City of Kenmore - 18120 68th Avenue NE - PO 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, November 26, 2012
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, plese 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 TO ORDER

II. ROLL CALL

III. FLAG SALUTE

IV. AGENDA APPROVAL

V. CITIZEN COMMENTS

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. Motion to Cancel All Regular Council Meetings for the Month of December 2012.

B. Amendment No. 2 to Contract No. 09-C816 with Gordon Thomas Honeywell for State Government Relations Services - Nancy Ousley, Assistant City Manager

C. Amendment No. 2 to Contract No. 09-C780 with Alcalde & Fay for Federal Government Relations Services - Nancy Ousley, Assistant City Manager

D. Adopt 2013 Fee Schedule - Resolution No. 12-208 - Bryan Hampson, Development Services Director

E. Adopt Ordinance No. 12-0348 Amending the 2011-2012 Biennial Budget - Joanne Gregory - Finance & Administration Director

F. Adopt the 2013 Property Tax Levy - Ordinance No. 12-0349 - Joanne Gregory, Finance & Administration Director

VII. PUBLIC HEARINGS

VII. PUBLIC HEARINGS

A. Public Hearing to Receive Public Testimony Regarding the 2013-2018 Capital Improvement Program - Joanne Gregory, Finance & Administration Director

B. Public Hearing to Receive Public Testimony Regarding the 2013-2014 Biennial Budget - Joanne Gregory, Finance & Administration Director

VIII. BUSINESS AGENDA

A. Adoption of the 2013-2018 Capital Improvement Program - Ordinance No. 12-0350 - Joanne Gregory, Finance & Administration Director

B. Adoption of the 2013-2014 Biennial Budget - Ordinance No. 12-0351 - Joanne Gregory, Finance & Administration Director

C. Republic Services, Inc. Solid Waste Services Overview - Rob Karlinsey, City Manager; Jeffry Borgida, Republic Services General Manager; and Janet Prichard, Republic Services Municipal Relationship Manager

D. Commercial Zoning Project Introduction & Discussion - Debbie Bent, Community Development Director

IX. STAFF REPORT

A. Temporary Skate Park - Rob Karlinsey, City Manager & Debbie Bent, Community Development Director

X. COUNCILMEMBER COMMENTS/REPORTS

XI. ADJOURNMENT

Upcoming Meetings:

Monday, December 3, 2012 City Council Special Meeting 7:00 p.m.
Monday, January 14, 2012 City Council Regular Meeting 7:00 p.m.

City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic:	For Council Meeting Agenda of: 26 Nov 2012
Amendment #2 to Contract No. 09-C816 with Gordon Thomas Honeywell for state government relations services	Department: Executive Prepared by: Nancy Ousley
	Initial & Date Approved by Department Head: NKO 14NOV2012 Approved by City Attorney: Approved by Finance Director: [illegible] 11/15/12 Approved by City Manager: RJK
Proposed Council Action/Motion: Approve Amendment #2 to Contract No.09-C816 with Gordon Thomas Honeywell for state government relations services	Exhibits/Attachments: 1) Proposed Amendment #2 to Contract No. 09-C816 2) November 28, 2011 Agenda Bill for Contract No. 09-C816 Amendment 3) 2013-2014 Legislative Agenda

Expenditure Required $84,000 for 2013-2014 plus a maximum of $8400 in expenses; $6000 for 2012	Amount Budgeted $	Appropriation Required $

INFORMATION/BACKGROUND:
Gordon Thomas Honeywell has worked on behalf of the City of Kenmore with the State Legislature, the Governor's Office and State agencies since 2009. The present contract term is through December 31, 2012, and the proposed amendment extends the contract term through December, 2014. The contract amendment specifies a monthly retainer of $3500 per month effective January, 2012 and a maximum of 10% of the annual contract amount for related expenses.

The firm has been effective in facilitating relationship-building with State Legislators, particularly those in Transportation Committee membership, which has been instrumental in the City receiving over $1.7 M in funding for SR 522 related projects in recent State Transportation Budgets. The City Council recently approved the 2013-2014 Legislative Agenda.

FISCAL CONSIDERATION:
Funding is included in the preliminary 2013-2014 Budget

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:
Seek funds to move forward on the SR 522 Project; Pursue Downtown development; implement the economic development strategy; implement a parks improvement and financial plan; seek opportunities to complete a successful Lakepointe project

VIB. Amendment No. 2 to Contract No. 09-C816 with Gordon Thomas Honeywell for State Government Relations Services - Nancy

ATTACHMENT
1

Contract No. 09-C816
Amendment No. 2

The following section of the government relations contract dated September 29, 2009, and amended November 28, 2011, between the City of Kenmore and Gordon Thomas Honeywell is amended to read in its entirety as set forth (i.e. below or in attachment). All other terms and conditions of the underlying contract shall remain in full force and effect.

Section 2. Compensation and Method of Payment. The Consultant shall request payment for work performed using the billing invoice form at Exhibit C.

The City shall pay Consultant:

_____According to the rates set forth in Exhibit A

___x__A sum not to exceed $227,700

__x___Other Monthly fee of $3500 and related communication expenses in an amount not to exceed 10% of the annual contract amount. The monthly fee of $3500 is effective as of January 1, 2012.

Section 3. Duration of Agreement. This Agreement shall be in full force and effect for a period commencing on October 1, 2009 and ending December 31, 2014 unless sooner terminated under the provisions of this Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

Section 17. Notices. Notices to the City of Kenmore shall be sent to the following address:

City Clerk
City of Kenmore, Washington
PO Box 82607
Kenmore, WA 989028-0607

DATED this ____ day of ________, 20__.

