - Comprehensive Plan Objective 2.2: "Prepare clear development regulations consistent with the Comprehensive Plan." - Policy LU-2.2.3: "Kenmore's regulation of land use should...be expeditious, predictable, clear, straightforward, and internally consistent..."	

CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 17-0438

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON;
ADOPTING AMENDMENTS TO THE FOLLOWING SECTIONS OF THE
KENMORE MUNICIPAL CODE: 18.20.168, 18.20.520, 18.20.1203,
18.20.1233, 18.20.1678, 18.20.2232, 18.20.2275, 18.20.2325, 18.20.2327,
18.20.2362, 18.20.2364, 18.20.3075, 18.21.020, 18.21.040, 18.21.070, 18.22.010,
18.23.020, 18.23.030, 18.24.020, 18.24.030, 18.25.020, 18.25.030, 18.26.040,
18.27.020, 18.27.030, 18.28.020, 18.28.030, 18.28A.020, 18.28A.030, 18.29.040,
18.30.230, 18.35.030, 18.40.030, 18.40.090, 18.73.110, AND 18.73.120;
ADOPTING THE FOLLOWING NEW CODE SECTIONS TO THE
KENMORE MUNICIPAL CODE: 18.10.078, 18.21.073, 18.21.075, 18.21.078,
18.22.015, 18.22.025, 18.22.028, 18.23.045, 18.23.048, 18.24.042, 18.24.044,
18.25.042, AND 18.25.044; AND REPEALING THE FOLLOWING CODE
SECTIONS OF THE KENMORE MUNICIPAL CODE: 18.20.040,
18.20.045, 18.20.050, 18.20.060, 18.20.100, 18.20.120, 18.20.130, 18.20.155,
18.20.160, 18.20.210, 18.20.212, 18.20.250, 18.20.305, 18.20.310, 18.20.370,
18.20.400, 18.20.422, 18.20.460, 18.20.500, 18.20.510, 18.20.635, 18.20.690,
18.20.700, 18.20.772, 18.20.780, 18.20.790, 18.20.800, 18.20.865, 18.20.900,
18.20.970, 18.20.1000, 18.20.1140, 18.20.1160, 18.20.1170, 18.20.1190,
18.20.1200, 18.20.1202, 18.20.1230, 18.20.1235, 18.20.1305, 18.20.1350,
18.20.1420, 18.20.1440, 18.20.1470, 18.20.1480, 18.20.1490, 18.20.1530,
18.20.1630, 18.20.1650, 18.20.1695, 18.20.1705, 18.20.1745, 18.20.1790,
18.20.1800, 18.20.1820, 18.20.1900, 18.20.1940, 18.20.2050, 18.20.2060,
18.20.2070, 18.20.2135, 18.20.2150, 18.20.2190, 18.20.2250, 18.20.2280,
18.20.2367, 18.20.2440, 18.20.2450, 18.20.2460, 18.20.2524, 18.20.2527,
18.20.2550, 18.20.2790, 18.20.2840, 18.20.2884, 18.20.2965, 18.20.2970,
18.20.2980, 18.20.3010, 18.20.3155, 18.20.3190, 18.20.3200, 18.20.3300,
18.20.3310, AND 18.20.3330; IN ORDER TO STREAMLINE AND
SIMPLIFY THE ZONING CODE AND APPLY CONSISTENT LAND USE
TERMINOLOGY THROUGHOUT THE ZONING CODE; ADOPTING
SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, on December 14, 2014, the City Council adopted Ordinance 14-0391, which revised land use definitions for the Regional Business, Waterfront Commercial and Urban Corridor zoning districts; and

WHEREAS, the City Council wishes to update and apply the land use definitions adopted in 2014 to the remaining zoning districts and amend other relevant code sections to streamline the list of land uses, simplify the code for use by the public and staff, and apply consistent terminology in the Zoning Code; and

WHEREAS, the amendments to Title 18 of the Kenmore Municipal Code ("KMC") eliminate redundancies and inconsistencies, and streamline and simplify regulations and permit processes; and

WHEREAS, KMC 19.20.090 sets forth the City Council's decision criteria for the amendment of development regulations; and

WHEREAS, the proposed amendments are consistent with the Growth Management Act and the Countywide Planning Policies as they implement the goals, objectives and policies of Kenmore's Comprehensive Plan which is consistent with these rules and policies; and

WHEREAS, the proposed amendments do not create an inconsistency within the Comprehensive Plan as the land uses envisioned by the Plan continue to be supported by the City's development regulations; and

WHEREAS, the proposed amendments are beneficial to the city as a whole as they implement the Comprehensive Plan and will not adversely affect public health, safety, and welfare; and

WHEREAS, the proposed amendments are consistent with the policies, objectives, and goals of the Comprehensive Plan, particularly: 1) Objective 2.2, which reads, "Prepare clear development regulations consistent with the Comprehensive Plan"; and 2) Policy LU-2.2.3, which reads, "Kenmore's regulation of land use should...be expeditious, predictable, clear, straightforward, and internally consistent..."; and

WHEREAS, the proposed amendments do not duplicate or conflict with other portions of the KMC but instead resolve such conflicts; and

WHEREAS, on March 31, 2017 the City sent notice of the amendments to Title 18 KMC to the Washington State Department of Commerce pursuant to RCW 36.70A.106; and

WHEREAS, on April 21, 2017 the City's Responsible Official issued a Determination of Non-Significance pursuant to the State Environmental Policy Act in relation to the amendments to Title 18 KMC; and

WHEREAS, on April 17, May 8 and June 12, 2017 the City Council considered the amendments to Title 18 at public meetings; and

WHEREAS, on June 12, 2017 the City Council held a public hearing to receive public input on the amendments to Title 18; and

WHEREAS, the City Council desires to amend KMC 18.20.168, 18.20.520, 18.20.1203, 18.20.1233, 18.20.1678, 18.20.2232, 18.20.2275, 18.20.2325, 18.20.2327, 18.20.2362, 18.20.2364, 18.20.3075, 18.21.020, 18.21.040, 18.21.070, 18.22.010, 18.23.020, 18.23.030, 18.24.020, 18.24.030, 18.25.020, 18.25.030, 18.26.040, 18.27.020, 18.27.030, 18.28.020, 18.28.030, 18.28A.020, 18.28A.030, 18.29.040, 18.30.230, 18.35.030, 18.40.030, 18.40.090, 18.73.110, and 18.73.120 in order to make these sections consistent with the new land use terminology; and

WHEREAS, the City Council desires to add KMC 18.10.078, 18.21.073, 18.21.075, 18.21.078, 18.22.015, 18.22.025, 18.22.028, 18.23.045, 18.23.048, 18.24.042, 18.24.044, 18.25.042, and 18.25.044 in order to eliminate inconsistencies with the new land use terminology; and

WHEREAS, the City Council desires to repeal KMC 18.20.040, 18.20.045, 18.20.050, 18.20.060, 18.20.100, 18.20.120, 18.20.130, 18.20.155, 18.20.160, 18.20.210, 18.20.212, 18.20.250, 18.20.305, 18.20.310, 18.20.370, 18.20.400, 18.20.422, 18.20.460, 18.20.500, 18.20.510, 18.20.635, 18.20.690, 18.20.700, 18.20.772, 18.20.780, 18.20.790, 18.20.800, 18.20.865, 18.20.900, 18.20.970, 18.20.1000, 18.20.1140, 18.20.1160, 18.20.1170, 18.20.1190, 18.20.1200, 18.20.1202, 18.20.1230, 18.20.1235, 18.20.1305, 18.20.1350, 18.20.1420, 18.20.1440, 18.20.1470, 18.20.1480, 18.20.1490, 18.20.1530, 18.20.1630, 18.20.1650, 18.20.1695, 18.20.1705, 18.20.1745, 18.20.1790, 18.20.1800, 18.20.1820, 18.20.1900, 18.20.1940, 18.20.2050, 18.20.2060, 18.20.2070, 18.20.2135, 18.20.2150, 18.20.2190, 18.20.2250, 18.20.2280, 18.20.2367, 18.20.2440, 18.20.2450, 18.20.2460, 18.20.2524, 18.20.2527, 18.20.2550, 18.20.2790, 18.20.2840, 18.20.2884, 18.20.2965, 18.20.2970, 18.20.2980, 18.20.3010, 18.20.3155, 18.20.3190, 18.20.3200, 18.20.3300, 18.20.3310, and 18.20.3330; and

WHEREAS, the City Council finds the proposed amendments to be in the best interest of the public welfare and necessary to eliminate inconsistencies with the new land use terminology; now, therefore,

THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council adopts the foregoing recitals as findings for this Ordinance, which are incorporated by reference as if set forth in full. The City Council hereby finds that decisional criteria set forth in KMC 19.20.090, for the amendment of development regulations, have been met. This finding is based on the incorporated recitals and the record created before the City Council.

Section 2. Amendment. The City Council amends the following sections of the Kenmore Municipal Code ("KMC") to read as set forth in Attachment A "Code Amendments", attached hereto and incorporated herein by reference:

- KMC 18.20.168 Animal kennel/shelter;
- KMC 18.20.520 Community residential facility (CRF);
- KMC 18.20.1203 General services land uses;
- KMC 18.20.1233 Government/business services land uses;
- KMC 18.20.1678 Manufacturing land uses;
- KMC 18.20.2232 Recreational/cultural land uses;
- KMC 18.20.2275 Regional land uses;
- KMC 18.20.2325 Residential land uses;
- KMC 18.20.2327 Resource land uses;
- KMC 18.20.2362 Retail land uses;
- KMC 18.20.2364 Retail sales;
- KMC 18.20.3075 Transportation;
- KMC 18.21.020 Residential zones R-1, R-4 and R-6 – Use allowances;
- KMC 18.21.040 Residential zones R-12, R-18, R-24, and R-48 – Use allowances;
- KMC 18.21.070 Personal services and retail uses in R-4 through R-48 zones;
- KMC 18.22.010 Neighborhood business zone – Use allowances;
- KMC 18.23.020 Use allowances;
- KMC 18.23.030 Accessory uses;
- KMC 18.24.020 Use allowances;
- KMC 18.24.030 Accessory uses;
- KMC 18.25.020 Use allowances;
- KMC 18.25.030 Accessory uses;
- KMC 18.26.040 Use allowances – Regional business east subarea;
- KMC 18.27.020 Public and semi-public zone – Use allowances;
- KMC 18.27.030 Public and semi-public zone -- Accessory uses;
- KMC 18.28.020 Parks zone – Use allowances;
- KMC 18.28.030 Parks zone -- Accessory uses;
- KMC 18.28A.020 Golf course zone – Use allowances;
- KMC 18.28A.030 Golf course zone -- Accessory uses;
- KMC 18.29.040 Use allowances;
- KMC 18.30.230 Setbacks – Projections and structures allowed;
- KMC 18.35.030 Land use grouping;
- KMC 18.40.030 Computation of required off-street parking spaces;
- KMC 18.40.090 Transit and rideshare provisions;
- KMC 18.73.110 Home occupation; and
- KMC 18.73.120 Home industry.

Section 3. Adoption. The City Council adopts the following new KMC sections to read as set forth in Attachment B “New Code Sections”, attached hereto and incorporated herein by reference:

- KMC 18.10.078 Interpretation of land use groupings;
- KMC 18.21.073 Accessory uses;
- KMC 18.21.075 Drive-through service;
- KMC 18.21.078 Outdoor storage;

- KMC 18.22.015 Accessory uses;
- KMC 18.22.025 Drive-through service;
- KMC 18.22.028 Outdoor storage;
- KMC 18.23.045 Drive-through service;
- KMC 18.23.048 Outdoor storage;
- KMC 18.24.042 Drive-through service;
- KMC 18.24.044 Outdoor storage;
- KMC 18.25.042 Drive-through service; and
- KMC 18.25.044 Outdoor storage.

Section 4. Repealer. The City Council repeals the following KMC sections as set forth on Attachment C “Repealed Code Sections”, attached hereto and incorporated herein by reference:

- KMC 18.20.040 Accessory use, commercial/industrial;
- KMC 18.20.045 Accessory use, parks;
- KMC 18.20.050 Accessory use, residential;
- KMC 18.20.060 Accessory use, resource;
- KMC 18.20.100 Agricultural product sales;
- KMC 18.20.120 Aircraft, ship and boat building;
- KMC 18.20.130 Airport/heliport;
- KMC 18.20.155 Amusement and recreation services;
- KMC 18.20.160 Amusement arcade;
- KMC 18.20.210 Artist studio;
- KMC 18.20.212 Arts and crafts schools/studios;
- KMC 18.20.250 Bed and breakfast guesthouse;
- KMC 18.20.305 Boat launch;
- KMC 18.20.310 Book, stationery, video and art supply store;
- KMC 18.20.370 Building, hardware and garden materials store;
- LMC 18.20.400 Campground;
- KMC 18.20.422 Car wash;
- KMC 18.20.460 Church, synagogue, mosque, temple;
- KMC 18.20.500 Communication facility, major;
- KMC 18.20.510 Communication facility, minor;
- KMC 18.20.635 Cultural facilities;
- KMC 18.20.690 Department and variety store;
- KMC 18.20.700 Destination resort;
- KMC 18.20.772 Dock;
- KMC 18.20.780 Dormitory;
- KMC 18.20.790 Drop box facility;
- KMC 18.20.800 Drug store;
- KMC 18.20.865 Educational institutions (public or private), K – 12;
- KMC 18.20.900 Energy resource recovery facility;
- KMC 18.20.970 Fabric shop;
- KMC 18.20.1000 Fairground;

- KMC 18.20.1140 Florist shop;
- KMC 18.20.1160 Forest product sales;
- KMC 18.20.1170 Forest research;
- KMC 18.20.1190 Furniture and home furnishings store;
- KMC 18.20.1200 General business service;
- KMC 18.20.1202 General personal service use;
- KMC 18.20.1230 Golf course facility;
- KMC 18.20.1235 Government facilities, City;
- KMC 18.20.1305 Health services, miscellaneous;
- KMC 18.20.1350 Hobby, toy, game shop;
- KMC 18.20.1420 Individual transportation and taxi;
- KMC 18.20.1440 Interim recycling facility;
- KMC 18.20.1470 Jail;
- KMC 18.20.1480 Jail farm;
- KMC 18.20.1490 Jewelry store;
- KMC 18.20.1530 Landfill;
- KMC 18.20.1630 Livestock sales;
- KMC 18.20.1650 Log storage;
- KMC 18.20.1695 Medical/dental office/outpatient clinic;
- KMC 18.20.1705 Miscellaneous repair;
- KMC 18.20.1745 Mobile food vendor;
- KMC 18.20.1790 Motor vehicle and boat dealers;
- KMC 18.20.1800 Motor vehicle and bicycle manufacturing;
- KMC 18.20.1820 Municipal water production;
- KMC 18.20.1900 Off-street required parking lot;
- KMC 18.20.1940 Outdoor performance center;
- KMC 18.20.2050 Personal medical supply store;
- KMC 18.20.2060 Pet shop;
- KMC 18.20.2070 Photographic and electronic shop;
- KMC 18.20.2135 Pro shop;
- KMC 18.20.2150 Public agency animal control facility;
- KMC 18.20.2190 Public agency training facility;
- KMC 18.20.2250 Recreational vehicle parks;
- KMC 18.20.2280 Regional stormwater management facility;
- KMC 18.20.2367 Retail sales, outdoor;
- KMC 18.20.2440 School district support facility;
- KMC 18.20.2450 Schools, elementary and middle/junior high;
- KMC 18.20.2460 Schools, secondary or high school;
- KMC 18.20.2524 Services, off-site;
- KMC 18.20.2527 Services, on-site;
- KMC 18.20.2550 Shooting range;
- KMC 18.20.2790 Soil recycling facility;
- KMC 18.20.2840 Sporting goods store;
- KMC 18.20.2884 Storage, indoor;

- KMC 18.20.2965 Taxi stand;
- KMC 18.20.2970 Theater;
- KMC 18.20.2980 Theatrical production services;
- KMC 18.20.3010 Transfer station;
- KMC 18.20.3155 Variety store;
- KMC 18.20.3190 Warehousing and wholesale trade;
- KMC 18.20.3200 Wastewater treatment facility;
- KMC 18.20.3300 Wildlife shelter;
- KMC 18.20.3310 Work release facility; and
- KMC 18.20.3330 Yard or organic waste processing.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
17th DAY OF JULY, 2017

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Kelly Chelin, City Clerk

Approved as to form:

Rod P. Kaseguma, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.:
Date of Publication:
Effective Date:

Attachment A

CODE AMENDMENTS

Pursuant to Ordinance 17-0438, the following sections of the Kenmore Municipal Code (KMC) are amended as set forth below. When the * * * symbol is used below it means that the existing KMC text that is not expressly amended remains unchanged and in full force and effect:

18.20.168 Animal kennel/shelter.

"Animal kennel/shelter" means any outdoor or indoor facility which houses four or more ~~small domestic~~ animals (that number not including one unweaned litter) for periods longer than 24 hours as a commercial venture, as a nonprofit organization, or for a governmental purpose. The facility may either be a separate business or an accessory use. [Ord. 14-0391 § 2 (Exh. 1).]

18.20.520 Community residential facility (CRF).

"Community residential facility (CRF)" means living quarters meeting applicable federal and State standards that function as a single housekeeping unit and provide supportive services, including but not limited to counseling, rehabilitation and medical supervision, excluding drug and alcohol detoxification, which is classified as ~~health services, a hospital or an ambulatory surgery center~~. CRFs are further classified as follows:

A. CRF-I means nine to 10 residents and staff;

B. CRF-II means 11 or more residents and staff. If staffed by nonresident staff, each 24 staff hours per day equals one full-time residing staff member for purposes of subclassifying CRFs.

Provided, however, that this definition shall not apply to *secure community transition facilities* as defined in KMC [18.20.2465](#) or to *adult family homes* as defined in KMC [18.20.095](#).

May include NAICS 623210 (Residential Intellectual and Developmental Disability Facilities) and 623220 (Residential Mental Health and Substance Abuse Facilities). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.20.1203 General services land uses.

~~"General services land uses" means general personal service use; drycleaning plants; industrial launderers; funeral home/crematory; cemetery, columbarium or mausoleum; day care I; day care II;~~

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veterinary clinic; automotive repair (except tire retreading); automotive service; *miscellaneous repair; church, mosque, temple; social services (except day care services and residential care); stable; kennel or cattery; theatrical production services; artist studios; interim recycling facility; medical/dental office/outpatient clinic; nursing and personal care facilities; hospital; medical/dental lab; miscellaneous health services; elementary school; middle/junior high school; secondary or high school; vocational school; specialized instruction school; and school district support facility.* For purposes of KMC Chapters 18.35 and 18.40, "General services land uses" means *ambulatory surgery center; animal kennel/shelter; automotive service (except tire retreading); business service, intensive; cemetery, columbarium or mausoleum; day care; educational service; funeral home/crematory; health care and social assistance; hospital; laboratory; personal service; religious institution; and stable.*

18.20.1233 Government/business services land uses.

"Government/business services land uses" means *public agency or utility office; public agency or utility yard; public agency archives; court; police facility; fire facility; utility facility; commuter parking lot; private stormwater management facility; vector waste receiving facility; construction and trade; individual transportation and taxi; trucking and courier service; warehousing and wholesale trade (except self-service storage); self-service storage; farm product warehousing, refrigeration and storage; log storage; transportation service; freight and cargo service; passenger transportation service; communication offices; telegraph and other communications; general business service; professional office; outdoor advertising service; miscellaneous equipment rental; automotive rental and leasing; automotive parking; professional sport teams/promoters; research, development and testing; heavy equipment and truck repair; commercial/industrial accessory uses; and helistop.* For purposes of KMC Chapters 18.35 and 18.40, "Government/business services land uses" means *air transportation service; business service, standard; construction and trade; fire or police facility; heavy equipment and truck repair; office; private stormwater management facility; public agency archive; public agency or utility yard; standalone parking; transportation; utility facility; vehicle or equipment rental; warehousing; and wholesale trade.*

18.20.1678 Manufacturing land uses.

"Manufacturing land uses" means food and kindred products manufacture; winery/brewery; textile mill products; apparel and other textile products manufacture; wood products manufacture, except furniture; furniture and fixtures manufacture; paper and allied products manufacture; printing and publishing; chemicals and allied products manufacture; petroleum refining and related industries; rubber and miscellaneous plastic products manufacture; leather and leather goods manufacture; stone, clay, glass and concrete products manufacture; primary metal industries; fabricated metal products; industrial and commercial machinery manufacture; heavy machinery and equipment manufacture; computer and office equipment manufacture; electronic and other electric equipment manufacture; railroad equipment manufacture; guided missile and space vehicle parts manufacture; miscellaneous transportation vehicles manufacture; measuring and controlling instruments manufacture; miscellaneous light manufacturing; motor vehicle and bicycle manufacturing; aircraft, ship and boat building; tire retreading; and movie production/distribution. For purposes of KMC Chapters 18.35 and

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18.40, "Manufacturing land uses" means manufacturing, heavy; manufacturing, light; marijuana processor; and tire retreading.

18.20.2232 Recreational/cultural land uses.

"Recreational/cultural land uses" means park; trails; campgrounds; destination resorts; marina; recreational vehicle park; sports club; adult entertainment business; theater; theater, drive-in; bowling center; golf facility; amusement and recreation services; shooting range; amusement arcades; amusement park; outdoor performance center; library; museum; arboretum; and conference center. For purposes of KMC Chapters 18.35 and 18.40, "Recreational/cultural land uses" means adult entertainment business; arts, entertainment, indoor; arts, entertainment, outdoor; park; recreational facility, indoor; recreational facility, outdoor; and trail.

18.20.2275 Regional land uses.

"Regional land uses" means jail; jail farm/camp; work release facility; public agency animal control facility; public agency training facility; hydroelectric generation facility; nonhydroelectric generation facility; communication facility; earth station; oil and gas extraction; energy resource recovery facility; soil recycling facility; landfill; transfer station; wastewater treatment facility; municipal water production; airport/heliport; transit bus base; school bus base; racetrack; fairground; zoo/wildlife exhibit (except arboretum); stadium/arena; college/university (except technical institutions); and secure community transition facilities. For purposes of KMC Chapter 18.40, "Regional land uses" means college/university; conference center; hydroelectric generation facility; nonhydroelectric generation facility; regional land use; resource land use; secure facility; transit bus base; school bus base; and wireless communication facility.

18.20.2325 Residential land uses.

"Residential land uses" means single detached dwelling unit; townhouse; apartment; mobile home and manufactured home; mobile home park; family child-care home; community residential facility I; community residential facility II; assisted living; dormitory; residential accessory uses; home occupation; home industry; hotel/motel (except bed and breakfast guesthouses); bed and breakfast guesthouse; and organization hotel/lodging houses. For purposes of KMC Chapters 18.35 and 18.40, "Residential land uses" means community residential facility; family child-care home; manufactured home, mobile home; mobile home park; multiple family dwelling; single detached dwelling unit; supportive living facility; and temporary lodging.

18.20.2327 Resource land uses.

"Resource land uses" means growing and harvesting crops; raising livestock and small animals; growing and harvesting forest products; forest research; hatchery/fish preserve; aquaculture; wildlife shelters; mineral extraction and processing; asphalt/concrete mixtures and block manufacture; and resource

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~~accessory uses.~~ For purposes of KMC Chapter 18.40, "Resource land uses" means *resource land use and marijuana producer.*

18.20.2362 Retail land uses.

~~"Retail land uses" means building, hardware and garden materials stores; forest product sales; department and variety stores; food stores; agricultural product sales; motor vehicle and boat dealers; auto supply stores; gasoline service stations; apparel and accessory stores; furniture and home furnishings stores; eating and drinking places; drug stores; liquor stores; used goods; antiques/secondhand shops; sporting goods and related stores; book, stationery, video and art supply stores; jewelry stores; monuments, tombstones, and gravestones sales; hobby, toy, game shops; photographic and electronic shops; fabric shops; fuel dealers; florist shops; personal medical supply stores; pet shops; bulk retail; auction houses; and livestock sales.~~ For purposes of KMC Chapters 18.35 and 18.40, "Retail land uses" means *auction house; automotive sales; eating and drinking place; marijuana retailer; mobile food service; retail sales; retail sales, bulk; and vehicle refueling station.*

18.20.2364 Retail sales.

"Retail sales" means an establishment within a permanent *structure* of less than 65,000 square feet engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. This definition excludes *auction houses, automotive sales and service,* sales of automotive parts if service, repair or installation are provided on site, *bulk retail sales, motor vehicle and boat dealers,* and *eating and drinking places.*

May include NAICS Sectors 44 – 45 (Retail Trade), except the following: 4411 (Automobile Dealers), 4412 (Other Motor Vehicle Dealers), 44132 (Tire Dealers), 447 (Gasoline Stations), 45291 (Warehouse Clubs and Superstores), 45393 (Manufactured/Mobile Home Dealers), and 45431 (Fuel Dealers). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.20.3075 Transportation.

"Transportation" means establishments providing transportation of passengers or cargo, such as taxi and limousine services, scenic and sightseeing transportation businesses, motor vehicle towing, trucking, shipping, or freight hauling businesses. This use includes related support activities, such as cargo handling and packing and crating of cargo. Transportation does not include *airport/heliport, air transportation service,* or airport (classified as a *regional land use*).

May include NAICS Sector 48 (Transportation and Warehousing), except the following: 481 (Air Transportation), 486 (Pipeline Transportation), 4881 (Support Activities for Air Transportation), and 493 (Warehousing and Storage). May include 62191 (Ambulance Services). [Ord. 14-0391 § 2 (Exh. 1).]

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18.21.020 Residential zones R-1, R-4 and R-6 – Use allowances.

The following *uses* in Table A are permitted, conditionally permitted, special uses, or *prohibited uses* in residential zones R-1, R-4 and R-6.

Table A. Residential Zones R-1, R-4 and R-6 Use Allowances.

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Single Detached Dwelling Unit ¹	Single Detached Dwelling Unit ¹	Jail	Community Residential Facility II
Townhouse ²	Townhouse ²	Work Release Facility	Hotel/Motel ³
Designated Manufactured Home ⁴	Designated Manufactured Home ⁴	Hydroelectric Generation Facility	Organization Hotel/Lodging Houses
Mobile Home and Manufactured Home ⁵	Mobile Home Park ⁶	Nonhydroelectric Generation Facility	Campgrounds
Senior Citizen Assisted Living ⁷	Community Residential Facility I	Oil and Gas Extraction	Destination Resorts
Residential Accessory Uses ⁸	Dormitory ⁹	Energy Resource Recovery Facility	Recreational Vehicle Park
Home Occupation	Home Industry	Landfill	Adult Entertainment Business
Park ¹²	Bed and Breakfast	Transfer Station	Theater
Trails	Guesthouse ¹⁰	Wastewater Treatment Facility	Theater, Drive-in
Golf Course Facility ¹⁵	Marina ¹³	Municipal Water Production	Bowling Center
Amusement and Recreation Services ^{16,17,18}	Sports Club ^{13,14}	Airport/Heliport	Shooting Range
Library ²⁰	Amusement and Recreation Services ^{16,17,18}	Transit Bus Base	Amusement Arcades
Museum ²⁰	Library	School Bus Base	Amusement Park
	Museum	Racetrack ²²	Outdoor Performance Center
	Conference Center		Drycleaning Plants
			Industrial Launderers

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Table A. Residential Zones R-1, R-4 and R-6 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Arboretum	General Personal Service ²¹	Zoo/Wildlife Exhibit ⁶³	Veterinary Clinic
Conference Center ²⁰	Funeral Home/Crematory ²²	College/University ⁶⁴	Automotive Repair
Cemetery, Columbarium or Mausoleum ²³	Cemetery, Columbarium or Mausoleum ²⁴		Automotive Service
Family Child Care Home ²⁵	Day Care I		Miscellaneous Repair
Day Care I ²⁶	Day Care II		kennel or Cattery
Day Care II ²⁶	Church, Synagogue, Mosque, Temple		Theatrical Production Services
Church, Synagogue, Mosque, Temple ²⁷	Social Services ^{28,29}		Nursing and Personal Care Facilities
Social Services ^{27,28}	Stable		Medical/Dental Lab
Stable ³⁰			Miscellaneous Health Services
			Public Agency Archives
			Court
			Construction and Trade
Artist Studios ³¹	Medical/Dental		Individual Transportation and Taxi
Interim Recycling Facility ³²	Office/Outpatient Clinic ³⁰		Trucking and Courier Service
Medical/Dental	Hospital ³⁰		Warehousing and Wholesale Trade ⁴⁶
Office/Outpatient Clinic ³⁷	Secondary or High School ³³		Self-Service Storage
Elementary School	Vocational School		Farm Product Warehousing, Refrigeration and Storage
Middle/Junior High School	Specialized Instruction School ³⁵		
Secondary or High School ³³			

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Table A. Residential Zones R-1, R-4 and R-6 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Vocational School ²⁹	School District Support Facility		Log Storage
Specialized Instruction School ³⁴	Public Agency or Utility Office		Transportation Service
School District Support Facility ³⁶	Fire Facility ⁴⁰		Freight and Cargo Service
Public Agency or Utility Office ³⁷	Utility Facility ⁴²		Passenger Transportation Service
Public Agency or Utility Yard ³⁸	Commuter Parking Lot		Communication Offices
Police Facility ⁴⁰	Holistop ⁴⁷		Telegraph and Other Communications
Utility Facility ⁴¹	Department and Variety Stores ⁴⁸		General Business Service
Commuter Parking Lot ⁴³	Food Stores ⁴⁹		Professional Office
Private Stormwater Management Facility ⁴⁴	Eating and Drinking Places ^{51, 52}		Outdoor Advertising Service
Vactor Waste Receiving Facility ⁴⁵	Drug Stores ⁴⁹		Miscellaneous Equipment Rental
Automotive Parking ⁴³	Book, Stationery, Video and Art Supply Stores ⁴⁹		Automotive Rental and Leasing
Agricultural Product Sales ⁵⁰	Florist Shops ⁴⁹		Professional Sports Teams/Promoters
Livestock Sales ^{53, 54}	Hatchery/Fish Preserve ⁵⁶		Research, Development and Testing
Growing and Harvesting Crops	Aquaculture ⁵⁶		Heavy Equipment and Truck Repair
Raising Livestock and Small Animals ⁵⁵	Hydroelectric Generation Facility ⁶⁷		Commercial/Industrial Accessory Uses
	Nonhydroelectric Generation Facility ⁶⁸		

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Table A. Residential Zones R-1, R-4 and R-6 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Growing and Harvesting Forest Products School-Bus Base ⁶⁴ College/University ^{64,65}	School-Bus Base College/University ^{64,66}		Building, Hardware and Garden Materials Stores Forest Product Sales Motor Vehicle and Boat Dealers Auto Supply Stores Gasoline Service Stations Apparel and Accessory Stores Furniture and Home Furnishings Stores Liquor Stores Used Goods; Antiques/Secondhand Shops
			Sporting Goods and Related Stores Jewelry Stores Monuments, Tombstones and Gravestones Sales Hobby, Toy, Game Shops Photographic and Electronic Shops Fabric Shops Fuel Dealers

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Table A. Residential Zones R-1, R-4 and R-6 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
			<i>Personal Medical Supply Stores</i> <i>Pet Shops</i> <i>Bulk Retail</i> <i>Auction Houses</i> <i>Manufacturing Land Uses</i> <i>Forest Research</i> <i>Wildlife Shelters</i> <i>Mineral Extraction and Processing</i> <i>Asphalt/Concrete Mixtures and Block Manufacture</i> <i>Resource Accessory Uses</i> <i>Jail Farm/Camp</i> <i>Public Agency Animal Control Facility</i> <i>Public Agency Training Facility</i> <i>Soil Recycling Facility</i> <i>Fairground</i> <i>Stadium/Arena</i> <i>Secure Community Transition Facilities</i>

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Table A. Residential Zones R-1, R-4 and R-6 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
			<i>Marijuana Business</i> <i>Marijuana Cooperative</i>

¹ Conditional use permit required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in subsection 8 of this section.

² A conditional use permit is not required for townhouse units on lots in a subdivision or short subdivision designed for townhouse units.

³ Reserved.

⁴ Only in a building listed on the National Register as an historic site or designated as a King County landmark subject to the provisions of Chapter 2.20 KMC.⁴

⁵ Manufactured homes and mobile homes are only allowed in mobile home parks.

⁶ Mobile home parks shall not be permitted in the R-1 zones.

⁷ Only as an accessory to a school, college, university or church.

⁸ a. See KMC 18.73.100 regarding accessory dwelling units.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a City right-of-way to, a waterbody or landing field, provided there is:

(1) No aircraft sales, service, repair, charter or rental; and

(2) No storage of aviation fuel except that contained in the tank or tanks of the aircraft.

⁹ Except bed and breakfast guesthouses.

¹⁰ Bed and breakfast guesthouses shall be authorized after issuance of a conditional use permit, subject to the following conditions:

a. The guesthouse shall be owner-occupied;

b. Meals shall be served to paying guests only (no restaurant use permitted);

c. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;

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d. Parking shall be provided as required by this title; and

e. The guesthouse shall be compatible with the neighborhood character as determined by the city manager, and shall not create significant adverse neighborhood effects that cannot be mitigated.

¹¹ Reserved.

¹² The following conditions and limitations shall apply, where appropriate:

a. No stadiums on sites less than 10 acres;

b. Lighting for structures and fields shall be directed away from residential areas;

c. Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones, except for structures in on-site recreation areas required in KMC 18.30.130 and 20.47.155. Setback requirements for structures in these on-site required recreation areas shall be maintained in accordance with the zoning standards for the underlying residential zone;

d. Overnight camping is allowed only in an approved campground.

¹³ Limited to recreation facilities subject to the following conditions and limitations:

a. The bulk and scale shall be compatible with residential character of the area;

b. For sports clubs, the gross floor area shall not exceed 10,000 square feet unless the building is on the same site or adjacent to a site where a public facility is located or unless the building is a nonprofit facility; and

c. Use is limited to residents of a specified residential development or to sports clubs providing supervised instructional or athletic programs.

¹⁴ Only for stand-alone sports clubs that are not part of a park.

¹⁵ Clubhouses, maintenance buildings, equipment storage areas and driving range tees shall be at least 50 feet from residential property lines. Lighting for practice greens and driving range ball impact areas shall be directed away from adjoining residential zones. Applications shall comply with adopted best management practices for golf course development.

¹⁶ Excluding amusement and recreational uses classified elsewhere in this chapter.

¹⁷ Social card games, as defined by this title, are prohibited.

¹⁸ Limited to a golf driving range as an accessory to golf courses.

¹⁹ Limited to golf driving ranges and subject to subsection 15 of this section.

²⁰ Only as accessory to a park or in a building listed on the National Register as an historic site or designated as a City landmark subject to Chapter 18.50 KMC.

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²¹ Not permitted in R-1 and limited to a maximum of 5,000 square feet per establishment and subject to the additional requirements in KMC 18.21.070.

²² Only as an accessory to a cemetery.

²³ Limited to columbariums accessory to a church, but required *landscaping* and parking shall not be reduced.

²⁴ Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

²⁵ A *family child-care home* is subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title 170. The *family child-care home* shall meet the following requirements:

a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;

b. A safe passenger loading area as certified by the DEL licenser shall be provided;

c. The *family child-care home* shall comply with all applicable building, fire, safety, and health codes enforced by the City;

d. The *family child-care home* shall comply with all applicable development standards of the City, unless determined to be legally nonconforming;

e. All signage shall conform to the applicable requirements of Chapter 18.42 KMC;

f. The City has the authority to limit the hours of operation to facilitate neighborhood compatibility; and

g. Prior to receiving State licensing, the family child-care provider shall provide the City with proof of written notification informing immediately adjoining property owners of the intent to locate and maintain the *family child-care home*. The notification shall inform the notified parties that comments may be submitted to the DEL and provide contact information for submitting such comments to the DEL. The proof of notification shall be in the form of a written affidavit containing (1) the date and means of notification; (2) a copy of the notification; and (3) a list of the parties to whom the notification was distributed.

²⁶ Only as a re-use of a public school facility subject to Chapter 18.50 KMC, or an *accessory use* to a school, church, *park*, *sport club* or public housing administered by a *public agency*, and:

a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no openings except for gates, and have a minimum height of six feet;

b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

c. Direct access to a developed arterial *street* shall be required in any residential zone; and

d. Hours of operation may be restricted to assure compatibility with surrounding *development*.

²⁷ Only as a re-use of a public school facility subject to Chapter 18.50 KMC.

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²⁸ Except day care services and residential care.

²⁹ Only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC.

³⁰ Covered riding arenas are subject to KMC 18.70.030 and shall not exceed 20,000 square feet, but stabling areas, whether attached or detached, shall not be counted in this calculation.

³¹ Only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC or as a joint use of an existing public school facility.

³² Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

³³ Renovation, expansion, modernization, or reconstruction of a school, or the addition of relocatable facilities, is permitted.

³⁴ Only as an accessory to residential use, and:

a. Students shall be limited to 12 per one-hour session;

b. All instruction must be within an enclosed structure; and

c. Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

³⁵ Subject to the following:

a. Structures used for the school and accessory uses shall maintain a minimum distance of 25 feet from property lines adjoining residential zones;

b. On lots over two and one-half acres:

(1) Retail sales of items related to the instructional courses are permitted, if total floor area for retail sales is limited to 2,000 square feet;

(2) Sales of food prepared in the instructional courses are permitted with Seattle/King County public health and City approval, if total floor area for food sales is limited to 1,000 square feet and is located in the same structure as the school; and

(3) Other incidental student-supporting uses are allowed, if such uses are found to be both compatible with and incidental to the principal use; and

c. On sites over 10 acres zoned R-1 and/or R-4:

(1) Retail sales of items related to the instructional courses are permitted, provided total floor area for retail sales is limited to 2,000 square feet;

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(2) Sales of food prepared in the instructional courses are permitted with Seattle/King County public health and City approval, if total floor area for food sales is limited to 1,750 square feet and is located in the same structure as the school;

(3) Other incidental student-supporting uses are allowed, if the uses are found to be functionally related, subordinate, compatible with and incidental to the principal use;

(4) The use shall be integrated with allowable agricultural uses on the site;

(5) Advertised special events shall comply with the temporary use requirements of this title; and

(6) Existing structures that are damaged or destroyed by fire or natural event, if damaged by more than 50 percent of their prior value, may reconstruct and expand an additional 65 percent of the original floor area but need not be approved as a conditional use if their use otherwise complies with the development conditions in this subsection (35)(c) and this title.

³⁶ Only if adjacent to an existing or proposed school.

³⁷ a. Only as a re-use of a public school facility or a surplus nonresidential facility subject to the provisions of Chapter 18.50 KMC; or

b. Only when accessory to a fire facility and the office is no greater than 1,500 square feet of floor area.

³⁸ a. Utility yards only on sites with utility district offices; or

b. Public agency yards are limited to material storage for road maintenance facilities.

³⁹ Limited to "storefront" police offices. Such offices shall not have:

a. Holding cells;

b. Suspect interview rooms; or

c. Long term storage of stolen properties.

⁴⁰ a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street; and

c. No outdoor storage.

⁴¹ Excluding bulk gas storage tanks.

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⁴² Limited to *bulk gas storage tanks* which pipe to individual residences but excluding liquefied natural gas storage tanks.

⁴³ Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:

a. They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours; and

b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable to the *department*.

⁴⁴ Except when participating in an approved shared facility drainage plan; such facilities shall be located on the same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside a separate tract for such facilities. For shared facilities, such facilities which are not located on the *lot* they are designed to serve shall be located on a *lot* with the same or more intensive zoning designation.

⁴⁵ Only as an *accessory use* to a *public agency* or *utility yard*, or to a *transfer station*.

⁴⁶ Except *self-service storage*.

⁴⁷ Limited to *emergency* medical evacuation sites in conjunction with police, fire or health service facility.

⁴⁸ Not in R-1 and limited to *variety stores*, with a maximum of 5,000 square feet of gross floor area, and subject to KMC 18.21.070.

⁴⁹ Not permitted in R-1 and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC 18.21.070.

⁵⁰ a. Limited to products produced on site.

b. Covered sales areas shall not exceed a total area of 500 square feet.

⁵¹ Not permitted in R-1 and excluding drinking places, and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC 18.21.070.

⁵² *Social card games*, as defined by this title, are prohibited.

⁵³ Retail sale of *livestock* is permitted only as accessory to raising *livestock*.

⁵⁴ Limited to the R-1 zone.

⁵⁵ *Large livestock* allowed in accordance with Chapter 18.70 KMC.

⁵⁶ May be further subject to KMC Title 16, Division I, Shoreline Management.

⁵⁷ Limited to facilities that comply with the following:

a. Any new diversion *structure* shall not:

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(1) Exceed a height of eight feet as measured from the streambed; or

(2) Impound more than three surface acres of water at the normal maximum surface level;

b. There shall be no active storage;

c. The maximum water surface area at any existing dam or diversion shall not be increased;

d. An exceedance flow of no greater than 50 percent in mainstream reach shall be maintained;

e. Any transmission line shall be limited to a:

(1) Right-of-way of five miles or less; and

(2) Capacity of 230 kV or less;

f. Any new, permanent access road shall be limited to five miles or less; and

g. The facility shall only be located above any portion of the stream used by anadromous fish.

⁵⁸ Limited to cogeneration facilities for on-site use only.

⁵⁹ Reserved.

⁶⁰ Reserved.

⁶¹ Only in conjunction with an existing or proposed school.

⁶² Except racing of motorized vehicles.

⁶³ Except arboretum.

⁶⁴ Except technical institutions. See vocational schools.

⁶⁵ Only as a re-use of a public school facility subject to Chapter 18.50 KMC.

⁶⁶ Only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC.