CITY OF KENMORE:

BY: ____________________________
Rob Karlinsey
Title: City Manager______________

CONSULTANT:

By: ____________________________

Title: ____________________________

Address: ____________________________

____

____

Attest/Authenticated:

____
Patty Safrin, City Clerk

Approved as to Form:

____
Rod Kaseguma, City Attorney

ATTACHMENT 2

CITY OF KENMORE, WASHINGTON AGENDA BILL SUMMARY			
AGENDA TITLE Motion to Authorize the City Manager to Execute Amendment No. 1 to Contract No. 09-C816 with Gordon Thomas Honeywell, extending the contract term to December 31, 2012 and amending the contract maximum to an amount not to exceed $128,700.			**MEETING DATE** November 28, 2011
DEPARTMENT	**DIRECTOR**	**CONTACT PERSON**	**PHONE**
Executive	Frederick Stouder	Frederick Stouder	425-398-8900
COST OF PROPOSAL: $79,200: $3000 monthly retainer plus allowable expenses up to a maximum of 10% of the contract amount, or $39,600 per year.		**ACCOUNT NUMBER:** 01.13.5401	
AMOUNT BUDGETED: $160,000 for Government Relations 2011-2012 Budget General Consulting/City Manager Cost Center		**NAME AND FUND #:** General Fund	
ATTACHMENT(S) TO AGENDA PACKET ITEM: 1) Amendment No. 1 and Contract No. 09-C816			
SUMMARY STATEMENT: The proposed amendment extends the contract for state government relations services with Gordon Thomas Honeywell through 2012 at the same rate of $3,000 per month retainer and maximum $3600 (10% of the contract amount) for associated expenses for an annual total of $39,600. The firm assists the City in working with the State Legislatures, the Governor's Office and State agencies on transportation funding and other City legislative priorities. The original contract term was through December 31, 2010. This will extend the contract through December 31, 2012. The efforts by Gordon Thomas Honeywell have been key in importance in obtaining state funds and federal pass thru funds for the SR 522 project. The Mayor and other Councilmembers, thru the support and assistance of Thomas Honeywell personnel have organized, set schedules and local tours and briefings of not only the City's district legislative representatives, but other legislative members on key staff, House and State Senate committees.			
CONSISTENT WITH OR COMPARISON TO PAST COUNCIL POLICIES, ORDINANCES, DIRECTION: The City Council approved Contract No.09-C816 with Gordon Thomas Honeywell for an amount not to exceed $49,500 on September 28, 2009.			
RECOMMENDED CITY COUNCIL ACTION/SUGGESTED MOTION: Authorize the City Manager to execute Amendment No. 1 to Contract No. 09-C816 with Gordon Thomas Honeywell, extending the contract duration date to December 31, 2012 and amending the contract amount to an amount not to exceed $128,700. The 2012 state and federal legislative focus and costs should be a topic for the 2012 January Council Retreat.			
REVIEWED BY FINANCE DIRECTOR:	**REVIEWED BY CITY ATTORNEY:**	**APPROVED BY CITY MANAGER:**	
TODAY'S DATE: November 18, 2011	**REVISION DATE(S):**	**FILE NAME & PATH (HYPERLINK):** I:\janice gates\agenda preparation\agenda bills 2011\28 nov 2011 gth amendment.doc	

VIB. Amendment No. 2 to Contract No. 09-C816 with Gordon Thomas Honeywell for State Government Relations Services - Nancy

Contract No. 09-C816
Amendment No. 1

The following section of the government relations services contract dated September 29, 2009, between the City of Kenmore and Gordon Thomas Honeywell is amended to read in its entirety as set forth (i.e. below or in attachment). All other terms and conditions of the underlying contract shall remain in full force and effect.

Section 2. Compensation and Method of Payment. Total contract amount not to exceed $128,700
Section 3. Duration of Agreement. The contract shall be in effect from October 1, 2009 through December 31, 2012
Section 17. Notices. Notices to the City of Kenmore shall be sent to the following address:

Frederick Stouder, City Manager
City of Kenmore, Washington
PO Box 82607
Kenmore, WA 98028-0607

With copies to:

City Clerk
City of Kenmore, Washington
PO Box 82607
Kenmore, WA 98028-0607

DATED this ____ day of ________, 20__.

CITY OF KENMORE:

BY: ____________________________
Frederick C. Stouder
Title: City Manager

Attest/Authenticated:

____
Lynn Suskin, City Clerk

Approved as to Form:

____
Rod Kaseguma, City Attorney

CONSULTANT:

By: ____________________________

Title: ____________________________

Address: ____________________________

____

____

Kenmore Original

CONTRACT FOR CONSULTANT SERVICES
Contract No. 09-C816

This Agreement is entered into by and between the City of Kenmore, Washington, a municipal corporation ("City") and Gordon Thomas Honeywell, whose principal office is located at Tacoma, WA ("Consultant").

WHEREAS, the City desires to have certain services performed for its citizens; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the parties agree as follows:

1. Scope of Services to be Performed by Consultant. The Consultant shall perform the services described in Exhibit "A" of this Agreement. In performing the services, the Consultant shall comply with all federal, state and local laws and regulations applicable to the services. The Consultant shall perform the services diligently and completely and in accordance with professional standards of conduct and performance.

2. Compensation and Method of Payment. The Consultant shall request payment for work performed using the billing invoice form at Exhibit "C."

The City shall pay Consultant:

[Check applicable method of payment]

__x_ According to the rates set forth in Exhibit A

___A sum not to exceed $

___ Other (describe): ____
____

The Consultant shall complete and return to the City Exhibit "D," Tax Identification Number," prior to or along with the first billing invoice. The City shall pay the Consultant for services rendered within ten (10) days after City Council voucher approval.

3. Duration of Agreement. This Agreement shall be in full force and effect for a period commencing on October 1, 2009 and ending

December 31, 2010 unless sooner terminated under the provisions of this Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

4. Ownership and Use of Documents. Any records, files, documents, drawings, specifications, data or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not.

5. Independent Contractor. The Consultant and the City agree that the Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. The Consultant will be solely responsible for its acts and for the acts of its agents, employees, subconsultants or representatives during the performance of this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties.

6. Indemnification.

A. The Consultant shall protect, defend, indemnify and save harmless the City, its officers, employees and agents from any and all costs, claims, suits, losses or liabilities of any nature, including attorneys' fees, arising out of or in connection with the negligent acts or omissions of the Consultant, its officers, employees and agents in performing this Agreement.

B. The City shall protect, defend, indemnify and save harmless the Consultant, its officers, employees and agents from any and all costs, claims, suits, losses or liabilities of any nature, including attorneys' fees, arising out of or in connection with the negligent acts or omissions of the City, its officers, employees and agents in performing this Agreement.

7. Insurance.

The Consultant shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives or employees.

A. Minimum Scope of Insurance.

Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired, and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors, and personal injury and advertising injury. The City shall be named as an insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

B. Minimum Amounts of Insurance.

Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

2. Commercial General Liability insurance shall be written with limits no less than $1,000,000 each occurrence, $1,000,000 general aggregate.

C. Other Insurance Provisions.

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability, and Commercial General Liability insurance:

1. The Consultant's insurance coverage shall be primary insurance as respects the City. Any insurance, self-insurance or insurance pool coverage maintained by the City shall be in excess of the Consultant's insurance and shall not contribute with it.

2. The Consultant's insurance shall be endorsed to state that coverage shall not be canceled by either party except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

D. Verification of Coverage.

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

8. Record Keeping and Reporting.

A. The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

B. The foregoing records shall be maintained for a period of seven (7) years after termination of this Agreement, unless permission to destroy them is granted by the Office of the Archivist in accordance with Chapter 40.14 RCW and by the City.

9. Audits and Inspections. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review or audit by the City during the performance of this Agreement.

10. Termination.

A. The City reserves the right to terminate or suspend this Agreement at any time, with or without cause, upon seven (7) days prior written notice. In the event of termination or suspension, all finished or unfinished documents, data, studies, worksheets, models, reports or other materials prepared by the Consultant pursuant to this Agreement shall promptly be submitted to the City.

B. In the event this Agreement is terminated or suspended, the Consultant shall be entitled to payment for all services performed and reimbursable expenses incurred to the date of termination.

C. This Agreement may be canceled immediately if the Consultant's insurance coverage is canceled for any reason, or if the Consultant is unable to perform the services called for by this Agreement.

D. The Consultant reserves the right to terminate this Agreement with not less than fourteen (14) days written notice, or in the event that outstanding invoices are not paid within sixty (60) days.

E. This provision shall not prevent the City from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

11. Discrimination Prohibited. The Consultant shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Consultant under this Agreement, on the basis of race, color, religion, creed, sex, sexual orientation, age, national origin, marital status, or presence of any sensory, mental or physical disability.

12. Assignment and Subcontract. The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.

13. Conflict of Interest. The Consultant represents to the City that it has no conflict of interest in performing any of the services set forth in Exhibit "A." In the event that the Consultant is asked to perform services for a project with which it may have a conflict, Consultant will immediately disclose such conflict to the City.

14. Confidentiality. All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

15. Non-appropriation of Funds. If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

16. Entire Agreement. This Agreement contains the entire agreement between the parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the parties. Either party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

17. Notices. Notices to the City of Kenmore shall be sent to the following address:

City Clerk
City of Kenmore
P.O. Box 82607
Kenmore, Washington 98028-0607

Notices to the Consultant shall be sent to the following address:

1201 Pacific Avenue, Suite 2100
Tacoma, WA 98401

18. Applicable Law; Venue; Attorneys' Fees. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be exclusively in King County, Washington. The prevailing party in any such action shall be entitled to

its attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee shall be included in the judgment.

19. Severability. Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

CITY OF KENMORE, WASHINGTON

By: Frederick C. Stouder
Frederick C. Stouder
Title: City Manager

Date: Sept 29, 2009

CONSULTANT

By: [signature]

Title: President

Date: 10/8/09

ATTEST AS TO FORM:

Rod Kaseguma
Rod Kaseguma, City Attorney

EXHIBIT A

<u>Scope of Services to be Provided by Consultant</u>. The Consultant shall furnish services including, but not limited to, the following: See Attached

EXHIBIT B

Rates for Services to be Provided by Consultant. The Consultant shall furnish the services in accordance with the following rates:

GORDON THOMAS HONEYWELL
GOVERNMENTAL AFFAIRS

MEMO

TO: Fred Stouder, City Manager, City of Kenmore

FROM: Tim Schellberg, Gordon Thomas Honeywell Governmental Affairs

DATE: September 10, 2009

SUBJECT: Governmental Affairs Contract

Gordon Thomas Honeywell Governmental Affairs welcomes the opportunity to represent the City of Kenmore. To initiate our partnership, we have provided additional information on a scope of work, manager arrangement, fees, expenses, and term.

Scope of Work:

1. Work with the City of Kenmore to develop and refine a legislative agenda. This includes refining the transportation appropriation request for SR 522.
2. Develop policy papers and other informational materials on priority legislative agenda items, including the transportation appropriation request for SR 522.
3. Identify and track all relevant legislation introduced to the Washington State Legislature.
4. Continually meet with legislators on behalf of the City of Kenmore, including the legislative delegation, committee and party leadership, and others.
5. Engage in additional grassroots outreach, media, and public relations as necessary to bolster support for the City's transportation appropriation request and other issues.
6. Provide the City with weekly reports and tracking lists during the legislative session and provide the City with monthly reports during the legislative interim.
7. Participate in the Association of Washington Cities on behalf of the City of Kenmore.
8. Participate in the Washington Highway Users Federation on behalf of the City of Kenmore.