The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited uses* in residential zones R-1, R-4 and R-6:

Table A. R-1, R-4 and R-6 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Air transportation service</i> ¹	<i>Ambulatory surgery center</i> ²⁵	<i>Adult entertainment business</i>
<i>Arts, entertainment, indoor</i> ^{2,3}	<i>Arts, entertainment, outdoor</i> ²⁶	<i>Animal kennel/shelter</i>

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<u>Day-care⁴</u>	<u>Cemetery, columbarium or mausoleum²⁷</u>	<u>Auction house</u>
<u>Educational service⁵</u>	<u>College/university²⁵</u>	<u>Automotive sales and service, marine</u>
<u>Family child-care home⁶</u>	<u>Community residential facility²⁸</u>	<u>Automotive sales and service, non-marine</u>
<u>Fire or police facility^{7,8}</u>	<u>Eating and drinking place^{3,29}</u>	<u>Business service, intensive</u>
<u>Health care and social assistance^{9,10}</u>	<u>Hospital²⁵</u>	<u>Business service, standard</u>
<u>Multiple family dwelling¹¹</u>	<u>Mobile home park³⁰</u>	<u>Construction and trade</u>
<u>Office¹²</u>	<u>Personal service³¹</u>	<u>Funeral home/crematory</u>
<u>Park¹³</u>	<u>Recreational facility, indoor^{3,16,32}</u>	<u>Laboratory</u>
<u>Recreational facility, outdoor^{14,15,16}</u>	<u>Regional land use^{33, 34,35}</u>	<u>Manufacturing, heavy</u>
<u>Religious institution¹⁷</u>	<u>Retail sales^{31, 36}</u>	<u>Manufacturing, light</u>
<u>Resource land use¹⁸</u>	<u>Temporary lodging³⁷</u>	<u>Marijuana business</u>
<u>Single detached dwelling unit^{19,20}</u>		<u>Marijuana cooperative</u>
<u>Standalone parking²¹</u>		<u>Mobile food service</u>
<u>Supportive living facility²²</u>		<u>Retail sales, bulk</u>
<u>Utility facility^{23,24}</u>		<u>Secure facility</u>
		<u>Transportation</u>
		<u>Vehicle or equipment rental</u>
		<u>Vehicle refueling station</u>
		<u>Warehousing</u>
		<u>Wholesale trade</u>

1. One single engine, noncommercial seaplane shall be permitted only on lots that abut a waterbody, provided there are 1) no aircraft sales, service, repair, charter, or rental; and 2) no storage of aviation fuel except that contained in the tank or tanks of the aircraft. A helistop at an emergency medical evacuation site in conjunction with a police, fire or health service facility is a conditional use. All other air transportation service uses are prohibited.

2. Only (1) in a building listed on the National register as a historic site or designated as a City landmark; (2) as a re-use of a surplus non-residential facility; or (3) as a joint use of an existing public school facility. All subject to Chapter 18.50 KMC. Otherwise, a conditional use.

3. Social card games are prohibited.

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4. Permitted only as a re-use of a public school facility subject to Chapter 18.50 KMC, or an *accessory use* to a school, *religious institution*, *park*, *sports club* or public housing administered by a *public agency*, and:

- a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no openings except for gates and have a minimum height of six feet;
- b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
- c. Direct access to a developed arterial *street* shall be required in any residential zone; and
- d. Hours of operation may be restricted to assure compatibility with surrounding development.

All other *day-care uses* require a *conditional use permit*.

5. K-12 facilities only. All other *educational service uses* require a *conditional use permit*.

6. A *family child-care home* is subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title 170. The *family child-care home* shall meet the following requirements:

- a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;
- b. A safe passenger loading area shall be provided;
- c. The *family child-care home* shall comply with all applicable building, fire, safety, and health codes enforced by the *City*;
- d. The *family child-care home* shall comply with all applicable development standards of the *City*, unless determined to be legally nonconforming;
- e. All signage shall conform to the applicable requirements of Chapter 18.42 KMC;
- f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility; and
- g. Prior to receiving State licensing, the family child-care provider shall provide the *City* with proof of written notification informing immediately adjoining property owners of the intent to locate and maintain the *family child-care home*. The notification shall inform the notified parties that comments may be submitted to the DEL and provide contact information for submitting such comments to the DEL. The proof of notification shall be in the form of a written affidavit containing (1) the date and means of notification; (2) a copy of the notification; and (3) a list of the parties to whom the notification was distributed.

7. Limited to "storefront" police offices. Such offices shall not have:

- a. Holding cells;
- b. Suspect interview rooms; or
- c. Long-term storage of stolen properties

All other *fire or police facility uses* require a *conditional use permit*, except police or fire training facilities, such as shooting ranges, auto test tracks, and fire suppression simulations, which are prohibited.

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8. For conditionally permitted fire facilities:
- All *buildings* and *structures* shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
 - Any *buildings* from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such *street*; and
 - No *outdoor storage*.
9. Only as a re-use of a public school facility. May be permitted as a conditional *use* if proposed as re-use of a surplus non-residential facility. All subject to Chapter 18.50 KMC.
10. Veterinary clinics are prohibited.
11. *Townhouse* units only permitted and only on *lots* in a subdivision or short subdivision designed for *townhouse* units. Other *townhouse* units require a *conditional use permit*. *Apartments* are prohibited.
12. *Public agency or utility office* permitted only as a re-use of a public school facility or a surplus nonresidential facility subject to the provisions of Chapter 18.50 KMC. Otherwise, *public agency or utility office* is a conditional *use*. All other office *uses* are prohibited.
13. The following conditions and limitations shall apply, where appropriate:
- Lighting for *structures* and fields shall be directed away from residential areas;
 - Structures* or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones, except for *structures* in on-site recreation areas required in KMC 18.30.130 and 20.47.155. Setback requirements for *structures* in these on-site required recreation areas shall be maintained in accordance with the zoning standards for the underlying residential zone.
14. Limited to *stable* and covered riding arena. All other *outdoor recreational facility uses* require a *conditional use permit* except campground, RV park, and shooting range which are prohibited.
15. Covered riding arenas are subject to KMC 18.70.030 and shall not exceed 20,000 square feet unless a *conditional use permit* is obtained. *Stabling* areas, whether attached or detached, shall not be counted in this calculation.
16. Conditionally permitted recreational facilities are subject to the following conditions and limitations:
- The bulk and scale shall be compatible with residential character of the area;
 - The gross floor area shall not exceed 10,000 square feet unless the *building* is on the same *site* or adjacent to a *site* where a public facility is located or unless the *building* is a nonprofit facility; and
 - Use is limited to residents of a specified residential *development* or to *sports clubs* providing supervised instructional or athletic programs.
17. Only as a re-use of a public school facility subject to Chapter 18.50 KMC. Otherwise, a *conditional use permit* is required.
18. Farming is permitted. All other *resource land uses* require a *conditional use permit*, except mineral extraction, which is prohibited.

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19. More than one *single detached dwelling unit* may be allowed on an individual *lot* through the *conditional use permit* process. A *conditional use permit* is not required for *lots* in subdivisions, short subdivisions or binding site plans approved as multiple unit *lots* or for *accessory dwelling units*.

20. *Manufactured homes* and *mobile homes* are allowed only in *mobile home parks*. *Designated manufactured homes* are not restricted to *mobile home parks*.

21. Limited to *commuter parking lots* for users of transit, carpools or ride-share programs, provided:

- a. They are located on existing parking lots for *religious institutions*, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours; and
- b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable to the *department*.

Other *commuter parking lots* require a *conditional use permit*. All other *standalone parking uses* are prohibited.

22. Only in a *building* listed on the National Register as an historic site or designated as a King County landmark subject to the provisions of Chapter 2.20 KMC. Otherwise, a *conditional use permit* is required.

23. Excluding utilities using *bulk gas storage tanks*, which are a conditional use. Liquefied natural gas storage tanks are prohibited.

24. *Private stormwater management facilities* permitted except when participating in an approved shared facility drainage plan. *Private stormwater management facilities* shall be located on the same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside a separate tract for such facilities. For shared facilities, such facilities which are not located on the *lot* they are designed to serve shall be located on a *lot* with the same or more intensive zoning designation.

25. Only as a re-use of a public school facility or a surplus nonresidential facility subject to Chapter 18.50 KMC.

26. Outdoor performance center and drive-in theater are prohibited.

27. *Structures* shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

28. *Community residential facility I* only. *Community residential facility II* is prohibited.

29. Not permitted in R-1 and excluding drinking places, and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC 18.21.070.

30. *Mobile home parks* are not permitted in the R-1 zone.

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31. Not permitted in R-1 and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC 18.21.070.

32. Bowling center and shooting range are prohibited.

33. *Hydroelectric generation facilities* limited to those that comply with the following:

- a. Any new diversion structure shall not: (1) Exceed a height of eight feet as measured from the streambed; or (2) Impound more than three surface acres of water at the normal maximum surface level;
- b. There shall be no active storage;
- c. The maximum water surface area at any existing dam or diversion shall not be increased;
- d. An exceedance flow of no greater than 50 percent in mainstream reach shall be maintained;
- e. Any transmission line shall be limited to a: (1) Right-of-way of five miles or less; and (2) Capacity of 230 kV or less;
- f. Any new, permanent access road shall be limited to five miles or less; and
- g. The facility shall only be located above any portion of the *stream* used by *anadromous fish*.

34. *Nonhydroelectric generation facilities* limited to *cogeneration* facilities for on-site use only.

35. Fairground, amusement park, and stadium/arena are prohibited.

36. Pet shops and auto supply stores are prohibited.

37. Bed and breakfast guesthouse only, subject to the following conditions:

- a. The guesthouse shall be owner-occupied;
- b. Meals shall be served to paying guests only (no restaurant use permitted);
- c. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;
- d. Parking shall be provided as required by this title; and
- e. The guesthouse shall be compatible with the neighborhood character as determined by the *city manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.

18.21.040 Residential zones R-12, R-18, and R-24, and R-48 – Use allowances.

The following uses in Table C are permitted, conditionally permitted, special uses, or prohibited uses in residential zones R-12, R-18, R-24, and R-48.

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Table C. Residential Zones R-12, R-18, R-24, and R-48 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Single-Detached Dwelling Unit ¹	Single-Detached Dwelling Unit ¹	Jail	Home Industry
Townhouse	Designated Manufactured Home ¹	Work Release Facility	Hotel/Motel ⁴
Apartment	Bed and Breakfast	Nonhydroelectric Generation Facility	Organization Hotel/Lodging Houses
Designated Manufactured Home ¹	Guesthouse ⁵	Oil and Gas Extraction	Campgrounds
Mobile Home and Manufactured Home ²	Marina ⁸	Energy Resource Recovery Facility	Destination Resorts
Mobile Home Park	Sports Club ^{8,9}	Landfill	Recreational Vehicle Park
Community Residential Facility I	Amusement and Recreation Services ^{11,12,13,14}	Transfer Station	Adult Entertainment Business
Community Residential Facility II	Library	Wastewater Treatment Facility	Theater
Dormitory	Museum	Municipal Water Production	Theater, Drive-in
Senior Citizen Assisted Living	Conference Center	Airport/Heliport	Bowling Center
Residential Accessory Uses ³	General Personal Service ¹⁶	Transit Bus Base	Shooting Range
Home Occupation	Funeral Home/Crematory ¹⁷	School Bus Base	Amusement Arcades
Park ²	Cemetery, Columbarium or Mausoleum ¹⁸	Racetrack ⁵²	Amusement Park
Trails	Day-Care II	Zoo/Wildlife Exhibit ⁵³	Outdoor Performance Center
Golf Course Facility ¹⁹	Church, Synagogue, Mosque, Temple	College/University ⁵⁴	Drycleaning Plants
	Social Services ^{22,23}		Industrial Launderers
	Medical/Dental		Veterinary Clinic
	Office/Outpatient Clinic ²⁴		Automotive Repair
			Automotive Service
			Miscellaneous Repair

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Table C. Residential Zones R-12, R-18, R-24, and R-48 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Amusement and Recreation Services ^{11,12,13}	Nursing and Personal Care Facilities		Stable
Library ¹⁵	Hospital ²³		Kennel or Cattery
Museum ¹⁵	Secondary or High School ²⁶		Theatrical Production Services
Arboretum	Vocational School		Medical/Dental Lab
Conference Center ¹⁵	Specialized Instruction School ²⁶		Miscellaneous Health Services
Cemetery, Columbarium or Mausoleum ¹⁵	School District Support Facility		Public Agency Archives
Family Child-Care Home ²⁷	Public Agency or Utility Office		Court
Day-Care I	Fire Facility ²³		Individual Transportation and Taxi
Day-Care II ²⁰	Utility Facility ²⁶		Trucking and Courier Service
Church, Synagogue, Mosque, Temple ²¹	Commuter Parking Lot		Warehousing and Wholesale Trade ⁴⁰
Social Services ^{21,22}	Self-Service Storage ⁴¹		Farm Product Warehousing, Refrigeration and Storage
Artist Studios ²⁴	Helistop ⁴³		Log Storage
Interim Recycling Facility ²⁵			Transportation Service
Medical/Dental Office/Outpatient Clinic ²¹			Freight and Cargo Service
Elementary School			Passenger Transportation Service
			Communication Offices
			Telegraph and Other Communications

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Table C. Residential Zones R-12, R-18, R-24, and R-48 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
			General Business Service
Middle/Junior High School	Department and Variety Stores ⁴⁴		Outdoor Advertising Service
Secondary or High School ⁴⁶	Food Stores ⁴⁶		Miscellaneous Equipment Rental
Vocational School ⁴³	Eating and Drinking Places ^{46, 47}		Automotive Rental and Leasing
Specialized Instruction School ⁴⁷	Drug Stores ⁴⁶		Professional Sports Teams/Promoters
School District Support Facility ⁴⁹	Book, Stationery, Video and Art Supply Stores ⁴⁶		Research, Development and Testing
Public Agency or Utility Office ⁵⁰	Florist Shops ⁴⁶		Heavy Equipment and Truck Repair
Public Agency or Utility Yard ⁵¹	Nonhydroelectric Generation Facility ⁴⁸		Commercial/Industrial Accessory Uses
Police Facility ⁵²	School Bus Base ⁵¹		Building, Hardware and Garden Materials Stores
Utility Facility ⁵⁴	College/University ^{54, 56}		Forest Product Sales
Commuter Parking Lot ⁵⁶			Agricultural Product Sales
Private Stormwater Management Facility ⁵⁷			Motor Vehicle and Boat Dealers
Vector Waste Receiving Facility ⁵⁸			Auto Supply Stores
Construction and Trade ⁵⁹			Gasoline Service Stations
Professional Office ⁴²			Apparel and Accessory Stores
Automotive Parking ⁵⁶			

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Table C. Residential Zones R-12, R-18, R-24, and R-48 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
College/University ^{54,55}			Furniture and Home Furnishings Stores Liquor Stores Used Goods; Antiques/Secondhand Shops Sporting Goods and Related Stores Jewelry Stores Monuments, Tombstones and Gravestones Sales Hobby, Toy, Game Shops Photographic and Electronic Shops Fabric Shops Fuel Dealers Personal Medical Supply Stores Pet Shops Bulk Retail Auction Houses Livestock Sales Manufacturing Land Uses Resource Land Uses

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Table C. Residential Zones R-12, R-18, R-24, and R-48 Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
			Jail Farm/Camp Public Agency Animal Control Facility Public Agency Training Facility Hydroelectric Generation Facility Soil Recycling Facility Fairground Stadium/Arena Secure Community Transition Facilities Marijuana Business Marijuana Cooperative

¹ Conditional use permit required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in subsection 3 of this section.

² Manufactured homes and mobile homes are only allowed in mobile home parks.

³ a. See KMC 18.73.100 regarding accessory dwelling units.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a City right-of-way to, a waterbody or landing field, provided there is:

(1) No aircraft sales, service, repair, charter or rental; and

(2) No storage of aviation fuel except that contained in the tank or tanks of the aircraft.

⁴ Except bed and breakfast guesthouses.

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⁵ ~~Bed and breakfast guesthouses shall be authorized after issuance of a conditional use permit, subject to the following conditions:~~

- ~~a. The guesthouse shall be owner-occupied;~~
- ~~b. Meals shall be served to paying guests only (no restaurant use permitted);~~
- ~~c. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;~~
- ~~d. Parking shall be provided as required by this title; and~~
- ~~e. The guesthouse shall be compatible with the neighborhood character as determined by the city manager, and shall not create significant adverse neighborhood effects that cannot be mitigated.~~

⁶ ~~Reserved.~~

⁷ ~~The following conditions and limitations shall apply, where appropriate:~~

- ~~a. No stadiums on sites less than 10 acres;~~
- ~~b. Lighting for structures and fields shall be directed away from residential areas;~~
- ~~c. Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones, except for structures in on-site recreation areas required in KMC 18.30.130 and 20.47.155. Setback requirements for structures in these on-site required recreation areas shall be maintained in accordance with the zoning standards for the underlying residential zone;~~
- ~~d. Overnight camping is allowed only in an approved campground.~~

⁸ ~~Limited to recreation facilities subject to the following conditions and limitations:~~

- ~~a. The bulk and scale shall be compatible with residential character of the area;~~
- ~~b. For sports clubs, the gross floor area shall not exceed 10,000 square feet unless the building is on the same site or adjacent to a site where a public facility is located or unless the building is a nonprofit facility; and~~
- ~~c. Use is limited to residents of a specified residential development or to sports clubs providing supervised instructional or athletic programs.~~

⁹ ~~Only for stand-alone sports clubs that are not part of a park.~~

¹⁰ ~~Clubhouses, maintenance buildings, equipment storage areas and driving range tees shall be at least 50 feet from residential property lines. Lighting for practice greens and driving range ball impact areas shall be directed away from adjoining residential zones. Applications shall comply with adopted best management practices for golf course development.~~

¹¹ ~~Excluding amusement and recreational uses classified elsewhere in this chapter.~~

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¹² ~~Social card games, as defined by this title, are prohibited.~~

¹³ ~~Limited to a golf driving range as an accessory to golf courses.~~

¹⁴ ~~Limited to golf driving ranges and subject to subsection 10 of this section.~~

¹⁵ ~~Only as accessory to a park or in a building listed on the National Register as an historic site or designated as a City landmark subject to Chapter 18.50 KMC.~~

¹⁶ ~~Not permitted in R-1 and limited to a maximum of 5,000 square feet per establishment and subject to the additional requirements in KMC 18.21.070.~~

¹⁷ ~~Only as an accessory to a cemetery.~~

¹⁸ ~~Limited to columbariums accessory to a church, but required landscaping and parking shall not be reduced.~~

¹⁹ ~~Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.~~

²⁰ ~~Only as a re-use of a public school facility subject to Chapter 18.50 KMC, or an accessory use to a school, church, park, sport club or public housing administered by a public agency, and:~~

a. ~~Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates and have a minimum height of six feet;~~

b. ~~Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;~~

c. ~~Direct access to a developed arterial street shall be required in any residential zone; and~~

d. ~~Hours of operation may be restricted to assure compatibility with surrounding development.~~

²¹ ~~Only as a re-use of a public school facility subject to Chapter 18.50 KMC.~~

²² ~~Except day care services and residential care.~~

²³ ~~Only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC.~~

²⁴ ~~Only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC or as a joint use of an existing public school facility.~~

²⁵ ~~Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.~~

²⁶ ~~Renovation, expansion, modernization, or reconstruction of a school, or the addition of relocatable facilities, is permitted.~~

²⁷ ~~Only as an accessory to residential use, and:~~

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a. Students shall be limited to 12 per one-hour session;

b. All instruction must be within an enclosed structure; and

c. Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

²⁸ Subject to the following:

a. Structures used for the school and accessory uses shall maintain a minimum distance of 25 feet from property lines adjoining residential zones;

b. On lots over two and one-half acres:

(1) Retail sales of items related to the instructional courses are permitted, if total floor area for retail sales is limited to 2,000 square feet;

(2) Sales of food prepared in the instructional courses are permitted with Seattle/King County public health and City approval, if total floor area for food sales is limited to 1,000 square feet and is located in the same structure as the school; and

(3) Other incidental student-supporting uses are allowed, if such uses are found to be both compatible with and incidental to the principal use; and

c. On sites over 10 acres, zoned R-1 and/or R-4:

(1) Retail sales of items related to the instructional courses are permitted, provided total floor area for retail sales is limited to 2,000 square feet;

(2) Sales of food prepared in the instructional courses are permitted with Seattle/King County public health and City approval, if total floor area for food sales is limited to 1,750 square feet and is located in the same structure as the school;

(3) Other incidental student-supporting uses are allowed, if the uses are found to be functionally related, subordinate, compatible with and incidental to the principal use;

(4) The use shall be integrated with allowable agricultural uses on the site;

(5) Advertised special events shall comply with the temporary use requirements of this title; and

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(6) Existing *structures* that are damaged or destroyed by fire or natural event, if damaged by more than 50 percent of their prior value, may reconstruct and expand an additional 65 percent of the original floor area but need not be approved as a conditional use if their *use* otherwise complies with the development conditions in this subsection (28)(c) and this title.

²⁹ Only if adjacent to an existing or proposed school.

³⁰ a. Only as a re-use of a public school facility or a surplus nonresidential facility subject to the provisions of Chapter 18.50 KMC; or

b. Only when accessory to a fire facility and the office is no greater than 1,500 square feet of floor area.

³¹ a. Utility yards only on *sites* with utility district offices; or

b. *Public agency yards* are limited to material storage for road maintenance facilities.

³² Limited to "storefront" police offices. Such offices shall not have:

a. Holding cells;

b. Suspect interview rooms; or

c. Long-term storage of stolen properties.

³³ a. All *buildings and structures* shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

b. Any *buildings* from which fire-fighting equipment emerges onto a *street* shall maintain a distance of 35 feet from such *street*; and

c. No *outdoor storage*.

³⁴ Excluding *bulk gas storage tanks*.

³⁵ Limited to *bulk gas storage tanks* which pipe to individual residences but excluding liquefied natural gas storage tanks.

³⁶ Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:

a. They are located on existing parking lots for churches, schools, or other permitted nonresidential *uses* which have excess capacity available during commuting hours; and

b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable to the *department*.

³⁷ Except when participating in an approved shared facility drainage plan; such facilities shall be located on the same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside

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a separate tract for such facilities. For shared facilities, such facilities which are not located on the lot they are designed to serve shall be located on a lot with the same or more intensive zoning designation.

³⁸ Only as an accessory use to a public agency or utility yard, or to a transfer station.

³⁹ Permitted when:

- a. Located in the R-24 zone; and
- b. On a site in professional office or construction and trade office uses as of May 8, 2003; and
- c. Part of a mixed use development; and
- d. Limited to 15,000 square feet; and
- e. No outdoor storage of equipment occurs.

⁴⁰ Except self-service storage.

⁴¹ Accessory to an apartment development of at least 12 units, provided:

- a. The gross floor area in self-service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
- b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
- c. The use of the facility shall be limited to dead storage of household goods;
- d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
- e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
- f. No residential occupancy of the storage units;
- g. No business activity other than the rental of storage units; and
- h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

⁴² Permitted when:

- a. Located in the R-24 zone; and
- b. On a site in professional office or construction and trade office uses as of May 8, 2003; and
- c. Part of a mixed use development; and
- d. Limited to 15,000 square feet; and

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e. No *outdoor storage* of equipment occurs.

⁴³ Limited to *emergency* medical evacuation sites in conjunction with police, fire or health service facility.

⁴⁴ Not in R-1 and limited to *variety stores* with a maximum of 5,000 square feet of gross floor area, and subject to KMC 18.21.070.

⁴⁵ Not permitted in R-1 and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC 18.21.070.

⁴⁶ Not permitted in R-1 and excluding drinking places, and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC 18.21.070.

⁴⁷ *Social card games*, as defined by this title, are prohibited.

⁴⁸ Limited to *cogeneration* facilities for on-site use only.

⁴⁹ Reserved.

⁵⁰ Reserved.

⁵¹ Only in conjunction with an existing or proposed school.

⁵² Except racing of motorized vehicles.

⁵³ Except arboretum.

⁵⁴ Except technical institutions. See *vocational schools*.

⁵⁵ Only as a re-use of a public school facility subject to Chapter 18.50 KMC.

⁵⁶ Only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC.

⁵⁷ A *family child-care home* is subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title 170. The *family child-care home* shall meet the following requirements:

a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;

b. A safe passenger loading area as certified by the DEL licensor shall be provided;

c. The *family child-care home* shall comply with all applicable building, fire, safety, and health codes enforced by the City;

d. The *family child-care home* shall comply with all applicable development standards of the City, unless determined to be legally nonconforming;

e. All signage shall conform to the applicable requirements of Chapter 18.42 KMC; and

f. The City has the authority to limit the hours of operation to facilitate neighborhood compatibility.

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The following *uses* listed in Table C are identified as *permitted*, conditionally permitted, or *prohibited uses* in residential zones R-12, R-18 and R-24:

Table C. R-12, R-18, and R-24 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<u>Air transportation service¹</u>	<u>Ambulatory surgery center²⁵</u>	<u>Adult entertainment business</u>
<u>Arts, entertainment, indoor^{2,3}</u>	<u>Arts, entertainment, outdoor²⁶</u>	<u>Animal kennel/shelter</u>
<u>College/university^{4,5}</u>	<u>Cemetery, columbarium or mausoleum²⁷</u>	<u>Auction house</u>
<u>Community residential facility</u>	<u>Eating and drinking place^{3,28}</u>	<u>Automotive sales and service, marine</u>
<u>Construction and trade⁶</u>	<u>Hospital⁵</u>	<u>Automotive sales and service, non-marine</u>
<u>Day-care⁷</u>	<u>Personal service²⁹</u>	<u>Business service, intensive</u>
<u>Educational service⁸</u>	<u>Recreational facility, indoor^{3,30,31}</u>	<u>Business service, standard</u>
<u>Family child-care home⁹</u>	<u>Regional land use³²</u>	<u>Funeral home/crematory</u>
<u>Fire or police facility^{10,11,12}</u>	<u>Retail sales^{29,33}</u>	<u>Laboratory</u>
<u>Health care and social assistance^{4,5,13}</u>	<u>Temporary lodging³⁴</u>	<u>Manufacturing, heavy</u>
<u>Mobile home park</u>	<u>Warehousing³⁵</u>	<u>Manufacturing, light</u>
<u>Multiple family dwelling</u>		<u>Marijuana business</u>
<u>Office¹⁴</u>		<u>Marijuana cooperative</u>
<u>Park¹⁵</u>		<u>Mobile food service</u>
<u>Recreational facility, outdoor^{16,17}</u>		<u>Resource land use</u>
<u>Religious institution¹⁸</u>		<u>Retail sales, bulk</u>
<u>Single detached dwelling unit^{19,20}</u>		<u>Secure facility</u>
<u>Standalone parking²¹</u>		<u>Transportation</u>
<u>Supportive living facility</u>		<u>Vehicle or equipment rental</u>
<u>Utility facility^{22,23,24}</u>		<u>Vehicle refueling station</u>
		<u>Wholesale trade</u>

1. One single engine, noncommercial seaplane shall be permitted only on lots that abut a waterbody, provided there are 1) no aircraft sales, service, repair, charter, or rental; and 2) no storage of aviation fuel except that contained in the tank or tanks of the aircraft. A *helistop* at an *emergency* medical evacuation site in conjunction with a police, fire or health service facility is a conditional use. All other *air transportation service uses* are prohibited.

2. Museums and libraries permitted only as accessory to a *park* or in a *building* listed on the National Register as an historic site or designated as a *City* landmark subject to Chapter 18.50 KMC; otherwise a

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conditional use permit is required. Artist studios permitted only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC or as a joint use of an existing public school facility; otherwise a conditional use permit is required. For all other *arts, entertainment, indoor uses*, a conditional use permit is required, except theater, which is prohibited.

3. Social card games are prohibited.

4. Permitted only as a re-use of a public school facility subject to Chapter 18.50 KMC.

5. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC.

6. Permitted when:

- a. Located in the R-24 zone; and
- b. On a site in office or construction and trade office uses as of May 8, 2003; and
- c. Part of a mixed use development; and
- d. Limited to 15,000 square feet; and
- e. No outdoor storage of equipment occurs.

Otherwise, prohibited.

7. Day-care II permitted only as a re-use of a public school facility subject to Chapter 18.50 KMC, or an accessory use to a school, religious institution, park, sports club or public housing administered by a public agency, and:

- a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates and have a minimum height of six feet;
- b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
- c. Direct access to a developed arterial street shall be required in any residential zone; and
- d. Hours of operation may be restricted to assure compatibility with surrounding development.

Otherwise, day-care II requires a conditional use permit.

8. K-12 facilities only, except vocational school which is permitted only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC unless a conditional use permit is obtained. All other educational service uses require a conditional use permit.

9. A family child-care home is subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title 170. The family child-care home shall meet the following requirements:

- a. The family child-care provider shall be licensed by DEL to operate a family child-care home;
- b. A safe passenger loading area shall be provided;
- c. The family child-care home shall comply with all applicable building, fire, safety, and health codes enforced by the City;
- d. The family child-care home shall comply with all applicable development standards of the City, unless determined to be legally nonconforming;

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- e. All signage shall conform to the applicable requirements of Chapter 18.42 KMC; and
- f. The City has the authority to limit the hours of operation to facilitate neighborhood compatibility.

10. Limited to "storefront" police offices. Such offices shall not have:

- a. Holding cells;
- b. Suspect interview rooms; or
- c. Long-term storage of stolen properties.

All other police facilities require a conditional use permit.

11. Fire facilities require a conditional use permit, subject to the following:

- a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
- b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street; and
- c. No outdoor storage.

12. Fire or police training facilities such as shooting ranges, auto test tracks, and fire suppression simulations are prohibited.

13. Veterinary clinics are prohibited.

14. Public agency or utility office is permitted only as a re-use of a public school facility or a surplus nonresidential facility subject to the provisions of Chapter 18.50 KMC. All other office uses require a conditional use permit.

15. The following conditions and limitations shall apply, where appropriate:

- a. Lighting for structures and fields shall be directed away from residential areas;
- b. Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones, except for structures in on-site recreation areas required in KMC 18.30.130 and 20.47.155. Setback requirements for structures in these on-site required recreation areas shall be maintained in accordance with the zoning standards for the underlying residential zone.

16. Golf course facility only permitted. Clubhouses, maintenance buildings, equipment storage areas and driving range tees shall be at least 50 feet from residential property lines. Lighting for practice greens and driving range ball impact areas shall be directed away from adjoining residential zones. Applications shall comply with adopted best management practices for golf course development. All other outdoor recreational facility uses are conditional uses, except stable, RV park, and shooting range, which are prohibited.

17. Conditional uses are subject to the following conditions and limitations:

- a. The bulk and scale shall be compatible with residential character of the area;
- b. Use is limited to residents of a specified residential development or to sports clubs providing supervised instructional or athletic programs.

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18. Permitted only as a re-use of a public school facility subject to Chapter 18.50 KMC. Other *religious institutions* require a *conditional use permit*.

19. More than one *single detached dwelling unit* may be allowed on an individual *lot* through the *conditional use permit* process. A *conditional use permit* is not required for *lots* in subdivisions, short subdivisions or binding site plans approved as multiple unit *lots* or for *accessory dwelling units*.

20. *Manufactured homes* and *mobile homes* are allowed only in *mobile home parks*. *Designated manufactured homes* are not restricted to *mobile home parks*.

21. Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:

- a. They are located on existing parking lots for *religious institutions*, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours; and
- b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable to the *department*.

Otherwise a *conditional use permit* is required.

22. *Bulk gas storage tanks* which pipe to individual residences require a *conditional use permit*. All other *bulk gas storage tanks*, including liquefied natural gas storage tanks, are prohibited.

23. *Private stormwater management facilities* permitted except when participating in an approved shared facility drainage plan. *Private stormwater management facilities* shall be located on the same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside a separate tract for such facilities. For shared facilities, such facilities which are not located on the *lot* they are designed to serve shall be located on a *lot* with the same or more intensive zoning designation.

24. *Hydroelectric generation facilities* are prohibited. A *nonhydroelectric generation facility* may be conditionally permitted as a *cogeneration* facility for on-site use only.

25. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC.

26. Arboretum only.

27. *Structures* shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

28. Excluding drinking places, and limited to a maximum of 5,000 square feet of gross floor area and subject to KMC 18.21.070.

29. Limited to a maximum of 5,000 square feet of gross floor area and subject to the additional requirements in KMC 18.21.070.

30. Conditional *uses* are subject to the following conditions and limitations:

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- a. The bulk and scale shall be compatible with residential character of the area;
- b. For *sports clubs*, the gross floor area shall not exceed 10,000 square feet unless the *building* is on the same *site* or adjacent to a *site* where a public facility is located or unless the *building* is a nonprofit facility; and
- c. Use is limited to residents of a specified residential *development* or to *sports clubs* providing supervised instructional or athletic programs.

31. Bowling center and shooting range are prohibited.

32. Amusement park, fairground, and stadium/arena are prohibited.

33. Auto supply stores and pet shops are prohibited.

34. Bed and breakfast guesthouse only, subject to the following conditions:

- a. The guesthouse shall be owner-occupied;
- b. Meals shall be served to paying guests only (no restaurant *use* permitted);
- c. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;
- d. Parking shall be provided as required by this title; and
- e. The guesthouse shall be compatible with the neighborhood character as determined by the *city manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.

35. *Self-service storage* only permitted and only if accessory to an *apartment development* of at least 12 units, provided:

- a. The gross floor area in *self-service storage* shall not exceed the total gross floor area of the *apartment dwellings* on the *site*;
- b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
- c. The use of the facility shall be limited to dead storage of household goods;
- d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
- e. No *outdoor storage* or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
- f. No residential occupancy of the storage units;
- g. No business activity other than the rental of storage units; and
- h. A resident director shall be required on the *site* and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

18.21.070 Personal services, *eating and drinking place*, and retail *sales* uses in R-4 through R-4824 zones.

General-p Personal service uses, *eating and drinking place* uses except drycleaning plants other than rug cleaning and industrial laundrers, and retail *sales land* uses, except agricultural crop sales, which are located in the R-4 through R-4824 zones shall be subject to the following requirements:

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- A. Each individual establishment shall not exceed 5,000 square feet of gross floor area and the combined total of all contiguous commercial establishments shall not exceed 15,000 square feet of gross floor area;
- B. Establishments shall not be located less than one mile from another commercial establishment, unless located with other establishments meeting the criteria in subsection A of this section;
- C. Establishment *sites* shall abut an intersection of two public *streets*, each of which is designated as a neighborhood collector or arterial and which has improved pedestrian facilities for at least one-fourth mile from the *site*;
- D. The maximum on-site parking ratios for establishments and *sites* shall be two per 1,000 square feet and required parking shall not be located between the *building(s)* and the *street*; and
- E. *Buildings* shall comply with the *building facade modulation* and roofline variation requirements in KMC [18.50.080](#) and at least one facade of the *building* shall be located within five feet of the sidewalk;
- F. If the *personal service*, *eating and drinking place*, or retail *sales* use is located in a *building* with multifamily *uses*, then the commercial *use* shall be on the *ground floor* and shall not exceed 25 percent of the total floor area of the *building*;
- G. *Sign* and *landscaping* standards for the *use* apply.

18.22.010 Neighborhood business zone – Use allowances.

The following *uses* in Table A are identified as permitted, conditionally permitted, special uses, or prohibited uses in the neighborhood business zone:

Table A. Neighborhood Business Zone Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Townhouse ¹	Sports Club ²	Jail	Single-Detached Dwelling Unit
Apartment ³	School-District Support Facility	Work Release Facility	Family Child-Care Home
Community Residential Facility ⁴	Holistop ²²	Nonhydroelectric Generation Facility	Designated Manufactured Home
		Oil and Gas Extraction	

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Table A. Neighborhood Business Zone Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Community Residential Facility II ¹	Nonhydroelectric Generation Facility ²⁸	Energy Resource Recovery Facility	Mobile Home and Manufactured Home
Senior Citizen Assisted Living ¹	College/University ^{33,35}	Landfill	Mobile Home Park
Residential Accessory Uses ²		Transfer Station	Dormitory
Home Occupation		Wastewater Treatment Facility	Home Industry
Bed and Breakfast		Municipal Water Production	Hotel/Motel ³
Guesthouse ⁴		Airport/Heliport	Organization Hotel/Lodging Houses
Park		Transit Bus Base	Campgrounds
Trails		School Bus Base	Destination Resorts
Marina ⁵		Racetrack ³⁴	Recreational Vehicle Park
Library		College/University ³³	Adult Entertainment Business
Museum		Secure Community Transition Facilities ³⁶	Theater
Arboretum			Theater, Drive-in
Conference Center			Bowling Center
General Personal Service			Golf Course Facility
Cemetery, Columbarium or Mausoleum ¹⁰			Amusement and Recreation Services ^{8,9}
Day Care I			Shooting Range
Day Care II			Amusement Arcades
Veterinary Clinic ¹¹			Amusement Park
Automotive Repair ^{12,13}			Outdoor Performance Center

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Table A. Neighborhood Business Zone Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Automotive Service ¹³ Church, Synagogue, Mosque, Temple Social Services ^{14,15} Artist Studios Interim Recycling Facility ¹⁶ Medical/Dental Office/Outpatient Clinic			Drycleaning Plants Industrial Launderers Funeral Home/Crematory Miscellaneous Repair Stable Kennel or Cattery Theatrical Production Services Nursing and Personal Care Facilities
Specialized Instruction School Public Agency or Utility Office Police Facility ¹⁷ Fire Facility Utility Facility Commuter Parking Lot Private Stormwater Management Facility ¹⁸ Vector Waste Receiving Facility ¹⁹ General Business Service			Hospital Medical/Dental Lab Miscellaneous Health Services Elementary School Middle/Junior High School Secondary or High School Vocational School Public Agency or Utility Yard Public Agency Archives Court Construction and Trade

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Table A. Neighborhood Business Zone Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
Professional Office			Individual Transportation and Taxi
Automotive Parking ²⁰			Trucking and Courier Service
Commercial/Industrial Accessory Uses ²⁴			Warehousing and Wholesale Trade
Building, Hardware and Garden Materials Stores ²³			Self-Service Storage
Department and Variety Stores ²⁴			Farm Product Warehousing, Refrigeration and Storage
Food Stores			Log Storage
Gasoline Service Stations			Transportation Service
Eating and Drinking Places ^{25,26}			Freight and Cargo Service
Drug Stores			Passenger Transportation Service
Book, Stationery, Video and Art Supply Stores			Communication Offices
Hobby, Toy, Game Shops			Telegraph and Other Communications
Photographic and Electronic Shops			Outdoor Advertising Service
Florist Shops			Miscellaneous Equipment Rental
Pet Shops			Automotive Rental and Leasing
Printing and Publishing ²⁷			Professional Sports Teams/Promoters
College/University ^{33,34}			

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Table A. Neighborhood Business Zone Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
			Research, Development and Testing Heavy Equipment and Truck Repair Forest Product Sales Agricultural Product Sales Motor Vehicle and Boat Dealers Auto Supply Stores Apparel and Accessory Stores Furniture and Home Furnishings Stores
			Liquor Stores Used Goods; Antiques/Secondhand Shops Sporting Goods and Related Stores Jewelry Stores Monuments, Tombstones and Gravestones Sales Fabric Shops Fuel Dealers

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Table A. Neighborhood Business Zone Use Allowances

PERMITTED USE	CONDITIONAL USE	SPECIAL USE	PROHIBITED
			<i>Personal Medical Supply Stores</i> <i>Bulk Retail</i> <i>Auction Houses</i> <i>Livestock Sales</i> <i>Manufacturing Land Uses, except Printing and Publishing</i> <i>Resource Land Uses</i> <i>Jail Farm/Camp</i> <i>Public Agency Animal Control Facility</i> <i>Public Agency Training Facility</i> <i>Hydroelectric Generation Facility</i> <i>Soil Recycling Facility</i> <i>Fairground</i> <i>Zoo/Wildlife Exhibit²²</i> <i>Stadium/Arena</i> <i>Marijuana Business</i> <i>Marijuana Cooperative</i>

²² Only as part of a *mixed-use development* subject to the conditions of Chapter 18.50 KMC, except that stand-alone *townhouse developments* are permitted subject to KMC 17.20.125, 18.22.020, 18.30.130 and 18.50.050;

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² a. See KMC ~~18.73.100~~ regarding *accessory dwelling units*.

b. One single or twin engine, noncommercial aircraft shall be permitted only on *lots* that abut, or have a legal access that is not a *City* right-of-way to, a waterbody or landing field, provided there is:

(1) No aircraft sales, service, repair, charter or rental; and

(2) No storage of aviation fuel except that contained in the tank or tanks of the aircraft.

³ Except *bed and breakfast guesthouses*.

⁴ *Bed and breakfast guesthouses* shall be subject to the following conditions:

a. The guesthouse shall be owner-occupied;

b. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;

c. Parking shall be provided as required by this title; and

d. The guesthouse shall be compatible with the neighborhood character as determined by the *city manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.

⁵ Reserved.

⁶ Limited to day moorage.

⁷ Only for stand-alone *sports clubs* that are not part of a *park*.

⁸ Excluding amusement and recreational *uses* classified elsewhere in this chapter.

⁹ *Social card games*, as defined by this title, are prohibited.

¹⁰ Limited to columbariums accessory to a church, but required *landscaping* and parking shall not be reduced.

¹¹ a. No burning of refuse or dead animals is allowed;

b. The portion of the *building* or *structure* in which animals are kept or treated shall be soundproofed. All run areas, excluding *confinement areas* for *livestock*, shall be surrounded by an eight-foot solid wall and surfaced with concrete or other impervious material; and

c. The provisions of Chapter ~~18.70~~ KMC relative to animal keeping are met.

¹² Except tire retreading.

¹³ The repair work or service shall only be performed in an enclosed *building*, with no *outdoor storage* of materials. Top, body, and upholstery repair shops and paint shops are not allowed.

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¹⁴ Except day care services and residential care.

¹⁵ Only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC.

¹⁶ With the exception of *drop-box facilities* for the collection and temporary storage of *recyclable materials*, all processing and storage of material shall be within enclosed *buildings*. *Yard waste processing* is not permitted.

¹⁷ Limited to "storefront" police offices. Such offices shall not have:

a. Holding cells; or

b. Long-term storage of stolen properties.

¹⁸ Except in commercial zones or when participating in an approved shared facility drainage plan; such facilities shall be located on the same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside a separate tract for such facilities. In commercial zones or shared facilities, such facilities which are not located on the *lot* they are designed to serve shall be located on a *lot* with the same or more intensive zoning designation.

¹⁹ *Vactor waste* treatment, storage and disposal shall be limited to liquid materials. Materials shall be disposed of directly into a sewer system, or shall be stored in tanks (or other covered *structures*), as well as enclosed *buildings*.

²⁰ No tow-in lots for damaged, abandoned or otherwise impounded vehicles.

²¹ Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.

²² Limited to *emergency* medical evacuation sites in conjunction with police, fire or health service facility.

²³ Only *hardware and garden materials stores* shall be permitted.

²⁴ Limited to *variety stores*, and further limited to a maximum of 2,000 square feet of gross floor area.

²⁵ Excluding drinking places.

²⁶ *Social card games*, as defined by this title, are prohibited.

²⁷ Limited to photocopying and printing services offered to the general public.