9. Attend all relevant legislative hearings, meetings, and stakeholder groups.
10. Coordinate City officials to testify at relevant legislative hearings and to meet with the City's legislative delegation in Olympia and during the interim.
11. Lobby to amend, defeat, or pass legislation or budgets that affect the City of Kenmore's interests.
12. Coordinate with the City's federal lobbyists to provide reasonable levels of assistance with the Washington State Congressional delegation as requested.

Manager Arrangement:
Tim Schellberg, President of Gordon Thomas Honeywell Governmental Affairs, will serve as both the contract and project manager for the City of Kenmore. He will be assisted by Briahna Taylor.

Fees:
Gordon Thomas Honeywell Governmental Affairs will provide the above scope of work for a monthly fee of $3,000.

Expenses
In addition to the fee above, Gordon Thomas Honeywell Governmental Affairs will expense for communication expenses not to exceed 10% of the contract.

Term:
The duration of the contract between the City of Kenmore and Gordon Thomas Honeywell Governmental Affairs will be from October 1, 2009 through December 31, 2010.

EXHIBIT C
City of Kenmore
Billing Invoice

To: City of Kenmore
6700 NE 181st
PO Box 82607
Kenmore, Washington 98028
Phone: (425) 398-8900
Fax: (425) 481-3236

Invoice Number:_______________ Date of Invoice:_____________

Consultant:____
Mailing Address:_______________________________________
____
Telephone: (   )________________

Contract Period:__________________ Reporting Period:___________________

Amount requested this invoice: $_________

Attach itemized description of services provided.

Specific Program:_______________________________________

____
Authorized signature

For Department Use Only

BUDGET SUMMARY

Total contract amount $_________
Previous payments $_________
Current request $_________
Balance remaining $_________

Approved for Payment by: ______________________ Date: ______________

Form **W-9** (Rev. October 2007) Department of the Treasury Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type See Specific Instructions on page 2.

Name (as shown on your income tax return)
Gordon Thomas Honeywell Governmental Affairs

Business name, if different from above
Same as above

Check appropriate box: ☐ Individual/Sole proprietor ☒ Corporation ☐ Partnership
☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ ......
☐ Other (see instructions) ▶
☒ Exempt payee

Address (number, street, and apt. or suite no.)
P.O. Box 1677

Requester's name and address (optional)

City, state, and ZIP code
Tacoma, WA 98401

List account number(s) here (optional)
N/A

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number: N/A

or

Employer identification number: 20 : 5719042

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here Signature of U.S. person ▶ [signature] Date ▶ 1/5/2009

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

EXHIBIT D
CITY OF KENMORE
6700 NE 181st Street
P.O. Box 82607
Kenmore, WA 98028
Phone: (425) 398-8900
Fax: (425) 481-3236

TAX IDENTIFICATION NUMBER

In order for you to receive payment from the City of Kenmore, the must have either a Tax Identification Number or a Social Security Number. The Internal Revenue Service Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires the City to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of Kenmore prior to or along with the submittal of the first billing invoice.

Please check the appropriate category:

✓ Corporation　　____ Partnership　　____ Government Consultant

____ Individual/Proprietor　　____ Other (explain)

TIN No.: 20-5719042

Social Security No.: N/A

Print Name: Tim Schellberg

Title: President

Business Name: ~~GORDON THOMAS HONEYWELL~~ GOVERNMENTAL AFFAIRS

Business Address: 1201 Pacific Ave., Suite 2100 Tacoma, WA 98401

Business Phone: (253) 620-6639

10/12/2009
Date

Timothy M. Schellberg
Authorized Signature (Required)

PUBLIC DISCLOSURE COMMISSION
711 CAPITOL WAY RM 206
PO BOX 40908
OLYMPIA WA 98504-0908
(360) 753-1111
TOLL FREE 1-877-601-2828

LOBBYIST REGISTRATION

L1 (12/03)

THIS SPACE FOR OFFICE USE

1. Lobbyist Name
Gordon Thomas Honeywell Governmental Affairs

Permanent Business Address
1201 Pacific Avenue, Suite 2100

City: Tacoma | State: WA | Zip: 98401

Business Telephone Numbers
Permanent (253) 620-6639
Temporary ( )
Cell Phone or Pager (253) 209-8818

E-Mail Address
tims@gth-gov.com

2. Temporary Thurston County address during legislative session
n/a

3. Employer's name and address (person or group for which you lobby)
City of Kenmore ATTN: Nancy Ousley
3700 NE 181st Street PO BOX 82607 Kenmore, WA 98028-0607

Employer's occupation, business or description of purpose of organization
Municipal Government

4. Name and address of person having custody of accounts, receipts, books or other documents which substantiate lobbyist reports. (Person responsible for producing the annual L3 report)
Hallee Sanders
1201 Pacific Avenue, Suite 2100 Tacoma, WA 98401

E-Mail Address
hsanders@gth-gov.com

5. What is your pay (compensation) for lobbying?
$ _3,000.00__ per _month__ (hour, day, month, year)
Other: Explain: Jan 08 – Dec 08

Description of employment (check one or more boxes)
☐ Full time employee
☐ Part time or temporary employee
☒ Contractor, retainer or similar agreement
☐ Unsalaried officer or member of group
☐ Sole duty is lobbying
☐ Lobbying is only a part of other duties

6. Are you reimbursed for lobbying expenses? Explain which expenses.
☐ Yes: $ ________ per ________
☒ Yes: I am reimbursed for expenses.
☐ No: I am not reimbursed for expenses.