²⁸ Limited to *cogeneration* facilities for on-site use only.

²⁹ Reserved.

³⁰ Reserved.

³¹ Except racing of motorized vehicles.

³² Except arboretum.

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³³ Except technical institutions. See vocational schools.

³⁴ Only as a re-use of a public school facility subject to Chapter 18.50 KMC.

³⁵ Only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC.

³⁶ *SCTF Siting. Secure community transition facilities* as defined in RCW 71.09.020 are permitted by special use permit in the neighborhood business zone, subject to the following restrictions:

a. Maximum Number of Residents. No SCTF shall house more than three persons, excluding resident staff.

b. Siting Criteria.

(1) SCTFs should be located in relationship to transportation facilities in a manner appropriate to their transportation needs.

(2) No SCTF shall be allowed within the following distances from the following specified uses, areas or zones, whether such uses, areas or zones are located within or outside the City limits:

(A) In or within 250 feet of any residential zone district, or any residentially zoned property;

(B) Adjacent to, immediately across a street or parking lot from, or within the line of sight of a "risk potential activity" as defined in RCW 71.09.020, as amended, including, but not limited to, public and private schools; school bus stops; licensed day care and licensed preschool facilities; public parks, publicly dedicated trails and sports fields; recreational and community centers; playgrounds; church, synagogue, mosque, temple; and public libraries;

(C) One mile from any existing SCTF, work release, prerelease, or similar facility.

(3) The distances specified in footnote (36)(b)(2) of this section shall be measured by following a straight line from the nearest point of the property parcel upon which the SCTF is to be located, to the nearest point of the parcel of property or land use district boundary line from which the proposed land use is to be separated.

c. On-Site Facilities Required. Each SCTF shall provide on-site dining, on-site laundry or laundry service, and on-site recreational facilities to serve the residents.

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d. *Special Use Permit Application Process.* A *special use permit* application for an *SCTF* shall be accompanied by the following:

- (1) The siting process used for the *SCTF*, including alternative locations considered. At least three alternative locations must be considered.
- (2) An analysis showing that utmost consideration was given to potential *sites* such that siting of the facility will have no unreasonable impact on any one racial, cultural, or socio-economic group, and that there will not be a resulting concentration of similar facilities in a particular neighborhood, community, jurisdiction or region.
- (3) Proposed mitigation measures including the use of extensive buffering from adjacent *uses*.
- (4) A detailed security plan for the facility and the residents.
- (5) Proposed operating rules for the facility.
- (6) A schedule and analysis of all public input solicited or to be solicited during the siting process.

The following *uses* listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited uses* in the neighborhood business zone:

Table A. Neighborhood Business Zone Use Allowances

<u>PERMITTED</u>	<u>CONDITIONALLY PERMITTED</u>	<u>PROHIBITED</u>
<u>Arts, entertainment, indoor^{1,2}</u>	<u>Air transportation service²¹</u>	<u>Adult entertainment business</u>
<u>Arts, entertainment, outdoor³</u>	<u>College/university</u>	<u>Ambulatory surgery center</u>
<u>Automotive sales and service, marine^{4,5}</u>	<u>Mobile food service</u>	<u>Animal kennel/shelter</u>
<u>Automotive sales and service, non-marine^{4,5,6,7}</u>	<u>Recreational facility, indoor^{2,22}</u>	<u>Auction house</u>
<u>Business service, standard</u>	<u>Regional land use^{23,24}</u>	<u>Business service, intensive</u>
<u>Cemetery, columbarium or mausoleum⁸</u>	<u>Secure facility²⁵</u>	<u>Construction and trade</u>
<u>Community residential facility⁹</u>	<u>Transportation²⁶</u>	<u>Family child-care home</u>
<u>Day-care</u>		<u>Funeral home/crematory</u>
<u>Eating and drinking place^{2,10}</u>		<u>Hospital</u>
<u>Educational service¹¹</u>		<u>Laboratory</u>

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<u>Fire or police facility¹²</u>		<u>Manufacturing, heavy</u>
<u>Health care and social assistance^{13,14}</u>		<u>Manufacturing, light</u>
<u>Multiple family dwelling¹⁵</u>		<u>Marijuana business</u>
<u>Office</u>		<u>Marijuana cooperative</u>
<u>Park</u>		<u>Mobile home park</u>
<u>Personal service</u>		<u>Recreational facility, outdoor</u>
<u>Religious institution</u>		<u>Resource land use</u>
<u>Retail sales¹⁶</u>		<u>Retail sales, bulk</u>
<u>Standalone parking¹⁷</u>		<u>Single detached dwelling unit</u>
<u>Supportive living facility⁹</u>		<u>Vehicle or equipment rental</u>
<u>Temporary lodging^{18,19}</u>		<u>Warehousing</u>
<u>Utility facility²⁰</u>		<u>Wholesale trade</u>
<u>Vehicle refueling station</u>		

1. Theaters are prohibited.
2. Social card games are prohibited.
3. Outdoor performance facilities and drive-in theaters are prohibited.
4. Repair or service shall only be performed in an enclosed *building*, with no outdoor storage of materials. Top, body, and upholstery repair shops and paint shops are prohibited.
5. Automotive sales are prohibited.
6. Heavy equipment and truck repair is prohibited.
7. Tire retreading is prohibited.
8. Limited to columbariums accessory to a *religious institution*, but required *landscaping* and parking shall not be reduced.
9. Only as part of a *mixed use development* subject to the conditions of Chapter 18.50 KMC.
10. Drinking places are prohibited.
11. Educational institutions (public or private), K – 12, are prohibited.
12. Police facility limited to “storefront” police offices. Such offices shall not have:
 - a. Holding cells; or
 - b. Long-term storage of stolen properties.

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13. Veterinary clinics permitted subject to the following:
 - a. No burning of refuse or dead animals is allowed;
 - b. The portion of the *building* or *structure* in which animals are kept or treated shall be soundproofed. All run areas, excluding *confinement areas* for *livestock*, shall be surrounded by an eight-foot solid wall and surfaced with concrete or other impervious material; and
 - c. The provisions of Chapter 18.70 KMC relative to animal keeping are met.
14. Social assistance permitted only as a re-use of a surplus nonresidential facility subject to Chapter 18.50 KMC.
15. Only as part of a *mixed use development* subject to the conditions of Chapter 18.50 KMC, except that stand-alone *townhouse developments* are permitted subject to KMC 17.20.125, 18.22.020, 18.30.130 and 18.50.050.
16. Building material stores, auto supply stores and used goods shops are prohibited.
17. Tow-in lots for damaged, abandoned or otherwise impounded vehicles are prohibited.
18. Bed and breakfast guesthouse only. All other *temporary lodging* is prohibited.
19. Bed and breakfast guesthouse shall be subject to the following conditions:
 - a. The guesthouse shall be owner-occupied;
 - b. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;
 - c. Parking shall be provided as required by this title; and
 - d. The guesthouse shall be compatible with the neighborhood character as determined by the *city manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.
20. *Nonhydroelectric generation facility* requires a *conditional use permit*. *Hydroelectric generation facilities* are prohibited.
21. *Helistops* limited to *emergency* medical evacuation sites in conjunction with police, fire or health service facility.
22. Shooting ranges are prohibited.
23. Racetracks for motorized vehicles are prohibited.
24. Fairgrounds and stadiums/arenas are prohibited.
25. *SCTF* Siting. *Secure community transition facilities* as defined in RCW 71.09.020 are permitted by *conditional use permit* in the neighborhood business zone, subject to the following restrictions:
 - a. *Maximum Number of Residents*. No *SCTF* shall house more than three persons, excluding resident staff.
 - b. *Siting Criteria*.

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- (1) SCTFs should be located in relationship to transportation facilities in a manner appropriate to their transportation needs.
- (2) No SCTF shall be allowed within the following distances from the following specified uses, areas or zones, whether such uses, areas or zones are located within or outside the City limits:
 - A. In or within 250 feet of any residential zone district, or any residentially zoned property;
 - B. Adjacent to, immediately across a street or parking lot from, or within the line of sight of a "risk potential activity" as defined in RCW 71.09.020, as amended, including, but not limited to, public and private schools; school bus stops; licensed day care and licensed preschool facilities; public parks, publicly dedicated trails and sports fields; recreational and community centers; playgrounds; religious institutions; and public libraries;
 - C. One mile from any existing SCTF, work release, prerelease, or similar facility.
- (3) The distances specified in footnote 24(b)(2) of this section shall be measured by following a straight line from the nearest point of the property parcel upon which the SCTF is to be located, to the nearest point of the parcel of property or land use district boundary line from which the proposed land use is to be separated.
- c. On-Site Facilities Required. Each SCTF shall provide on-site dining, on-site laundry or laundry service, and on-site recreational facilities to serve the residents.
- d. Conditional Use Permit Application Process. A conditional use permit application for an SCTF shall be accompanied by the following:
 - (1) The siting process used for the SCTF, including alternative locations considered. At least three alternative locations must be considered.
 - (2) An analysis showing that utmost consideration was given to potential sites such that siting of the facility will have no unreasonable impact on any one racial, cultural, or socio-economic group, and that there will not be a resulting concentration of similar facilities in a particular neighborhood, community, jurisdiction or region.
 - (3) Proposed mitigation measures including the use of extensive buffering from adjacent uses.
 - (4) A detailed security plan for the facility and the residents.
 - (5) Proposed operating rules for the facility.
 - (6) A schedule and analysis of all public input solicited or to be solicited during the siting process.

26. Taxi, trucking, courier service, and freight and cargo service are prohibited.

18.23.020 Community business zone -- Use allowances.

The following uses listed in Table A are identified as permitted, conditionally permitted, or prohibited uses in the community business zone:

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Table A. Community Business Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Artist Studios	City Government Facilities and Offices	Adult Entertainment
Arts and Crafts	College/University	Business
Schools/Studios	Community Residential Facility I or II	Auto Supply Stores
Bed and Breakfast	Conference Centers	Automotive Rental and Leasing
Guesthouses	Cultural Facilities	Automotive Repair
Family Child Care Home	Fire Facility	Automotive Service
Day Care Centers I and II	K – 12 Educational Institution (Public or Private)	Bulk Retail
Eating and Drinking Places	Medical/Dental Labs	Car Wash
General Business Services	Nursing and Personal Care Facilities	Construction and Trade
Home Occupation	Police Facility	Drive-Through Service
Medical/Dental	Public Agency or Utility Office: Non-City	Helistop
Office/Outpatient Clinic	Recreational Facilities, Indoor	Hospitals
Multiple Family Dwelling	Religious Institutions: Church, Synagogue, Mosque, Temple	Hotel
Professional Offices	Services, Off-Site	Indoor Storage
Parks	Social Services, Noncorrectional	Interim Recycling Facility
Private Stormwater Management Facility	Specialized Instruction School	Manufacturing
Rental Services, No Outside Storage	Utility Facility: Limited to Sewer Lift Stations and Pipes/Electrical Wires and Associated Structure Supports	Marijuana Business
Retail Sales, Indoor	Veterinary Offices/Clinics	Marijuana Cooperative
Services, On-Site	Vocational Schools	Mobile Food Vendor
Single Detached Dwelling		Mobile Home Parks
Unit, Existing Legal		Motel

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~~Table A. Community Business Use Allowances~~

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Trails		Motor Vehicle and Boat Dealers Outdoor Performance Center Outdoor Retail Display/Sidewalk Sale Outdoor Storage Recreational Facilities, Outdoor Rental Services with Outside Storage Retail Sales, Outdoor Self-Service Storage Single-Detached Dwelling Unit, New Social Services, Correctional Taxi Stand Theater Theatrical Production Services Tow Truck Operation/Auto Yard Transit Center

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Table A. Community Business Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
		Trucking and Courier Service Warehousing and Wholesale Trade

¹ Permitted only as part of a *mixed use development* and must occupy 50 percent of the *ground floor at street frontage*. Each use is limited to maximum 5,000 square feet per use and 15,000 square feet total contiguous.

² A *family child-care home* is permitted in an existing legal *single detached dwelling unit* subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title 170. The *family child-care home* shall meet the following requirements:

a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;

b. A safe passenger loading area as certified by the DEL licensor shall be provided;

c. The *family child-care home* shall comply with all applicable building, fire, safety, and health codes enforced by the City;

d. The *family child-care home* shall comply with all applicable development standards of the City, unless determined to be legally nonconforming;

e. All signage shall conform to the applicable requirements of Chapter 18.42 KMC; and

f. The City has the authority to limit the hours of operation to facilitate neighborhood compatibility.

The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited uses* in the community business zone:

Table A. Community Business Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<u>Arts, entertainment, indoor¹</u>	<u>Ambulatory surgery center</u>	<u>Adult entertainment business</u>
<u>Business service, standard</u>	<u>College/university</u>	<u>Air transportation service</u>
<u>Day-care</u>	<u>Community residential facility</u>	<u>Animal kennel/shelter</u>
<u>Eating and drinking place²</u>	<u>Fire or police facility</u>	<u>Arts, entertainment, outdoor</u>
<u>Educational service³</u>	<u>Laboratory</u>	<u>Auction house</u>

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<u>Family child-care home⁴</u>	<u>Recreational facility, indoor</u>	<u>Automotive sales and service, marine</u>
<u>Health care and social assistance⁵</u>	<u>Regional land use</u>	<u>Automotive sales and service, non-marine</u>
<u>Multiple family dwelling</u>	<u>Religious institution</u>	<u>Business service, intensive</u>
<u>Office</u>	<u>Supportive living facility</u>	<u>Cemetery, columbarium, or mausoleum</u>
<u>Park</u>		<u>Construction and trade</u>
<u>Personal service²</u>		<u>Funeral home/crematory</u>
<u>Retail sales^{2,6}</u>		<u>Hospital</u>
<u>Single detached dwelling unit, existing legal⁷</u>		<u>Manufacturing, heavy</u>
<u>Standalone parking¹⁰</u>		<u>Manufacturing, light</u>
<u>Temporary lodging⁸</u>		<u>Marijuana business</u>
<u>Utility facility⁹</u>		<u>Marijuana cooperative</u>
		<u>Mobile food service</u>
		<u>Mobile home park</u>
		<u>Recreational facility, outdoor</u>
		<u>Resource land use</u>
		<u>Retail sales, bulk</u>
		<u>Secure facility</u>
		<u>Transportation</u>
		<u>Vehicle or equipment rental</u>
		<u>Vehicle refueling station</u>
		<u>Warehousing</u>
		<u>Wholesale trade</u>

1. Artist studios permitted. All other indoor arts, entertainment uses require a conditional use permit, except theaters which are prohibited.

2. Permitted only as part of a mixed use development and must occupy 50 percent of the ground floor at street frontage. Each use is limited to maximum 5,000 square feet per use and 15,000 square feet total contiguous.

3. Arts and craft schools are a permitted use; all other educational service uses require a conditional use permit.

4. A family child-care home is permitted in an existing legal single detached dwelling unit subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title 170. The family child-care home shall meet the following requirements:

- a. The family child-care provider shall be licensed by DEL to operate a family child-care home;
- b. A safe passenger loading area shall be provided;

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c. The *family child-care home* shall comply with all applicable building, fire, safety, and health codes enforced by the *City*;

d. The *family child-care home* shall comply with all applicable development standards of the *City*, unless determined to be legally nonconforming;

e. All signage shall conform to the applicable requirements of Chapter 18.42 KMC; and

f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility.

5. Social assistance *uses* and veterinary offices/clinics are conditionally permitted.

6. *Outdoor retail display/sidewalk sales* and auto supply stores are prohibited.

7. Other *single detached dwelling units* are prohibited.

8. Bed and breakfast guesthouse only. Hotels and motels are prohibited.

9. *Private stormwater management facility* is a *permitted use*. Sewer lift stations and pipes/electrical wires and associated structure supports may be conditionally permitted. All other *utility facility uses* are prohibited.

10. Limited to *commuter parking lots* for users of transit, carpools or ride-share programs, provided the facilities are located on existing parking lots for *religious institutions*, schools, or other permitted *nonresidential uses* which have excess capacity available during commuting hours. All other *standalone parking uses* require a *conditional use permit*.

18.23.030 Accessory uses.

Accessory uses, when consistent with the definitions and criteria in Chapters 18.10 and 18.20 KMC, are allowed as determined by the *city manager*.

18.24.020 Downtown residential zone -- Use allowances.

The following *uses* in Table A are identified as permitted, conditionally permitted, or *prohibited uses* in the downtown residential zone.

Table A. Downtown Residential Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Auction House, Existing ⁶	Eating and Drinking Places	Indoor Storage
Automotive Service, Accessory ⁴	Nursing and Personal Care Facilities	Marijuana Business

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Table A. Downtown Residential Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Bed and Breakfast	Religious Institutions: Church, Synagogue, Mosque,	Marijuana Cooperative
Guesthouse	Temple	Mobile Home Parks
City Government Facilities	Social Services, Noncorrectional	Outdoor Storage
and Offices	Utility Facility: Limited to Sewer Lift Stations and	Public Agency or Utility
Community Residential	Pipes/Electrical Wires and Associated Structural	Office: Non-City
Facility I or II	Supports	Retail Sales, Outdoor
Cultural Facilities		Self-Service Storage
Family Child Care Home ^a		Single Detached
Day Care I or II ^a		Dwelling Unit, New
Home Occupation		Social Services,
Multiple Family Dwelling ^a		Correctional
On-Site Services ^a		
Parking: Off-Street Required		
Parking Lot or Structure		
Parks		
Professional Office ^a		
Recreation, Indoor: Sports		
Club		
Retail Sales, Indoor ^a		
Single Detached Dwelling		
Unit, Existing Legal		
Trails		
Vehicle Auction, Existing ^a		

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¹ Only permitted when accessory to and contained within a structured parking garage.

² Day care II permitted only when accessory to a school, church, park, sport club or public housing administered by a public agency.

³ Townhouses are required to have four units minimum in a cluster. Enclosed under building parking is required per Chapter 18.52 KMC, Downtown Design Standards.

⁴ Permitted only as part of a mixed use development, and must occupy 50 percent of the ground floor at street frontage. Each use is limited to maximum 5,000 square feet per use and 15,000 square feet total contiguous.

⁵ Reserved.

⁶ Except for vehicle and animal auction uses. Existing auction houses are permitted on properties currently used for auction house activity as of January 12, 2007. This use may be continued and may be re-established for purposes of rebuilding upon unintentional destruction of the property. The auction house use may not expand buildings or storage beyond the use's existing footprint. The auction house may expand accessory on-site parking associated with existing auction house use to adjoining or nearby parcels of land, subject to the City's approval of a site improvement plan that addresses the following issues:

a. Submittal of a long-term parking management plan that shows how the use's parking needs are met by on-site parking and/or provisions of a long-term shared parking agreement;

b. Submittal of a traffic management plan that shows how the applicant intends to assure safe passage of pedestrians and vehicles in the vicinity of auction events;

c. Screening of outdoor storage and parking areas consistent with Kenmore downtown design standard parking lot screening requirements, KMC 18.52.180;

d. Provision of sidewalks along property frontages in the public rights-of-way, or other measures deemed by the City to adequately protect pedestrians traveling along property frontages; and

e. Ensures that expanded accessory parking area is not used for storage.

⁷ Vehicle auctions in existence as of January 12, 2007, are permitted on site area and within buildings in the downtown residential zone located east of 68th Avenue NE and north of NE 182nd Street that are being used as a vehicle auction use as of that date. This use may be continued and may be re-established for purposes of rebuilding upon unintentional destruction of property. With the exception of accessory parking outlined below, existing vehicle auction uses may not expand beyond their existing building footprint plus abutting easements, loading, or parking areas used for vehicle auction as of January 12, 2007. Renovations or alterations within the existing building footprint are permitted. However, expansion of existing buildings for vehicle auction use is prohibited. Expansion of accessory on-site parking associated with existing vehicle auction use to adjoining or nearby parcels of land is allowed, subject to the City's approval of a site improvement plan that addresses the following issues:

a. Submittal of a long-term parking management plan that shows how the use's parking needs are met by on-site parking and/or provisions of a long-term shared parking agreement;

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b. Submittal of a traffic management plan that shows how the *applicant* intends to assure safe passage of pedestrians and vehicles in the vicinity of auction events;

c. Screening of *outdoor storage* and parking areas consistent with Kenmore downtown design standard parking lot screening requirements, KMC 18.52.180;

d. Provision of sidewalks along property frontages in the public rights-of-way, or other measures deemed by the *City* to adequately protect pedestrians traveling along property frontages; and

e. Ensures that expanded accessory parking area is not used for storage.

⁸ A *family child-care home* is permitted in an existing legal *single detached dwelling unit* subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title 170. The *family child-care home* shall meet the following requirements:

a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;

b. A safe passenger loading area as certified by the DEL licensor shall be provided;

c. The *family child-care home* shall comply with all applicable building, fire, safety, and health codes enforced by the *City*;

d. The *family child-care home* shall comply with all applicable development standards of the *City*, unless determined to be legally nonconforming;

e. All signage shall conform to the applicable requirements of Chapter 18.42 KMC; and

f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility.

The following *uses* listed in Table A are identified as permitted, conditionally permitted, or *prohibited uses* in the downtown residential zone:

Table A. Downtown Residential Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Arts, entertainment, indoor</i> ¹	<i>Eating and drinking place</i> ¹	<i>Adult entertainment business</i>
<i>Auction house, existing</i> ²	<i>Educational service</i> ³	<i>Air transportation service</i>
<i>Business service, standard</i> ³	<i>Health care and social assistance</i> ¹⁰	<i>Ambulatory surgery center</i>
<i>Community residential facility</i>	<i>Religious institution</i>	<i>Animal kennel/shelter</i>
<i>Day-care</i> ⁴	<i>Supportive living facility</i>	<i>Arts, entertainment, outdoor</i>
<i>Family child-care home</i> ⁵	<i>Utility facility</i> ¹¹	<i>Automotive sales and service, marine</i>
<i>Multiple family dwelling</i> ⁶		<i>Automotive sales and service, non-marine</i>
<i>Office</i> ³		<i>Business service, intensive</i>

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<u>Park</u>		<u>Cemetery, columbarium or mausoleum</u>
<u>Personal service³</u>		<u>College/university</u>
<u>Recreational facility, indoor</u>		<u>Construction and trade</u>
<u>Retail sales^{3,7}</u>		<u>Fire or police facility</u>
<u>Single detached dwelling unit, existing legal⁸</u>		<u>Funeral home/crematory</u>
<u>Temporary lodging⁹</u>		<u>Hospital</u>
		<u>Laboratory</u>
		<u>Manufacturing, heavy</u>
		<u>Manufacturing, light</u>
		<u>Marijuana business</u>
		<u>Marijuana cooperative</u>
		<u>Mobile food service</u>
		<u>Mobile home park</u>
		<u>Recreational facility, outdoor</u>
		<u>Regional land use</u>
		<u>Resource land use</u>
		<u>Retail sales, bulk</u>
		<u>Secure facility</u>
		<u>Standalone parking</u>
		<u>Transportation</u>
		<u>Vehicle or equipment rental</u>
		<u>Vehicle refueling station</u>
		<u>Warehousing</u>
		<u>Wholesale trade</u>

1. Social card games are prohibited.

2. Except for animal auction uses which are prohibited. Existing auction houses, excluding vehicle auctions, are permitted on properties currently used for auction house activity as of January 12, 2007. This use may be continued and may be re-established for purposes of rebuilding upon unintentional destruction of the property. The auction house use may not expand buildings or storage beyond the use's existing footprint. The auction house may expand accessory on-site parking associated with existing auction house use to adjoining or nearby parcels of land, subject to the City's approval of a site improvement plan that addresses the following issues:

- a. Submittal of a long-term parking management plan that shows how the use's parking needs are met by on-site parking and/or provisions of a long-term shared parking agreement;
- b. Submittal of a traffic management plan that shows how the applicant intends to assure safe passage of pedestrians and vehicles in the vicinity of auction events;
- c. Screening of outdoor storage and parking areas consistent with Kenmore downtown design standard parking lot screening requirements, KMC 18.52.180;

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- d. Provision of sidewalks along property frontages in the public rights-of-way, or other measures deemed by the *City* to adequately protect pedestrians traveling along property frontages; and
- e. Ensures that expanded accessory parking area is not used for storage.

Vehicle auctions in existence as of January 12, 2007, are permitted on site area and within *buildings* in the downtown residential zone located east of 68th Avenue NE and north of NE 182nd Street that are being used as a vehicle auction *use* as of that date. This *use* may be continued and may be re-established for purposes of rebuilding upon unintentional destruction of property. With the exception of accessory parking as outlined below, existing vehicle auction *uses* may not expand beyond their existing building footprint plus abutting easements, loading, or parking areas used for vehicle auction as of January 12, 2007. Renovations or alterations within the existing building footprint are permitted. However, expansion of existing *buildings* for vehicle auction *use* is prohibited. Expansion of accessory on-site parking associated with existing vehicle auction *use* to adjoining or nearby parcels of land is allowed, subject to the *City's* approval of a site improvement plan that addresses the following issues:

- a. Submittal of a long-term parking management plan that shows how the *use's* parking needs are met by on-site parking and/or provisions of a long-term shared parking agreement;
- b. Submittal of a traffic management plan that shows how the *applicant* intends to assure safe passage of pedestrians and vehicles in the vicinity of auction events;
- c. Screening of *outdoor storage* and parking areas consistent with Kenmore downtown design standard parking lot screening requirements, KMC 18.52.180;
- d. Provision of sidewalks along property frontages in the public rights-of-way, or other measures deemed by the *City* to adequately protect pedestrians traveling along property frontages; and
- e. Ensures that expanded accessory parking area is not used for storage.

3. Permitted only as part of a *mixed use development*, and must occupy 50 percent of the *ground floor at street frontage*. Each *use* is limited to maximum 5,000 square feet per *use* and 15,000 square feet total contiguous. These standards do not apply to city government *offices*.

4. *Day care* II permitted only when accessory to a school, *religious institution*, *park*, *sports club* or public housing administered by a *public agency*.

5. A *family child-care home* is permitted in an existing legal *single detached dwelling unit* subject to the requirements established by the Washington State Department of Early Learning (DEL) in WAC Title 170. The *family child-care home* shall meet the following requirements:

- a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;
- b. A safe passenger loading area shall be provided;
- c. The *family child-care home* shall comply with all applicable building, fire, safety, and health codes enforced by the *City*;
- d. The *family child-care home* shall comply with all applicable development standards of the *City*, unless determined to be legally nonconforming;
- e. All signage shall conform to the applicable requirements of Chapter 18.42 KMC; and
- f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility.

6. *Townhouses* are required to have four units minimum in a cluster. Enclosed under building parking is required per Chapter 18.52 KMC, Downtown Design Standards.

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7. Except outdoor *retail sales* which is prohibited.

8. Other *single detached dwelling units* are prohibited.

9. Bed and breakfast guesthouse only. All other *temporary lodging uses* are prohibited.

10. Except *social services, correctional* which is prohibited.

11. Limited to sewer lift stations and pipes/electrical wires and associated structural supports.

18.24.030 Accessory uses.

Accessory uses, when consistent with the definitions and criteria in Chapters 18.10 and 18.20 KMC, are allowed as determined by the city manager.

18.25.020 Downtown commercial zone - Use allowances.

The following uses listed in Table A are identified as permitted, conditionally permitted, or prohibited uses in the downtown commercial zone:

Table A. Downtown Commercial Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Adult Entertainment Businesses ¹¹	College/University	Automotive Rental and
Artist Studios	Community Residential Facility I or II	Leasing, New,
Arts and Crafts Schools/Studios	Fire Facility	Nonaccessory
Auction House, Existing ¹²	Helistop	Automotive Repair, New,
Auto Supply Stores	Hospitals	Nonaccessory
Automotive Rental and Leasing,	K-12 Educational Institution (Public or	Automotive Service, New,
Accessory ¹	Private)	Nonaccessory
Automotive Repair, Accessory ¹	Medical/Dental Labs	Bulk Retail
Automotive Repair, Existing Legal ¹⁰	Police Facility	Car Wash, Nonaccessory
		Construction and Trade

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Table A. Downtown Commercial Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Automotive Service, Accessory ¹ Automotive Service, Existing Legal ¹ Bed-and-Breakfast Guesthouse ² Car Wash, Accessory ¹ City Government Facilities and Offices Conference Centers Cultural Facilities Day Care Centers I and II Drive-Through Service ³ Eating and Drinking Places Gasoline Service Stations, Existing Legal General Business Services Home Occupation Hotel Medical/Dental Office/Outpatient Clinic	Public Agency or Utility Office: Non-City Religious Institutions: Church, Synagogue, Mosque, Temple Social Services, Correctional Specialized Instruction School Utility Facility: Limited to Sewer Lift Stations and Pipes/Electrical Wires and Associated Structural Supports Vocational School	Gasoline Service Stations, New Indoor Storage Interim Recycling Facility Manufacturing Marijuana Business Marijuana Cooperative Motel Motor Vehicle and Boat Dealers, Nonaccessory
Mobile Food Vendor ⁴ Motor Vehicle and Boat Dealers, Accessory ¹ Multiple-Family Dwelling ⁵ Off-Site Services ⁶		Nursing and Personal Care Facilities Outdoor Storage Recreational Facilities, Outdoor

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Table A. Downtown Commercial Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Outdoor Performance Center ^a		Rental Services, with Outside Storage
Outdoor Retail Display/Sidewalk Sale ^c		Retail Sales, Outdoor
Professional Offices		Self-Service Storage
Parking: Commuter Parking Lot or Structure, Off-Street Required Parking Lot or Structure ^a		Tow Truck Operation/Auto Impoundment Yard
Parks		Trucking and Courier Service
Private Stormwater Management Facility		Warehousing and Wholesale Trade
Recreational Facilities, Indoor		
Rental Services, No Outside Storage		
Retail Sales, Indoor		
Services, On-Site		
Social Services, Noncorrectional		
Taxi Stand		
Theater		
Theatrical Production Services		
Trails		
Transit Center ^a		
Vehicle Auction, Existing ^{a,c}		
Veterinary Offices/Clinics: No outdoor kennels or facilities		

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¹ Permitted only when accessory to and contained within a structured parking garage. Automotive rental and leasing uses, or motor vehicle and boat dealer uses, may also be permitted when accessory to an existing legal automotive service or existing legal automotive repair use and consistent with the following: (a) motor vehicles for sale, lease or rental shall not be arranged in a display lot fashion along the primary street frontage, and (b) shall be a subordinate and incidental part of the automotive repair or automotive service business, and (c) shall be subject to Chapter 18.52 KMC, Downtown Design Standards, regarding screening, location and other relevant standards. Otherwise prohibited.

² Permitted only if part of a mixed-use development.

³ Properties having frontage on SR-522 and taking primary access from SR-522 as of the effective date of the ordinance codified in this title shall be permitted drive-through service. Where allowed, drive-through service is permitted as an accessory use. Drive-through service shall be oriented to the side and/or rear of the building, and integrated into the exterior wall. Drive-through lanes shall not be located between the street and the main pedestrian access to the buildings. Modifications to these requirements may be reviewed through the site plan or building permit review process when meeting the intent of pedestrian orientation pursuant to Chapter 18.52 KMC, Downtown Design Standards.

⁴ Mobile food vendors are permitted subject to the following requirements:

- a. The stand is located on a sidewalk or near a storefront consistent with barrier-free regulations;
- b. The stand location on the sidewalk or near a storefront provides for at least four feet of unobstructed sidewalk between the stand and the sidewalk edge for pedestrian movement;
- c. No permanent fencing, walls, or other structures are installed which hinder removal of the structure from the site;
- d. No required parking stall shall be blocked or unusable as a result of the mobile vendor;
- e. Safe ingress and egress to the site shall be maintained. Visibility for transportation and pedestrian access shall be maintained;
- f. The limited duration of the mobile vendor shall be established as a condition of approval of any applicable permits; if accessory to a use, such operation is removed daily at the time of or prior to the close of business hours;
- g. A sign permit is required for exterior signage in accordance with the sign code, Chapter 18.42 KMC.

⁵ When located on property fronting on SR-522, NE 73rd Street, NE 181st Street west of 68th Avenue NE, 65th Avenue NE, 67th Avenue NE, or 68th Avenue NE, such uses shall be subject to the following conditions:

- a. A minimum of 80 percent of a structure's street front facade at street level shall be occupied by nonresidential (e.g., retail, office or service) uses. If the nonresidential and residential uses are located in separate structures, the 80 percent requirement shall apply to the lot's lineal street frontage at street level. Where the lot fronts on two or more streets and abuts a lot which is not zoned commercial, the street front facade requirement shall apply to the structure's facade along the street with the greatest continuous lineal feet of commercially-zoned frontage.

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b. The required nonresidential use shall extend at least 30 feet in depth at street level from the street front facade of the structure; provided, that the minimum required depth may be averaged, with no depth less than 15 feet.

c. Where a lot fronts on two or more streets and only abuts lots which are zoned commercial, the street front facade requirement shall be calculated by totaling the combined street front facades of the structure containing the required nonresidential use.

⁶ Permitted when located west of 68th Avenue NE and associated with a plaza open to the public, and space is made available for general public passive or active use during non-performance hours.

⁷ Outdoor retail displays/sidewalk sales are permitted subject to:

a. The outdoor retail display/sidewalk sale shall be accessory to a permitted permanent commercial use;

b. Fire lanes shall remain fully open and accessible at all times;

c. The location on sidewalk or near storefront is barrier-free;

d. No required parking stall shall be blocked or unusable as a result of the outdoor retail display/sidewalk sale;

e. Safe ingress and egress to the site shall be maintained. Visibility for transportation and pedestrian access shall be maintained;

f. Such display and activity is removed daily at the time of or prior to the close of business hours;

g. A sign permit is required for exterior signage in accordance with the sign code, Chapter 18.42 KMC.

⁸ When located along NE 73rd Street, NE 181st Street west of 68th Avenue NE, 65th Avenue NE, 67th Avenue NE, or 68th Avenue NE, such use shall be housed on floors other than the ground floor street front facade.

⁹ a. Within the zone north of SR-522 and west of 68th Avenue NE, transit centers and commuter parking facilities shall be in structured buildings when the number of stalls exceeds 20. Transit centers or commuter parking lots shall be located a maximum distance of 1,200 lineal feet measured from the center line of SR-522 to the furthestmost point of the transit center or commuter parking lot.

b. Parking structures, in whatever location in the zone, shall provide retail usages for at least 50 percent of the ground floor street frontages, consistent with Chapter 18.52 KMC, Downtown Design Standards.

c. Parking structures shall be designed consistent with Chapter 18.52 KMC, Downtown Design Standards; interior design considerations shall include integration of parking with any transit bays, provision of indoor access to shops, and covered walkways to adjacent shopping, civic, residential, or other developments that patrons will access. Crime prevention through environmental design (CPTED) principles shall be integrated, such as, but not limited to, full spectrum lighting and maximization of visibility in publicly used areas.

¹⁰ In the downtown commercial zone, properties (a) fronting SR-522 or taking primary access from SR-522, and (b) located on a property where the extent of use is no deeper than 260 feet from SR-522, and

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(c) containing automotive repair or automotive service *uses* as of April 28, 2003, shall be considered *existing legal uses*. Otherwise prohibited.

¹¹ It shall be unlawful for any person to establish an *adult entertainment business* or to relocate an *adult entertainment business* within 330 feet, measured from the property line of the parcel or parcels proposed to contain the *adult entertainment business* to the property line of the parcels containing the *uses* in this section, without regard to intervening *structures* or objects, if any:

a. Residentially-zoned property;

b. Public or *private* school for general education of any grade K through 12;

c. School bus stop;

d. Licensed *day care* or licensed preschool facility;

e. Public *park*;

f. Publicly dedicated *trail*; provided, however, that the *setback* distance shall apply only on the south side of the Burke-Gilman Trail, and that there shall be no *setback* on the north side of that trail due to the separation provided by SR-522;

g. Sports fields or playgrounds;

h. Recreation or community center;

i. *Church, synagogue, mosque, temple*, or other house of religious worship;

j. Public library.

It shall be unlawful for any person to establish an *adult entertainment business* or to relocate an *adult entertainment business* within 500 feet of another *adult entertainment business*, measured from the property line of the parcel or parcels containing the *adult entertainment business* and the proposed *adult entertainment business*.

¹² Except for vehicle and animal auction *uses*. Existing *auction houses* are permitted on properties currently used for *auction house* activity as of January 12, 2007. This *use* may be continued and may be re-established for purposes of rebuilding upon unintentional destruction of the property. The *auction house use* may not expand *buildings* or storage beyond the *use's* existing footprint. The *auction house* may expand accessory on-site parking associated with existing *auction house use* to adjoining or nearby parcels of land, subject to the City's approval of a site improvement plan that addresses the following issues:

a. Submittal of a long-term parking management plan that shows how the *use's* parking needs are met by on-site parking and/or provisions of a long-term shared parking agreement;

b. Submittal of a traffic management plan that shows how the *applicant* intends to assure safe passage of pedestrians and vehicles in the vicinity of auction events;

c. Screening of *outdoor storage* and parking areas consistent with Kenmore downtown design standard parking lot screening requirements, KMC 18.52.180;

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d. Provision of sidewalks along property frontages in the public rights-of-way, or other measures deemed by the City to adequately protect pedestrians traveling along property frontages; and

e. Ensures that expanded accessory parking area is not used for storage.

¹³ Vehicle auctions in existence as of January 12, 2007, are permitted on-site area and within buildings in the downtown commercial zone located east of 68th Avenue NE and north of NE 182nd Street that are being used as a vehicle auction use as of that date. This use may be continued and may be re-established for purposes of rebuilding upon unintentional destruction of property. With the exception of accessory parking noted in this subsection, existing vehicle auction uses may not expand beyond their existing building footprint plus abutting easements, loading, or parking areas used for vehicle auction as of January 12, 2007. Renovations or alterations within the existing building footprint are permitted; however, expansion of existing buildings for vehicle auction use is prohibited. Expansion of accessory on-site parking associated with existing vehicle auction use to adjoining or nearby parcels of land is allowed, subject to the City's approval of a site improvement plan that addresses the following issues:

a. Submittal of a long-term parking management plan that shows how the use's parking needs are met by on-site parking and/or provisions of a long-term shared parking agreement;

b. Submittal of a traffic management plan that shows how the applicant intends to assure safe passage of pedestrians and vehicles in the vicinity of auction events;

c. Screening of outdoor storage and parking areas consistent with Kenmore downtown design standard parking lot screening requirements, KMC 18.52.180;

d. Provision of sidewalks along property frontages in the public rights-of-way, or other measures deemed by the City to adequately protect pedestrians traveling along property frontages; and

e. Ensures that expanded accessory parking area is not used for storage.

The following uses listed in Table A are identified as permitted, conditionally permitted, or prohibited uses in the downtown commercial zone:

Table A. Downtown Commercial Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<u>Adult entertainment business¹</u>	<u>Air transportation service</u>	<u>Animal kennel/shelter</u>
<u>Arts, entertainment, indoor</u>	<u>Ambulatory surgery center</u>	<u>Business service, intensive</u>
<u>Arts, entertainment, outdoor²</u>	<u>College/university</u>	<u>Cemetery, columbarium or mausoleum</u>
<u>Auction house, existing³</u>	<u>Community residential facility</u>	<u>Construction and trade</u>
<u>Automotive sales and service, marine, existing legal⁴</u>	<u>Fire or police facility</u>	<u>Family child-care home</u>

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<u>Automotive sales and service, non-marine, existing legal⁴</u>	<u>Hospital</u>	<u>Funeral home/crematory</u>
<u>Business service, standard</u>	<u>Laboratory</u>	<u>Manufacturing, heavy</u>
<u>Day-care</u>	<u>Religious institution</u>	<u>Manufacturing, light</u>
<u>Eating and drinking place</u>	<u>Utility facility¹⁶</u>	<u>Marijuana business</u>
<u>Educational service⁵</u>		<u>Marijuana cooperative</u>
<u>Health care and social assistance^{6,7}</u>		<u>Mobile home park</u>
<u>Mobile food service⁸</u>		<u>Recreational facility, outdoor</u>
<u>Multiple family dwelling⁹</u>		<u>Resource land use</u>
<u>Office</u>		<u>Retail sales, bulk</u>
<u>Park</u>		<u>Secure facility</u>
<u>Personal service</u>		<u>Single detached dwelling unit</u>
<u>Recreational facility, indoor</u>		<u>Supportive living facility</u>
<u>Regional land use¹⁰</u>		<u>Transportation</u>
<u>Retail sales¹¹</u>		<u>Warehousing</u>
<u>Standalone parking¹²</u>		<u>Wholesale trade</u>
<u>Temporary lodging¹³</u>		
<u>Vehicle or equipment rental¹⁴</u>		
<u>Vehicle refueling station¹⁵</u>		

1. It shall be unlawful for any person to establish an *adult entertainment business* or to relocate an *adult entertainment business* within 330 feet, measured from the property line of the parcel or parcels proposed to contain the *adult entertainment business* to the property line of the parcels containing the *uses* in this section, without regard to intervening *structures* or objects, if any:
- Residentially zoned property;
 - Public or private school for general education of any grade K through 12;
 - School bus stop;
 - Licensed *day care* or licensed preschool facility;
 - Public park;
 - Publicly dedicated *trail*; provided, however, that the setback distance shall apply only on the south side of the Burke-Gilman Trail, and that there shall be no setback on the north side of that trail due to the separation provided by SR-522;
 - Sports fields or playgrounds;
 - Recreation or community center;
 - Religious institution*;
 - Public library.

It shall be unlawful for any person to establish an *adult entertainment business* or to relocate an *adult entertainment business* within 500 feet of another *adult entertainment business*.

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measured from the property line of the parcel or parcels containing the *adult entertainment business* and the proposed *adult entertainment business*.

2. Outdoor performance center permitted when located west of 68th Avenue NE and associated with a plaza open to the public, and space is made available for general public passive or active use during non-performance hours.
3. Except for animal auction *uses* which are prohibited. Existing *auction houses*, excluding vehicle auctions, are permitted on properties currently used for *auction house* activity as of January 12, 2007. This *use* may be continued and may be re-established for purposes of rebuilding upon unintentional destruction of the property. The *auction house use* may not expand *buildings* or storage beyond the *use's* existing footprint. The *auction house* may expand accessory on-site parking associated with existing *auction house use* to adjoining or nearby parcels of land, subject to the *City's* approval of a site improvement plan that addresses the following issues:
 - a. Submittal of a long-term parking management plan that shows how the *use's* parking needs are met by on-site parking and/or provisions of a long-term shared parking agreement;
 - b. Submittal of a traffic management plan that shows how the *applicant* intends to assure safe passage of pedestrians and vehicles in the vicinity of auction events;
 - c. Screening of *outdoor storage* and parking areas consistent with Kenmore downtown design standard parking lot screening requirements, KMC 18.52.180;
 - d. Provision of sidewalks along property frontages in the public rights-of-way, or other measures deemed by the *City* to adequately protect pedestrians traveling along property frontages; and
 - e. Ensures that expanded accessory parking area is not used for storage.