Does employer pay any of your lobbying expenses directly? If yes, explain which ones.

7. How long do you expect to lobby for this organization?
☐ Permanent lobbyist ☐ Only during legislative session ☐ Other, Explain:

8. Is your employer a business or trade association or similar organization which lobbies on behalf of its members? If "yes," attach a list showing the name and address of each member who has paid the association fees, dues or other payments over $500 during either of the past two years or is expected to pay over $500 this year.
☒ No ☐ Yes. However, no member has paid, pays, or is expected to pay over $500.
☐ Yes. The list is attached

9. Does your employer have a connected, related or closely affiliated political action committee which will provide funds for you to make political contributions including purchase ticke to fund raising events? If so, list the name of that political action committee.
☒ No
☐ Yes. Name of the committee is:

10. If lobbyist is a company, partnership or similar business entity which employs others to perform actual lobbying duties, list name of each person who will lobby. (See WAC 390-20-143 and 144 for instructions.)
Tim Schellberg, Noah Reandeau, Briahna Taylor, Bryce Yadon, Megan Schrader

11. Areas of interest. Lobbying is most frequent before legislative committee members or state agencies concerned with following subjects:

CODE	SUBJECT	CODE	SUBJECT
01 ☐	Agriculture	09 ☐	Higher education
02 ☐	Business and consumer affairs	10 ☒	Human services
03 ☐	Constitutions and elections	11 ☒	Labor
04 ☐	Education	12 ☒	Law and justice
05 ☒	Energy and utilities	13 ☒	Local government
06 ☒	Environmental affairs - natural resources - parks	14 ☐	State government
07 ☐	Financial institutions and insurance	15 ☒	Transportation
08 ☒	Fiscal	16 ☐	Other – Specify:

Remarks:

CERTIFICATION: I hereby certify that the above is a true, complete and correct statement.

12. LOBBYIST'S SIGNATURE DATE

EMPLOYER'S AUTHORIZATION: Confirming the employment authority to lobby describe in this registration statement.

EMPLOYER'S SIGNATURE, NAME TYPED OR PRINTED, AND TITLE DATE
Nancy Ousley, Assistant City Manager 5 OCT 20

VIB. Amendment No. 2 to Contract No. 09-C816 with Gordon Thomas Honeywell for State Government Relations Services - Nancy

ATTACHMENT 3

City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic:

City of Kenmore Proposed 2013-2014 State Legislative Agenda

Proposed Council Action/Motion:

Approve City of Kenmore Legislative Agenda for the 2013-2014 Legislative Sessions

For Council Meeting Agenda of: 22 October 2012

Department: Executive

Prepared by: Nancy Ousley

	Initial & Date
Approved by Department Head:	NKO 11OCT2012
Approved by City Attorney:	
Approved by Finance Director:	10/11/12
Approved by City Manager:	RJK

Exhibits/Attachments:

1. Proposed Legislative Agenda

Expenditure Required $	Amount Budgeted $	Appropriation Required $

INFORMATION/BACKGROUND:

The City of Kenmore has been successful in the past two Legislative Sessions in securing nearly $2M in funding in the Transportation Budget for improvements to SR 522. Strategic and effective work throughout the year with our government relations consultants Gordon Thomas Honeywell has been instrumental in achieving those results. For example, Kenmore representatives have met with Transportation leadership and key Committee members in the State Senate and House of Representatives to provide briefings and tours of the SR 522 Corridor. Bothell and Lake Forest Park have participated in many of these meetings to underscore the importance of corridor improvements. Kenmore is transitioning this year to the 46th Legislative District due to redistricting, and the Administration and Council have made good progress in establishing relationships with our new delegation.

The proposed Legislative Agenda for this coming biennium continues the focus on transportation funding and includes funding for Economic Development, downtown amenities and parks. Policy priorities feature support for regional stormwater environmental assessment and identifying reasonable reforms to the public records request process.

FISCAL CONSIDERATION:

The strong track record in recent sessions for SR 522 funding provides a good foundation for future sessions, particularly as new transportation revenue package options are considered. A contract amendment extending the contract term for Gordon Thomas Honeywell will be proposed later this year,

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:
This Legislative Agenda prioritizes the top three 2011-2012 City Council Goals:

1. Seek funds and move forward on the SR-522 Project
2. Implement the Economic Development Plan
3. Implement a Parks Improvement and Financing Plan

City of Kenmore
Proposed Legislative Agenda for 2013-15 Legislative Biennia
October 2012

Funding Requests

Transportation Funding:

Completing SR 522

The City respectfully requests funding for improvements to State Route 522. SR 522 is a highway of statewide significance that runs through the City of Kenmore and connects I-5 to I-405. The City is committed to working with transportation leaders at every level of government to provide funding for this vital state highway.

SR 520 Construction Mitigation for Local Water-Dependent Businesses

The City respectfully requests state funding to mitigate impacts to local water-dependent businesses from the SR 520 construction barge activity, including monitoring water depths in areas adjacent to the businesses to determine the effects of the project activity.

Capital Budget Funding:

Kenmore Village Town Green

The City of Kenmore respectfully requests that $300,000 be allocated in the Capital Budget toward Kenmore Town Square. Kenmore Town Square will cover just under an acre on the Kenmore Village shopping center property, and will be a location for city programming to foster a greater sense of community, and provide an important amenity for downtown redevelopment. The City is prepared to provide a strong local match for State Capital Budget funding.