Vehicle auctions in existence as of January 12, 2007, are permitted on site area and within *buildings* in the downtown commercial zone located east of 68th Avenue NE and north of NE 182nd Street that are being used as a vehicle auction *use* as of that date. This *use* may be continued and may be re-established for purposes of rebuilding upon unintentional destruction of property. With the exception of accessory parking as outlined below, existing vehicle auction *uses* may not expand beyond their existing building footprint plus abutting easements, loading, or parking areas used for vehicle auction as of January 12, 2007. Renovations or alterations within the existing building footprint are permitted. However, expansion of existing *buildings* for vehicle auction *use* is prohibited. Expansion of accessory on-site parking associated with existing vehicle auction *use* to adjoining or nearby parcels of land is allowed, subject to the *City's* approval of a site improvement plan that addresses the following issues:

- a. Submittal of a long-term parking management plan that shows how the *use's* parking needs are met by on-site parking and/or provisions of a long-term shared parking agreement;
- b. Submittal of a traffic management plan that shows how the *applicant* intends to assure safe passage of pedestrians and vehicles in the vicinity of auction events;
- c. Screening of *outdoor storage* and parking areas consistent with Kenmore downtown design standard parking lot screening requirements, KMC 18.52.180;

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- d. Provision of sidewalks along property frontages in the public rights-of-way, or other measures deemed by the City to adequately protect pedestrians traveling along property frontages; and
 - e. Ensures that expanded accessory parking area is not used for storage.
4. In the downtown commercial zone, properties (a) fronting SR-522 or taking primary access from SR-522, and (b) located on a property where the extent of use is no deeper than 260 feet from SR-522, and (c) containing automotive repair or automotive service uses as of April 28, 2003, shall be considered *existing legal uses*. Otherwise, automotive service uses are prohibited unless accessory to and contained within a structured parking garage.
- Automotive sales are prohibited unless accessory to an *existing legal* automotive repair or service use and consistent with the following: (a) motor vehicles for sale or lease shall not be arranged in a display lot fashion along the primary *street frontage*, and (b) shall be a subordinate and incidental part of the automotive repair or service use, and (c) shall be subject to Chapter 18.52 KMC, Downtown Design Standards, regarding screening, location and other relevant standards.
5. Arts and crafts schools permitted. All other *educational service uses* are conditionally permitted.
6. Veterinary clinics subject to the following:
- a. No outdoor kennels or facilities;
 - b. No burning of refuse or dead animals is allowed;
 - c. The portion of the *building or structure* in which animals are kept or treated shall be soundproofed. All run areas, excluding *confinement areas for livestock*, shall be surrounded by an eight-foot solid wall and surfaced with concrete or other impervious material; and
 - d. The provisions of Chapter 18.70 KMC relative to animal keeping are met.
7. *Social services, noncorrectional* is a permitted use. *Social services, correctional* is a conditionally permitted use.
8. *Mobile food service* is permitted subject to the following requirements:
- a. No permanent fencing, walls, or other *structures* shall be installed which hinder removal of the *structure* from the *site*;
 - b. No required parking stall shall be blocked or rendered unusable as a result of the mobile vendor;
 - c. Safe ingress and egress shall be maintained. Visibility for transportation and pedestrian access shall be maintained;
 - d. The limited duration of the mobile vendor shall be established as a condition of approval of any applicable permits;
 - e. A sign permit is required for exterior signage in accordance with the sign code, Chapter 18.42 KMC.
 - f. If a stand:

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- 1) The stand shall be located on a sidewalk or near a storefront consistent with barrier-free regulations;
 - 2) The stand location on the sidewalk or near a storefront shall provide for at least four feet of unobstructed sidewalk between the stand and the sidewalk edge for pedestrian movement.
9. When located on property fronting on SR-522, 73rd Avenue NE, NE 181st Street west of 68th Avenue NE, 65th Avenue NE, 67th Avenue NE, or 68th Avenue NE, such *uses* shall be subject to the following conditions:
- a. A minimum of 80 percent of a *structure's* street front facade at street level shall be occupied by nonresidential (e.g., retail, office or service) *uses*. If the nonresidential and residential *uses* are located in separate structures, the 80 percent requirement shall apply to the lot's lineal *street frontage* at street level. Where the *lot* fronts on two or more *streets* and abuts a *lot* which is not zoned commercial, the street front facade requirement shall apply to the *structure's* facade along the *street* with the greatest continuous lineal feet of commercially zoned frontage.
 - b. The required nonresidential *use* shall extend at least 30 feet in depth at street level from the street front facade of the *structure*; provided, that the minimum required depth may be averaged, with no depth less than 15 feet.
 - c. Where a *lot* fronts on two or more *streets* and only abuts *lots* which are zoned commercial, the street front facade requirement shall be calculated by totaling the combined street front facades of the *structure* containing the required nonresidential *use*.
10. *Transit center* only permitted. All other *regional land uses* are prohibited. *Transit centers* shall be located a maximum distance of 1200 lineal feet measured from the center line of SR-522 to the furthestmost point of the *transit center*.
11. *Outdoor retail displays/sidewalk sales* also are permitted subject to:
- a. The *outdoor retail display/sidewalk sale* shall be accessory to a permitted permanent commercial *use*;
 - b. Fire lanes shall remain fully open and accessible at all times;
 - c. The location on sidewalk or near storefront is barrier-free;
 - d. No required parking stall shall be blocked or unusable as a result of the *outdoor retail display/sidewalk sale*;
 - e. Safe ingress and egress to the *site* shall be maintained. Visibility for transportation and pedestrian access shall be maintained;
 - f. Such display and activity is removed daily at the time of or prior to the close of business hours;
 - g. A sign permit is required for exterior signage in accordance with the sign code, Chapter 18.42 KMC.
- 12.

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- a. Within the zone north of SR-522 and west of 68th Avenue NE, commuter parking facilities shall be in structured *buildings* when the number of stalls exceeds 20. *Commuter parking lots* shall be located a maximum distance of 1,200 lineal feet measured from the center line of SR-522 to the furthestmost point of the *commuter parking lot*.
 - b. All parking structures shall provide retail usages for at least 50% of the *ground floor street frontages*, consistent with Chapter 18.52 KMC, Downtown Design Standards.
 - c. All parking structures shall be designed consistent with Chapter 18.52 KMC, Downtown Design Standards; interior design considerations shall include integration of parking with any transit bays, provision of indoor access to shops, and covered walkways to adjacent shopping, civic, residential, or other *developments* that patrons will access. Crime prevention through environmental design (CPTED) principles shall be integrated, such as, but not limited to, full spectrum lighting and maximization of visibility in publicly used areas.
13. Bed and breakfast guesthouse permitted only if part of a *mixed use development*.
14. Equipment rental is prohibited. Vehicle rental is permitted only when accessory to and contained within a structured parking garage. Automotive rental and leasing *uses* may also be permitted when accessory to an *existing legal* automotive service or *existing legal* automotive repair *use* and consistent with the following:
- a. Motor vehicles for lease or rental shall not be arranged in a display lot fashion along the *primary street frontage*, and
 - b. Shall be a subordinate and incidental part of the automotive repair or automotive service business, and
 - c. Shall be subject to Chapter 18.52 KMC, Downtown Design Standards, regarding screening, location and other relevant standards. Otherwise prohibited.
15. *Existing legal* gasoline service stations are permitted. Other gasoline service stations are prohibited.
16. Limited to sewer lift stations and pipes/electrical wires and associated structural supports.

18.25.030 Accessory uses.

Accessory uses, when consistent with the definitions and criteria in Chapters ~~18.10~~ and ~~18.20~~ KMC, are allowed as determined by the *city manager*.

18.26.040 Use allowances – Regional business east subarea. The following *uses* listed in Table B are identified as permitted, conditionally permitted, or *prohibited uses* in the regional business east subarea:

* * *

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¹⁷ Jails and jail farm/camp are prohibited. *Secure community transition facilities* as defined in RCW [71.09.020](#) are subject to the following restrictions:

- a. Maximum Number of Residents. No SCTF shall house more than three persons, excluding resident staff.
- b. Siting Criteria.
 - (1) SCTFs should be located in relationship to transportation facilities in a manner appropriate to their transportation needs.
 - (2) No SCTF shall be allowed within the following distances from the following specified uses, areas or zones, whether such uses, areas or zones are located within or outside the City limits:
 - (A) In or within 250 feet of any residential zone district, or any residentially zoned property.
 - (B) Adjacent to, immediately across a street or parking lot from, or within the line of sight of a "risk potential activity" as defined in RCW [71.09.020](#), as amended, including, but not limited to, public and private schools; school bus stops; licensed *day care* and licensed preschool facilities; public *parks*, publicly dedicated *trails* and sports fields; recreational and community centers; playgrounds; ~~church, synagogue, mosque, temple~~*religious institutions*; and public libraries.
 - (C) One mile from any existing SCTF, work release, prerelease, or similar facility.
 - (3) The distances specified in footnote (17)(b)(2) of this section shall be measured by following a straight line from the nearest point of the property parcel upon which the SCTF is to be located, to the nearest point of the parcel of property or land use district boundary line from which the proposed land use is to be separated.
- c. On-Site Facilities Required. Each SCTF shall provide on-site dining, on-site laundry or laundry service, and on-site recreational facilities to serve the residents.
- d. Conditional Use Permit Application Process. A *conditional use permit* application for an SCTF shall be accompanied by the following:

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- (1) The siting process used for the SCTF, including alternative locations considered. At least three alternative locations must be considered.
- (2) An analysis showing that utmost consideration was given to potential sites such that siting of the facility will have no unreasonable impact on any one racial, cultural, or socio-economic group, and that there will not be a resulting concentration of similar facilities in a particular neighborhood, community, jurisdiction or region.
- (3) Proposed mitigation measures including the use of extensive buffering from adjacent uses.
- (4) A detailed security plan for the facility and the residents.
- (5) Proposed operating rules for the facility.
- (6) A schedule and analysis of all public input solicited or to be solicited during the siting process.

18.27.020 Public and semi-public zone – Use allowances.

A. The following *uses* in Table A are permitted, conditionally permitted, or prohibited in the public and semi-public zone.

Table A. Public and Semi-Public Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED (OR EXCLUDED IN DEFINITIONS)
Arboretum	Maintenance Yards or Facilities,	Jail
Caretaker Residence, Accessory	Accessory	Work Release Facility
City Government Facilities and Offices	Outdoor Performance Center	Landfill
Commuter Parking Lot	Colleges/Universities	Transfer Station
Conference Center		Marijuana Business
Cultural Facilities		Marijuana Cooperative
Fire Facility		

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Table A. Public and Semi-Public Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED (OR EXCLUDED IN DEFINITIONS)
<i>Indoor Recreational Facilities; Excluding Sports Clubs</i> <i>K-12 Educational Institutions (Public or Private)</i> <i>Open Space</i> <i>Outdoor Recreational Facilities</i> <i>Parks</i> <i>Police Facility</i> <i>Private Stormwater Management Facility</i> <i>Public Agency or Utility Office; Non-City</i> <i>Trails</i> <i>Utility Facility</i>		

B. Classified land uses not listed or prohibited in Table A may be allowed through completion of a site plan review process pursuant to KMC 18.27.060 and Chapter 18.105 KMC.

A. The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited* uses in the public and semi-public zone.

Table A. Public and Semi-Public Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<u>Arts, entertainment, indoor</u>	<u>College/university</u>	<u>Marijuana business</u>
<u>Arts, entertainment, outdoor¹</u>	<u>Construction and trade⁴</u>	<u>Marijuana cooperative</u>
<u>Educational service</u>		<u>Regional land use⁵</u>
<u>Fire or police facility</u>		<u>Secure facility</u>
<u>Office²</u>		
<u>Park</u>		
<u>Recreational facility, indoor</u>		

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<u>Recreational facility, outdoor</u>		
<u>Standalone parking³</u>		
<u>Utility facility</u>		

1. Except outdoor performance center which is conditionally permitted.

2. Limited to public agency offices.

3. Limited to commuter parking facilities for users of transit, carpools or ride-share programs.

4. Limited to public agency maintenance yards or facilities.

5. Landfill and transfer station are specifically prohibited. Consideration of all other regional land uses shall follow the process outlined in KMC Section 18.27.060.

B. Classified land uses not listed or prohibited in Table A may be allowed through completion of a site plan review process pursuant to KMC 18.27.060 and Chapter 18.105 KMC.

C. Uses Established by Master Plan. Adopted master plans that specify uses include the following:

1. Bastyr University Master Plan, December 2009, approved by City Ordinance 09-0304.

18.27.030 ~~Public and semi-public zone~~ -- Accessory uses.

Accessory uses, when consistent with the definitions and criteria in Chapters ~~18.10~~ and 18.20 KMC, are allowed as determined by the *city manager*.

18.28.020 Parks zone – Use allowances.

A. The following uses in Table A are permitted, conditionally permitted, or prohibited in the parks zone.

Table A. Parks Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED (OR EXCLUDED IN DEFINITIONS)
Arboretum		<i>Marijuana Business</i>
Boat Launch		<i>Marijuana Cooperative</i>
Caretaker Residence, Accessory ²		

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Table A. Parks Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED (OR EXCLUDED IN DEFINITIONS)
City Government Facilities and Offices Cultural Facilities Deck Dwelling Unit, Single Detached ¹ Indoor Recreational Facilities: Excluding Sports Clubs Mobile Food Vendor, Accessory ² Open Space Outdoor Recreational Facilities Parks Private Stormwater Management Facility Trails Utility Facility Wildlife Shelter		

¹ One dwelling allowed per existing legal lot as of December 11, 2006.

² Mobile food vendor requirements:

a. No permanent fencing, walls, or other structures are installed which hinder removal of the structure from the site;

b. No required parking stall shall be blocked or unusable as a result of the mobile vendor;

c. Safe ingress and egress shall be maintained. Visibility for transportation and pedestrian access shall be maintained;

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d. The limited duration of the mobile vendor shall be established as a condition of approval of any applicable permits; if accessory to a use, such operation is removed daily at the time of or prior to the close of business hours;

e. A sign permit is required for exterior signage in accordance with the sign code, Chapter 18.42 KMC.

³ Attached dwellings may only be allowed as a reuse of a surplus nonresidential facility subject to Chapter 18.50 KMC.

B. Classified land uses not listed or prohibited in Table A may be allowed through completion of a site plan review process pursuant to KMC 18.28.060 and Chapter 18.105 KMC. Proponents of projects that include land uses of different sizes or dimensions than those allowed in Table A may also request allowance of such uses pursuant to KMC 18.28.060 and Chapter 18.105 KMC. [Ord. 16-0421 § 2 (Att. A); Ord. 16-0417 § 4; Ord. 14-0384 § 5; Ord. 11-0329 § 3 (Exh. 1).]

A. The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited* uses in the parks zone:

Table A. Parks Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<u>Arts, entertainment, indoor</u>		<u>Marijuana business</u>
<u>Arts, entertainment, outdoor</u>		<u>Marijuana cooperative</u>
<u>Construction and trade</u> ¹		
<u>Mobile food service</u> ²		
<u>Office</u> ³		
<u>Park</u>		
<u>Recreational facility, indoor</u>		
<u>Recreational facility, outdoor</u>		
<u>Single detached dwelling unit</u> ⁴		
<u>Utility facility</u>		

1. City maintenance facility only.

2. Mobile food service requirements:

- a. No permanent fencing, walls, or other structures are installed which hinder removal of the mobile food service from the site;
- b. No required parking stall shall be blocked or rendered unusable as a result of the mobile food service;
- c. Safe ingress and egress shall be maintained. Visibility for transportation and pedestrian access shall be maintained;

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- d. The duration of the *mobile food service* shall be established as a condition of approval of any applicable permits;
- e. A sign permit is required for exterior signage in accordance with the sign code, Chapter 18.42 KMC.

3. City office only.

4. One *dwelling unit* allowed per existing legal *lot* as of December 11, 2006.

B. Classified land *uses* not listed or prohibited in Table A may be allowed through completion of a site plan review process pursuant to KMC 18.28.060 and Chapter 18.105 KMC. Proponents of projects that include land *uses* of different sizes or dimensions than those allowed in Table A may also request allowance of such *uses* pursuant to KMC 18.28.060 and Chapter 18.105 KMC.

18.28.030 Parks zone -- Accessory uses.

Accessory uses, when consistent with the definitions and criteria in Chapters 18.10 and 18.20 KMC, are allowed as determined by the city manager.

18.28A.020 Golf course zone – Use allowances.

A. The following *uses* in Table A are permitted, conditionally permitted, or prohibited in the golf course zone:

Table A. Golf Course Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED (OR EXCLUDED IN DEFINITIONS)
Caretaker Residence, Accessory	Outdoor Performance Center	Marijuana Business
Clubhouse		Marijuana Cooperative
Conference Center, Accessory		Residential Dwellings, Nonaccessory
Cultural Facilities		
Driving Range		
Eating and Drinking Places, Accessory		
Golf Course Facility		
Maintenance Facility, Accessory		

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Table A. Golf Course Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED (OR EXCLUDED IN DEFINITIONS)
<u>Open Space</u> <u>Private Stormwater Management Facility</u> <u>Recreational Facilities, Indoor</u> <u>Recreational Facilities, Outdoor</u> <u>Retail Sales, Indoor, Accessory</u> <u>Trails</u> <u>Utility Facility</u> <u>Wildlife Shelter</u>		

B. Classified land uses not listed or prohibited in Table A may be allowed through completion of a site plan review process pursuant to KMC 18.28A.060 and Chapter 18.105 KMC. Proponents of projects that include land uses allowed as accessory permitted or accessory conditionally permitted uses in Table A may also request allowance of such uses as primary uses pursuant to KMC 18.28A.060 and Chapter 18.105 KMC. [Ord. 16-0426 § 5 (Att. C); Ord. 16-0421 § 2 (Att. A); Ord. 14-0384 § 5; Ord. 11-0329 § 3 (Exh. 1).]

A. The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited* uses in the golf course zone:

Table A. Golf Course Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<u>Arts, entertainment, indoor</u>	<u>Arts, entertainment, outdoor</u>	<u>Marijuana business</u>
<u>Park</u>		<u>Marijuana cooperative</u>
<u>Recreational facility, indoor</u>		<u>Multiple family dwelling</u>
<u>Recreational facility, outdoor</u>		<u>Single detached dwelling unit</u>
<u>Utility Facility</u>		

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B. Classified land *uses* not listed or prohibited in Table A may be allowed through completion of a site plan review process pursuant to KMC 18.28A.060 and Chapter 18.105 KMC.

18.28A.030 ~~Golf course zone~~ -- Accessory uses.

Accessory uses, when consistent with the definitions and criteria in Chapters 18.10 and 18.20 KMC, are allowed as determined by the *city manager*.

18.29.040 Use allowances.

The following uses listed in Table A are identified as permitted, conditionally permitted or prohibited uses for properties electing to develop under provisions of the TOD district overlay.

All uses not specifically listed in this section shall be prohibited.

* * *

⁴ Mobile food ~~vendors are~~ *service is* permitted subject to the following requirements:

- a. For a stand, location shall be on a sidewalk or near a storefront consistent with barrier-free regulations;
- b. For a stand, location on the sidewalk or near a storefront shall provide for at least four feet of unobstructed sidewalk between the stand and the sidewalk edge for pedestrian movement;
- c. No permanent fencing, walls, or other structures are installed which hinder removal of the structure from the site;
- d. No required parking stall shall be blocked or rendered unusable as a result of the mobile ~~vendor food service~~;
- e. Safe ingress and egress to the site shall be maintained. Visibility for transportation and pedestrian access shall be maintained;
- f. The limited duration of the *mobile vendor food service* shall be established as a condition of approval of any applicable permits; if accessory to a use, such operation is removed daily at the time of or prior to the close of business hours;

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g. A sign permit is required for exterior signage in accordance with the sign code, Chapter [18.42](#) KMC.

⁵ No *outdoor storage* of materials shall be permitted.

18.30.230 Setbacks – Projections and structures allowed.

Provided that the required *setbacks* from *regional utility corridors* of KMC [18.30.200](#), the adjoining half-street or designated arterial *setbacks* of KMC [18.30.220](#) and the sight distance requirements of KMC [18.30.240](#) are maintained, *structures* may extend into or be located in required *setbacks*, including *setbacks* as required by KMC [18.21.060](#)(B), as follows:

A. Fireplace *structures*, bay or garden windows, enclosed stair landings, closets, or similar *structures* may project into any *setback*, provided such projections are:

1. Limited to two per facade;
2. Not wider than 10 feet; and
3. Not more than 24 inches into an interior *setback* or 30 inches into a *street setback*;

B. Uncovered porches and decks which exceed 18 inches above the finished grade may project:

1. Eighteen inches into interior *setbacks* in the NB, CB, DR, DC, UC, **DWWC**, RB, PSP, P, and GC zones;
2. Eighteen inches into side *setbacks* in the R zones;
3. Eighteen inches into rear *setbacks* in the R-12 through R-**4824** zones;
4. Five feet into rear *setbacks* in the R-1 through R-6 zones; and
5. Five feet into *street setbacks*;

* * *

18.35.030 Land use grouping.

To facilitate the application of this chapter, land *uses* have been grouped in the following manner:

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A. "Residential development" refers to residential land uses ~~(except residential accessory uses, home occupation, and home industry), multiple-family dwelling, supportive living facility, and temporary lodging.~~

B. "Attached/group residences" refers to:

1. Multiple-family dwellings, including:

a. ~~Townhouses~~, except as provided in subsection (C)(1) of this section;

b. ~~Apartment~~s;

2. ~~Single D~~ detached dwelling units developed on common property at a density of 12 or more units per acre;

3. ~~Senior citizen assisted living and~~ supportive living facilities;

4. Temporary lodging;

5. ~~Group residences other than Type I community residential facilities~~ Adult family homes; and

6. Mobile home parks.

C. "Single-family development" refers to:

1. Residential subdivisions and short subdivisions, including attached and detached dwelling units on individually platted or short platted lots;

2. Any detached dwelling units located on a lot;

3. Family child-care homes; and

4. Type I community residential facilities.

D. "Commercial development" refers to:

1. ~~Adult entertainment business; theater; theater, drive-in; bowling center; amusement and recreation services; shooting range; amusement arcades; amusement park; outdoor performance center; arts, entertainment; and recreational facility~~ Recreational/cultural land uses, except library, museum, park and trail;

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2. "General services land uses"; (except recycling centers, health care and social assistance, hospital, laboratory, and educational services, day care I, and church, synagogue, mosque, temple, religious institution), personal service, and animal kennel/shelter; and
3. "Retail land uses" and retail sales (except forest product sales and agricultural crop sales); automotive sales; and vehicle refueling stations; and
4. Car washes.

E. "Industrial development" refers to:

1. Interim recycling facility;
2. "Government/business services land uses" (except public agency or utility office; public agency or utility yard; public agency archives; court; fire or police facility; fire facility; utility facility; commuter parking lot; private stormwater management facility; and vector waste receiving facility); standard business service, office, warehousing, wholesale trade, and air transportation service;
3. "Manufacturing land uses"; and
4. Mineral extraction and processing.

F. "Institutional development" refers to:

1. Library, museum and conference center;
2. Religious institution; medical/dental office/outpatient clinics, nursing facilities, hospital, medical/dental lab, miscellaneous health services, health care and social assistance, ambulatory surgery center, and laboratory; and educational service, elementary schools, middle/junior high schools, secondary or high schools, vocational schools, school district support facilities, and specialized instruction schools except specialized instruction schools permitted as an accessory use; and
3. Public agency or utility office; public agency or utility yard; public agency archives; court; fire or police facility; fire facility; utility facility; commuter parking lot; standalone parking; private stormwater management facility; and vector waste receiving facility.

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G. "Utility development" refers to *utility facilities*, except *private stormwater management facility* and *vactor waste receiving facility*.

H. Uses that are not listed in this section shall not be subject to *landscaping* requirements except as specified in any applicable review of a *conditional use* or *special use permit*.

18.40.030 Computation of required off-street parking spaces.

A. Except as modified in KMC [18.40.040](#), [18.40.050](#) or [18.40.090](#), off-street parking areas shall contain at a minimum the number of *parking spaces* as stipulated in the following table. Off-street parking ratios expressed as number of spaces per square foot means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building maintenance areas, storage areas, closets, restrooms and exterior walls. If the formula for determining the number of off-street *parking spaces* results in a fraction, the number of off-street *parking spaces* shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
RESIDENTIAL:		
Single detached <i>dwelling unit</i>	2.0 per <i>dwelling unit</i>	2.0 per <i>dwelling unit</i> ; tandem stalls permitted
Townhouse	2.0 per <i>dwelling unit</i>	1.5 per <i>dwelling unit</i> ; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
Apartment:		
Microhousing <i>dwelling units</i>	Within 1/4 mile of SR-522: 0.75 per <i>dwelling unit</i> . Otherwise, 1.2 per <i>dwelling unit</i>	Within 1/4 mile of SR-522: 0.75:du. Otherwise, 1.0:du. Tandem stalls permitted

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LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Studio units	1.2 per dwelling unit	1.0:du; tandem stalls permitted
One bedroom units	1.5 per dwelling unit	1.0:du; tandem stalls permitted
Two bedroom units	1.7 per dwelling unit	1.5:du; tandem stalls permitted
Three bedroom units or larger	2.0 per dwelling unit	1.7:du; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
Mobile home park	2.0 per dwelling unit	2.0 per dwelling unit
Senior citizen assisted living	1 per 2 dwelling or sleeping units	1 per 2 dwelling or sleeping units
Community residential facilities	1 per 2 bedrooms	1 per 2 bedrooms
Dormitory, including religious	1 per 2 bedrooms	1 per 2 bedrooms
Hotel/motel including organizational hotel/lodging	1 per bedroom	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility	1 per guest room, plus 2 per facility
Other residential land uses	(city manager)	(city manager)
RECREATIONAL/CULTURAL:		
Recreational/cultural land uses; arts/entertainment and recreational facility	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Bowling center	5 per lane	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of clubhouse facilities	—

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LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Tennis club	4 per tennis court, plus 1 per 300 square feet of clubhouse facility	—
Golf driving range	1 per tee	—
Park/playfield	(city manager)	(city manager)
Theater	1 per 3 fixed seats	1 per 3 fixed seats
Conference center	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces
Artist studios	0.9 per 1,000 square feet of area used for studios	0.9 per 1,000 square feet of area used for studios
GENERAL SERVICES:		
General services land uses, personal service, and animal kennel/shelter:	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Funeral home/crematory	1 per 50 square feet of chapel area	—
Day care I	2 per facility	2 per facility
Day care II	2 per facility, plus 1 space for each 20 children	2 per facility, plus 1 space for each 20 children
Church, synagogue, mosque, temple Religious institution	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area

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LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
	fixed seats used for assembly purposes	without fixed seats used for assembly purposes
Outpatient and veterinary clinic offices	1 per 300 square feet of office, labs and examination rooms	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care facilities	1 per 4 beds	—
Hospital	1 per bed	1 per bed
Elementary schools	1 per <i>school classroom</i> , plus 1 per 50 students	1 per <i>school classroom</i> , plus 1 per 50 students
Secondary schools:		
Middle/junior high schools	1 per <i>school classroom</i> , plus 1 per 50 students	1 per <i>school classroom</i> , plus 1 per 50 students
High schools	1 per <i>school classroom</i> , plus 1 per 10 students	1 per <i>school classroom</i> , plus 1 per 10 students
High schools with stadiums	Greater of 1 per <i>school classroom</i> , plus 1 per 10 students, or 1 per 3 fixed seats in stadium	Greater of 1 per <i>school classroom</i> , plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per <i>school classroom</i> , plus 1 per 5 students	1 per <i>school classroom</i> , plus 1 per 5 students
Specialized instruction schools	1 per <i>school classroom</i> , plus 1 per 2 students	1 per <i>school classroom</i> , plus 1 per 2 students
Colleges/universities	1 per 2 commuting students, faculty and staff	—

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LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
GOVERNMENT/BUSINESS SERVICES:		
<i>Government/business services land uses, standard business service, office, warehousing, and air transportation service;</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
<i>Public agency yard</i>	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas	—
<i>Public agency archives</i>	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas	—
<i>Courts</i>	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
<i>Fire or police facility</i>	<i>(city manager)</i>	<i>(city manager)</i>
<i>Fire facility</i>	<i>(city manager)</i>	<i>(city manager)</i>
<i>Construction and trade</i>	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
<i>Warehousing and storage</i>	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area

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LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
<i>Self-service storage</i>	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	—
<i>Heavy equipment repair</i>	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas	—
Office	1 per 300 square feet	1 per 300 square feet
RETAIL/WHOLESALE:		
<i>Retail land uses, retail sales, automotive sales, and vehicle refueling stations;</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet	3 plus 1 per 350 square feet
Gasoline service stations and Vehicle refueling stations w/o grocery	3 per facility, plus 1 per service bay	3 per facility, plus 1 per service bay
Gasoline service stations and Vehicle refueling stations w/grocery, no service bays	1 per facility, plus 1 per 300 square feet of store	1 per facility, plus 1 per 300 square feet of store

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LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Restaurants	1 per 75 square feet in dining or lounge areas	1 per 75 square feet in dining or lounge areas
Wholesale trade uses	0.9 per 1,000 square feet	0.9 per 1,000 square feet
Retail sales and wholesale trade mixed use	1 per 300 square feet	1 per 300 square feet
MANUFACTURING:		
Manufacturing land uses	0.9 per 1,000 square feet	—
Exceptions:	—	—
Winery/brewery	0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area	—
RESOURCES:		
Resource land uses	(city manager)	—
REGIONAL:		
Regional land uses	(city manager)	(city manager)

* * *

18.40.090 Transit and rideshare provisions.

A. Government/business services land uses and manufacturing land uses, ~~standard business service, office, warehousing, wholesale trade, air transportation service, ambulatory surgery center, hospitals, high schools, vocational schools, educational service and college/universities and specialized instruction schools~~ shall be required to reserve one parking space of every 20 required spaces for rideshare parking as follows:

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1. The *parking spaces* shall be located closer to the primary employee entrance than any other employee parking except disabled;
2. Reserved areas shall have markings and *signs* indicating that the space is reserved; and
3. Parking in reserved areas shall be limited to vanpools and carpools established through rideshare programs by public agencies and to vehicles meeting minimum rideshare qualifications set by the employer;

B. The *city manager* may reduce the number of required off-street *parking spaces* when one or more scheduled transit routes provide service within one-quarter mile (1,320 feet) of the *site* as measured linearly along *streets* or other pedestrian pathways. The amount of reduction shall be based on the number of scheduled transit runs between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. each business day up to a maximum reduction as follows:

1. Four percent for each run serving *government/business service land uses, standard business service, office, warehousing, wholesale trade, air transportation service, and manufacturing land uses*, up to a maximum of 40 percent; and
2. Two percent for each run serving *recreational/cultural land uses, arts, entertainment, recreational facility, general services land uses, personal services, animal kennel/shelter, educational service, ambulatory surgery center, health care and social assistance, and retail/retail sales/wholesale land uses, and wholesale trade/automotive sales, and vehicle refueling station*, up to a maximum of 20 percent; and

C. All *uses* which are located on an existing transit route and are required under the computation for required off-street *parking spaces* in KMC [18.40.030\(A\)](#) to provide more than 200 *parking spaces* may be required to provide transit shelters, bus turnout lanes or other transit improvements as a condition of permit approval. *Uses* which reduce required parking under subsection B of this section shall provide transit shelters if transit routes adjoin the *site*.

18.73.110 Home occupation.

Residents of a *dwelling unit* may conduct one or more *home occupations* as accessory activities, provided:

- A. The total area devoted to all *home occupation(s)* shall not exceed 20 percent of the floor area of the *dwelling unit*. Areas with attached garages and storage *buildings* shall not be considered part of the

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dwelling unit for purposes of calculating allowable *home occupation* area but may be used for storage of goods associated with the *home occupation*;

B. In residential zones, all the activities of the *home occupation(s)* shall be conducted indoors, except for those related to growing or storing of plants used by the *home occupation(s)*;

C. No more than one nonresident shall be employed by the *home occupation(s)*;

D. The following activities shall be prohibited in residential zones only:

1. Automobile, truck and *heavy equipment* repair;
2. Autobody work or painting;
3. Parking and storage of *heavy equipment*; and
4. Storage of building materials for use on other properties;

E. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:

1. One stall for a nonresident employed by the *home occupation(s)*; and
2. One stall for patrons when services are rendered on-site;

3. For specialized instruction schools, the number of stalls shall be as required by Chapter 18.40 KMC.

F. Sales shall be limited to:

1. Mail order sales; and
2. Telephone sales with off-site delivery;

G. Specialized instruction schools shall be limited to:

a. 12 students per one-hour session;

b. Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

GH. Services to patrons shall be arranged by appointment or provided off-site;

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HI. The *home occupation(s)* may use or store a vehicle for pickup of materials used by the *home occupation(s)* or the distribution of products from the *site*, provided:

1. No more than one such vehicle shall be allowed;
2. Such vehicle shall not park within any required *setback* areas of the *lot* or on adjacent *streets*; and
3. Such vehicle shall not exceed a weight capacity of one ton;

IJ. The *home occupation(s)* shall not use electrical or mechanical equipment that results in:

1. A change to the occupancy type of the *structure(s)* used for the *home occupation(s)*;
2. Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
3. Fluctuations in line voltage off-premises; and

JK. *Uses* not allowed as *home occupations* may be allowed as a *home industry* pursuant to this chapter.

18.73.120 Home industry.

In all zones except R-12, R-18, R-24, and NB, **AA** resident may establish a *home industry* as an accessory activity, provided:

A. In the R-1, R-4 and R-6 zones, a *conditional use permit* is obtained.

AB. The *site area* shall be no less than one acre;

BC. The area of the *home industry* shall not exceed 50 percent of the floor area of the *dwelling unit*. Areas within attached garages and storage *buildings* shall not be considered part of the *dwelling unit* for purposes of calculating allowable *home industry* area but may be used for storage of goods associated with the *home occupation*;

CD. No more than four nonresidents shall be employed in a *home industry*;

DE. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:

1. One stall for each nonresident employee of the *home industry*; and

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2. One stall for customer parking;

EF. Additional customer parking shall be calculated for areas devoted to the *home industry* at the rate of one stall per:

1. One thousand square feet of *building* floor area; and
2. Two thousand square feet of outdoor work or storage area;

FG. Sales shall be limited to items produced on-site, except for items collected, traded and occasionally sold by hobbyists, such as coins, stamps, and antiques;

GH. Ten feet of Type I *landscaping* shall be provided around portions of parking and outside storage areas which are otherwise visible from adjacent properties or public rights-of-way; and

HI. The *city manager* shall ensure compatibility of the *home industry* by:

1. Limiting the type and size of equipment used by the *home industry* to those which are compatible with the surrounding neighborhood;
2. Providing for *setbacks* or screening as needed to protect adjacent residential properties;
3. Specifying hours of operation;
4. Determining acceptable levels of outdoor lighting; and
5. Requiring sound level tests for activities determined to produce sound levels which may be excessive.

Attachment B

NEW CODE SECTIONS

18.10.078 Interpretation of land use groupings.

Several land use groupings have been devised for purposes of KMC Chapters 18.35 and 18.40: KMC 18.20.1203, General services land uses; 18.20.1233 Government/business services land uses; 18.20.1678, Manufacturing land uses; 18.20.2232, Recreational/cultural land uses; 18.20.2275, Regional land uses; 18.20.2325 Residential land uses; 18.20.2327, Resource land uses; and 18.20.2362 Retail land uses. Within these groupings, both the general classified land use terms and more specific terms for uses that fall under the general classified land use terms may appear. For example, the general classified land use term *recreational facility, outdoor* is included in the *recreational/cultural land uses* land use grouping, but *stable*, which is a more specific type of outdoor recreational facility, is included in the *general services land uses* land use grouping. In cases where both the general classified land use term and a more specific term are used in the land use groupings, the general classified land use term should be assumed to not include the more specific term.

18.21.073 Accessory uses.

Accessory uses, when consistent with the definition in Chapter 18.20 KMC, are allowed as determined by the *city manager*.

18.21.075 Drive-through service.

Drive-through service is prohibited in this zoning district.

18.21.078 Outdoor storage.

Outdoor storage is prohibited in this zoning district.

18.22.015 Accessory uses.

Accessory uses, when consistent with the definition in Chapter 18.20 KMC, are allowed as determined by the *city manager*.

18.22.025 Drive-through service.

Drive-through service is permitted as an *accessory use*. *Drive-through service* shall be oriented to the side and/or rear of the *building*, and integrated into the exterior wall. Drive-through lanes shall not be located between the *street* and the main pedestrian access to the *buildings*. Modifications to these requirements may be reviewed through the site plan or building permit review process when meeting the intent of pedestrian orientation pursuant to Chapter 18.52 KMC, Downtown Design Standards.

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18.22.028 Outdoor storage.

Outdoor storage is prohibited in this zoning district.

18.23.045 Drive-through service.

Drive-through service is prohibited in this zoning district.

18.23.048 Outdoor storage.

Outdoor storage is prohibited in this zoning district.

18.24.042 Drive-through service.

Drive-through service is prohibited in this zoning district.

18.24.044 Outdoor storage.

Outdoor storage is prohibited in this zoning district.

18.25.042 Drive-through service.

Properties having frontage on SR-522 and taking primary access from SR-522 as of May 8, 2003 shall be permitted *drive-through service*. Where allowed, *drive-through service* is permitted as an *accessory use*. *Drive-through service* shall be oriented to the side and/or rear of the *building*, and integrated into the exterior wall. Drive-through lanes shall not be located between the *street* and the main pedestrian access to the *buildings*. Modifications to these requirements may be reviewed through the site plan or building permit review process when meeting the intent of pedestrian orientation pursuant to Chapter 18.52 KMC, Downtown Design Standards.

18.25.044 Outdoor storage.

Outdoor storage is prohibited in this zoning district.

18.20.040 Accessory use, commercial/industrial.
"Commercial/industrial accessory use" means:
A. A use that is subordinate and incidental to a commercial or industrial use, including but not limited to the following uses:
1. Administrative offices;
2. Employee exercise facilities;
3. Employee food service facilities;
4. Incidental storage of raw materials and finished products sold or manufactured on site;
5. Business owner or caretaker residence;
6. Cogeneration facilities; and
7. Ground maintenance facilities;
B. Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval. [Ord. 11-0329 § 3 (Exh. 1).]
18.20.045 Accessory use, parks.
"Parks accessory use" means a use or activity which is subordinate and incidental to a park including, but not limited to, the following uses:
A. Environmental education, arts, dance, music, and other community-based and limited-term instruction;
B. Recreational and social activities, such as hiking, biking, boating and other similar recreational activities;
C. Meetings of nonprofit, social, community, and/or volunteer organizations. [Ord. 11-0329 § 3 (Exh. 1).]
18.20.050 Accessory use, residential.

REPEALED CODE SECTIONS

Attachment C

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"Residential accessory use" means:

A. A use, structure, or activity which is subordinate and incidental to a residence including, but not limited to, the following uses:

1. Accessory living quarters and dwellings;
2. Fallout/bomb shelters;
3. Keeping household pets;
4. On-site rental office;
5. Pools, private docks, piers;
6. Antennas for private telecommunication services;
7. Storage of yard maintenance equipment;
8. Storage of private vehicles, e.g., motor vehicles, boats, trailers or planes; or
9. Greenhouses.

B. Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.060 Accessory use, resource.

"Resource accessory use" means:

A. A use, structure, or part of a structure which is customarily subordinate and incidental to a resource use including, but not limited to, the following uses:

1. Housing of agricultural workers; or
2. Storage of agricultural products or equipment used on-site.

B. Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.100 Agricultural product sales.

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"Agricultural product sales" means the retail sale of items resulting from the practice of agriculture, including crops such as fruits, vegetables, grains, seed, feed, and plants, or animal products such as eggs, milk, and meat. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.120 Aircraft, ship and boat building.

"Aircraft, ship and boat building" means the fabrication and/or assembling of aircraft, ships or boats. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.130 Airport/heliport.

"Airport/heliport" means any runway, landing area or other facility, excluding facilities for the primary use of the individual property owner which are classified as helistops, designed or used by public carriers or private aircraft for the landing and taking off of aircraft, including the following associated facilities:

A. Taxiways;

B. Aircraft storage and tie-down areas;

C. Hangars;

D. Servicing; and

E. Passenger and air freight terminals. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.155 Amusement and recreation services.

"Amusement and recreation services" includes ticket agencies, travel arrangement and reservation services, scenic and sightseeing transportation services, performing arts companies, sports instruction, nonathletic recreational instruction, and sports equipment rental. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.160 Amusement arcade.

"Amusement arcade" means a building or part of a building in which five or more pinball machines, video games, or other such player-operator amusement devices (excluding jukeboxes or gambling-related machines) are operated. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.210 Artist studio.

"Artist studio" means an establishment providing a place solely for the practice or rehearsal of various performing or creative arts, including, but not limited to, acting, dancing, singing, drawing, painting and sculpting. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.212 Arts and crafts schools/studios.

"Arts and crafts schools/studios" means schools and studios for education in various arts and crafts, including, but not limited to, photography, dance, music, and language skills. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.250 Bed and breakfast guesthouse.

"Bed and breakfast guesthouse" means a dwelling unit or accessory building within which bedrooms are available for paying guests. [Ord. 11-0329 § 3 (Exh. 1).]

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18.20.305 Boat launch.

"Boat launch" is an area where ramps continue down into bodies of water so that boats on trailers can be backed into the water and launched, or where operators of hand-carried watercraft may enter the water. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.310 Book, stationery, video and art supply store.

"Book, stationery, video and art supply store" means an establishment engaged in the retail sale of books and magazines, stationery, records, tapes and CDs, videos and DVDs, architectural and art supplies, and musical instruments. This use also includes DVD rental establishments. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.370 Building, hardware and garden materials store.

"Building, hardware and garden materials store" means an establishment engaged in selling lumber and other building materials, feed, or lawn and garden supplies. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.400 Campground.