Grant Funding:

Park Funding

The City of Kenmore is in process of updating its parks plan to become eligible for grant funding. The City supports the continued state funding for parks, including Recreation and Conservation Office (RCO) grant funding and other capital programs.

Economic Development Funding

Small Business Incubator Funding - The City of Kenmore recently created a pilot program for a small business incubator. As such, the City supports state grant funding for small business incubators, which aid STEM careers through business assistance and mentoring. While the state's small business incubator account was eliminated in 2011 because it was not being utilized, the City supports capital funding allocations to small business incubators.

Ongoing Innovation Partnership Zone Funding – The City of Kenmore supports ongoing funding for Innovation Partnership Zones (IPZs). While an IPZ does not currently exist within the City's boundaries, the City hopes to pursue the creation of an IPZ in the near future.

Environmental Funding

Local Model Toxics Funding - The City supports funding for the Local Model Toxics Account to assist jurisdictions in environmental clean up efforts.

Stormwater Funding - The City supports the creation of funding mechanisms and dedicated revenue streams to assist local jurisdictions in meeting NPDES stormwater requirements, including continued funding for stormwater grants.

Policy Requests

Stormwater

The City of Kenmore supports policy changes that address stormwater management regionally, including addressing regional stormwater impacts in project SEPA analysis.

I-5 and I-405 Signage Directing Drivers to Kenmore

As the home of Bastyr University and the Kenmore International Air Harbor, the City of Kenmore respectfully requests additional directional signage leading to the City. The City will work with its legislative delegation and the Washington State Department of Transportation (WSDOT) to have directional signs on I-5 and I-405 directing drivers to Kenmore.

Public Records Reform

The City of Kenmore supports reform to statutes governing public records requests. In approaching this reform, the City recognizes the importance of transparency and accountability in government; however, the current system is frequently abused. The City of Kenmore looks forward to working with other stakeholders to develop some reform ideas.

Medicine Take-Back Program

The City of Kenmore supports legislation creating a statewide medicine take-back program. This legislation would require drug manufacturers that sell products in Washington to develop, fund, and implement a take-back system for unwanted, unused, or left over medicines. King County is in process of implementing a local take-back program.

Local Government Finance Considerations

The City of Kenmore supports consideration short-term strategies to recognize the financial conditions affecting local government in this economy. This could include postponing state-mandated deadlines for Growth Management Comprehensive Plans, adjusting Transportation Benefit District revenue options, providing incentives for fuel-efficient fleet vehicle replacement, or other actions.

City Council Business Agenda Item
City of Kenmore, WA

<table>
<tr><td>
Subject/Topic:

Amendment #2 to Contract No. 09-C780 with Alcalde & Fay for federal government relations services

Proposed Council Action/Motion:

Authorize the City Manager to execute Amendment #2 to Contract No. 09-C780 with Alcalde & Fay for federal government relations services
</td><td>
For Council Meeting Agenda of: 26 November 2012

Department: Executive

Prepared by: Nancy Ousley

Initial & Date
Approved by Department Head: NKO 15Nov2012
Approved by City Attorney: ______
Approved by Finance Director: [illegible] 11/15/12
Approved by City Manager: [illegible]

Exhibits/Attachments:
1) Proposed Amendment #2
2) November 28, 2011 Agenda Package
3) 2013 Federal Legislative Agenda
</td></tr>
</table>

Expenditure Required $61,200 per year maximum	Amount Budgeted $	Appropriation Required $0

INFORMATION/BACKGROUND:

The proposed contract amendment extends the term of the contract with Alcalde & Fay through December 31, 2013 at the present rate of $5000 per month retainer and a maximum of $1200 per year for related expenses, for a maximum of $61,200 per year. Amendment #1 to this contract, approved in 2011, extended the contract through December 31, 2012.

The City has worked with Alcalde & Fay since 2009, and the work has focused on SR 522 funding and including maintenance dredging for the Kenmore Navigation Channel in the US Army Corps of Engineers budget and work program. The firm has also assisted the City and Kenmore Air in discussions with Congressional offices and Executive agencies regarding service disruptions to Kenmore Air when air space is restricted for security reasons. The Federal Legislative Agenda approved by the Council in October 2012 continues the focus on these efforts and adds emphasis on securing grant funds for economic development and other initiatives.

FISCAL CONSIDERATION:

Funds are identified for this purpose in the Preliminary 2013-2014 Budget.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Seek funds to move forward with the SR 522 project; implement the Economic Development Strategy; pursue downtown development.

Contract No. 09-C780
Amendment No. 2

The following section of the federal government relations services contract dated March 10, 2009 and amended in November 2011, between the City of Kenmore and Alcalde & Fay is amended to read in its entirety as set forth below. All other terms and conditions of the underlying contract shall remain in full force and effect.

Section 2. Compensation and Method of Payment.

The City shall pay the Consultant: An annual sum not to exceed $61,200, based on a $5000 monthly retainer, and monthly expenses not to exceed $1200 for the 12 month period.

_x___ A sum not to exceed $290,700

Section 3. Duration of Agreement. The Agreement shall be in full force and effect for a period commending on March 15, 2009 and ending on December 31, 2013, unless sooner terminated under the provisions of this Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

DATED this ____ day of ________, 20__.

CITY OF KENMORE:

BY: ____________________________
Rob Karlinsey
Title: City Manager______________

CONSULTANT:

By: ____________________________

Title: ____________________________

Address: ____________________________
____
____

Attest/Authenticated:

____
Patty Safrin, City Clerk

Approved as to Form:

____
Rod Kaseguma, City Attorney

ATTACHMENT
2

CITY OF KENMORE, WASHINGTON AGENDA BILL SUMMARY			
AGENDA TITLE			**MEETING DATE**
Motion to Authorize the City Manager to execute Amendment No. 1 to Contract No.09-C780 with Alcalde and Fay, extending the contract duration date to December 31, 2012 and amending the contract amount to an amount not to exceed $229,500.			November 28, 2011
DEPARTMENT	**DIRECTOR**	**CONTACT PERSON**	**PHONE**
Executive	Frederick Stouder	Frederick Stouder	425-398-8900
COST OF PROPOSAL: $122,400 for 2011-2012		**ACCOUNT NUMBER:** 01.13.5401	
AMOUNT BUDGETED: $160,000 for Government Relations 2011-2012 Budget General Consulting/City Manager Cost Center		**NAME AND FUND #:** General Fund	
ATTACHMENT(S) TO AGENDA PACKET ITEM: Proposed Amendment No. 1 and Contract No. 09-C780			
SUMMARY STATEMENT: This contract amendment extends the contract for federal government relations services with Alcalde and Fay at the present rate of $5000 per month retainer and a maximum of $1200 per year for associated expenses or a maximum of $61,200 per year. The initial contract term was March 15, 2009 through March 31, 2010. This will extend the contract through December 31, 2012. The firm assisted the City of Kenmore on transportation funding, Army Corps of Engineers discussions on project funding for dredging and restoration projects, and United States Postal Service discussions on retaining the Kenmore Post Office; as well as the federal efforts particularly at Congressional committee levels with professional staffs for SR522 funding. The efforts have kept the City's needs in the forefront even in these times when searches for federal funds are challenging. The importance and time this effort may require in 2012 and beyond is critical as the City will be in transition with the recruitment of a new City Manager and City Engineer.			
CONSISTENT WITH OR COMPARISON TO PAST COUNCIL POLICIES, ORDINANCES, DIRECTION: The City Council authorized the City Manager to execute Contract No. 09-C780 with Alcalde and Fay for federal government relations services in March, 2009.			
RECOMMENDED CITY COUNCIL ACTION/SUGGESTED MOTION: Authorize the City Manager to execute Amendment No. 1 to Contract No. 09-C780 with Alcalde and Fay, extending the contract duration date to December 31, 2012 and amending the contract amount to an amount not to exceed $229,500. The 2012 state and federal legislative focus and costs should be a topic for the 2012 January Council Retreat.			
REVIEWED BY FINANCE DIRECTOR:	**REVIEWED BY CITY ATTORNEY:**	**APPROVED BY CITY MANAGER:**	
TODAY'S DATE: November 18, 2011	**REVISION DATE(S):**	**FILE NAME & PATH (HYPERLINK):** I:\janice gates\agenda preparation\agenda bills 2011\ab 28 nov 2011 alcalde fay amendment.doc	

VIC. Amendment No. 2 to Contract No. 09-C780 with Alcalde & Fay for Federal Government Relations Services - Nancy Ousley,

Contract No. 09-C780
Amendment No. 1

The following sections of the federal government relations services contract dated March 10, 2009, between the City of Kenmore and Alcalde & Fay is amended to read in its entirety as set forth below. All other terms and conditions of the underlying contract shall remain in full force and effect.

Section 2. Compensation and Method of Payment. The City shall pay the Consultant:

An annual sum not to exceed $61,200, based on a $5000 monthly retainer, and monthly expenses not to exceed $1200 per year.

X A sum not to exceed $229,500

Section 3: Duration of Agreement. The Agreement shall be in full force and effect for a period commencing on March 15, 2009 and ending on December 31, 2012, unless sooner terminated under the provisions of this Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

DATED this ____ day of ________, 20__.

CITY OF KENMORE:

BY: ____________________________
Frederick C. Stouder
Title: City Manager

Attest/Authenticated:

____
Lynn Suskin, City Clerk

Approved as to Form:

____
Rod Kaseguma, City Attorney

CONSULTANT:

By: ____________________________

Title: ____________________________

Address: ____________________________
____
____

Kenmore Original

CONTRACT FOR CONSULTANT SERVICES
Contract No. 09-C780

This Agreement is entered into by and between the City of Kenmore, Washington, a municipal corporation ("City") and Alcalde & Fay, whose principal office is located at 2111 Wilson Boulevard, 8th Floor, Arlington, VA 22201 ("Consultant").

WHEREAS, the City desires to have certain services performed for its citizens; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the parties agree as follows:

1. Scope of Services to be Performed by Consultant. Services include federal advocacy services, assistance and support in achieving City of Kenmore's federal legislative and administrative objectives and federal Congressional authorization and appropriations to achieve City Priority projects. These include federal authorization to include and subsequent finance the final phase of State Road 522, potential assistance in shoreline and surface water objectives, and other transportation, surface water, open space and parks, and public facility capital projects.

2. Compensation and Method of Payment. The Consultant shall request payment for work performed using the billing invoice form at Exhibit "C."

The City shall pay Consultant: An amount not to exceed & $61,200 based on a $5,000 monthly retainer, and monthly expenses not to exceed $1,200 for the 12-month period.

[Check applicable method of payment]

__ According to the rates set forth in Exhibit "B".

__ A sum not to exceed $ 61,200.

___ Other (describe):

The Consultant shall complete and return to the City Exhibit "D," Tax Identification Number," prior to or along with the first billing invoice. The City shall pay the Consultant for services rendered within ten (10) days after City Council voucher approval.

3. Duration of Agreement. This Agreement shall be in full force and effect for a period commencing on March 15, 2009 and ending March 15, 2010, unless sooner terminated under the provisions of this Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

4. Ownership and Use of Documents. Any records, files, documents, drawings, specifications, data or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not.

5. Independent Contractor. The Consultant and the City agree that the Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. The Consultant will be solely responsible for its acts and for the acts of its agents, employees, subconsultants or representatives during the performance of this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties.