"Campground" means an area of land developed for recreational use in temporary occupancy, such as tents or recreational vehicles without hookup facilities. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.422 Car wash.

"Car wash" means a structure with machine-operated or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.460 Church, synagogue, mosque, temple.

"Church, synagogue, mosque, temple" means a place where religious services are conducted, including accessory uses in the primary or accessory buildings such as religious education, reading rooms, assembly rooms, and residences for nuns and clergy. This definition does not include facilities for training of religious orders. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.500 Communication facility, major.

"Major communication facility" means a communication facility for transmission and reception of:

- A. UHF and VHF television signals; or
- B. FM or AM radio signals. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.510 Communication facility, minor.

"Minor communication facility" means a communication facility for transmission and reception of:

- A. Two-way and/or citizen band (CB) radio signals;
- B. Point-to-point microwave signals;
- C. Cellular radio signals;

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D. Signals through FM radio translators; or

E. Signals through FM radio boosters under 10 watts *effective radiated power* (ERP). [Ord. 11-0329 § 3 (Exh. 1).]

18.20.635 Cultural facilities.

"Cultural facilities" means facilities which offer passive entertainment and enjoyment activities to the general public. This definition includes, but is not limited to, museums and libraries. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.690 Department and variety store.

"Department and variety store" means an establishment engaged in the retail sale of a variety of lines of merchandise, such as dry goods, apparel and accessories, gifts, novelties and souvenirs, luggage and leather goods, home furnishings, and housewares. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.700 Destination resort.

"Destination resort" means an establishment for resource-based recreation and intended to utilize outdoor recreational opportunities, including related services, such as food, overnight lodging, equipment rentals, entertainment and other conveniences for guests of the resort. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.772 Dock.

A "dock" is a platform built out from the shore into the water providing access to boats or other watercraft or for public viewing of the water. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.780 Dormitory.

"Dormitory" means a residential *building* that provides sleeping quarters, but not separate *dwelling units*, and may include common dining, cooking and recreation or bathing facilities. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.790 Drop box facility.

"Drop box facility" means a facility used for receiving solid waste and recyclables from off-site sources into detachable solid waste containers, including the adjacent areas necessary for entrance and exit roads, unloading and vehicle turnaround areas. Drop box facilities normally service the general public with loose loads and may also include containers for separated recyclables. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.800 Drug store.

"Drug store" means an establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics and related supplies, and tobacco stores and stands. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.865 Educational institutions (public or private), K – 12.

"Educational institutions (public or private), K – 12" means a public or private school encompassing grades K through 12. [Ord. 11-0329 § 3 (Exh. 1).]

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18.20.900 Energy resource recovery facility.

"Energy resource recovery facility" means an establishment for recovery of energy in a usable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.970 Fabric shop.

"Fabric shop" means an establishment engaged in the retail sale of sewing or needlework supplies and accessories, or awnings, banners or flags. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1000 Fairground.

"Fairground" means a site permanently designated and improved for holding a fair, as provided in Chapters 15.76 and 36.37 RCW, or for holding similar events, including, but not limited to:

A. Carnivals;

B. Circuses;

C. Expositions;

D. Animal shows; and

E. Exhibitions and/or demonstrations of farm and home products with accompanying entertainment and amusements. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1140 Florist shop.

"Florist shop" means an establishment engaged in the retail sale of flowers and plants. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1160 Forest product sales.

"Forest product sales" means the sale of goods produced, extracted, consumed, gathered or harvested from a forest including, but not limited to:

A. Trees;

B. Wood chips;

C. Logs;

D. Fuelwood;

E. Cones;

F. Christmas trees;

G. Berries;

H. Herbs; or

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I. Mushrooms. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1170 Forest research.

"Forest research" means the performance of scientific studies relating to botany, hydrology, silviculture, biology and other branches of science in relation to management of forest lands. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1190 Furniture and home furnishings store.

"Furniture and home furnishings store" means an establishment engaged in the retail sale of household furniture and furnishings for the home. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1200 General business service.

"General business service" means an establishment engaged in providing services to businesses or individuals, with no outdoor storage or fabrication, including banks, brokerages, insurance offices, real estate offices, and membership organizations. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1202 General personal service use.

"General personal service use" means drycleaning and laundry services, linen suppliers, diaper services, carpet and upholstery cleaning services, portrait studios, clothing alteration and repair services, beauty and barber shops, shoe repair shops, tax return preparation services, and other miscellaneous personal services. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1230 Golf course facility.

"Golf course facility" means a recreational facility, under public or private ownership, designed and developed for golf activities with accessory uses including, but not limited to:

A. A driving range;

B. Miniature golf;

C. Pro shops;

D. Caddyshack buildings;

E. Swimming pools, tennis courts and other related recreational facilities;

F. Restaurants;

G. Office and meeting rooms; and

H. Related storage facilities. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1235 Government facilities, City.

"Government facilities, City" means facilities of any unit of City government. Types of facilities include municipal offices, community centers, courts of law, public works maintenance facilities, and other types of municipal facilities. [Ord. 11-0329 § 3 (Exh. 1).]

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18.20.1305 Health services, miscellaneous.

"Health services, miscellaneous" includes home health care services, kidney dialysis centers, special outpatient facilities, such as family planning centers and outpatient mental health facilities, blood and organ banks, medical photography, and childbirth preparation classes, as well as other miscellaneous ambulatory health care services. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1350 Hobby, toy, game shop.

"Hobby, toy, game shop" means an establishment engaged in the retail sale of toys, games, hobby and craft kits, including coin shops and stamp sales. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1420 Individual transportation and taxi.

"Individual transportation and taxi" means an establishment engaged in furnishing individual or small group transportation by motor vehicle. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1440 Interim recycling facility.

"Interim recycling facility" means a site or establishment engaged in collection or treatment of recyclable materials, which is not the final disposal site, and including:

A. Drop boxes;

B. Source-separated, organic waste processing facilities; and

C. Collection, separation and shipment of glass, metal, paper or other recyclables. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1470 Jail.

"Jail" means a facility operated by a governmental agency, designed, staffed and used for the incarceration of persons for the purposes of punishment, correction and rehabilitation following conviction of an offense. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1480 Jail farm.

"Jail farm" means a farm or camp on which persons convicted of minor law violations are confined and participate in agriculture and other work activities of the facility. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1490 Jewelry store.

"Jewelry store" means an establishment engaged in the retail sale of a variety of jewelry products, including gemstones and rock specimens. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1530 Landfill.

"Landfill" means a disposal site or part of a site at which refuse is deposited. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1630 Livestock sales.

"Livestock sales" means the sale of livestock but not including auctions. [Ord. 11-0329 § 3 (Exh. 1).]

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18.20.1650 Log storage.

"Log storage" means a facility for the open or enclosed storage of logs which may include repair facilities for equipment used on-site or operations offices. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1695 Medical/dental office/outpatient clinic.

"Medical/dental office/outpatient clinic" means establishments of licensed practitioners having the appropriate degree to practice medicine, dentistry, osteopathy, chiropractics, podiatry, optometry, and other health practitioners. This definition also includes the indoor retail sale of personal medical supplies as an ancillary operation. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1705 Miscellaneous repair.

"Miscellaneous repair" means repair of nonpersonal/nonhousehold items, except nonmotorized vehicle repair. This definition excludes on-site services. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1745 Mobile food vendor.

"Mobile food vendor" means retail sale of food or beverages from a cart on a nonfixed foundation which is typically removed daily at the close of business, and is located on a sidewalk or near a storefront. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1790 Motor vehicle and boat dealers.

"Motor vehicle and boat dealers" means establishments engaged in the retail sale of new and/or used automobiles, motor homes, motorcycles, trailers, or boats. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1800 Motor vehicle and bicycle manufacturing.

"Motor vehicle and bicycle manufacturing" means fabricating or assembling complete passenger automobiles, trucks, commercial cars and buses, motorcycles, and bicycles. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1820 Municipal water production.

"Municipal water production" means the collection and processing of surface water through means of dams or other methods of impoundment for municipal water systems. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1900 Off-street required parking lot.

"Off-street required parking lot" means parking facilities constructed to meet the off-street parking requirements of Chapter 18.40 KMC for land uses located on a lot separate from the parking facilities. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.1940 Outdoor performance center.

"Outdoor performance center" means an establishment for the performing arts with open-air seating for audiences. Such establishments may include related services such as food and beverage sales and other concessions. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2050 Personal medical supply store.

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"Personal medical supply store" means an establishment engaged in the retail sale of eyeglasses, contact lenses, hearing aids, and artificial limbs. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2060 Pet shop.

"Pet shop" means an establishment engaged in the retail sale of household pets, small animals, or their supplies or grooming. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2070 Photographic and electronic shop.

"Photographic and electronic shop" means an establishment engaged in the retail sale of cameras and photographic supplies, and a variety of household electronic equipment, including radio, television and consumer electronic stores, and computer and computer software stores. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2135 Pro shop.

A "pro shop" is a building or room where the retail operation of a golf course takes place. The functions of a pro shop may include, but are not limited to, tee time reservations, club fitting, handicap posting area, and sales of golf equipment, clothing, accessories, and similar items. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2150 Public agency animal control facility.

"Public agency animal control facility" means a facility for the impoundment and disposal of stray or abandoned household pets or small animals. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2190 Public agency training facility.

"Public agency training facility" means an establishment or school for training State and local law enforcement, fire safety, national guard or transit personnel and facilities including but not limited to:

A. Dining and overnight accommodations;

B. Classrooms;

C. Shooting ranges;

D. Auto test tracks; and

E. Fire suppression simulations. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2250 Recreational vehicle parks.

"Recreational vehicle parks" means the use of land upon which two or more recreational vehicle sites, including hook up facilities, are located for occupancy by the general public of recreational vehicles as temporary living quarters for recreation or vacation purposes. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2280 Regional stormwater management facility.

"Regional stormwater management facility" means a surface water control structure installed in or adjacent to a stream or wetland of a basin or sub-basin by the department or a project proponent. Such facilities protect downstream areas identified by the department as having previously existing or predicted significant regional basin flooding or erosion problems. [Ord. 11-0329 § 3 (Exh. 1).]

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18.20.2367 Retail sales, outdoor.

"Retail sales, outdoor" means the display and sale of products and services primarily outside of a building or structure, including but not limited to garden supplies, tires and motor oil, manufactured homes, burial monuments, building and landscape materials, and lumber yards. This definition excludes motor vehicle and boat dealers, outdoor retail display/sidewalk sales, mobile food vendors, City-authorized temporary uses, or City-authorized uses allowed in public plazas or outdoor performance spaces on a temporary but regular basis. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2440 School district support facility.

"School district support facility" means uses (excluding schools and bus bases) that are required for the operation of a school district. This term includes school district administrative offices, centralized kitchens, and maintenance or storage facilities. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2450 Schools, elementary and middle/junior high.

"Schools, elementary and middle/junior high" means institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades kindergarten through nine, including associated meeting rooms, auditoriums and athletic facilities. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2460 Schools, secondary or high school.

"Schools, secondary or high school" means institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades nine through 12, including associated meeting rooms, auditoriums and athletic facilities. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2524 Services, off-site.

"Services, off-site" means establishments primarily engaged in providing individual or professional services at the customer's home or place of business. Examples of off-site services include but are not limited to temporary employment services, janitorial services, and professional maid services. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2527 Services, on-site.

"Services, on-site" means establishments primarily engaged in providing individual or professional services within the place of business, such as beauty and barber shops, retail laundry and drycleaning including coin-operated, garment alterations and repair, photo studios, shoe repair, pet grooming, photography and photo reproduction, personal accountants, entertainment media rental or other indoor rental services, repair of personal items or household items, and nonmotorized vehicle repair. This definition excludes automotive repair or automotive service and miscellaneous repair. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2550 Shooting range.

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"Shooting range" means a facility designed to provide a confined space for safe target practice with firearms, archery equipment, or other weapons. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2790 Soil recycling facility.

"Soil recycling facility" means an establishment engaged in the collection, storage and treatment of contaminated soils to remove and re-use organic contaminants. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2840 Sporting goods store.

"Sporting goods store" means an establishment engaged in the retail sale of sporting goods and equipment. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2884 Storage, indoor.

"Storage, indoor" means a use engaged in the storage of goods and/or materials characterized by infrequent pick-up and delivery, and located within a building. Indoor storage uses typically are enclosed and provide supervised access to the storage areas within the building. The definition excludes self-service storage, warehousing and distribution. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2965 Taxi stand.

"Taxi stand" means a facility for pick-up and drop-off of taxi patrons, typically characterized by an area for queuing passengers and taxis. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2970 Theater.

"Theater" means an establishment primarily engaged in the indoor exhibition of motion pictures or of live theatrical presentations. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.2980 Theatrical production services.

"Theatrical production services" means an establishment engaged in theatrical production (except motion picture), bands, orchestras, and entertainers, except establishments primarily engaged in providing live theatrical presentations, such as road companies and summer theaters. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3010 Transfer station.

"Transfer station" means a staffed collection and transportation facility used by private individuals and route collection vehicles to deposit solid waste collected off-site into larger transfer vehicles for transport to permanent disposal sites, and may also include recycling facilities involving collection or processing for shipment. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3155 Variety store.

"Variety store" means an establishment engaged in retailing a variety of new general merchandise goods. Variety store does not include department store, but is a subcategory of "department and variety store." [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3190 Warehousing and wholesale trade.

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"Warehousing and wholesale trade" means establishments involved in the storage and/or sale of bulk goods for resale or assembly, excluding establishments offering the sale of bulk goods to the general public which are classified as a retail land use. [Ord. 11-0329 § 3 (Exh. 1).]

~~18.20.3200 Wastewater treatment facility.~~

"Wastewater treatment facility" means a plant for collection, decontamination and disposal of sewage, including residential, industrial and agricultural liquid wastes, and including any physical improvement within the scope of the definition of "water pollution control facility" set forth in WAC 173-90-015(4) as amended. [Ord. 11-0329 § 3 (Exh. 1).]

~~18.20.3300 Wildlife shelter.~~

"Wildlife shelter" means a facility for the temporary housing of sick, wounded or displaced wildlife. [Ord. 11-0329 § 3 (Exh. 1).]

~~18.20.3310 Work release facility.~~

"Work release facility" means a facility which allows the opportunity for convicted persons to be employed outside of the facility, but requires confinement within the facility when not in the place of employment. [Ord. 11-0329 § 3 (Exh. 1).]

~~18.20.3330 Yard or organic waste processing.~~

"Yard or organic waste processing" means processing yard and garden wastes, including wood and land-clearing debris, into new products such as soil amendments and wood chips. [Ord. 11-0329 § 3 (Exh. 1).]



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Spencer Square South Update Proposed Council Action/Motion: No formal action requested. Discussion and feedback only.	For Council Meeting Agenda of: <u>July 10, 2017</u> Department: <u>Development Services</u> Prepared by: <u>Samantha Loyuk</u> <i>SL</i> <table style="width: 100%;"> <tr> <td style="width: 70%;"></td> <td style="width: 30%; text-align: center;"><u>Initial & Date</u></td> </tr> <tr> <td>Approved by Department Head:</td> <td style="text-align: center;"><i>BAH</i> 6/26/17</td> </tr> <tr> <td>Approved by City Attorney:</td> <td style="text-align: center;"><i>NA</i> <i>BAH</i></td> </tr> <tr> <td>Approved by Finance Director:</td> <td style="text-align: center;"><i>OMG</i> 6/28/17</td> </tr> <tr> <td>Approved by City Manager:</td> <td style="text-align: center;"><i>KLICK</i> <i>BAH</i> <i>RLK</i></td> </tr> <tr> <td></td> <td style="text-align: right;">28 Jun 2017</td> </tr> </table> Exhibits: A. Aerial of Kenmore Village Commercial B. Development Site Plans C. Spencer Square South Conceptual plans D. Spencer Square PowerPoint Presentation		<u>Initial & Date</u>	Approved by Department Head:	<i>BAH</i> 6/26/17	Approved by City Attorney:	<i>NA</i> <i>BAH</i>	Approved by Finance Director:	<i>OMG</i> 6/28/17	Approved by City Manager:	<i>KLICK</i> <i>BAH</i> <i>RLK</i>		28 Jun 2017
	<u>Initial & Date</u>												
Approved by Department Head:	<i>BAH</i> 6/26/17												
Approved by City Attorney:	<i>NA</i> <i>BAH</i>												
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Approved by City Manager:	<i>KLICK</i> <i>BAH</i> <i>RLK</i>												
	28 Jun 2017												

INFORMATION/BACKGROUND:

On November 3, 2014, Council approved a purchase and sale agreement with MainStreet Property Group LLC ("MainStreet") for the commercial portion of the Kenmore Village property; Resolution No. 14-250. The purchase and sale agreement consisted of two properties (Exhibit A):

- Parcels D & B: The area north of the Town Square; and
- "Optional" Parcel C: The parcel located westward of the Town Square.

In 2015, MainStreet purchased Parcels D and B, and quickly pursued development of the LINQ, on Parcel D. The LINQ is a 150,000-square-foot building consisting of five stories, basement-level structured parking, 94 residential units ("flats"), and 20,000 square feet of office/retail on the first floor (Evergreen Health). The LINQ is now occupied and tenant improvement work for Evergreen Health is well underway. The purchase and sale agreement gave MainStreet a option to purchase Parcel C, with limitations and conditions. One such condition, required MainStreet to provide a lease for a "sit-down" restaurant, prior to initiating the sale. The option was scheduled to expire in April 2017 with a potential six-month extension available, at a cost. MainStreet exercised the extension provision and the option to buy has been extended to October 2017.

On August 3, 2015, Council approved a Development Agreement ("DA") and Site Plan to establish standards for developing the parcels; Contract No. 15-C1449. The DA and Site Plan reflect four phases and did not require the developer to pursue phases in any specific order:

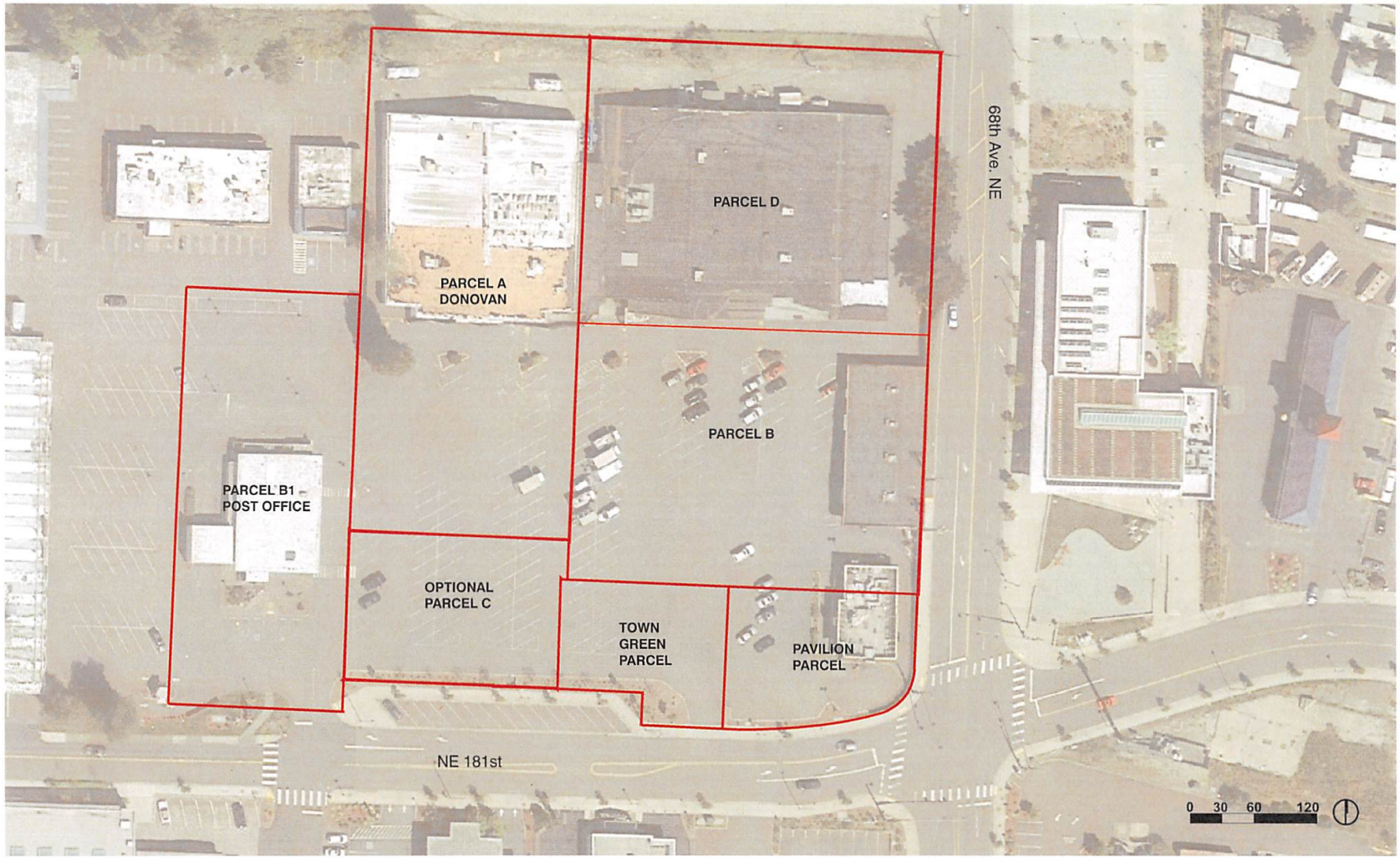
- PHASE A: One single-story, 20,000-square-foot commercial building at Parcel B;
- PHASE B & C: Mixed-use building and structured parking garage (LINQ) at Parcel D; and
- PHASE D: Sit-down Restaurant building at Parcel C.

In the DA, MainStreet acknowledged that both buildings (Phases A & D), when designed, would be subject to design review and subject to a DA amendment if deviations from the Kenmore Municipal Code (“KMC” or “code”) were proposed, including deviations from minimum parking requirements.

MainStreet has recently provided conceptual-level drawings (Exhibit C) which demonstrate general compliance with the requirements of the KMC. MainStreet is proposing to meet the code, thereby avoiding a DA amendment. Development Services staff reviewed the conceptual-level plans as part of a pre-application meeting and has determined that, while some changes to the plans are necessary, the project is generally capable of meeting design review requirements. The conceptual plans propose the following:

- Parcel B: Construct one commercial building fronting 68th Avenue NE, featuring approximately 4,200 square feet of retail/commercial along 68th Avenue NE with 19 residential flats above and tuck-under parking. The southwest portion of the building includes 1,500 square feet of commercial or residential (“Live or Work”) fronting Town Square with 5 townhome-style units above.
- Parcel B: Construct one restaurant/office building containing a 5,000-square-foot sit-down restaurant and 3,000 square feet of office space.
- Parcel B & C: the developer proposes high-end exterior finishes, expansive glass and enhanced space-activating pedestrians landscaping, pathways, and connection points.

EXHIBIT A



HEWITT

Kenmore Town Green – Lot Boundaries
City of Kenmore
October 24, 2014

NE 1/4, SEC 11, TWP 26N, RGE 4E, W.M.
SPENCER SQUARE
 CONCEPTUAL CIVIL PLANS

EXHIBIT B

PARKING CALCULATION

PARKING CALCULATION	PARKING CALCULATION
PARCEL C	PARCEL E
PROPOSED USE: 5,000 SF RESTAURANT	PROPOSED USE: 20,000 SF COMMERCIAL
PARKING PROVIDED: 23 SPACES (INCL. 1 ADA)	PARKING PROVIDED: 40 SPACES (INCL. 3 ADA)
PARCEL D	RENOVATE METROPOLITAN
PROPOSED USE: 24 RESIDENTIAL UNITS (LEVELS 3-5)	EXISTING USE: 17,000 SF COMMERCIAL
PROPOSED ZONING: 18,000 SF MEDICAL OFFICE (LEVEL 2)	PARKING PROVIDED: 38 SPACES (INCL. 2 ADA)
PARKING PROVIDED: 148 SPACES (INCL. 4 ADA)	
TOTAL PROVIDED PARKING: 270 SPACES (INCL. 11 ADA)	

SITE DATA

SITE ADDRESS: 8750 NE 181ST ST
 TAX PARCEL NUMBER: 3602000000, 3602000000
 EXISTING ZONING: DOWNTOWN COMMERCIAL
 PROPOSED ZONING: DOWNTOWN COMMERCIAL
 GROSS SITE AREA:
 3602000000: 0.34 ACRES (14,704 SF)
 3602000001: 1.10 ACRES (48,000 SF)
 3602000002: 0.80 ACRES (34,800 SF)

LEGAL DESCRIPTION

PARCELS C, D & E OF KENMORE VILLAGE PARCEL B BINDING SITE PLAN BY PERMIT KING COUNTY REC. NO. 201502000002

DATUM/BASIS OF BEARINGS

HELD N 87°47'31" BETWEEN THE MONUMENTED CENTERLINE OF NE 181ST ST

ORIGINATING BENCHMARK: KING COUNTY MONUMENT NO. 30N, AS PUBLISHED IN WGS SURVEY DATA BENCHMARK
 DATA BENCHMARK: VERTICAL DATUM: NAVD 83
 ELEVATION: 54.34'

PROJECT TEAM

OWNER
 THE BLUELINE GROUP
 1715 5TH AVE NE, STE 100
 KIRKLAND, WA 98033
 (425) 226-0000
 CONTACT: KIM FAUST

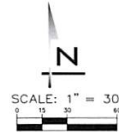
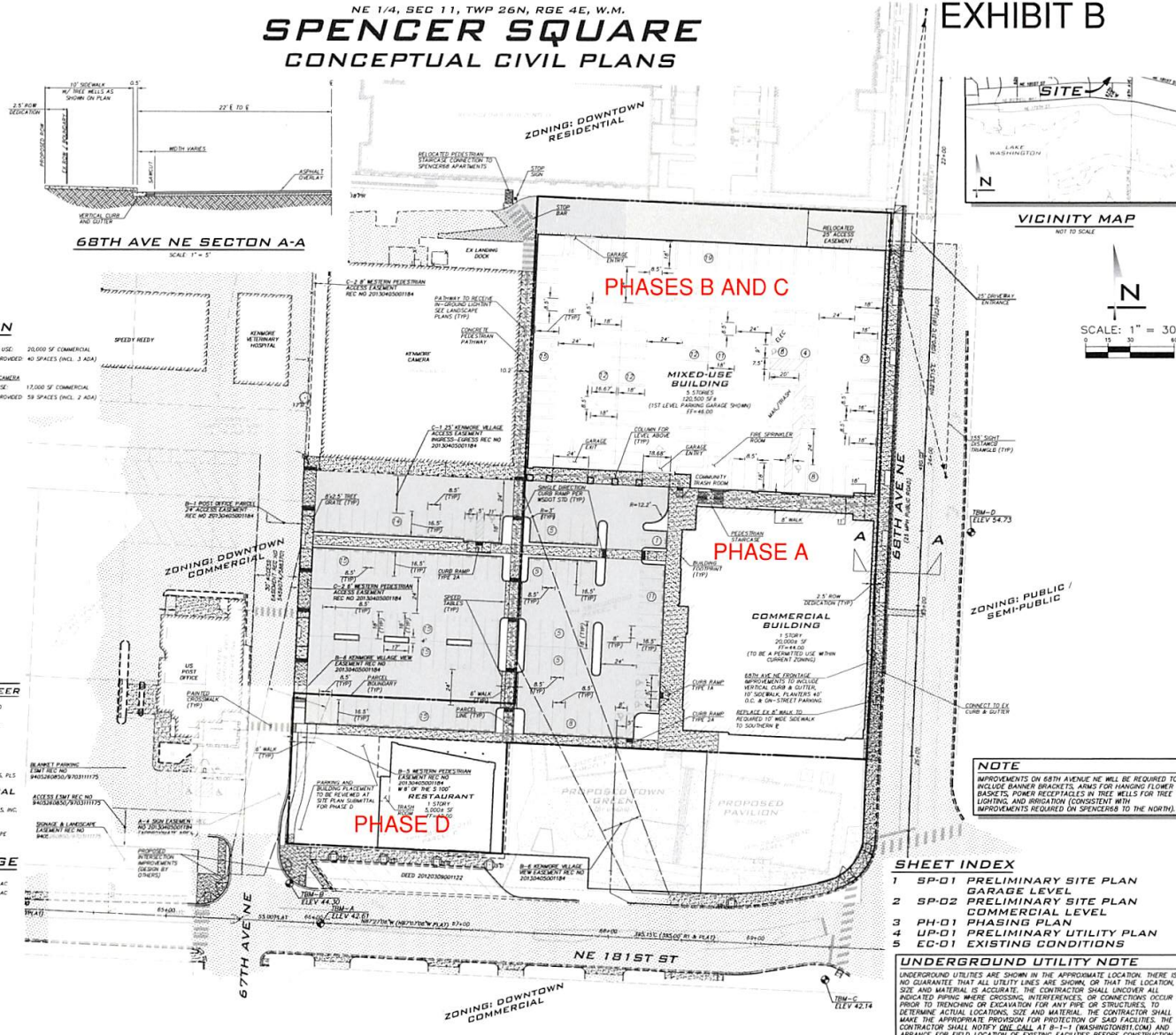
ARCHITECT/LANDSCAPE ARCHITECT
 THE BLUELINE GROUP
 1715 5TH AVE NE, STE 100
 KIRKLAND, WA 98033
 (425) 226-0000
 CONTACT: KIM FAUST

GEOTECHNICAL ENGINEER
 ASSOCIATED ENGINEERS, INC.
 811 4TH AVE, SUITE 100
 KIRKLAND, WA 98033
 (425) 827-7700
 CONTACT: KURT NERMAN, PE

IMPERVIOUS COVERAGE

PRE-DEVELOPMENT	DEVELOPMENT
TOTAL IMPERVIOUS AREA: 2.87 AC	TOTAL IMPERVIOUS AREA: 2.44 AC
TOTAL LANDSCAPE AREA: 0.17 AC	TOTAL LANDSCAPE AREA: 0.08 AC
PARCEL C	PARCEL E
IMPERVIOUS AREA: 0.33 AC	LANDSCAPE AREA: 0.02 AC
PARCEL D	PARCEL F
IMPERVIOUS AREA: 1.04 AC	LANDSCAPE AREA: 0.00 AC
PARCEL E	PARCEL G
IMPERVIOUS AREA: 0.91 AC	LANDSCAPE AREA: 0.00 AC

* INCLUDES ADJUSTED 60% ARE ROW IMPERVIOUS



NOTE
 IMPROVEMENTS ON 68TH AVENUE NE WILL BE REQUIRED TO INCLUDE BANNER BRACKETS, ARMS FOR HANGING FLOWER BASKETS, POWER RECEPTACLES IN TREE WELLS FOR TREE LIGHTING AND IRRIGATION (CONSISTENT WITH IMPROVEMENTS REQUIRED ON SPENCERSS TO THE NORTH).

SHEET INDEX

- SP-01 PRELIMINARY SITE PLAN
- SP-02 PRELIMINARY SITE PLAN
- PH-01 PHASING PLAN
- UP-01 PRELIMINARY UTILITY PLAN
- EC-01 EXISTING CONDITIONS

UNDERGROUND UTILITY NOTE
 UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES. TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL, THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAS FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (WASHINGTON1.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.



AS NOTED
 10000 A. OBERG, PE
 CHRISTOPHER H. MILLER, PE
 DOMINIQUE CASALDON
 5/16/2015

NO.	DATE	BY	REVISION
1	5/16/2015	CH	ISSUED FOR PERMIT

PRELIMINARY SITE PLAN
GARAGE LEVEL
SPENCER SQUARE
CONCEPTUAL CIVIL PLANS

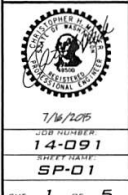


EXHIBIT C



KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE



MAINSTREET
PROPERTY GROUP LLC



JOB NO. 1130.018
DATE 06-19-17
10500 NE 6th Street,
Suite 1120
Bellevue, WA 98004

A.1

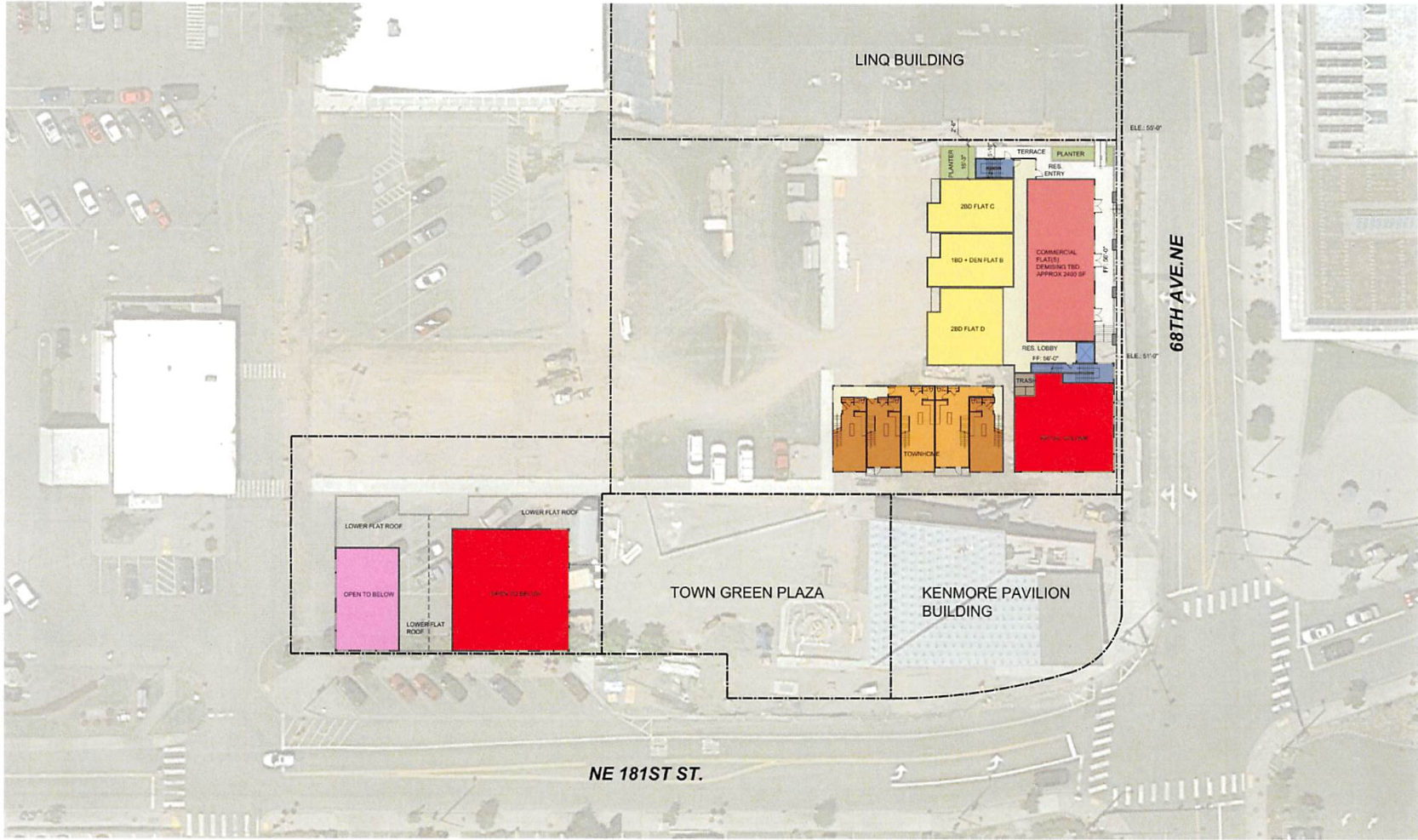


0 10 20 40 60 FEET



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A.2



KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

SITE PLAN - LEVEL 2



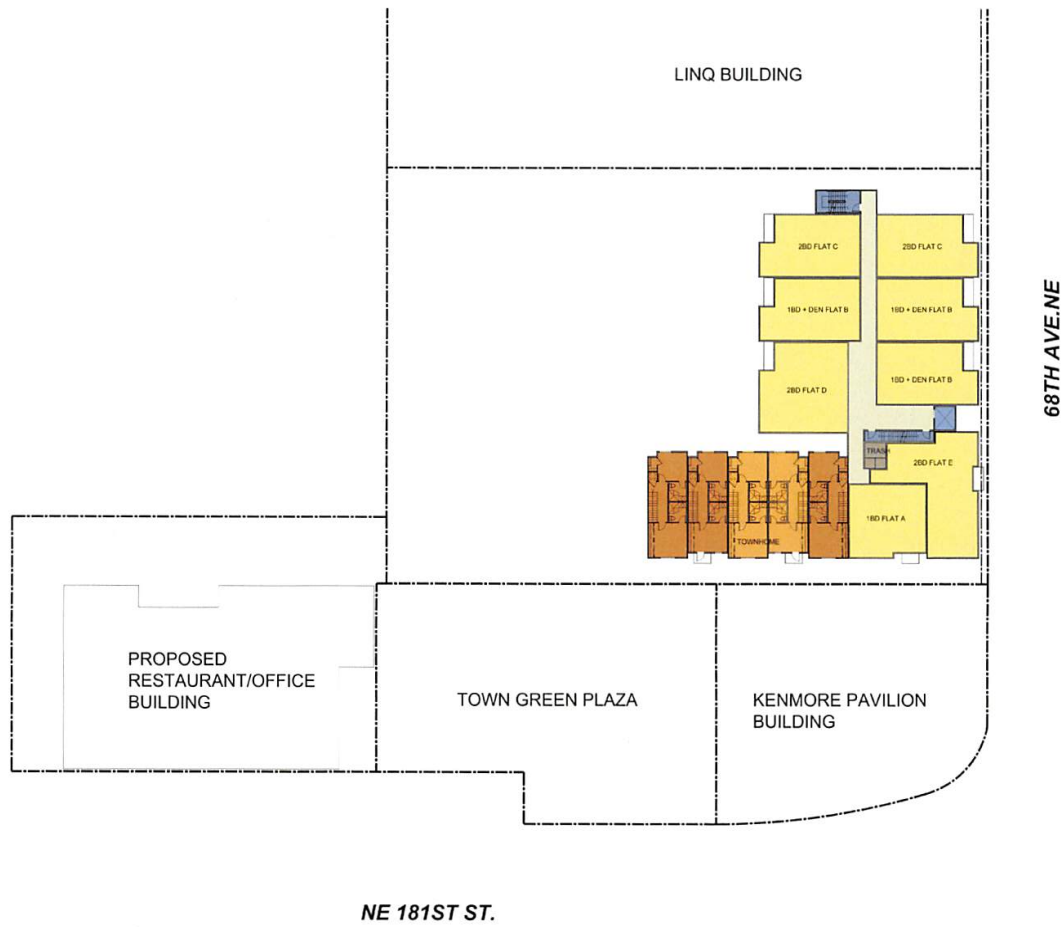
MAINSTREET
PROPERTY GROUP LLC



DAHLIN
group

JOB NO. 1130.018
DATE 06-19-17
10900 NE 8th Street,
Suite 1120
Bellevue, WA 98004


A.3



KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

SITE PLAN - LEVEL 3



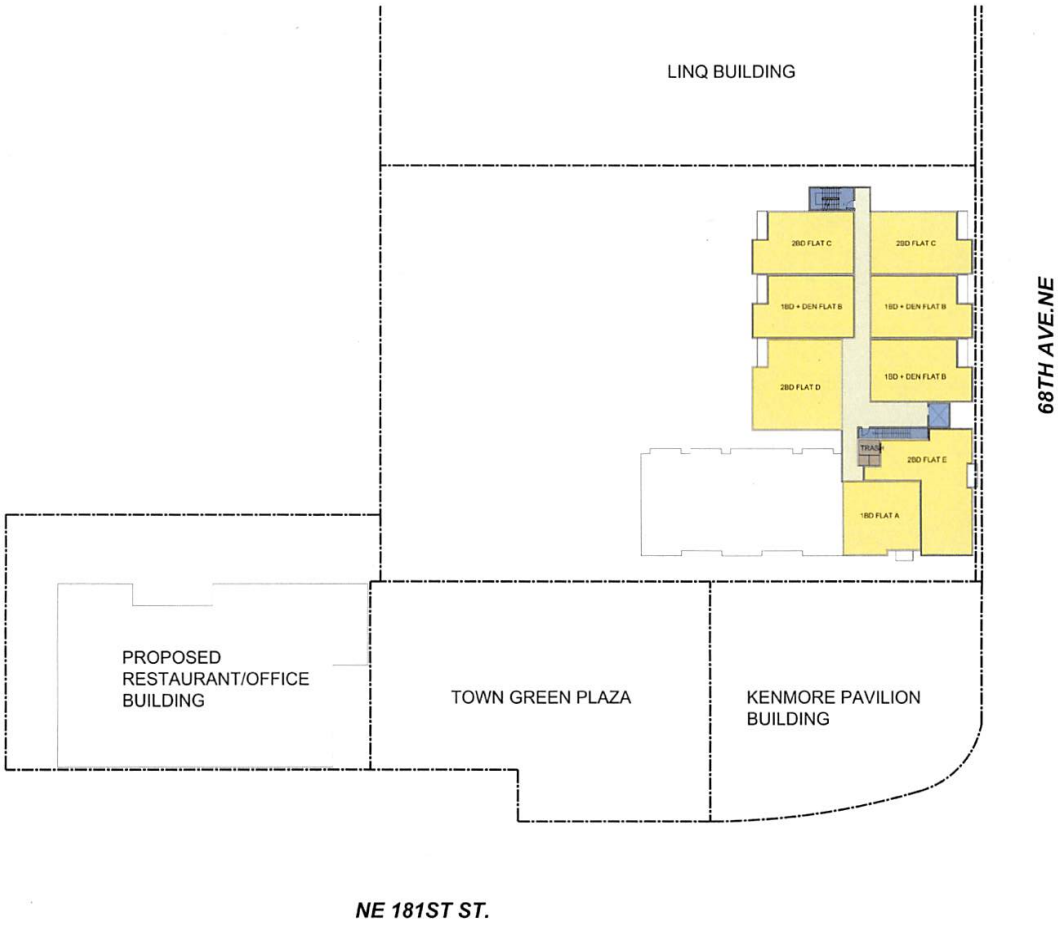
MAINSTREET
PROPERTY GROUP LLC



0 10 20 40 60 FEET

JOB NO. 1130.018
DATE 06-19-17
10900 NE 8th Street,
Suite 1120
Bellevue, WA 98004

N
A.4



KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

SITE PLAN - LEVEL 4



MAINSTREET
PROPERTY GROUP LLC



JOB NO. 1130.018
DATE 06-19-17
10900 NE 8th Street,
Suite 1120
Bellevue, WA 98004



A.5



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

**MAINSTREET**
PROPERTY GROUP LLC

**DAHLIN**
group

JOB NO. 1130 018
DATE 06-19-17
10900 NE 8th Street,
Suite 1120
Bellevue, WA 98004

A.7



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

	MAINSTREET PROPERTY GROUP LLC, INC.		JOB NO. 1130.018	A.8
			DATE 06-19-17	
			10900 NE 8th Street, Suite 1120 Bellevue, WA 98004	



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE



MAINSTREET
PROPERTY GROUP LLC



JOB NO. 1130.018
DATE 06-19-17
10900 NE 8th Street,
Suite 1120
Bellevue, WA 98004

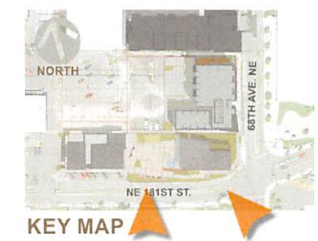
A.9



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

	MAINSTREET PROPERTY GROUP LLC		JOB NO. 1130.018	A.10
			DATE 06-19-17	
			10900 NE 8th Street, Suite 1120	
			Bellevue, WA 98004	



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE



MAINSTREET
PROPERTY GROUP LLC



JOB NO. 1130.018
DATE 06-19-17
10900 NE 8th Street,
Suite 1120
Bellevue, WA 98004

A.11



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

MAINSTREET
PROPERTY GROUP LLC

DAHLLIN
group

JOB NO. 1130.018
DATE 06-19-17
10900 NE 8th Street,
Suite 1120
Bellevue, WA 98004

A.12



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

	MAINSTREET PROPERTY GROUP LLC		DAHLIN GROUP	JOB NO. 1130.018	A.13
				DATE 06-19-17	
				10900 NE 8th Street, Suite 1120	
				Bellevue, WA 98004	



VIEW TOWARDS KENMORE CAMERA BUILDING - 1



VIEW TOWARDS KENMORE CAMERA BUILDING - 2



VIEW TOWARDS KENMORE CAMERA BUILDING - 3

VIEWS TOWARDS KENMORE CAMERA BUILDING

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE



KEY MAP



VIEW TOWARDS KENMORE CAMERA BUILDING - 4



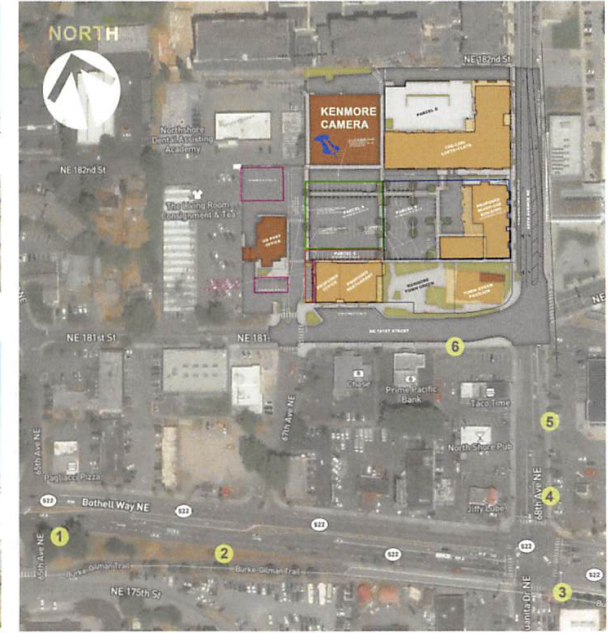
VIEW TOWARDS KENMORE CAMERA BUILDING - 5



VIEW TOWARDS KENMORE CAMERA BUILDING - 6

VIEWS TOWARDS KENMORE CAMERA BUILDING

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE



KEY MAP

SPENCER SQUARE SOUTH

FINAL PHASE

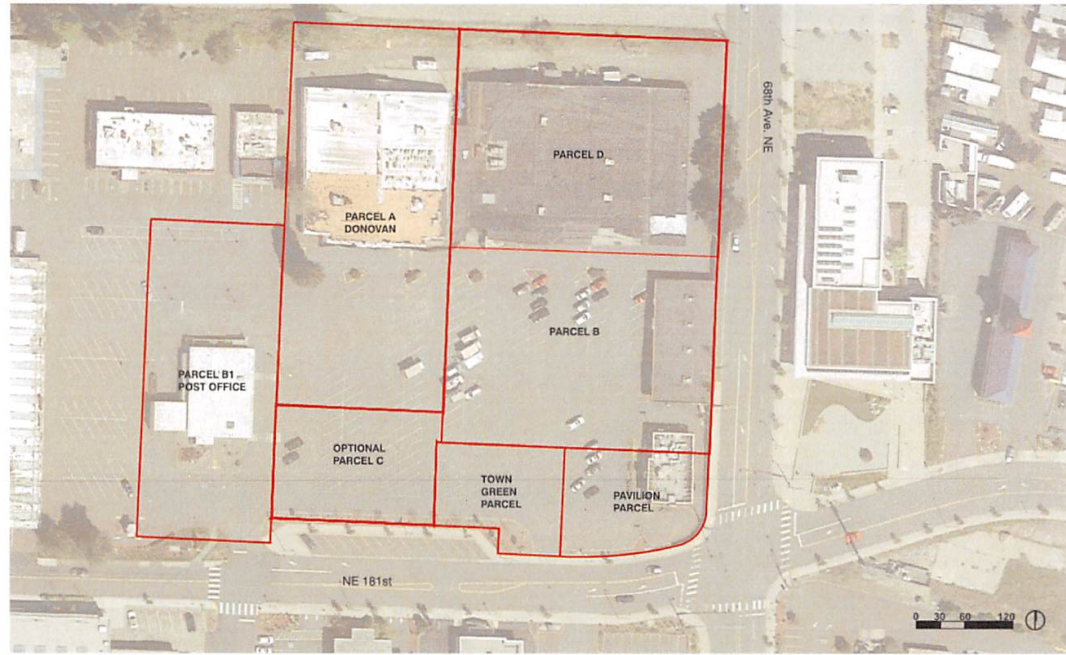
DEVELOPMENT SERVICES

SAMANTHA LOYUK, ASSOCIATE PLANNER

BRYAN HAMPSON, DEVELOPMENT SERVICES DIRECTOR

2014 AERIAL OF KENMORE VILLAGE COMMERCIAL

- Parcel D is the LINQ building.
- Parcel B is the “Commercial Building”
- Optional Parcel C is the Restaurant Pad
- Pavilion Parcel is the Hanger building
- Town Green Parcel is the Town Square

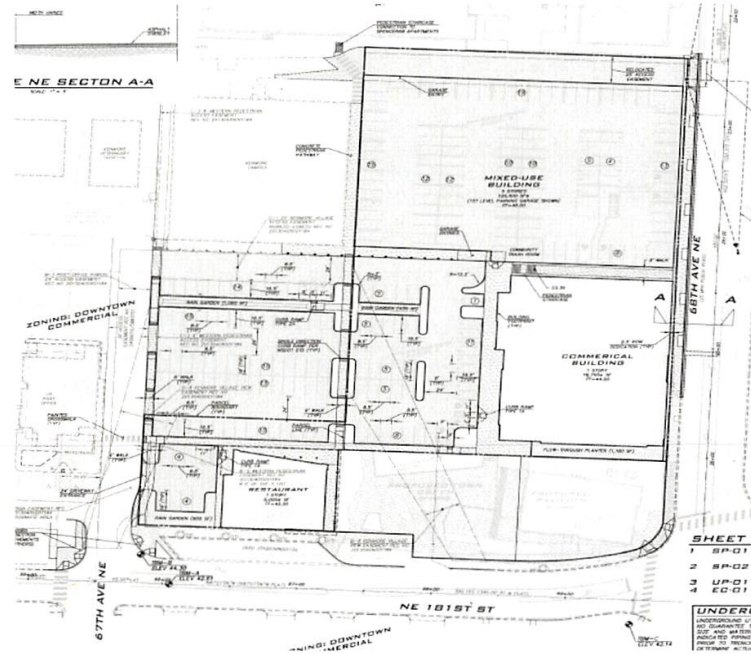


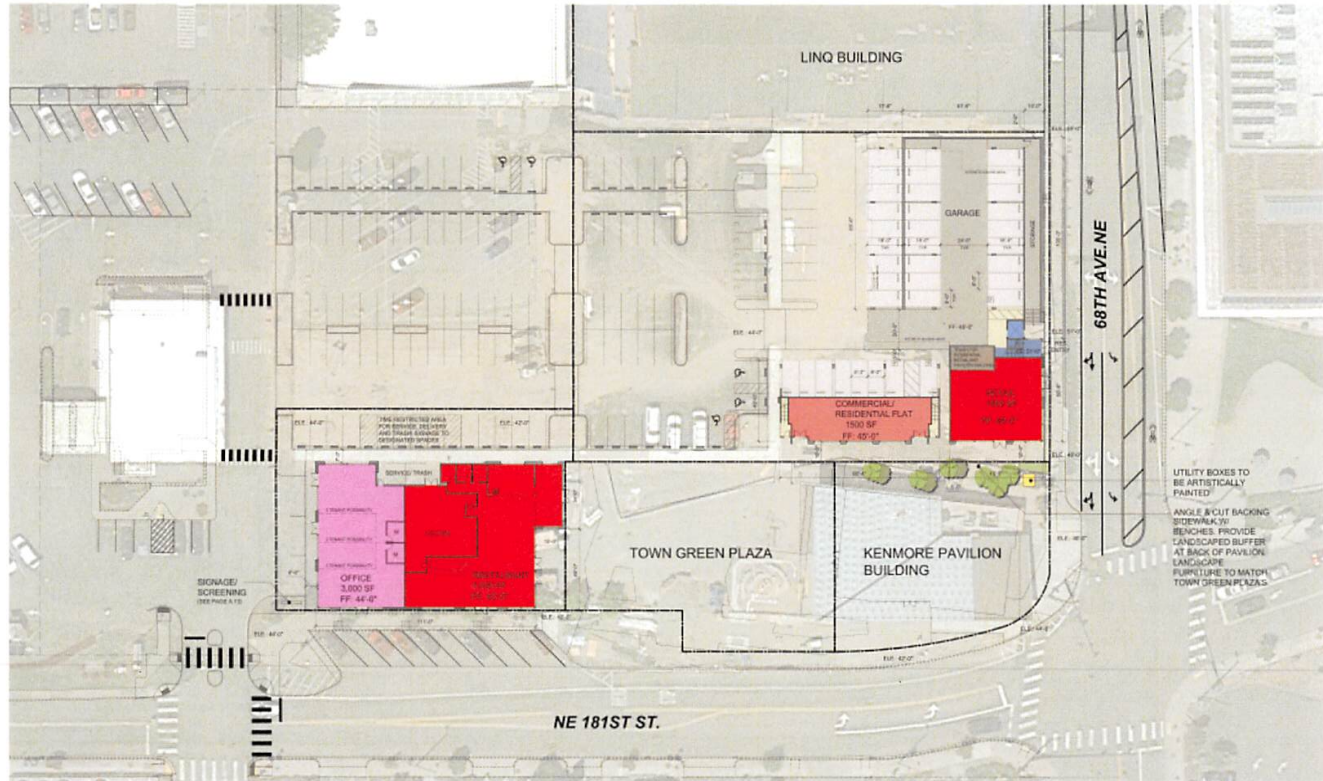
HEWITT

Kenmore Town Green - Lot Boundaries
City of Kenmore
October 24, 2014

DEVELOPMENT AGREEMENT SITE PLAN

- 5 story mixed-use building on Parcel D
- 1 story, 20,000 square foot commercial building on Commercial Property
- 1 story, 5,000 square foot restaurant on Optional Property





KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

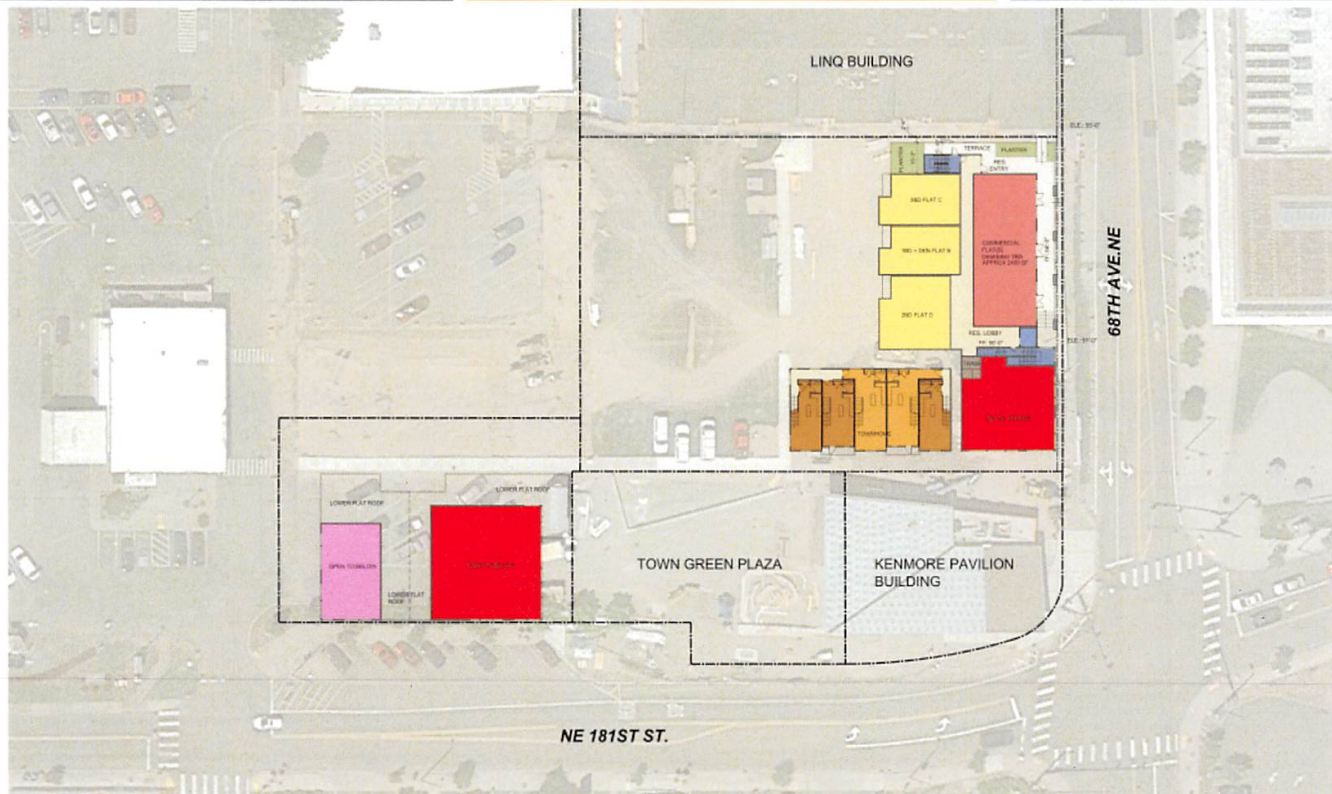
SITE PLAN - LEVEL 1



MAINSTREET
PROPERTY GROUP LLC



JOB NO. 1130-016
DATE 06-15-17
17000 1st Ave Street
Suite 1100
Bellevue, WA 98003
A.2



KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

SITE PLAN - LEVEL 2



MAINSTREET
PROPERTY GROUP LLC



JOB NO. 1130 018
DATE 06-19-17
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Superior
Baltimore: 1000 000000

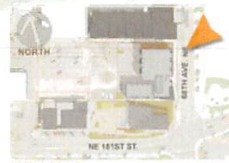




KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

PERSPECTIVE VIEW

	MAINSTREET PROPERTY GROUP LLC		JOB NO. 1130 016	A.7
			DATE 06-15-17	
			10000 NE 8th Street Suite 1120 Bellevue, WA 98005	



KEY MAP

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

PERSPECTIVE VIEW

	MAINSTREET PROPERTY GROUP LLC		JOB NO: 1133-016	A.8
			DATE: 06.19.17	
			113301 AEL: RRP: 28-mat Dahlin: 11.1.17 06/19/2017 10:43 AM	



KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

PERSPECTIVE VIEW

	MAINSTREET PROPERTY GROUP LLC		JOB NO. 1130 018	A.12
			DATE 06-15-17	
			10000 PAC NW Street Suite 120 Bellevue, WA 98004	



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

 MAINSTREET PROPERTY GROUP LLC	 DAHLIN GROUP	JOB NO. 11-03-018 DATE 06-15-17 11900 NE 88th Street Suite 1120 Bellevue, WA 98004	A.13

	DEVELOPMENT AGREEMENT	CURRENT PROPOSAL	
COMMERCIAL PROPERTY			MEETS CODE
USES	20,000 SF COMMERCIAL (FITNESS)	2,400 SF – 3,900 SF COMMERCIAL	✓
		1,800 SF RETAIL	✓
		24 UNITS – 29 UNITS	✓
STORIES	I-STORY	3-STORY	✓
RESTAURANT PAD			
USES	5,000 SF RESTAURANT	5,000 SF RESTAURANT	✓
		3,000 SF OFFICE	✓
STORIES	I-STORY	I-STORY	✓
PARKING	138 STALLS (NOT INCLUDING LINQ)	134 SHARED STALLS + 35 STALLS FOR TENANTS of COMMERCIAL BUILDING (NOT INCLUDING LINQ)	TRAFFIC ANALYSIS REQUIRED

DEVELOPMENT AGREEMENT PUBLIC BENEFITS	
	STATUS
DEVELOPER SPONSER COMMUNITY EVENTS IN THE TOWN SQUARE	PENDING
PROVIDE WAYFINDING SIGNAGE ALONG 68 TH AVE NE	PENDING
PROVIDE ON-STREET PARKING AND BIKE LANE STRIPING	COMPLETE
RECONSTRUCT KENMORE VILLAGE ENTRANCE AT NE 181 ST AND 67 TH AVE NE	COMPLETE
UNDERGROUND OVERHEAD POWERLINES	COMPLETE
PROVIDE ACCESSIBLE PARKING FOR THE TOWN SQUARE	COMPLETE
PROVIDE GARBAGE LOCATION AND SERVICES FOR TOWN SQUARE	TEMP LOC

SPENCER SQUARE SOUTH

FINAL PHASE

DEVELOPMENT SERVICES

SAMANTHA LOYUK, ASSOCIATE PLANNER

BRYAN HAMPSON, DEVELOPMENT SERVICES DIRECTOR

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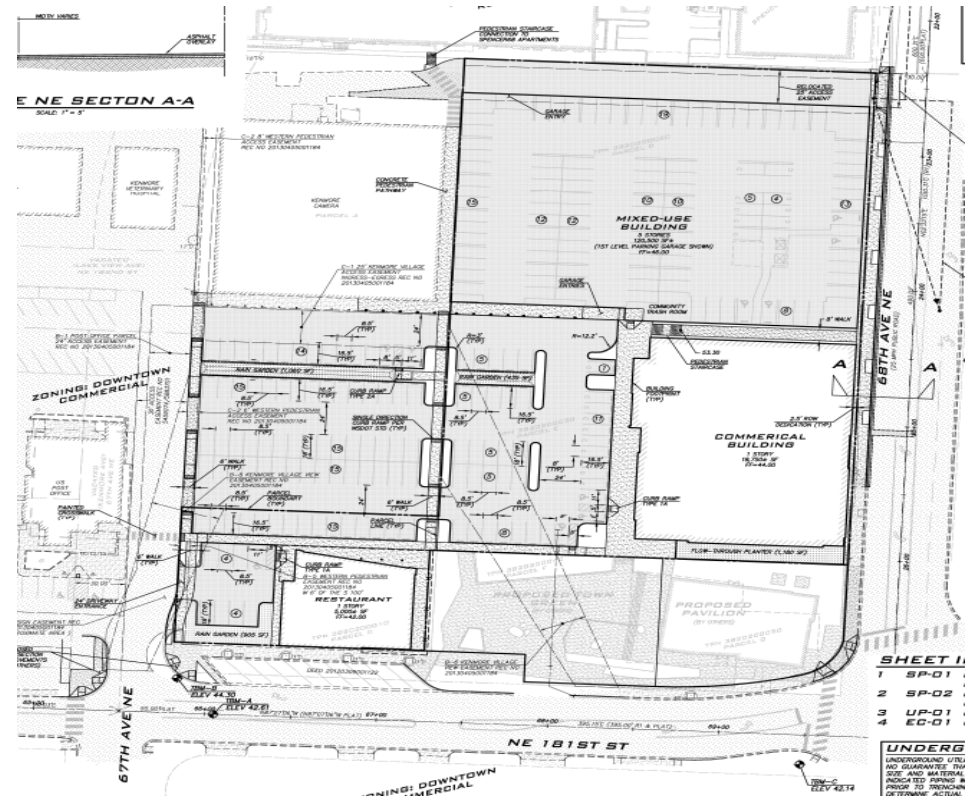


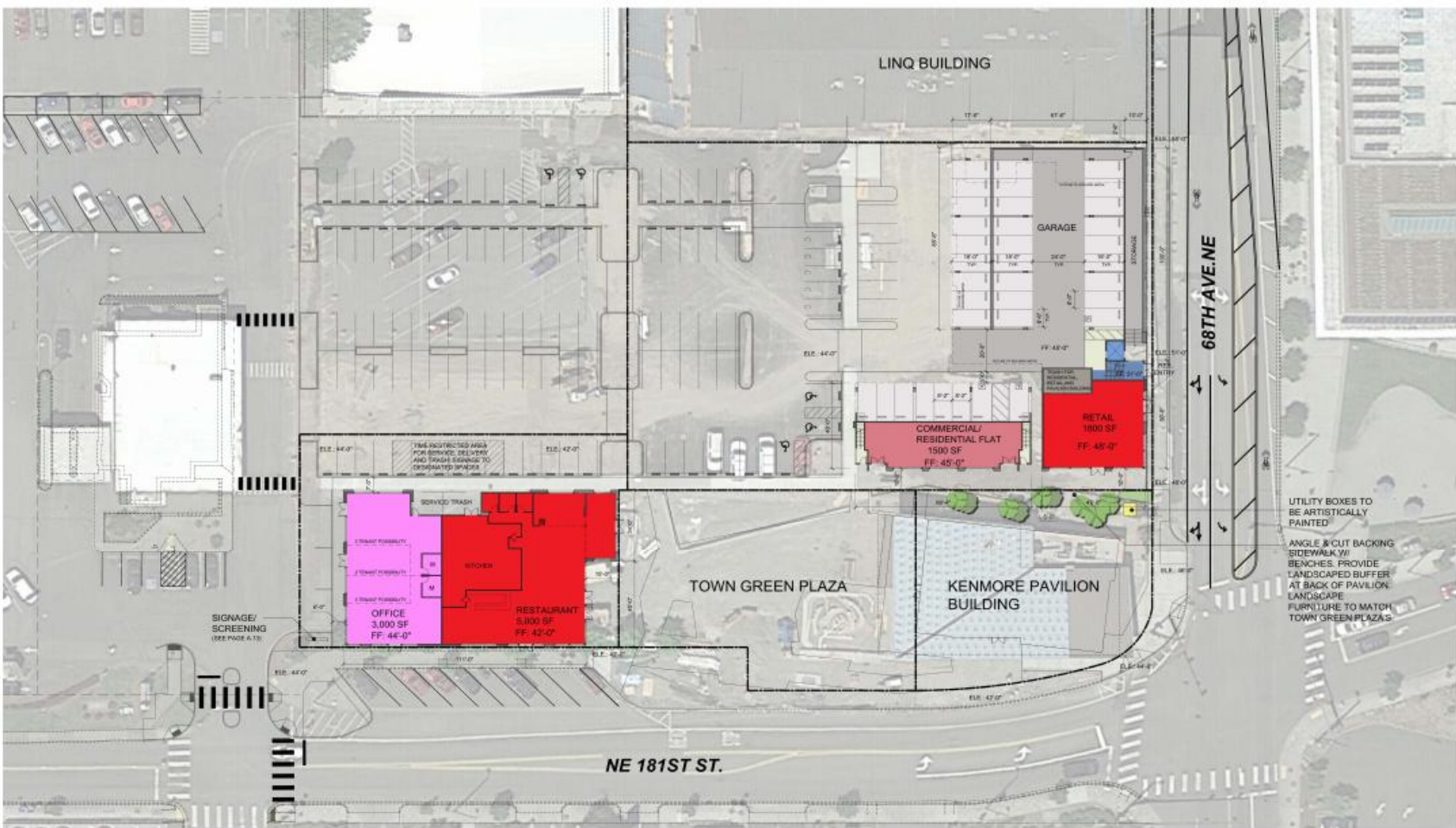
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Kenmore Town Green – Lot Boundaries
City of Kenmore
October 24, 2014

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SITE PLAN - LEVEL 1

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

0 10 20 40 60 FEET

MAINSTREET
PROPERTY GROUP LLC

DAHLIN
group

JOB NO. 1130.018
DATE 06-19-17
10900 NE 8th Street,
Suite 1120
Bellevue, WA 98004

N
A.2



KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

SITE PLAN - LEVEL 2



MAINSTREET
PROPERTY GROUP LLC



DAHLIN
group

JOB NO. 1130.018
DATE 06-19-17
10900 NE 8th Street,
Suite 1120
Bellevue, WA 98004


N


A.3

0 10 20 40 60 FEET



KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

PERSPECTIVE VIEW



KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

PERSPECTIVE VIEW



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE



PERSPECTIVE VIEW

KENMORE, WASHINGTON
KENMORE SOUTHERN PHASE

	MAINSTREET PROPERTY GROUP LLC.		JOB NO. 1130.018	A.13
			DATE 06-19-17	
			10900 NE 8th Street, Suite 1120 Bellevue, WA 98004	

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PROVIDE GARBAGE LOCATION AND SERVICES FOR TOWN SQUARE	TEMP LOC



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic:	For Council Meeting Agenda of: 10 July 2017
Kenmore Business Incubator Update	Department: Executive Prepared by: Nancy Ousley, Assistant City Manager
Proposed Council Action/Motion:	Initial & Date Approved by Department Head: <u>NKO 30 JUNE 2017</u> Approved by City Attorney: _____ Approved by Finance Director: <u>[Signature]</u> Approved by City Manager: <u>NKO & RKL 30 JUNE 2017</u>
Presentation and Discussion	Exhibits/Attachments: Presentation Slides
Expenditure Required \$0	Amount Budgeted \$220,000 for 2017-2018 Appropriation Required \$n/a
<u>INFORMATION/BACKGROUND:</u> The Kenmore Business Incubator was established in 2013 to support business development and growth. Incubator companies have the opportunity to locate in affordable leased office space and work with an experienced business development consultant to grow their business. For businesses that don't need work space, the program offers the Virtual Incubator Program, which provides business development consulting services. Program Consultant Corey Hansen will participate in the presentation. The Incubator Program has worked with a total of 26 companies since 2013, and we currently are working with 17 companies. Over 250 jobs have been associated with Incubator companies. The Program also offered two Business Acceleration Training series in the past year, which was supported by the Port of Seattle Economic Development Partnership grant program, with a match from the City's General Fund. Twenty-one businesses participated in that training, and several participating businesses later joined the Virtual Incubator Program. The most recent update to the Council, other than biennial budget discussions in the fall of 2016, took place in February 2016.	
<u>FISCAL CONSIDERATION:</u> The Kenmore Business Incubator budget is in the Strategic Opportunities Fund. Program fees offset a portion of expenditures.	
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u> Continue to implement the Economic Development Plan, with an emphasis on the following key points: • Advance Public Access to the Water • Create a vibrant, walkable Downtown • Attract new Businesses and support existing Businesses • Promote the Image of Kenmore	

Kenmore Business Incubator Update

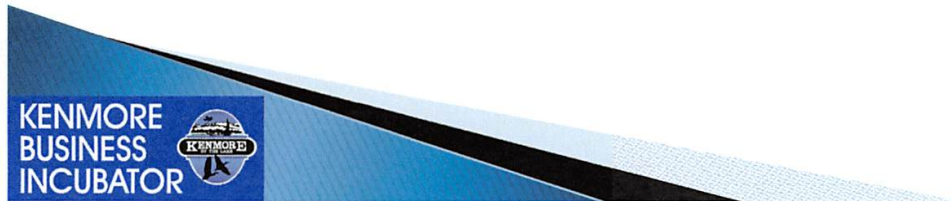
June 2017

**KENMORE
BUSINESS
INCUBATOR**



Highlights mid 2016–2017

- ▶ Port of Seattle Economic Development Partnership Program Grant
 - ▶ Business Acceleration Training
 - ▶ Virtual Incubator Client Growth
 - ▶ Internet Enhancement part of City Hall and Hangar Service Upgrade
-
- ▶ Currently Working with 17 Companies



Business Acceleration Training



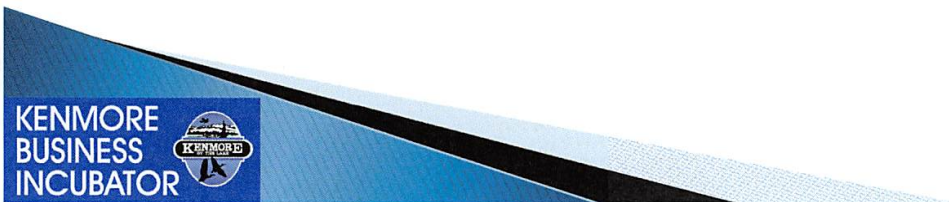
- ▶ Two series / six sessions each Fall 2016 and Winter 2017
- ▶ Goal: 10–20 businesses Actual: 21*
- ▶ Growth Goals for Revenue (787%) and Jobs (105 → 250)
- ▶ 6 New Clients for Virtual Incubator Program following the training

* 15 businesses not previously involved with KBI



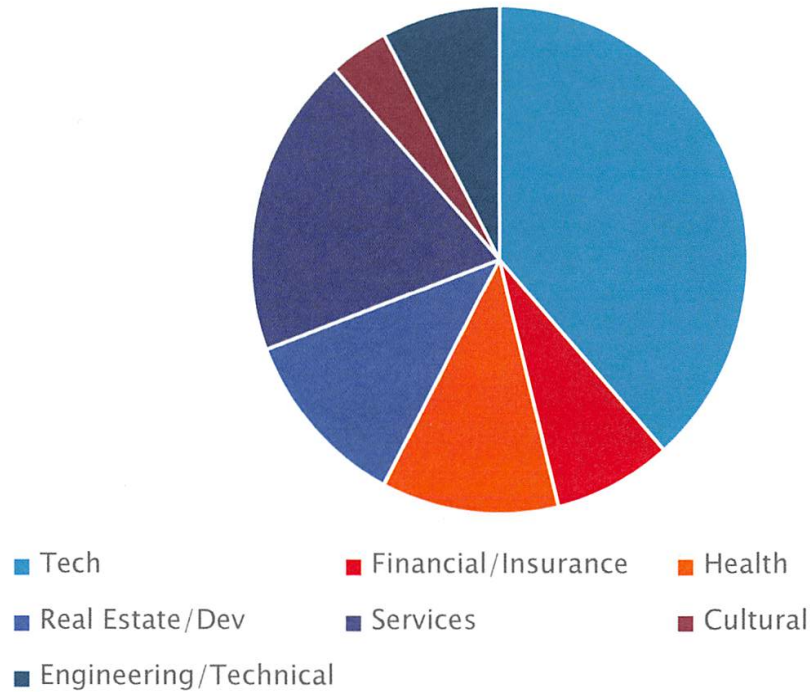
Incubator Companies by Sector 2013–Present

Technology	10
Financial/Insurance	2
Health Care/Counseling	3
Real Estate/Development	3
Home/Business/Personal Services	5
Engineering/Technical	2
Cultural	1
Total	26



Client Companies by Sector 2013–Present

Sectors



Current Companies@ KBI



RED BARN ENGINEERING



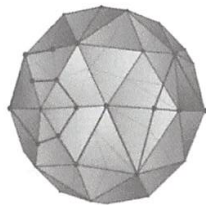
"Turning Lifestyles into Assets"



Current Virtual Incubator Companies



martiansystems



GLOBAL WELLSPRING
ACCELERATOR



Amazon Vendor Analytics Made Easy



Graduated/Moved On



CONNECTEDDEVICE
LTD



LIFESTYLES EXPRESS
HAVE IT ALL



Endeavor Family Counseling



BizDiversity
Multi-Cultural Business Community



STARTING POINT ACUPUNCTURE & WELLNESS



Program Metrics

Jobs in Incubator Companies Total: 255

(In House Companies Jobs= 130)

(Virtual Companies Jobs= 125)

	2013	2014	2015	2016	2017*
Total Businesses Served	3	6	15	17	26
Jobs (by year companies joined)	28	21	107	15	84
% of base rent offset by Incubator fees	58%	67%	57%	96%	116%

2013-2015 Base Rent: \$2550

2016-2017 Base Rent: \$2641

*Through May 31

Budget History

2013-2014

▶ Budget	\$238,100
▶ Expenditures	\$214,372
▶ Program Revenue	\$ 36,892
▶ Net Expenditures	\$177,480

2015-2016

▶ Budget	\$226,200
▶ Expenditures	\$202,892
▶ Program Revenue	\$ 47,307
▶ Net Expenditures	\$155,505

2017-2018

▶ Budget	\$220,000
▶ Expenditures*	\$ 46,666
▶ Program Revenue*	\$ 15,150
▶ Net Expenditures*	\$ 31,516

*through May 2017

KBI Advisory Group

- ▶ Alex Borromeo ProMed
- ▶ Tom Broetje CFO Solutions
- ▶ Coquina Deger Bastyr University
- ▶ Angela Kugler Digipen
- ▶ Ray Moser King County

Community



Subject/Topic: Review Proposed Amendments to the Adopted 2017-2022 Capital Improvement Program for Parks, Transportation, and Surface Water Proposed Council Action/Motion: Review Amendments to the Adopted 2017-2022 Capital Improvement Program for Parks, Transportation, and Surface Water	For Council Meeting Agenda of: July 10, 2017 Departments: City Manager, Finance and Administration, Community Development, Public Works Prepared by: Rob Karlinsey, City Manager Joanne Gregory, Finance and Administration Director Debbie Bent, Community Development Director Kris Overleese, Public Works Director Initial & Date Approved by Department Head: <u>Greg 10/30/17</u> Approved by City Attorney: <u>[Signature]</u> Approved by Finance Director: <u>Greg 11/30/17</u> Approved by City Manager: <u>Nicole for RK 30 JUNE 2017</u> Attachments/Exhibits: Exhibit A: Proposed Capital Improvement Program Exhibit B: Proposed Parks Capital Improvement Program with Project Description Sheets Exhibit C: Proposed Transportation Capital Improvement Program with Project Description Sheets Exhibit D: Proposed Surface Water Capital Improvement Program with Project Description Sheets Exhibit E: Park Impact Fee Fund Projections Exhibit F: Transportation Impact Fee Fund Projections Exhibit G: Real Estate Excise Tax Fund Projections Exhibit H: King County Trail and Park Levy Projection
Expenditure Required \$93,794,432 for 2017-2022	Amount Budgeted/Adopted \$77,167,711 Adopted 2017-2022 Appropriation Required \$24,244,883 for 2017-2018 \$69,549,549 for 2019-2022
INFORMATION/BACKGROUND: An update to the Six -Year Capital Improvement Program for the period 2017-2022, will be presented for the City Council's review and discussion on July 10, 2017. The 2017-2022 Capital Improvement Program was adopted on October 24, 2016 and the years 2017 and 2018 were incorporated into the Biennial Budget. The recommended updates and amendments provide for carryover of unspent funds from 2016 as well as adjustments to project budgets based on bids, change orders, and other factors impacting the projects.	

The projects affected by the proposed amendments include:

- **Transportation Project T 27 Sidewalks: NE 202nd St.** This project, funded by a Safe Routes to School Grant, a Complete Streets Grant, and City Impact Fees, provides for a new sidewalk along the south side of NE 202nd Street from NE 201st Place to 66th Ave NE and new sidewalk along both sides of 66th Ave NE from NE 202nd Street to Kenmore Junior High School. The City Council authorized the execution of the construction contract on April 24, 2017 at which time Council was advised that a budget amendment of \$78,954 would be needed (Attachment 1). The most current estimate for additional funds has increased from \$78,954 to \$90,915 of Transportation Impact Fees and is due to bids higher than the Engineer's estimate, additional design costs, and carryover of \$1,731 of unspent funds from 2016.
- **Transportation Project T 27 Sidewalks: 62nd Ave NE.** The project, funded by the Highway Safety Improvement Program Grant and City Real Estate Excise Taxes, provides for a new sidewalk along the east side of 62nd Ave NE from just south of NE 181st St to NE 185th St. The City Council authorized the execution of the construction contract on April 24, 2017 at which time Council was advised that a budget amendment of \$124,215 would be needed (Attachment 2). The most current estimate for additional funds has increased from \$124,215 to \$140,430 of Real Estate Excise Taxes and is due to unanticipated replacement of a retaining wall, redesign efforts to address concerns of residents, and carryover of \$9,950 of unspent funds from 2016.
- **Transportation Project T 27 Sidewalks: Arrowhead Drive.** The project would build new sidewalks on the west side of NE Arrowhead Drive from Arrowhead Elementary to approximately 1000 feet north. The project was not selected for a Safe Routes to School Grant this year but will be resubmitted during the next cycle and it is recommended to move the project schedule out one year.
- **Transportation Project T 37 West Sammamish Bridge Replacement.** This project replaces the southbound structure of the bridge which is considered structurally obsolete. The project cost to complete is currently estimated to be \$30.6M. An additional \$9M in funding is programmed for the years 2020 and 2021 and may come from a combination of grants (\$7M) and/or debt (\$2M 10 year note to be repaid with REET).
- **Transportation Project T 39 Neighborhood Transportation Improvements.** This project implements and/or constructs traffic calming measures and bicycle/pedestrian improvements identified through the citizen engagement process that occurred in the prior biennium. The City Council received an update on this project on April 24, 2017 (Attachment 3). Current cost estimates indicate that an additional \$15,000 is needed, in addition to the current budget of \$110,000, in order to complete the improvements. This project is funded with Real Estate Excise Tax.
- **Park Project P 1 Twin Springs Interim Use Plan.** \$40,000 is budgeted for an interim use plan for this property and an additional \$25,000 is requested for staff and consulting efforts to seek grant funding for improvements. This portion of the project would be funded with King County park levy funds. In 2020, \$1,100,000 is proposed to be added to the CIP for construction of the park improvements utilizing a combination of potential grants (\$500K) and City funds (REET \$300K and Impact Fees (\$300K).
- **Park Project P 2 Tolt Pipeline Trail Ph 1.** This project improved the trail entrances at 68th Ave NE and 71st Ave NE and connections to existing paved sidewalk trail. This project is complete except for signage and was completed under budget by \$80,000.
- **Park Project P 6 Moorlands Park Improvements.** This project includes ballfield renovation, restroom, pathways, play equipment, and landscaping. On February 13, 2017 the City Council approved a budget increase of \$412,980 to improve underdrainage of the outfield (Attachment 4). On June 12, 2017 the City

Council authorized the execution of the construction contract and were advised that a budget amendment would be necessary to cover an additional \$161,000 due to bids exceeding the Engineer's estimate (Attachment 5). In rechecking the costs of the project, it was discovered that the shortfall was actually \$210,000. These additional costs are offset by a \$250,000 (less 10% admin) award in the State's Capital Budget. The additional City resources needed are 398,000 of Real Estate Excise Tax. The revised budget would be \$2,190,020.

- **Park Project P 11 Log Boom Park Pedestrian Bridge.** This project constructed a bridge over the outfall of Stream 0056 providing public access from Log Boom Park to the public portion of the adjoining marina property. The CIP amendment and budget request of \$203,376 is to carryover unspent funds from 2016.
- **Park Project P 18 Rhododendron Park Waterfront & Open Space.** This is a bond funded project which provides for a connection between the existing park, through the wetlands, to the Sammamish River, with additional parking. Construction bids were opened on June 19, 2017 (the bid included this project as well as the Rhododendron Float and the Squires Landing Dock and Float). Bids exceeded Engineer's estimates by \$248,000 for this project and would utilize additional bond funds.
- **Park Project P 18a Rhododendron Park Float.** This project completes the construction of a float at the Park. It was included in the bid with Project P 18. The bids exceeded Engineer's estimates by \$149,000 which would be funded by King County Park Levy revenues. Other funding sources are Park Impact Fees and Strategic Opportunity Fund.
- **Park Project P 29 St. Edward Ballfield Improvements and Lighting.** This project renovates two existing ballfields and adds turf, a perimeter walkway, bleachers, dugouts, landscaping, parking improvements, and field lighting. The proposed project budget for the period 2017-2019 is \$4,915,000. Funding sources would include an RCO grant (\$750,000), King County Recreation Grant (\$611,000), Real Estate Excise Taxes (\$2,100,000), Park Impact Fees (\$314,000), Strategic Opportunity Fund (\$640,000) and General Fund (\$500,000). On June 12, 2017 the City Council received a status update on the project which included costs and potential funding sources (Attachment 6).
- **Park Project P 30 Rhododendron Park Boathouse Pavilion.** This project is proposed to erect an interim boathouse and is dependent on funding from the State budget in the amount of \$225,000 (\$250,000 less 10%).
- **Surface Water Project SW 8 190th Culvert at 61st.** This project would install new box culvert and related improvements near 61st Ave NE and NE 190th. Funding would be from a Public Works Trust Fund (PWTF) Loan. Application has been made but the status of the PWTF is uncertain so it is proposed to move this project out another year along with the scheduled annual repayments of approximately \$153,000.
- **Surface Water Project SW 19 NE 192nd St. Culvert Replacement.** This project removes and replaces the existing culvert for the Little Swamp Creek crossing at NE 192nd St. On April 24, 2017 the City Council authorized the execution of the construction contract and were advised that a budget amendment may be necessary to cover costs of construction management and contingencies (Attachment 7). A potential budget amendment of \$117,581 was noted at that time. Due to increases in construction management and some additional materials testing, the budget amendment requested has increased to \$125,000 which maintains a 10% contingency. This project is funded with Surface Water fees.

FISCAL CONSIDERATION:

The City's goal is to adopt and maintain a fiscally balanced Capital Improvement Program that can be used by staff to prioritize and pursue projects. The CIP balances City resources including Park and Transportation Impact Fees, Real Estate Excise Tax, General Fund revenues, Surface Water Utility fees, Strategic Opportunity Fund balances, and grant funds. While a project may show need in future years for grant funds to complete, the project and budget is considered "balanced" and provides a tool to pursue outside funding. The CIP should be considered a programming document with the City of Kenmore adopted budget being the document that actually appropriates funds for project expenditures.

The updated Capital Improvement Program includes 35 individual projects which total \$93,794,432 over the six-year planning horizon. \$24,244,883 is programmed for the upcoming 2017-2018 biennium and, if adopted, will be incorporated into the biennial budget amendment. The project costs and funding sources are displayed in Exhibits A through D. Also attached are projections of Impact Fees and Real Estate Excise Tax which are Exhibits E, F, G, and H.

Based on the outcomes of this evening's discussion, Ordinance No 17-0441 amending the 2017-2022 Capital Improvement Plan will be presented for adoption at the July 17, 2017 City Council meeting.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

The proposed Capital Improvement Program is consistent with Council Goals, specifically:

1. To focus on and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle, and other means of travel.
 - Implement the Sidewalk Plan
2. To continue to implement the Economic Development Plan, with an emphasis on the following key points:
 - Promote the image of Kenmore
 - Create a vibrant, walkable downtown
 - Support existing businesses
 - Advance the public's access and connection to the waterfront
3. To continue to implement a Parks Improvement and Financial Plan.
4. To address watershed and water quality issues affecting the City.



**City Council Business Agenda Item
City of Kenmore, WA**

Subject/Topic: NE 202nd Safe Routes to Schools
Project Construction Management Award
Authorization

For Council Meeting Agenda of: April 24, 2017

Department: Public Works

Prepared by: John Vicente, Capital Projects Manager

Proposed Council Action/Motion:

Authorize the City Manager to execute a contract for Construction Management Services with Pertect for the NE 202nd Safe Routes to Schools Project for the amount of \$105,180.

Approved by Department Head:

Approved by City Attorney:

Approved by Finance Director:

Approved by City Manager:

Initial & Date

NA 4/14/17

NA

John 4/14/17

Exhibits/Attachments: N/A

Expenditure Required

\$1,269,904 (2017-2018 biennium)

Amount Budgeted

\$1,190,950 (2017-2018 biennium)

Appropriation Required

\$78,954

INFORMATION/BACKGROUND:

Project Description: The NE 202nd Street Safe Routes to Schools project will install new sidewalk along the south side of NE 202nd Street from NE 201st Place to 66th Ave NE and new sidewalk along both sides of 66th Ave NE from NE 202nd Street to Kenmore Junior High School. The new sidewalk will be 6 feet wide and will have a 4-foot wide amenity strip separating the sidewalk from the travel lane. Pertect will provide construction inspection and documentation management for the project during construction.

Project Status:

The project was formally advertised on February 13, 2017 and bids were opened on March 7th. Construction is expected to start on June 23rd and will be completed late in the summer/early fall of this year.

Recommendation: Staff recommends that City Council authorize the City Manager to execute a contract with Pertect for the NE 202nd St Safe Routes to Schools Project in the amount of \$105,180, which is the contract amount of \$95,619 plus a 10% contingency of \$9,561.

FISCAL CONSIDERATION:

The project budget is \$1,190,950 (2017-2018 biennium). The overall cost estimate for construction management services exceeds the available project budget. The appropriation required is due to:

- Bids received were higher than the Engineer's Estimate
- Additional cost needed during design
- Funds approved in the prior biennium were not spend and need to be carried over.

A budget amendment will be necessary to cover the projected cost for Construction Management services during construction. This amendment will be brought to Council at a later date.

Below is a breakdown on total project cost and approved budget for the project (2015/2016 and 2017/2018 Biennium):

S:\0199 NE 202nd St Safe Routes to School\100 Project Administration\130 Council\130 Agenda Bills\Construction Management Award Agenda Bill_NE 202nd SRTS_20170417.docx

EXPENDITURES			
Design:			
	Staff and other Direct Expenses	\$3,000	
	Consultant Design Contract	\$167,210	
	Total Design		\$170,210
Right of Way Acquisition:			
	Property Acquisitions	\$42,185	
	Consultant Design Contract	\$18,500	
	Total Right of Way		\$60,685
Construction:			
	Staff and other Direct Expenses	\$4,600	
	Engineering Services during Construction	\$11,615	
	Construction Management Services	\$105,180	
	Construction Contract (Welwest Cons.)	\$973,944	
	Total Construction		\$1,095,339
Contingency			\$97,394
Total Project Cost			\$1,423,628
BUDGET			
	Safe Routes to Schools Grant		\$814,056
	Complete Streets Grant		\$500,000
	Transportation Fund		\$30,618
Total Revenue			\$1,344,674
A budget amendment of \$78,954 will be needed. \$1,731 is the carry-over amount approved in the prior biennium. An additional \$77,223 will need to be added to the budget to account for project costs that exceeded prior estimates. Sufficient revenue to cover this amount is available in the Real Estate Excise Tax Fund and the General Fund.			
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u>			
Council goal 1: To focus and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle and other means of travel.			



**City Council Business Agenda Item
City of Kenmore, WA**

Subject/Topic: 62nd Avenue NE Corridor Project
Construction Management Award Authorization

For Council Meeting Agenda of: April 24, 2017

Department: Public Works

Prepared by: John Vicente

Proposed Council Action/Motion:

Authorize the City Manager to execute a contract for Construction Management Services with Perteet for the 62nd Avenue NE Corridor Project for the amount of \$110,828.

Approved by Department Head:

Approved by City Attorney:

Approved by Finance Director:

Approved by City Manager:

Exhibits/Attachments: N/A

Initial & Date

CMO 4/14/17

NA

CMO 4/14/17

NA 4/14/17

2017

Expenditure Required

\$907,720 (2017-2018 biennium)

Amount Budgeted

\$785,505 (2017-2018 biennium)

Appropriation Required

\$124,215

INFORMATION/BACKGROUND:

Project Description: The 62nd Avenue NE Corridor Sidewalk project will install new sidewalk along the east side of 62nd Avenue NE from just south of NE 181st Street to NE 185th Street. The new sidewalk will tie into the new sidewalk constructed by the SR522 West A Project. The new sidewalk will be 6 feet wide and will have a 4-foot wide amenity strip separating the sidewalk from the travel lane. The amenity strip will be landscaped with shrubs and trees and will also contain mailboxes and utility poles. The project will also construct new traffic circles at the NE 182nd, NE 184th, and NE 185th Street intersections. Perteet will provide construction inspection and documentation management for the project during construction.

Project Status:

The project was formally advertised on February 22, 2017 and bids were opened on March 22nd. Construction is expected to start on June 12th and will be completed late in the summer/early fall of this year.

Recommendation: Staff recommends that City Council authorize the City Manager to execute a contract with Perteet for the 62nd Avenue NE Corridor Project in the amount of \$110,828 which includes a 10% contingency.

FISCAL CONSIDERATION:

The project budget is \$785,505 (2017-2018 biennium). The overall cost estimate for construction management services exceeds the available project budget. The appropriation required is due to:

- A retaining wall adjacent to the new sidewalk that appeared stable prior to and during design, began to show signs of failure near the end of the design phase. Replacing the wall now was in the best interest of the City as continued failure was unavoidable and would have resulted in replacement at a later date.
- Redesign efforts to address concerns from residences within the construction area.
- Funds approved in the prior biennium were not spend and need to be carried over.

A budget amendment will be necessary to cover the projected cost for Construction Management services during construction. This amendment will be brought Council at a later date.

S:\0196 62nd Ave NE Corridor Improvements\0100 Project Administration\130 Council\Construction Management Award Agenda Bill_62nd Ave NE Corridor_20170417.docx

Below is a breakdown on total project cost and approved budget for the project (2015/2016 and 2017/2018 Biennium):

EXPENDITURES			
Design:			
Staff and other Direct Expenses		\$16,255	
Consultant Design Contract		\$120,400	
Total Design			\$136,655
Construction:			
Staff and other Direct Expenses	\$6,500		
Engineering Services During Construction	\$19,100		
Construction Management Services	\$110,828		
Construction Contract (Kamins Const.)	\$689,961		
Total Construction			\$826,389
Construction Contingency			\$68,996
Total Project Cost			\$1,032,040

BUDGET			
Highway Safety Improvement Program Grant			\$813,200
Transportation Fund			\$94,625
Total Revenue			\$907,825

A budget amendment of \$124,215 will be needed. \$9,950 is the carry-over amount approved in the prior biennium. An additional \$114,265 will need to be added to the budget to account for project costs that exceeded prior estimates. Sufficient revenue to cover this amount is available in the Real Estate Excise Tax Fund and the General Fund.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Council goal 1: To focus and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle and other means of travel.



VII. C. Review Proposed Amendments to the Adopted 2017-2022 ...

INFORMATION/BACKGROUND:

The Neighborhood Transportation Plan program (NTPP) was authorized by the City Council as a part of the City's Target Zero initiative in support of the City Council's #1 goal focusing on the safety of pedestrians and bicyclists. The creation of a Neighborhood Transportation Plan Program was one of the 14 recommendations of the Pedestrian and Bicycle Ad-Hoc Committee formed in response to the recent pedestrian and bicycle fatalities including two pedestrian fatalities in March of 2014. The 2015-16 City budget included \$350,000 to support the advertisement of the program, meetings with citizens and implementation of projects in neighborhoods. In 2015, the City developed the program, which included and delineated neighborhoods based on geographic criteria, setting minimums for participation by neighborhood residents, identifying candidate types of projects and setting meeting schedules. A total of fifteen neighborhood areas were designated for the purpose of the program.

The budget for the entire NTPP (from the 2015-16 biennium budget) was \$350,000. \$110,000 of this funding was carried into the 2017-18 biennium budget because of projects that were not completed by the end of 2016. The budget for each neighborhood was allocated proportionally by the number of households in each neighborhood as a percentage of all households in the City. Non-participating neighborhoods' budgets were reallocated to participating neighborhoods on the same percentage basis. Neighborhood budgets ranged from \$6,000 to \$47,000.

NEIGHBORHOOD OUTREACH AND PROCESS TO IDENTIFY SAFETY IMPROVEMENT PROJECTS:

The first neighborhood meetings were held in late 2015. Meetings were advertised via direct mail postcards to all addresses within a neighborhood, postings on the City website and email bulletins, advertisements in the City quarterly newsletter and yard signs within neighborhoods. Each neighborhood was offered two meetings:

1. to identify multimodal concerns on residential streets.
2. to work with City staff identifying possible solutions to address those concerns.
3. to prioritize concerns and solutions.

To maximize the number of safety improvements within the program budget, innovative, creative projects were encouraged. The intent of the program was to present the proposed projects for each neighborhood at a third public meeting. Since these third meetings were poorly attended, staff began to email of a map and description of proposed projects. Program participants were given a final opportunity to comment and provide input on proposed projects and priorities before the list of projects for each neighborhood was finalized.

Projects with a significant change to traffic operations, including the chicane projects on 75th and 67th Avenues NE and the proposed traffic circles on 62nd and 66th Avenues, had additional outreach. For each of these projects, postcards were mailed to specific areas most affected by the changes, describing the coming projects and the process that led to their selection. Residents directly affected by proposed elements in front of their properties were made aware of the projects through door-to-door outreach.

Of fifteen neighborhoods designated across the City, twelve neighborhoods participated, resulting in several projects per neighborhood proposed to address concerns raised by residents at the meetings. A total of 145 residents participated in at least one meeting or submitted a comment online for the program.

Across all neighborhoods, a total of 90 projects will be installed between early 2016 and the conclusion of the program in mid-2017 (81 have been installed as of this writing), including:

- Pedestrian improvements, 14 projects, including rectangular rapid-flash beacon (RRFB) enhanced crosswalks, reduced pedestrian crossing distances and added pavement for pedestrian walkways
- Roadway striping changes, 16 projects, including on-pavement symbols, reflective raised pavement markers, changes to fog lines and centerlines to address vehicle speed concerns, pedestrian and cyclist connections
- Signage changes, 22 projects, for intersection control, traffic calming, pedestrian visibility and on-street parking conflicts with vehicle visibility or available pedestrian space
- Improved roadway lighting, 12 projects, with LED overhead fixtures

- **Traffic calming**, 11 projects, including feedback signs and physical devices such as chicanes, the 84th Avenue NE/Simonds intersection improvements and traffic circles.
- 15 other projects were in other categories, such as bicycle improvements and vegetation trimming for visibility

Attachment D includes a map of the City and the neighborhood delineations as well as a project map for each NTPP neighborhood. Each project map shows the type of comments received by the community and the projects implemented.

The City has made modifications to projects in response to citizen comments. An advantage of most of our NTPP projects is that they are able to be modified. In addition to giving a Council an update of the overall NTPP Program, a goal of this report is to obtain Council feedback on three implemented and one proposed project; traffic calming chicanes on 75th and 67th Avenues NE, intersection modification treatments at 84th Avenue NE and Simonds Road, and proposed traffic circles on 62nd and 66th Avenues NE. Some modifications options would exceed the program budget.

PEDESTRIAN AND BICYCLE SAFETY IMPROVEMENTS AT 84TH AVENUE NE/SIMONDS ROAD

One of the top five priorities in the “Grey South” neighborhood was to address pedestrian safety and vehicle speeds at the intersection of 84th Avenue NE and Simonds Road. This skewed intersection was also identified as a concern by City staff and through the Citizen Action Request system prior to the NTPP. 90-degree intersections have been proven, by research conducted locally, to be significantly safer than skewed angled intersections for pedestrians. The intersection accommodated comfortable vehicles turns at the posted 35 mile per hour speed limit, despite sight distance limitations. There were no marked crosswalks across 84th Avenue NE or Simonds Road and the crossing distance for pedestrians was 120 feet (the longest pedestrian crossing in Kenmore, including the 522 crossings) with limited sight distance to pedestrians for southbound vehicles.

The proposed modification for this intersection (which was presented to program participants) included:

1. Removal of the existing right turn lane
2. Restriping for a tighter turning radius (which conforms to City, County and nationally accepted engineering standards) and extending the buffered bike lanes by 80' in each direction
3. Modification of the approaches of 84th Avenue NE to be perpendicular to Simonds Road.

The striping changes were accompanied by concrete planters to guide vehicles to follow the new striping pattern and provide additional protection for pedestrians. The new right turning radius calms vehicle speeds through the turn. By reshaping the intersection for vehicles, the pedestrian and bicyclist crossing distance for 84th Avenue NE was reduced to 1/3 of the previous length (from 120' to 40'). A shorter crossing distance is a proven method to enhance pedestrian safety.

The planters, as a pedestrian protection method, represented a lower cost alternative to a more permanent barrier. The cost of each planter was under \$400, not including tax and delivery. The striping changes, planter enhancement and placement, performed by a contractor, cost \$11,000. The total cost of the improvements at this intersection is \$20,746 which is within (but, combined with other projects in this neighborhood, uses all) the budget for the “Grey South” neighborhood. The intersection modification, including concrete planters, was completed in March of 2017.

The City received feedback following the implementation of these changes. The feedback through our citizen action request system (CARS) was mixed, with a few positive comments, but mostly negative. A total of 70 comments were received through CARS.

- 33% of the comments received by the City were concerned with the aesthetics of the planters.
- 13% of commenters felt there were no problems with the previous intersection configuration.
- 33% of the commenters felt the new turning radius was too tight for vehicles, especially larger vehicles.

In response to these comments, the City adjusted the number and arrangement of the planters. The adjusted and reduced planters retain the desired traffic calming effect on right turns to 84th Avenue NE, as well as the pedestrian and bicycle protection. The adjustments allow oversteer room for larger vehicles, but do not change the radius of the turn, which meets City and County standards for intersecting arterials and is consistent with the curb radius at other intersecting streets along NE 170th Street and Simonds Road. The City installed crosswalk markings on April 21 to increase the pedestrian enhancements and continue to address vehicle operations concerns.

For traffic and pedestrian safety purposes, staff believe the current striping and planter configuration are functioning as intended.

To address citizen concerns with aesthetics, while retaining the desired traffic calming and pedestrian safety elements of the project, staff has identified two new possible alternative treatments, in addition to a “no build” option. Renderings of the two new alternatives (2 and 3 below) are included in Attachment A. The options for the Council to consider are:

1. Retain the existing planters (“no build” option).
2. Install full-height (6”) extruded curb along the new fog lines, removing the planters
3. Develop a capital project to construct a permanent intersection treatment with curbing, sidewalks and landscaped islands, removing the planters after construction.

Request for Council Feedback

City staff would like Council feedback on any modifications desired for 84th Avenue NE and Simonds Road. The cost of changes are outside of the current approved 2017-18 budget of the Neighborhood Transportation Plan program and would need additional appropriation by the City Council.

TRAFFIC CALMING CHICANES – 75TH AND 67TH AVENUES NE

Traffic calming on two residential streets, 75th Avenue NE and 67th Avenue NE, was identified in the NTPP as a high priority in those two neighborhoods. On both streets, the proposed treatment was traffic calming chicanes. To maximize the use of neighborhood budgets, a chicane of paint, raised pavement markers and a concrete planter was proposed. The City sent project notification postcards to residents along these two roads (maps of notification areas can be found in Attachment B) and door-to-door outreach to residents whose property would be directly affected by chicanes.

Following implementation of the chicanes in March of 2017, the City (through CARS) received mixed feedback from the wider community on the chicanes. Several residents believe that the chicanes were not what was represented in project communications. This is understandable as the City depicted examples of chicanes that were different from the chicanes that were installed. Much of the negative feedback on the chicanes was not received from residents living directly on 75th or 67th Avenues NE (or cul-de-sacs only accessing 75th Avenue NE). Early feedback from residents along 75th Avenue NE was neutral or positive. One comment was received from a resident on 67th Avenue NE regarding impact to mail delivery which was resolved by City staff working with the postmaster and help from the affected property owner.

Because of the mixed feedback and the attention that the changes received across the City, an online survey was created to collect feedback from those benefitting from the traffic calming chicanes. Postcards were mailed to the same addresses which received advanced notification of the chicanes in the fall of 2016 to direct them to the survey. The deadline for feedback is April 21, 2017 and therefore is not summarized in this report. A summary of the citizen feedback will be presented in person for Council’s consideration at the April 24, 2017 meeting.

In the feedback survey, citizens were asked to provide their opinion on five possible approaches to traffic calming on their residential streets. Those approaches are:

1. Retain the existing chicanes with planters
2. Replace the planters with curbing and provide soil. Citizens would be asked to maintain approved types of vegetation as a pilot program.
3. Replace the planters with curbing and stamped concrete fill
4. Replace the chicanes with speed cushions – speed bumps with openings for emergency vehicle access
5. Remove all physical traffic calming devices

Renderings of each of these alternatives, or pictures of similar devices (identified as samples that are representative of the physical device concept) were provided on the website. Those renderings are included in Attachment B.

Request for Council Feedback

City staff would like Council feedback as to whether modifications should be made on 75th and 67th Avenues NE regarding traffic calming. Results of the citizen feedback surveys will be presented in person at the April 24, 2017 meeting for the Council's consideration. Any recommended changes to the existing painting and planters would be outside of the current approved 2017-18 budget of the Neighborhood Transportation Plan program.

RESIDENTIAL TRAFFIC CIRCLES – 62ND AND 66TH AVENUES NE

At three intersections in the “Yellow North” neighborhood, participants in the NTPP identified concerns with vehicle speeds and failure to yield. The intersections identified are 62nd Avenue NE and NE 196th Street, 62nd Avenue NE and NE 197th Street and 66th Avenue NE and NE 194th Street. Residents suggested implementing traffic circles at these intersections. City staff developed a traffic circle concept using painted splitter islands and a center raised curb island which fit within the NTPP neighborhood budget and achieved the goals of providing additional guidance on vehicle right of way while calming vehicle speeds through these intersections. The concept was approved by NTPP participants.

The City notified, by postcard, all residents near (and who would likely travel through) each of the three proposed traffic circles. These postcards invited citizens to provide feedback on the proposed design. The City also reached out through door-to-door communication and door hangers to residents whose property would be directly adjacent to the traffic circles. Design changes were made as a result of feedback.

The following feedback was received for the traffic circles:

- Residents living adjacent to the two circles on 62nd Avenue NE were supportive of the designs and the effort to calm vehicle speeds. The center of these circles would be stamped concrete because of large vehicle accommodations.
- Residents adjacent to the circle on 66th Avenue NE (not NTPP participants) were not supportive of the traffic circle concept
- The circle on 66th Avenue NE is located about 400 feet from the recently installed chicanes on 67th Avenue NE. The circle on 66th Avenue NE was proposed at the NTPP meetings by residents living on 67th Avenue NE, not within the immediate vicinity of the intersection.

A rendering of one traffic circle, plan layout for each intersection and sample of a mountable, stamped concrete island are included in Attachment C.

In sum, the NTPP participants asked for the traffic circles identified above. Our staff outreach with the neighbors helped to ensure the design work for the community. However, feedback from neighbors in the immediate vicinity of the 66th Avenue NE circle was not positive.

Request for Council Feedback

City staff would like Council feedback on the implementation of these traffic circles. If the Council recommends continuing with the installation of the traffic circles, City staff would notify residents again of the coming project. The project would be put out to bid and, weather permitting, be installed by later this Spring. Council could also recommend that we put installation of the traffic circles to a vote of the neighborhood given that the number of residents providing feedback (through the NTPP or postcard responses) was not high. We took this approach for the McDonald Highlands neighborhood when a NTPP project concept became controversial. The neighborhood vote in that instance resolved the conflict.

FISCAL CONSIDERATION:

The budget for the "Grey South" neighborhood, including the 84th Avenue NE and Simonds intersection, was fully spent on 10 different projects. The budget for the "Yellow North" neighborhood, including the 67th Avenue NE chicane and the three traffic circles, is estimated to be fully spent on 14 different projects. The budget for the "Teal South" neighborhood, including the 75th Avenue NE chicanes, was underspent by \$1,500 on 6 projects. The underspending in this neighborhood is due to some striping projects coming in under initially estimated costs.

Any future changes to these projects would be outside of the currently adopted 2017-18 budget for completion of the Neighborhood Transportation Plan program.

The three traffic circles, as designed, are included in the currently adopted 2017-18 budget for the completion of the Neighborhood Transportation Plan program. Changes which increase the construction cost of these projects may exceed the currently adopted budget.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

1. To focus on and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle and other means of travel



City Council Business Agenda Item
City of Kenmore, WA

Subject: Moorlands Park Budget Request		For Council Meeting Agenda of: <u>February 13, 2017</u>
		Department: <u>Community Development</u>
		Prepared by: <u>Ann Stanton</u>
Proposed Council Action/Motion: Motion to approve a budget increase of \$412,980 for Moorlands Park Improvements, revising the adopted 2017-2022 CIP Project P-6 budget to \$1,980,000.		<u>Initial & Date</u> Approved by Department Head: <u>DA 11/9/17</u> Approved by City Attorney: <u>N/A</u> Approved by Finance Director: <u>Jan 8/1/23/17</u> Approved by City Manager: <u>PAK</u>
		Attachment: REET Fund Projection
Expenditure Required \$0	Amount Budgeted \$1,567,020 2017-2022 CIP	Appropriation Required \$412,980
<u>INFORMATION/BACKGROUND:</u> Moorlands Park is on track for renovation in 2017. City Council approved the 2016 Master Plan Update in November 2016. This streamlined plan eliminated as many elements of the 2006 master plan's scope of work as possible without compromising the quality and purpose of the renovation. However, a geotechnical analysis of the site completed in December confirmed that underdrainage of the outfield, which was not proposed in the 2006 plan, will be required to secure proper drainage for the renovated ballfield. As the only ballfield owned by the city, the field is fully-scheduled by Little League, Northshore Youth Soccer Association and Northshore Girls Slow-pitch Softball Association. A quality play experience is considered a high priority by city staff. Staff recommends approval of this budget request in support of installation of outfield underdrainage at Moorlands field. The construction cost estimate prepared on 12/16/2016 is based upon 60%-complete plans which include the recommended design for outfield underdrainage. It confirms a current estimated funding shortfall of \$412,980 to complete the project as proposed. If a budget increase is not feasible, the option does exist to remove project elements from the scope of work in order to award a contract for 2017 construction within the existing budget. Furthermore, construction bids are not always in line with the engineer's estimate, so there is logic in retaining elements that appear to be outside the budget as additive alternates in the bid. This can build in sufficient flexibility to ensure the ability to award a construction contract within the approved budget. A chart of potential cuts is included below for Council consideration. These are shown as fully-installed costs including sales tax, design fees, contingency, etc. Many of the items listed can be added later, although likely at additional expense. The restroom cost, in particular, is for just the pre-fabricated building; the utilities and slab would be built this summer, ready for building delivery and installation when funds become available. The one major exception to this, however, that the cheaper drainage option could not be changed later. It is included because of the lack of sufficient other cost reduction alternatives. The options are listed in general order of preference (1 is most preferred). This order is based upon their impact on initial project quality and their ability to be added later.		

<u>Cost Reduction Options for Moorlands Park Improvements 2017 Construction Bid</u>	<u>Estimated Reduction</u>	<u>Running Total</u>	<u>Remaining Shortfall</u>
1. Do not charge 1% for Art to project	-15,000	-15,000	385,000
2. Do not charge staff time to project	-20,000	-35,000	365,000
3. Delete restroom building	-135,000	-170,000	230,000
4. Delete picnic tables and benches	-55,000	-225,000	175,000
5. No change to fencing at SE corner	-10,000	-235,000	165,000
6. Delete lighting; install conduit only	-20,000	-255,000	145,000
7. Cheaper play equipment package	-32,000	-287,000	113,000
8. Change drainage design to Option 2	-170,000	-457,000	-57,000

Table: Potential Cost Reduction Alternatives for Moorlands Park Improvements

FISCAL CONSIDERATION:

The 2017-2022 CIP contains a mix of funding sources for the renovation including two state grants, REET, Strategic Opportunities Funds, and Park Impact Fees. The poor condition of the ballfield was instrumental in securing two state grants totaling \$637,520. Construction costs are currently estimated at \$1,500,000, which indicates an estimated project funding shortfall of \$412,980. A revised project budget of \$1,980,000 is requested in order to award construction of the project as currently designed. The additional \$412,980 in funds necessary to increase the project budget are available from the REET fund balance.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Council Goal 8: To continue to implement a Parks Improvements and Financial Plan.

Comprehensive Park Recreation and Open Space Plan Policies:

Policy 4.1.1 Complete development of city park sites with approved master plans as funding allows.

Policy 4.1.1.2 Update the adopted Master Plan and complete development of Moorlands Park.

Policy 5.1.3 Consider providing new facilities and facility upgrades to existing park lands to support new or existing recreation opportunities where appropriate.

Policy 7.1.4 Identify, and actively seek potential grant funding assistance from public and private sources for...renovation of Kenmore park lands.



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Contract No. 17-C1650 for the construction of the Moorlands Park Improvements project. Proposed Council Action/Motion: Authorize the City Manager to execute Contract No. 16-C1650 with A1 Landscaping for construction of the Moorlands Park Improvements Project for an amount up to \$1,771,440 (includes a 10% contingency).	For Council Meeting Agenda of: June 12, 2017 Department: Community Development Prepared by: Ann Stanton, Parks Project Manager Initial & Date Approved by Department Head: <u>DA 6/11/17</u> Approved by City Attorney: <u>N/A</u> Approved by Finance Director: <u>Greg 6/11/17</u> Approved by City Manager: <u>POK</u> Exhibits/Attachments: N/A																	
Expenditure Required \$1,771,440	Amount Budgeted \$1,980,000	Appropriation Required See Fiscal Consideration																
<u>INFORMATION/BACKGROUND:</u> Project Description: The Moorlands Park Improvements project will upgrade the athletic field, add new paths, restroom, landscaping, and playground. One alternate was included in the lump sum contract, for purchase, delivery and installation of the prefabricated restroom building. The project is on schedule to start construction in summer 2017. Project Status: The project was formally advertised on May 2nd and 9th and bids were opened on May 23rd. Two bids were received and A1 Landscaping and Construction was determined to be the lowest responsible bidder in the amount of \$1,464,000 plus tax. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Bid Results</th> <th style="text-align: right;">Base Bid</th> <th style="text-align: right;">Alternate #1-Restroom</th> <th style="text-align: right;">Total not including sales tax</th> </tr> </thead> <tbody> <tr> <td>A1 Landscaping</td> <td style="text-align: right;">\$1,352,000</td> <td style="text-align: right;">\$112,000</td> <td style="text-align: right;">\$1,464,000</td> </tr> <tr> <td>Ohno Construction</td> <td style="text-align: right;">\$2,110,000</td> <td style="text-align: right;">\$93,000</td> <td style="text-align: right;">\$2,203,000</td> </tr> <tr> <td>Engineer's Estimate</td> <td style="text-align: right;">\$1,280,000</td> <td style="text-align: right;">\$64,000</td> <td style="text-align: right;">\$1,344,000</td> </tr> </tbody> </table> City staff has verified that A1 Landscaping meets the responsibility criteria defined by law and city contract documents. Construction is expected to start in July and be completed late this year. Recommendation: Staff recommends Council authorize execution of Contract No. 17-C1650 with A1 Landscaping & Construction in the amount of \$1,771,440 for the base bid and alternate #1 plus sales tax and a contingency of 10%.			Bid Results	Base Bid	Alternate #1-Restroom	Total not including sales tax	A1 Landscaping	\$1,352,000	\$112,000	\$1,464,000	Ohno Construction	\$2,110,000	\$93,000	\$2,203,000	Engineer's Estimate	\$1,280,000	\$64,000	\$1,344,000
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Engineer's Estimate	\$1,280,000	\$64,000	\$1,344,000															
<u>FISCAL CONSIDERATION:</u> On February 13, 2017, Council increased the 2017-2019 project budget by \$412,000 to support installation of outfield underdrainage. This increased the adopted budget to \$1,190,000. \$110,000 has been spent in 2015-2016 on project design. There is sufficient budget to award the base bid and additive alternate, however, total project																		

expenditures are estimated to exceed total revenues by approximately \$161,000. This is primarily due to the bids received exceeding the Engineer's estimate for the work.

A budget amendment will be necessary to cover the projected cost for staff time and provide a project contingency. The budget amendment will be brought forward for discussion in a future Council meeting.

A summary of current biennium estimated revenues and expenditures is provided below:

2017-2019 EXPENDITURES	
Staff and other Direct Expenses	\$131,715
Consultant Design Contract	\$176,000
Play Equipment Installation	\$110,845
Construction Contract (A1 Landscaping)	\$1,464,000
Washington State Sales Tax	\$146,400
10% Contingency-Contract plus WSST	\$161,040
Total Expenditures	\$2,190,000
REVENUES	
Recreation and Conservation Resources Office Grant	\$637,520
REET (Amended 2/13/17)	\$959,705
Strategic Opportunity Fund	\$150,000
Park Impact Fees	\$402,795
King County Levy	\$40,000
Total Revenue	\$2,190,000

An estimated budget amendment of approximately \$161,000 will be needed at a later date. There are sufficient funds in the General, REET, and Park Impact Fee Funds to cover this increased amount. Senator Frockt has proposed \$250,000 in the State Senate Capital Budget for Moorlands Park construction, but at the time of this writing, the Senate's Capital Budget has not been approved by both Houses and the Governor.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED: Council Goal #6 To continue to implement a Parks Improvement and Financial Plan.

Comprehensive Park Recreation and Open Space Plan Policies:

Policy 4.1.1 Complete development of city park sites with approved master plans as funding allows.

Policy 4.1.1.2 Update the adopted Master Plan and complete development of Moorlands Park.

Policy 5.1.3 Consider providing new facilities and facility upgrades to existing park lands to support new or existing recreation opportunities where appropriate.

Policy 7.1.4 Identify, and actively seek potential grant funding assistance from public and private sources for...renovation of Kenmore park lands.



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Status Update on the St. Edward Ballfield Improvement Project

Proposed Council Action/Motion: Direction on staff recommendations for next steps

For Council Meeting Agenda of: June 12, 2017

Department: City Administration and Community Development

Prepared by: Rob Karlinsey, City Manager and Debbie Bent, Community Development Director

Approved by Department Head:

Approved by City Attorney:

Approved by Finance Director:

Approved by City Manager:

Initial & Date

LA GR DB, 6/8/17

RAK

Exhibits/Attachments:

1. Ballfield design
2. Spreadsheets showing estimated hours of field use (with and without lighting) and estimated revenues
3. Spreadsheet showing project cost estimate
4. Spreadsheet showing estimated revenues and expenditures for both capital improvements and operations/maintenance

Next Steps and Staff Recommendations: At the 6/12/17 Council meeting, staff will provide a progress report on the St. Edward State Park ballfield improvement project. For next steps, staff recommends continuing to proceed with negotiating terms for a 20-year lease with State Park Staff and preparing materials for a land use permit application (critical area variance) and SEPA application. Staff also recommends that if light sensitive, State-priority species bats are present at St. Edward State Park (based on the results of the upcoming State Park study June/July), that field lighting be excluded from the project. Staff is requesting direction on staff recommendations.

The renovation of the ballfields supports year-round recreation opportunities. The field will be available for scheduled use by youth and adult sport leagues as well as for informal recreational use by the public and other activities and events. The renovation will also support existing recreation uses: an adult cricket league that currently uses the field between May and October; the Wilderness Awareness School program; and informal recreation. The field is not currently used by any other youth or adult organized leagues. The youth and soccer leagues serving Kenmore are part of a larger service area and have experienced significant growth over the last few years and competition for use of fields. Renovating the fields at St. Edward will help meet Kenmore's proportionate share of fields for youth soccer and baseball.

Lease Status: A long-term lease agreement is required between the City and State Parks to allow the City to improve, manage and maintain the ballfields at St. Edward State Park. On 1/22/16 a Memorandum of Agreement (Contract 16-C1507) was executed by the City and State Parks to work towards a long-term lease agreement. City staff and parks staff have been working on terms of a 20-year draft lease but there are still details to work out. The date for Commission action on the lease has not yet been determined. At the 5/17/17 State Park Commission meeting several commissioners expressed the desire to act on the lease by year end.

Critical Area Variance Permit Status and SEPA Status: Since December 2016, staff has been compiling materials in support of a SEPA application and a critical area variance permit application to allow variance from the wetland buffer width requirement. A variance application is a Type 2 administrative decision by the Development Services Director appealable to the Kenmore Hearing Examiner. A combined SEPA process for the variance permit and lease is also required. Public comment periods and an appeal period are part of the SEPA and permit process.

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The following is a tentative schedule for the permit and SEPA process.

- Late June: Submit critical area variance permit application and SEPA checklist
- August: Notice of Application for the permit with a 21-day public comment period
- September: Issue "draft" SEPA determination with a 14-day public comment period
- October: Issue SEPA and Permit decision with a 21-day appeal period
- November: Possible State Park Commission consideration of the ballfields lease. It is also anticipated that State Parks would schedule a public meeting in Kenmore to receive public comment prior to the Parks Commission's November meeting held in Westport.

Status of Issues/Questions: Both City staff and State Parks staff have been compiling information to address questions raised by the State Park Commissioners at their November 2016 and January 2017 meetings, and questions from citizens:

- **Location of the headwaters of Stream 0226:** Several citizens questioned the location of the headwaters of Stream 0226 that is located southeast of the existing grass ballfield. In 2017 the City's consultant ESA completed an updated "draft" Critical Area Report which defined the start of the stream channel approximately 500 feet south of the existing ballfield. A previous 2008 Critical Area Report identified the stream channel beginning 50 to 100 feet south of the ballfield. On 5/8/17 city staff, state park staff, the City's environmental consultant and interested citizens met with WDFW staff on site. WDFW staff identified the likely location of the start of the stream; it appears that the stream at its identified location will not be affected by the project. This information regarding the stream will be referenced in an updated Critical Area report and SEPA checklist.
- **Confirmation of the wetland boundary:** Several citizens questioned the location of the wetland boundary delineated by ESA, the City's environmental consultant. The Department of Ecology (DOE) has the regulatory authority to confirm wetland boundaries when there is a dispute. On 3/17/17 city staff, state park staff, the city's environmental consultant and several citizens met with DOE staff on site but the verification could not be completed due to heavy rains in previous weeks. On 5/9/17 DOE revisited the site and confirmed the location of the wetland boundary as delineated by the City's consultant.
- **Field lighting and bats:** State Park Commissioners raised questions about the effect of field lighting on nocturnal animals, particularly bats. State Parks staff are in the process of compiling a literature review and have consulted with WDFW. At the 5/17/17 Commission meeting, State Park staff recommended that a consultant be hired to complete a study in June and July to assess if light sensitive bats are present at the park. City staff recommends excluding field lighting from the project for the duration of the lease if the conclusion of the study is that light sensitive, State-priority species bats are present at the park. If light sensitive bats are not present, then City staff recommends including field lighting in the project.
- **Field use and field lighting:** The existing grass field is in poor condition. The grass field is currently used by The Olympic Cricket Club and Northwest Cricket club for practice and weekend games but is not used by any other youth or adult leagues. The proposed ballfield improvements will not preclude use of the field by the Wilderness Awareness School as their program is weekdays from 9-3pm and scheduled practice for Little League and Soccer starts generally at 4:00pm on weekdays. The draft lease terms will likely require that the City dedicate use of the field to State Parks for State Parks scheduled play, unscheduled play or open play or State Parks sponsored event of no less than 24 daylight hours per week between March 1st and November 1st with at least four of the hours available one weekday no sooner than 3 pm. The lease will also likely require no City scheduled games, practice games or tournament use on Memorial Day weekend or weekends and holidays July 1 through Labor Day without the prior consent of State Parks designated representative. Based on these terms, Attachment #2 shows use of fields by sports leagues under two scenarios: 1. Field lighting and no summer weekend practice/game use and 2. No field lighting and no summer weekend practice/game use. Lighting the fields increases available hours by approximately 36%. Fields are anticipated to be used approximately 60% by youth and 40% by adults, both with and without lights.
- **Noise and park users:** State Park Commissioners raised questions about noise from field use and how far away it could be heard by park users e.g. trail users. The City hired the Greenbusch Group in March 2017 to

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complete a noise study. The report is anticipated to be received the first week of June, and results will be incorporated into the SEPA checklist.

- **Parking demand:** State Park Commissioners raised questions about parking demand. State Park staff hired Sound Engineering late 2016 to review the parking study prepared by the City's consultant Fehr & Peers related to parking demand associated with ballfield use and provide an estimated 20-year parking demand project for general park visitor use. The study was completed in April 2017. The City received a copy of the study 5/15/17 which is currently being reviewed by the City's traffic consultant, Fehr & Peers. Results will be incorporated in the SEPA checklist.

There are 220 parking stalls available for visitors to St. Edward State Park; these visitors include ballfield users and spectators. The proposed project will increase the parking supply by 19 new parking stalls. The existing strip of gravel parking on the west side of the ball field (20 parking spaces) will be paved and restriped and pavement extended to add 8 new parking stalls. In addition, the northernmost parking lot (55 parking spaces) will be restriped to add 11 new parking stalls. Sound Engineering recommends a total of 36 stalls be added related to ballfield use over the term of the lease. Timing for provision of additional stalls (potentially 17) is still to be determined and will likely be addressed in the lease.

Proposed Ballfield Improvement Project Description: The City proposes improvements to the existing grass ballfield area footprint (approximately 3.5 acres) in St. Edward State Park to accommodate two little league fields, two youth soccer fields, one full-size soccer field or one full-size cricket field (see Attachment #1).

- **Wetland and Wetland Buffer:** The ballfields will be shifted to the west and moved outside of the delineated wetland area (but still within the existing grass footprint), so there will be no direct wetland impacts. Installation of the synthetic turf field would cover 37,932 square feet of disturbed wetland buffer, which is currently mowed grass (and is currently disturbing the buffer). Another 4,725 square feet of mowed wetland buffer would be filled during site grading, but not covered with synthetic turf. Approximately 30,000 square feet of wetland enhancement and 25,000 square feet of wetland buffer enhancement (total 1.3 acres) is proposed as mitigation for buffer impacts.
- **Stormwater and Turf:** As part of ballfield site preparation, approximately 131,000 square feet of sod will be removed from under the field. Once the sod is stripped, a 6-inch thick layer of free-draining aggregate will be placed over the subgrade, which will be covered with a 6-inch thick plastic grating drainage system. The field will be graded flat and covered with a non-toxic synthetic turf and contain a rounded silica sand or organic infill. The new 100,632 square foot synthetic turf field will be pervious, and a subsurface stormwater system will be installed to provide drainage for the field. Controlled stormwater detention will maintain the natural hydrology to the surrounding wetland. To integrate and blend the turf into the cultural landscape, the turf will be a dark green color as recommended by the Department of Archaeology and Historic Preservation.
- **Pathways:** Porous concrete will be used to provide a walking path around the perimeter of the fields, to support the backstop posts and to provide a floor surface in the new dugouts. An ADA-accessible permeable trail, approximately 6 feet wide, will be installed to connect the western side of the fields to the parking areas and access road. Soils that are disturbed by installation of the pathways will be hydroseeded with native grass seed following construction.
- **Field Lighting and Pedestrian Lighting:** Field lighting consisting of ten LED floodlight poles and lighting fixtures around the perimeter of the field are proposed to accommodate field use. A draft lease term requires that lighting be allowed no later than 9 pm each evening. State Parks will be contracting with a consultant to complete a study to determine if there are State-priority, light sensitive bat species present at the park. If these species are present, then staff recommends that field lighting be excluded from the ballfield project. The proposed lighting will consist of LED floodlights mounted on 70 foot tall galvanized steel poles. The poles will be installed as close to the field as possible to not compromise the safety of the players, to allow for pedestrian access, and to minimize impacts to wildlife habitat in the vicinity to the extent possible. Lighting will use the latest technology to minimize glare and light spillage. Lighting hours will be outlined in the lease agreement between the City of Kenmore and the State Park Commission, likely no earlier than 3pm or later than 9pm during scheduled field use. To further integrate the lighting fixtures to blend into the cultural

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- 8/8/16 Staff submitted SEPA application 16-0097 and a Public Agency Utility Exception (PAUE) permit application PAUE 16-0098
- 8/31/16 status update to the Park Commission real estate committee.
- 9/9/16 SEPA notice issued providing a 21-day comment period.
- 10/31/16 Staff submitted revised documents to address SEPA comments and PAUE review comments.
- 11/16/16 status update to the Park Commission.
- 11/28/16 Growth Board decision on an appeal of the PAUE ordinance 16-0418, invalidating the ordinance and remanded it back to the City for action. As of 11/28/16 the PAUE application was therefore also void.
- On 5/8/17 the Council adopted Resolution 17-295 confirming that the PAUE regulations as existed prior to the adoption of Ordinance 16-0418.
- 1/26/17 status update to the Park Commission.
- 5/17/17 status update to the Park Commission.
- 5/22/17 status update to Council.

FISCAL CONSIDERATION: The ballfield project is identified in the adopted Park Capital Improvement Program as Project (P29). As design and lease negotiations progress, the capital cost of the ballfield project is being more fully developed. The current capital project cost estimate for the ballfields, including lighting, is approximately \$4.87 million. Funding sources for the project can include State recreation grants (\$750,000 currently proposed; awaiting State Legislature approval), King County recreation grant (\$611,000 secured), park impact fees, real estate excise tax (REET), strategic opportunities fund, and the general fund. To maintain a strong balance in REET and park impact fee funds, the City may consider issuing a multi-year note to be paid back with REET and/or park impact fee revenue. City staff are in the process of updating the Parks Capital Improvement Plan, and as the ballfields' capital costs are more fully developed, the City Council will be discussing the Parks CIP update, including funding sources for the ballfields, at one of its meetings in July. Attachment #3 shows the estimated ballfield improvement capital costs. Attachment #4 shows projected operation and maintenance expenditures/revenues.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED: Council goal #4: To continue to implement a Parks Improvement and Financial Plan. A "key value" of the Park Recreation and Open Space (PROS) Plan is a park and recreation system that provides a diversity of facilities, balancing passive and active recreation, including athletic fields and that balances the needs of different age groups, abilities and interests. PROS plan Policy P-6.4.2 seek partnerships to enhance opportunities for public recreation on existing public property.

landscape, the pole color will be a dark green, as recommended by the Washington State Department of Archaeology and Historic Preservation.

The paving and illumination plan shows three proposed pedestrian light fixtures to be installed to illuminate the proposed improved parking area immediately west of the field. The color and type of fixture will be consistent with existing light fixtures at St. Edward State Park.

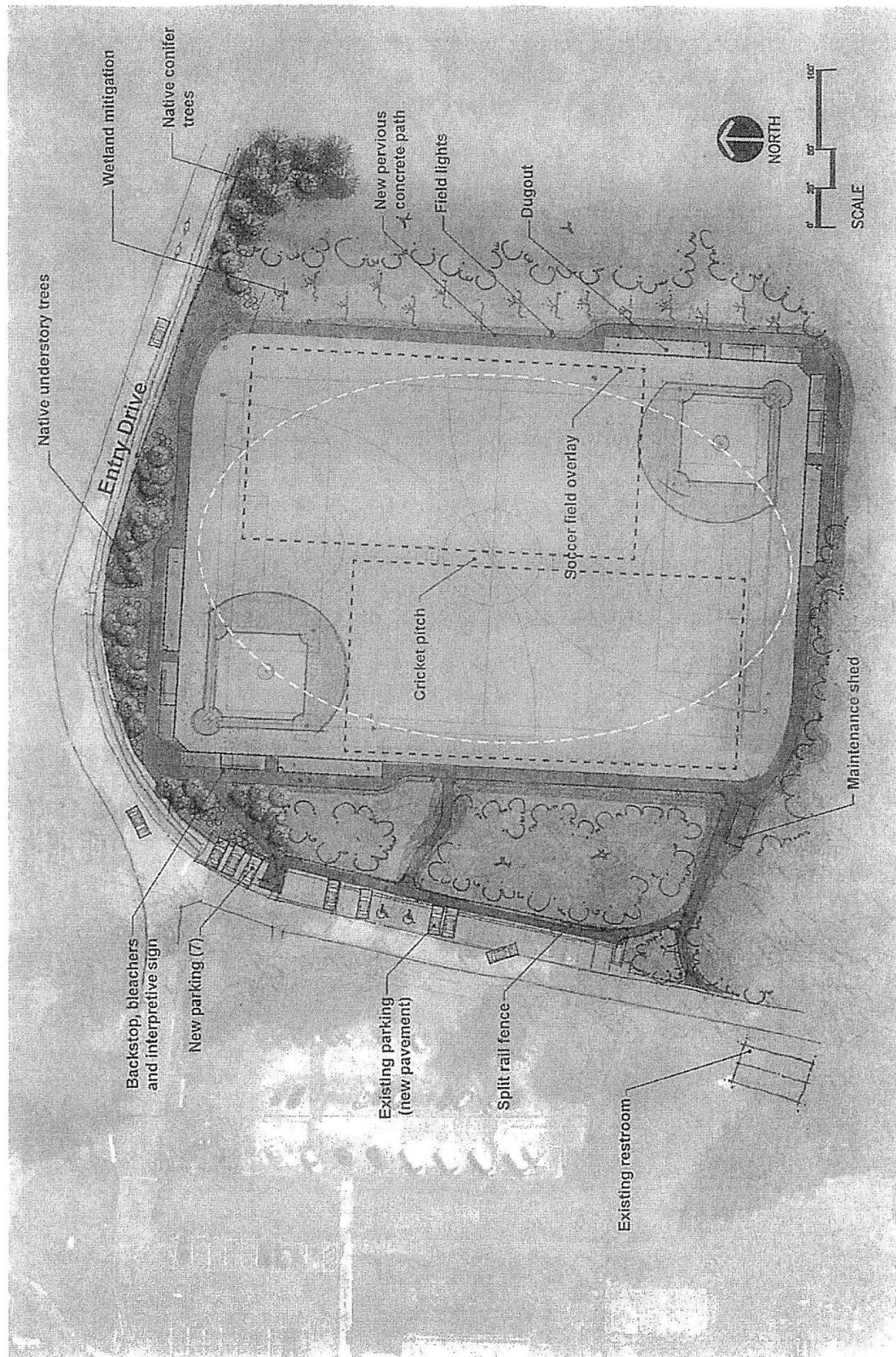
- **Backstops, Bleachers, Dugouts and Shed:** The existing backstop in the northwest corner of the field will be removed, and two new backstops will be installed; one in the northwest corner and the other in the southeast corner. The backstops will be approximately 24 feet high and made from chain-link fencing or netting material supported by metal posts. The dugouts will also be constructed of chain-link fencing with roofs. Covered bleachers are proposed and a small equipment shed (10' x 25') will be constructed near the southwest corner of the field. To further integrate improvements to blend into the cultural landscape, the backstop color will be green and the bleacher seating green or brown, as recommended by the Washington State Department of Archaeology and Historic Preservation.
- **Trees and Landscaping:** The conclusion of the City's Tree Protection plan is that no trees need to be removed to install ballfield improvements. Tree protection measures will be implemented during construction in accordance with recommendations in the Tree Protection Plan. State Park staff may remove any retained trees in the future if they are determined to be hazard trees in accordance with the State Park hazard tree policy such as posing a danger to structures or field users. Based upon a recommendation from the Washington State Department of Archaeology and Historic Preservation a mix of native conifers and shrubs will be planted adjacent to the north side of the field. The new plants will be installed to screen the ballfield, while still retaining some views of the ballfield and adjacent forest.
- **Parking:** See "Parking demand" on page 3 of this Agenda Bill.
- **Cultural/Historic Landscape:** In addition to the measures described above as recommended by the Department of Archaeology and Historic Preservation to integrate ballfield improvements into the cultural landscape, several cultural landscape restoration mitigation measures would be undertaken at the Nun's Garden, The Orchard and The Grotto at St. Edward State Park. Restoration measures will be consistent with treatment recommendations outlined in the 2006 Cultural Landscape Inventory prepared for St. Edward State Park prepared by the National Parks Service. If the project does not include field lighting, then restoration mitigation measures could also change.
- **Shoreline Restoration:** The current lease negotiations also include a proposal for a future shoreline restoration project at St. Edward State Park Lake Washington. While not a mitigation measure required for the ballfield project, some shoreline restoration may be pursued by the City of Kenmore in partnership with Washington State Parks, as a future project phase, dependent on grant funding. Additional SEPA review will be completed at the time of Shoreline Permit review. A preliminary project scope proposes to remove large angular boulders that form a bulkhead and three groins along the state park shoreline and fill remaining voids and depressions with gravels and sands that match the natural lakebed substrate. Enhancement of shoreline vegetation by planting additional coniferous trees and shrubs would also be a likely component of the project.

BACKGROUND:

- 11/9/15 Council meeting, Council consensus directing staff to consider what is necessary for the City to assume control of the uses, improvements and maintenance of the ballfields, including potential costs.
- 12/14/15 letter from the City Manager to the Director of Washington State Parks, proposing to work on a long-term lease agreement
- 1/11/16 ballfield concept design presented to Council.
- 1/22/16 Contract 16-C1507 Memorandum of Understanding between the City and State Parks for preparing a long-term solution, likely a lease with final approval by the State Parks Commission whereby the City improves, manages and maintains the ballfields.
- 2/23/16 open house, presenting ballfield design concept.
- 3/31/16 presentation of ballfield design concept to the Park Commission.
- 5/23/16 Council authorizes the City Manager to execute Contract No. 16-C1561, the SEPA lead agency agreement assigning lead agency responsibilities for the proposed ballfield project.

I:/City Clerk/Agenda Items/Templates

Attachment 1



J:\Parks Projects\Saint Edward State Park\SPORTS info_leagues_turf safety\2017 0608 St Ed field hours wi&without lights

Sheet: 6-12-17 City Council (2)

Date Printed: 6/9/2017

Attachment 2

BALLFIELDS: HOURS OF USE BY ALL SPORTS LEAGUES

Revised: 6/8/2017

LIGHTS-No Summer Weekends Estimate

Month	Days per Mo	Weeks per Mo	No. of Fields	Week days Start	Week days End	Hours per Day	Days per Week	Week day Hours per Week**	Week day Hours per Month	Week end Start Time	Week end End Time	Ave Sunset Time	Ave Hrs per WE Day	Days per Week end	Ave # Fields per Week end	WE Hrs per Mo	Total Hours per Month	100% Scheduled Rental Fees
January	31	4.4	2			0	4	0	0			4:48	0	2	2	0	0	
February	28	4.0	2	4:00	9:00	5	4	40	160	8:00	9:00	5:31	0	2	2	0	160	
March	31	4.4	2	4:00	9:00	5	4	40	177	8:00	9:00	7:16	13	2	2	230	407	
April	30	4.3	2	4:00	9:00	5	4	40	171	8:00	9:00	8:00	13	2	2	223	394	
May*	31	3.0	2	4:00	9:00	5	4	40	120	8:00	9:00	8:32	13	2	1	78	198	
June	30	4.3	2	4:00	9:00	5	4	40	171	8:00	9:00	9:04	13	2	1	111	283	
July	31	4.4	2	4:00	9:00	5	4	40	177	8:00	9:00	9:06	13	0	1	0	177	
August	31	4.4	2	4:00	9:00	5	4	40	177	8:00	9:00	8:31	13	0	1	0	177	
Septembe	30	4.3	2	4:00	9:00	5	4	40	171	8:00	9:00	7:39	13	2	1	111	283	
October	31	4.4	2	4:00	9:00	5	4	40	177	8:00	9:00	6:22	13	2	2	230	407	
November	30	4.3	2	4:00	9:00	5	4	40	171	8:00	9:00	4:36	13	2	2	223	394	
December	31	4.4	2			0	4	0	0	8:00	9:00	4:23	13	2	2	230	230	
Yearly Totals:		50.7						Practice Hours:	1674				Game Hours:			1437	3112	

Youth Practice Hourly Rate \$35

Game Hourly Rate \$60

*Removed Memorial Day Weekend

Practice Revenue **58,600**

Game Revenue

86,246

Total Revenue: **\$144,846**

** Does not reflect any use of both fields as 1

J:\Parks Projects\Saint Edward State Park\SPORTS info_leagues_turf safety\2017 0608 St Ed field hours wi&without lights
Sheet: 6-12-17 City Council
Date Printed: 6/9/2017

BALLFIELDS: HOURS OF USE BY ALL SPORTS LEAGUES
NO LIGHTS-No Summer Weekends Estimate

Revised: 6/8/2017

Month	Days per Mo	Weeks per Mo	No. of Fields	Week days Start	Week days End	Hours per Day**	Days per Week	Week day Hours per Week	Week day Hours per Month	Week end Start Time	Week end Time	Ave Sunset Time	Ave Hrs per WE Day	Days per Week end	Ave # Fields per Week end	WE Hrs per Mo	Total Hours per Month	100% Scheduled Rental Fees
January	31	4.4	2			0.0	4	0	0			4:48		2	2	0	0	
February	28	4.0	2	4:00	5:30	1.5	4	12	48			5:31		2	2	0	48	
March	31	4.4	2	4:00	7:00	3.0	4	24	106	8:00	7:00	7:16	11.0	2	2	195	301	
April	30	4.3	2	4:00	8:00	4.0	4	32	137	8:00	8:00	8:00	12.0	2	2	206	343	
May*	31	3.0	2	4:00	8:30	4.5	4	36	108	8:00	8:30	8:32	12.5	2	1	75	183	
June	30	4.3	2	4:00	9:00	5.0	4	40	171	8:00	9:00	9:04	13.0	2	1	111	283	
July	31	4.4	2	4:00	9:00	5.0	4	40	177	8:00	9:00	9:06	13.0	0	1	0	177	
August	31	4.4	2	4:00	8:30	4.5	4	36	159	8:00	8:30	8:31	12.5	0	1	0	159	
Septembe	30	4.3	2	4:00	7:30	3.5	4	28	120	8:00	7:30	7:39	11.5	2	1	99	219	
October	31	4.4	2	4:00	6:30	2.5	4	20	89	8:00	6:30	6:22	10.5	2	2	186	275	
November	30	4.3	2	4:30	4:30	0	4	0	0	8:00	4:30	4:36	8.5	2	2	146	146	
December	31	4.4	2			0	4	0	0	8:00	4:30	4:23	8.5	2	2	151	151	
Yearly Totals:		50.7						Practice Hours: 1116					Game Hours:			1168	2284	

*Removed Memorial Day Weekend

** Does not reflect any use of both fields as 1

Youth Practice Hourly Rate \$35
Practice Revenue 39,060

Game Hourly Rate \$60
Game Revenue 70,071 Total Revenue: \$109,131

total with lights/total without 3112/2284 = change from no lights to lights
1.36
3112-2284 = 828 increase over 2284 36% increase in available hours

Attachment 3

Saint Edward State Park		
Ballfields Renovation		
Project Cost Estimate		
Date Prepared: Rev 6/1/2017		
Item	Project Est.	Totals
Construction Estimate - Per teet 7/29/2016	3,051,000	12.6%
Wetland Mitigation CN	25,000	
Interpretive Sign	5,000	
Conduit for Electrical	25,000	
TOTAL CONSTRUCTION COSTS:	3,106,000	
TOTAL CONSULTANT COSTS (from other page):	390,000	
Other Project Costs:		
WSST 10%	310,600	
Bidding Costs	2,000	
City Permits Eng, Bldg	20,000	
Utility Facilities Charge: Water Meter	10,000	12.6%
1% for Art - 1% of CN	31,060	
Project Contingency - 10% of CN	310,600	
Grant-Reimbursable Staff Costs \$6,000	6,000	
TOTAL OTHER PROJECT COSTS:	690,260	
Total Estimated Field Renovation:		4,186,260
Field Lighting		
Construction - BDA 12/2/15 Estimate	370,875	
Sales Tax - 10%	37,088	
Consultant Services - 10% of CN	37,088	
Construction Management	15,000	
Bidding Costs	2,000	
Permits	5,000	
1% for Art - 1% of CN	3,709	
Project Contingency - 10% of CN	37,088	
Electrical conduit not installed	-25,000	
TOTAL LIGHTING PROJECT COSTS:		482,846
Total Field and Lighting:		4,669,106
State Parks Project Additions - Prelim. Estimate		
Planning Level Est. Design & Construction-State Parks Additions		200,000
Total Field, Lighting and State Additions		4,869,106

J:\Parks Projects\Saint Edward State Park\2015 Ballfield Improvements Design\2017 0522 Consultant Deliverables Coordination Project Cost Est 2017 0601
Date Printed: 6/1/2017

Attachment 4

DRAFT St. Edward Ballfields Operating Projection
with Lighting

Ballfields Operating Account										
Year	1	2	3	4	5	6	7	8	9	10
Annual Operating Sources										
Field Use Fees	120,000	122,400	124,848	127,345	129,892	132,490	135,139	137,842	140,599	143,411
Annual General Fund Contribution	15,200	15,316	15,468	15,657	15,887	16,159	16,475	16,838	17,250	17,715
Total Sources	135,200	137,716	140,316	143,002	145,779	148,648	151,614	154,680	157,850	161,126
Annual Uses (Expenses)										
Part Time Maintenance Worker	31,500	32,760	34,070	35,433	36,851	38,325	39,858	41,452	43,110	44,834
Weekend On Call Maint. Worker	6,600	6,864	7,139	7,424	7,721	8,030	8,351	8,685	9,033	9,394
Supplies and Equipment	4,500	4,590	4,682	4,775	4,871	4,968	5,068	5,169	5,272	5,378
Utilities	2,400	2,448	2,497	2,547	2,598	2,650	2,703	2,757	2,812	2,868
Repairs	8,500	8,670	8,843	9,020	9,201	9,385	9,572	9,764	9,959	10,158
Wetland & Buffer Establishment	13,200	13,464	13,733	14,008	14,288	14,574	14,865	15,163	15,466	15,775
Ground Lease Payment	10,000	10,300	10,609	10,927	11,255	11,593	11,941	12,299	12,668	13,048
Other/Misc.	6,000	6,120	6,242	6,367	6,495	6,624	6,757	6,892	7,030	7,171
Subtotal	82,700	85,216	87,816	90,502	93,279	96,148	99,114	102,180	105,350	108,626
Transfer to Turf Replacement Reserv.	52,500	52,500	52,500	52,500	52,500	52,500	52,500	52,500	52,500	52,500
Total Uses	135,200	137,716	140,316	143,002	145,779	148,648	151,614	154,680	157,850	161,126

Synthetic Turf Replacement Reserve Account										
Year	1	2	3	4	5	6	7	8	9	10
Beginning Fund Balance	0	52,500	105,000	157,500	210,000	262,500	315,000	367,500	420,000	472,500
Sources										
Transfer from Ballfields Account	52,500	52,500	52,500	52,500	52,500	52,500	52,500	52,500	52,500	52,500
State & County Grants										600,000
Total Sources	52,500	52,500	52,500	52,500	52,500	52,500	52,500	52,500	52,500	652,500
Uses										
Synthetic Turf Replacement	0	0	0	0	0	0	0	0	0	1,125,000
Ending Account Balance	52,500	105,000	157,500	210,000	262,500	315,000	367,500	420,000	472,500	0



C:\Users\JGregory\AppData\Local\Microsoft\Windows\NetCache\Content.Outlook\6QR0O5IG\Construction Award Agenda Bill_192nd Culvert_20170424.docx

FISCAL CONSIDERATION:

The project budget is \$885,634 (2017-2018 biennium). The overall cost estimate for construction is within the available project budget. However, total project cost will likely exceed the budget and require additional resources. A budget amendment may be necessary to cover the projected cost for Construction Management services during construction if the full contingency and the full value of the construction management task are both utilized. Below is a breakdown on total project cost.

EXPENDITURES**Design:**

Staff and other Direct Expenses	\$ 9,000	
Consultant Design Contract	\$203,759	
Total Design		\$212,759

Construction:

Construction Contract	\$788,971	
Construction Contingency	\$ 78,897	
Total Construction		\$867,868

Construction Management:

Staff and other Direct Expenses	\$ 2,400	
Construction Management Services	\$118,800	
Total Construction Management		\$121,200

Total Project Cost	\$1,201,827
---------------------------	--------------------

REVENUE

King County Sub-Regional Fund	\$167,000
King County Flood Reduction Grant	\$330,000
N.U.D. Reimbursement per ILA	\$125,020
Past Years City Surface Water Funds	\$204,226
2017 City Surface Water Funds	\$258,000
Total Revenue	\$1,084,246

A budget amendment of \$117,581 may be needed at a later date.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

1. Council goal 7: To address watershed and water quality issues affecting the City.

EXHIBIT A

**CITY OF KENMORE, WASHINGTON
PROPOSED AMENDED CAPITAL IMPROVEMENT PROGRAM
FOR THE YEARS 2017-2022**

EXPENDITURES	2017 Proposed	2018 Proposed	2019 Proposed	2020 Proposed	2021 Proposed	2022 Proposed	2017-2022 Totals
<u>PARKS</u>							
P 1 Twin Springs Interim Use Plan	\$40,000	\$25,000	\$0	\$1,100,000	\$0	\$0	\$1,165,000
P 2 Tolt Pipeline Trail Phase One	126,936	0	0	0	0	0	126,936
P 6 Moorlands Park Improvements	1,623,095	566,925	0	0	0	0	2,190,020
P 11 Log Boom Park New Ped Bridge	203,376	0	0	0	0	0	203,376
P 18 Rhododendron Park Waterfront & Natural Open Space A	408,000	615,000	5,000	5,000	5,000	5,000	1,043,000
P18a Rhododendron Park Float	209,000	200,000	25,000	0	0	0	434,000
P 26 Squires Landing Dock/Float	195,000	0	0	0	0	0	195,000
P 27 Squires Landing Park Waterfront & Natural Open Space	250,000	600,000	500,000	220,000	1,715,000	1,690,000	4,975,000
P 28 Log Boom Park Waterfront Access and Viewing	200,000	400,000	300,000	120,000	1,090,000	1,065,000	3,175,000
P 29 St Edward Ballfield Improvements & Lighting	204,000	2,355,500	2,355,500	0	0	0	4,915,000
P 30 Rhododendron Park Boathouse Pavilion	0	225,000	0	0	0	0	225,000
Total Parks	\$3,459,407	\$4,987,425	\$3,185,500	\$1,445,000	\$2,810,000	\$2,760,000	\$18,647,332
<u>TRANSPORTATION</u>							
T 6 SR 522 West A 61st to 65th	\$667,400	\$127,200	\$0	\$0	\$0	\$0	\$794,600
T 8 SR 522 West B 57th to 61st	0	0	0	600,000	7,400,000	4,000,000	12,000,000
T 27 Sidewalk Program:							
South side NE 181st ST Construction	123,600	0	0	0	0	0	123,600
North side NE 181st ST	181,800	0	0	0	0	0	181,800
NE 202nd ST (198th -66th)	1,180,310	101,555	0	0	0	0	1,281,865
62nd Ave NE	778,520	147,415	0	0	0	0	925,935
Arrowhead Dr	0	11,100	132,800	726,133	0	0	870,033
NE 153rd Pl	11,100	132,400	604,938	0	0	0	748,438
NE 181st (65th -67th)	136,730	668,475	0	0	0	0	805,205
Sidewalk Gaps	0	0	100,000	100,000	100,000	100,000	400,000
T 35 Overlay	450,000	805,351	450,000	450,000	450,000	450,000	3,055,351
T 37 West Samm Bridge	2,098,962	910,999	7,425,888	14,422,054	5,724,341	33,395	30,615,639
T 39 Neighborhood Traffic Calming Improvements	70,000	55,000	0	0	0	0	125,000
T 41 Juanita Dr Pedestrian & Bicycle Safety All Segments	600,000	1,500,000	4,162,000	2,156,667	2,156,667	2,156,666	12,732,000
T 42 68th Ave Pedestrian & Bicycle Safety All Segments	250,000	987,000	60,000	2,000,000	1,803,000	0	5,100,000
T 43 SR 522 Pedestrian Crossing Study	0	282,500	272,500	0	0	0	555,000
T 44 61st Ave Survey and Conceptual Plan	0	90,000	0	0	0	0	90,000
Total Transportation	\$6,548,422	\$5,818,995	\$13,208,126	\$20,454,854	\$17,634,008	\$6,740,061	\$70,404,466
<u>SURFACE WATER</u>							
SW 8 190th Culvert at 61st	\$0	\$1,500,000	\$0	\$0	\$0	\$0	\$1,500,000
SW 8 Trust Fund Loan Repayment	0	0	153,000	153,000	153,000	153,000	612,000
SW 19 NE 192nd St Culvert Replacement	1,010,634	0	0	0	0	0	1,010,634
SW 20 Small Works Projects	50,000	50,000	50,000	50,000	50,000	50,000	300,000
SW 25 Strawberry Hills SW Tank Retrofit	100,000	360,000	0	0	0	0	460,000
SW 29 Infiltration Tank Retrofit at 61st Ave NE/NE 190th St	120,000	0	500,000	0	0	0	620,000
SW 30 Drainage Improvements at 153rd/NE Arrowhead Dr	125,000	0	0	0	0	0	125,000
SW 31 Drainage Impr & Street Repair at 66th Ave NE /196th	115,000	0	0	0	0	0	115,000
Total Surface Water	\$1,520,634	\$1,910,000	\$703,000	\$203,000	\$203,000	\$203,000	\$4,742,634
TOTAL EXPENDITURES	\$11,528,463	\$12,716,420	\$17,096,626	\$22,102,854	\$20,647,008	\$9,703,061	\$93,794,432

EXHIBIT B

**CITY OF KENMORE, WASHINGTON
PROPOSED PARK CAPITAL IMPROVEMENT PROGRAM UPDATE
FOR THE YEARS 2017-2022**

Project Description	2017 Proposed	2018 Proposed	2019 Proposed	2020 Proposed	2021 Proposed	2022 Proposed	2017-2022 Totals
P 1 Twin Springs Interim Use Plan	\$40,000	\$25,000	\$0	\$1,100,000	\$0	\$0	\$1,165,000
P 2 Tolt Pipeline Trail Phase One	126,936	0	0	0	0	0	126,936
P 6 Moorlands Park Improvements	1,623,095	566,925	0	0	0	0	2,190,020
P 11 Log Boom Park New Ped Bridge	203,376	0	0	0	0	0	203,376
P 18 Rhododendron Park Waterfront & Open Space Access	408,000	615,000	5,000	5,000	5,000	5,000	1,043,000
P 18a Rhododendron Park Float	209,000	200,000	25,000	0	0	0	434,000
P 26 Squires Landing Dock/Float	195,000	0	0	0	0	0	195,000
P 27 Squires Landing Park Waterfront & Natural Open Space	250,000	600,000	500,000	220,000	1,715,000	1,690,000	4,975,000
P 28 Log Boom Park Waterfront Access and Viewing	200,000	400,000	300,000	120,000	1,090,000	1,065,000	3,175,000
P 29 St Edward Ballfield Improvements & Lighting	204,000	2,355,500	2,355,500	0	0	0	4,915,000
P 30 Rhododendron Park Boathouse Pavilion	0	225,000	0				225,000
Total Project Costs	\$3,459,407	\$4,987,425	\$3,185,500	\$1,445,000	\$2,810,000	\$2,760,000	\$18,647,332
Funding As Proposed:							
Park Impact Fees	\$1,021,876	\$225,000	\$25,000	\$300,000		\$0	\$1,571,876
Real Estate Excise Tax	398,000	1,264,500	1,215,500	300,000	0	0	3,178,000
Strategic Opportunity Fund	0	235,000	640,000	0	0	0	875,000
General Fund	0	0	500,000	0	0	0	500,000
RCO Grants	600,595	786,925	0	0	0	0	1,387,520
Grant or State Capital Budget	0	0	0	500,000	0	0	500,000
King County Grant	0	611,000	0	0	0	0	611,000
King County Trail Levy	126,936	0	0	0	0	0	126,936
King County Park Levy	229,000	25,000	0	0	0	0	254,000
State Capital Budget	225,000	225,000	0	0	0	0	450,000
Walkways & Waterways Bond Measure	858,000	1,615,000	805,000	345,000	2,810,000	2,760,000	9,193,000
Total Project Funding	\$3,459,407	\$4,987,425	\$3,185,500	\$1,445,000	\$2,810,000	\$2,760,000	\$18,647,332

JG: P2 budget savings of 80,000 on Tolt

JG: P1 Addn'l budget request 25,000 (county levy funds). 1.1M for improvements (grants, impact fees, reet)

Joanne Gregory: P6 Moorlands Addn'l budget request 623,000 (state capital budget, reet)

JG: P11 Carryover from 2016 requested (impact fees)

JG: P18a increase 149K based on bid (reet, county levy)

JG: P29 St Edward \$4,915,000 budget request: (RCO grant 750k; KingCo grant 611k; Reet 2.1M; Impact Fees 314k, Strat Opps 640k, General Fund 500k)

JG: P30 New Rhody Boathouse Project budget request 250,000 (from state budget) less 10%

EXHIBIT C

CITY OF KENMORE, WASHINGTON
CITY OF KENMORE
PROPOSED TRANSPORTATION CAPITAL IMPROVEMENT PROGRAM
FOR THE YEARS 2017-2022

Joanne Gregory: NTPP Addnl budget request 15,000 (reel)	JG: NE 202nd Addnl budget request for 90,915 (impact fees)	JG: 62nd Ave NE Addnl budget request for 140,430 (reel)	JG: Arrowhead: move out 1 year and reapply for grant	Joanne Gregory: West Samm Bridge Addnl budget request 9M from other funding partners (7M) and/or debt (2M)				
Project Description		2017 Adopted	2018 Adopted	2019 Adopted	2020 Adopted	2021 Adopted	2022 Adopted	2017-2022 Totals
T 6 SR 522 West A 61st to 65th		\$667,400	\$127,200	\$0	\$0	\$0	\$0	\$794,600
T 8 SR 522 West B 57th to 61st		0	0	0	600,000	7,400,000	4,000,000	12,000,000
T 27 Sidewalk Program								
South side NE 181st ST Construction		123,600	0	0	0	0	0	123,600
North side NE 181st ST		181,800	0	0	0	0	0	181,800
NE 202nd ST (198th -66th)		1,180,310	101,555	0	0	0	0	1,281,865
62nd Ave NE		778,520	147,415	0	0	0	0	925,935
Sidewalk Gaps:		0	0	100,000	100,000	100,000	100,000	400,000
Arrowhead Dr		0	11,100	132,800	726,133	0	0	870,033
NE 153rd Pl		11,100	132,400	604,938	0	0	0	748,438
NE 181st (65th -67th)		136,730	668,475	0	0	0	0	805,205
Subtotal		2,412,060	1,060,945	837,738	826,133	100,000	100,000	5,336,876
T 35 Overlay		450,000	805,351	450,000	450,000	450,000	450,000	3,055,351
T 37 West Samm Bridge		2,098,962	910,999	7,425,888	14,422,054	5,724,341	33,395	30,615,639
T 41 Juanita Dr Pedestrian & Bicycle Safety All Segments		600,000	1,500,000	4,162,000	2,156,667	2,156,667	2,156,666	12,732,000
T 42 68th Ave Pedestrian & Bicycle Safety All Segments		250,000	987,000	60,000	2,000,000	1,803,000	0	5,100,000
T 43 SR 522 Pedestrian Crossing Study		0	282,500	272,500	0	0	0	555,000
T 44 61 Ave Survey and Conceptual Plan		0	90,000	0	0	0	0	90,000
T 39 Neighborhood Transportation Plans Program		70,000	55,000	0	0	0	0	125,000
Total Project Costs		\$6,548,422	\$5,818,995	\$13,208,126	\$20,454,854	\$17,634,008	\$6,740,061	\$70,404,466

Funding as Proposed:								
Real Estate Excise Tax	\$1,250,356	\$770,165	\$577,750	\$550,000	\$550,000	\$550,000	\$550,000	\$4,248,271
Transportation Impact Fee Revenue	66,195	330,288	68,784	47,773	0	0	0	513,040
Transportation Impact Fee Revenue - West Samm Bridge	122,310	21,090	23,790	30,620	1,239,060	33,395	0	1,470,265
General Fund	267,900	59,900	0	0	0	0	0	327,800
Federal Transportation Funds SR 522	0	67,300	0	0	0	0	0	67,300
Federal Preservation Grant - Simonds Road	0	355,351	0	0	0	0	0	355,351
TIB Grant - Sidewalks	97,330	478,572	0	0	0	0	0	575,902
WSDOT Safe Routes to School - Sidewalks	681,315	104,670	668,954	678,360	0	0	0	2,133,299
Federal Highway Safety Impr Program - Sidewalks	707,864	0	0	0	0	0	0	707,864
Reimbursements from Other Agencies	28,500	0	0	0	0	0	0	28,500
BRAC Grant West Samm Bridge Replacement	674,754	703,448	6,413,800	3,289,378	0	0	0	11,081,380
STP Funds West Samm Bridge Replacement	1,063,994	0	0	0	0	0	0	1,063,994
Connecting WA Funds West Samm Bridge Replacement	237,904	186,461	988,298	4,102,056	2,485,281	0	0	8,000,000
Complete Streets Award	500,000	0	0	0	0	0	0	500,000
Walkways & Waterways Bond Measure	850,000	2,252,000	1,375,000	2,640,000	826,334	2,156,666	0	10,100,000
Washington State Pedestrian and Bicycle Safety	0	254,750	244,750	0	0	0	0	499,500
Washington State LEAP Transportation Bill	0	0	0	600,000	7,400,000	4,000,000	0	12,000,000
Unsecured Grant Match Juanita Drive	0	235,000	2,847,000	1,516,667	3,133,333	0	0	7,732,000
Unsecured Grant West Samm Bridge Replacement	0	0	0	7,000,000	0	0	0	7,000,000
Unsecured 10 year Note West Samm Bridge Replacement	0	0	0	0	2,000,000	0	0	2,000,000
Total Project Funding	\$6,548,422	\$5,818,995	\$13,208,126	\$20,454,854	\$17,634,008	\$6,740,061		\$70,404,466

EXHIBIT D

**CITY OF KENMORE, WASHINGTON
PROPOSED SURFACE WATER CAPITAL IMPROVEMENT PROGRAM
FOR THE YEARS 2017-2022**

Project Description	2017 Proposed	2018 Proposed	2019 Proposed	2020 Proposed	2021 Proposed	2022 Proposed	2017-2022 Totals
SW 8 190th Culvert at 61st	\$0	\$1,500,000	\$0	\$0	\$0	\$0	\$1,500,000
SW 8 Trust Fund Loan Repayment	0	0	153,000	153,000	153,000	153,000	612,000
SW 19 NE 192nd ST Culvert Replacement	1,010,634	0	0	0	0	0	1,010,634
SW 20 Small Works Projects	50,000	50,000	50,000	50,000	50,000	50,000	300,000
SW 25 Strawberry Hills SW Tank Retrofit	100,000	360,000	0	0	0	0	460,000
SW 29 Infiltration Tank Retrofit at 61st Ave NE/NE 190th St	120,000	0	500,000	0	0	0	620,000
SW 30 Drainage Improvements at 153rd/NE Arrowhead Dr	125,000	0	0	0	0	0	125,000
SW 31 Drainage Impr & Street Repair at 66th Ave NE /196th Pl	115,000	0	0	0	0	0	115,000
Total Project Costs	\$1,520,634	\$1,910,000	\$703,000	\$203,000	\$203,000	\$203,000	\$4,742,634

Joanne Gregory: NE 192 culvert Addnl budget request 125,000 SWM fees	JG: not likely to occur in 2017, move to 2018; repayments schedule changes also
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Funding As Proposed:							
KC Flood Control District Grant (SW30)	\$49,915	\$0	\$0	\$0	\$0	\$0	\$49,915
KC Flood Control District Grant (SW19) Secured	330,000	0	0	0	0	0	330,000
Reimbursement from Other Agencies	130,634	0	0	0	0	0	130,634
Public Works Trust Fund 10Year Loan (SW8)	0	1,500,000	0	0	0	0	1,500,000
Surface Water Utility Funds	1,010,085	410,000	703,000	203,000	203,000	203,000	2,732,085
Total Project Funding	\$1,520,634	\$1,910,000	\$703,000	\$203,000	\$203,000	\$203,000	\$4,742,634

CITY OF KENMORE, WASHINGTON

Park Impact Fee Fund Projection
For the Years 2017-2022

DESCRIPTION	Projected 2017	Projected 2018	Projected 2019	Projected 2020	Projected 2021	Projected 2022
Beginning Cash	\$1,137,617	\$302,879	\$232,879	\$362,879	\$218,879	\$375,879
Revenues:						
Interest Earnings	7,000	5,000	5,000	6,000	7,000	7,000
Park Impact Fees	180,138	150,000	150,000	150,000	150,000	150,000
Total Revenues	187,138	155,000	155,000	156,000	157,000	157,000
To be Transferred Out for Parks :						
P 1 Twin Springs Feasibility Study	0	0	0	300,000	0	0
P 6 Moorlands Park Improvements	359,500	0	0	0	0	0
P 11 Log Boom Park New Pedestrian Bridge	203,376	0	0	0	0	0
P 18a Rhododendron Park Float	60,000	115,000	25,000	0	0	0
P 26 Twedt/Squires	195,000	0	0	0	0	0
P 29 St Edward Ballfields & Lighting	204,000	110,000	0	0	0	0
Subtotal - Transfers to Park Capital	1,021,876	225,000	25,000	300,000	0	0
Net Income/(Loss)	(\$834,738)	(\$70,000)	\$130,000	(\$144,000)	\$157,000	\$157,000
Ending Cash Balance	\$302,879	\$232,879	\$362,879	\$218,879	\$375,879	\$532,879

CITY OF KENMORE, WASHINGTON

Transportation Impact Fee Fund Projection
For The Years 2017-2022

DESCRIPTION	Projected 2017	Projected 2018	Projected 2019	Projected 2020	Projected 2021	Projected 2022
Beginning Cash	\$1,148,347	\$1,083,196	\$1,137,234	\$1,350,346	\$1,578,705	\$647,538
Revenues:						
Interest Earnings	5,742	5,416	5,686	6,752	7,894	3,238
Transp. Impact Fees	617,612	400,000	300,000	300,000	300,000	300,000
Total Revenues	\$623,354	\$405,416	\$305,686	\$306,752	\$307,894	\$303,238
Transfers Out for Roads:						
T 37 West Samm Bridge	122,310	21,090	23,790	30,620	1,239,060	33,395
NE 202nd Sidewalk*	3,995	101,555	0	0	0	0
Arrowhead Sidewalk	0	6,100	33,130	47,773	0	0
NE 153rd Sidewalk	6,100	32,730	35,654	0	0	0
NE 181st 65-67 Sidewalk	56,100	189,903		0	0	0
Subtotal - Transfers for Roads	\$188,505	\$351,378	\$92,574	\$78,393	\$1,239,060	\$33,395
Net Income/(Loss)	\$434,849	\$54,038	\$213,112	\$228,359	(\$931,166)	\$269,843
Ending Cash Unreserved	\$1,083,196	\$1,137,234	\$1,350,346	\$1,578,705	\$647,538	\$917,381
Ending Cash Reserved*	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Total Ending Cash	\$1,583,196	\$1,637,234	\$1,850,346	\$2,078,705	\$1,147,538	\$1,417,381

* \$500K Complete Streets Award
Supplanted Trans Impact Fees

CITY OF KENMORE, WASHINGTON
REET Fund Projection
For The Years 2017-2022

DESCRIPTION	Projected 2017	Projected 2018	Projected 2019	Projected 2020	Projected 2021	Projected 2022
Beginning Cash	\$1,672,911	\$1,696,432	\$970,249	\$281,850	\$473,259	\$1,125,626
Revenues:						
REET 1	881,756	700,000	650,000	600,000	600,000	600,000
REET 2	881,756	700,000	650,000	600,000	600,000	600,000
Interest Earnings	8,365	8,482	4,851	1,409	2,366	5,628
Total Revenues	\$1,771,877	\$1,408,482	\$1,304,851	\$1,201,409	\$1,202,366	\$1,205,628
Transfers Out for Parks :						
P 6 Moorlands Park Imp	398,000	380,000	0	0	0	0
P 1 Twin Springs	0	0	0	300,000	0	0
		0	0	0	0	0
P 29 St Edward Ballfield TBD	0	884,500	1,215,500	0	0	0
Subtotal - Transfers for Parks	398,000	1,264,500	1,215,500	300,000	0	0
Transfers Out for Roads:						
T6 SR 522 West A 61st to 65th	399,500	0	0	0	0	0
T27 Sidewalks						
Sidewalk Gaps	0	0	100,000	100,000	100,000	100,000
181st Sidewalks	260,200	0	0	0	0	0
62nd Ave NE	70,656	147,415	0	0	0	0
T 39 Traffic Calming Improvements	70,000	55,000	0	0	0	0
T 43 SR522 Pedestrian Crossing Study	0	27,750	27,750	0	0	0
T 44 61st Ave Survey amd Conceptual Plan	0	90,000	0	0	0	0
Overlay	450,000	450,000	450,000	450,000	450,000	450,000
Subtotal - Transfers for Roads	1,250,356	770,165	577,750	550,000	550,000	550,000
Repayment to Strategic Opps Fund 2015/16 sic	100,000	100,000	200,000	160,000	0	0
Repayment of 10yr Note for West Samm Bridg	0	0	0	0	0	210,000
Net Income/(Loss)	\$23,521	(\$726,183)	(\$688,399)	\$191,409	\$652,366	\$445,628
Ending Cash	\$1,696,432	\$970,249	\$281,850	\$473,259	\$1,125,626	\$1,571,254

I:\Admin & Finance\Forecast Models\2017 Other Funds Forecast\REET June 2017
6/29/2017

CITY OF KENMORE, WASHINGTON

King County Trail and Park Levy Projection
For the Years 2017-2022

DESCRIPTION	Projected 2017	Projected 2018	Projected 2019	Projected 2020	Projected 2021	Projected 2022
Beginning Cash	\$339,211	\$33,275	\$58,275	\$108,275	\$108,275	\$108,275
Revenues:						
Interest Earnings	0	0	0	0	0	0
Levy Revenues- Trail (253955)				0	0	0
Levy Revenues- Park	50,000	50,000	50,000			
Total Revenues	50,000	50,000	50,000	0	0	0
To be Transferred Out for Parks :						
P 1 Twin Springs Feasibility Study	40,000	25,000	0	0	0	0
P 2 Tolt Pipeline Trail Phase One	126,936	0	0	0	0	0
P 6 Moorlands Park Improvements	40,000	0	0	0	0	0
P 18a Rhododendron Park Float	149,000	0	0	0	0	0
Subtotal - Transfers to Park Capital	355,936	25,000	0	0	0	0
Net Income/(Loss)	(\$305,936)	\$25,000	\$50,000	\$0	\$0	\$0
Ending Cash Balance	\$33,275	\$58,275	\$108,275	\$108,275	\$108,275	\$108,275