6. Indemnification.

A. The Consultant shall protect, defend, indemnify and save harmless the City, its officers, employees and agents from any and all costs, claims, suits, losses or liabilities of any nature, including attorneys' fees, arising out of or in connection with the negligent acts or omissions of the Consultant, its officers, employees and agents in performing this Agreement.

B. The City shall protect, defend, indemnify and save harmless the Consultant, its officers, employees and agents from any and all costs, claims, suits, losses or liabilities of any nature, including attorneys' fees, arising out of or in connection with the negligent acts or omissions of the City, its officers, employees and agents in performing this Agreement.

7. Insurance.

The Consultant shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives or employees.

A. Minimum Scope of Insurance.

Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired, and leased vehicles. Coverage shall be written on Insurance Services Office (ISO)

form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors, and personal injury and advertising injury. The City shall be named as an insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

4. Professional Liability insurance appropriate to the Consultant's profession.

B. Minimum Amounts of Insurance.

Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

2. Commercial General Liability insurance shall be written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate.

3. Professional Liability insurance shall be written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

C. Other Insurance Provisions.

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability, and Commercial General Liability insurance:

1. The Consultant's insurance coverage shall be primary insurance as respects the City. Any insurance, self-insurance or insurance pool coverage maintained by the City shall be in excess of the Consultant's insurance and shall not contribute with it.

2. The Consultant's insurance shall be endorsed to state that coverage shall not be canceled by either party except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

D. Verification of Coverage.

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

8. Record Keeping and Reporting.

A. The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

B. The foregoing records shall be maintained for a period of seven (7) years after termination of this Agreement, unless permission to destroy them is granted by the Office of the Archivist in accordance with Chapter 40.14 RCW and by the City.

9. Audits and Inspections. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review or audit by the City during the performance of this Agreement.

10. Termination.

A. The City reserves the right to terminate or suspend this Agreement at any time, with or without cause, upon seven (7) days prior written notice. In the event of termination or suspension, all finished or unfinished documents, data, studies, worksheets, models, reports or other materials prepared by the Consultant pursuant to this Agreement shall promptly be submitted to the City.

B. In the event this Agreement is terminated or suspended, the Consultant shall be entitled to payment for all services performed and reimbursable expenses incurred to the date of termination.

C. This Agreement may be canceled immediately if the Consultant's insurance coverage is canceled for any reason, or if the Consultant is unable to perform the services called for by this Agreement.

D. The Consultant reserves the right to terminate this Agreement with not less than fourteen (14) days written notice, or in the event that outstanding invoices are not paid within sixty (60) days.

E. This provision shall not prevent the City from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

11. Discrimination Prohibited. The Consultant shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Consultant under this Agreement, on the basis of race, color, religion, creed, sex, sexual orientation, age, national origin, marital status, or presence of any sensory, mental or physical disability.

12. Assignment and Subcontract. The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.

13. Conflict of Interest. The Consultant represents to the City that it has no conflict of interest in performing any of the services set forth in Exhibit "A." In the event that the Consultant is asked to perform services for a project with which it may have a conflict, Consultant will immediately disclose such conflict to the City.

14. Confidentiality. All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

15. Non-appropriation of Funds. If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

16. Entire Agreement. This Agreement contains the entire agreement between the parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the parties. Either party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

17. Notices. Notices to the City of Kenmore shall be sent to the following address:

City Manager
City of Kenmore
P.O. Box 82607
Kenmore, Washington 98028-0607

And copies to the same address in care of the City Clerk.

Notices to the Consultant shall be sent to the following address:

Paul Schlesinger
Alcalde & Fay
211 Wilson Boulevard
8th Floor
Arlington, VA 22201

18. Applicable Law; Venue; Attorneys' Fees. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee shall be included in the judgment.

19. Severability. Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

CITY OF KENMORE, WASHINGTON	CONSULTANT
By:	By:
Title: City Manager	Title: Partner, Alcalde & Fay
Date: March 10, 2009	Date: 3-17-09

ATTEST AS TO FORM:

Rod Kaseguma, City Attorney

EXHIBIT A

<u>Scope of Services to be Provided by Consultant</u>. The Consultant shall furnish services including, but not limited to, the following:

EXHIBIT B

Rates for Services to be Provided by Consultant. The Consultant shall furnish the services in accordance with the following rates:

EXHIBIT C
City of Kenmore
Billing Invoice

To: City of Kenmore
486 228th Avenue NE
Kenmore, Washington 98074
Phone: (425) 898-0660
Fax: (425) 898-0669

Invoice Number:________________ Date of Invoice:______________

Consultant:____
Mailing Address:____
____

Telephone: ( )_________________

Contract Period:___________________ Reporting Period:____________________

Amount requested this invoice: $__________

Attach itemized description of services provided.

Specific Program:____

____
Authorized signature

For Department Use Only

BUDGET SUMMARY

Total contract amount	$__________
Previous payments	$__________
Current request	$__________
Balance remaining	$__________

Approved for Payment by: _______________________ Date: _______________

VIC. Amendment No. 2 to Contract No. 09-C780 with Alcalde & Fay for Federal Government Relations Services - Nancy Ousley,

EXHIBIT D
CITY OF KENMORE
486 228th Avenue NE
Kenmore, WA 98074
Phone: (425) 898-0660
Fax: (425) 898-0669

TAX IDENTIFICATION NUMBER

In order for you to receive payment from the City of Kenmore, the must have either a Tax Identification Number or a Social Security Number. The Internal Revenue Service Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires the City to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of Kenmore prior to or along with the submittal of the first billing invoice.

Please check the appropriate category:

_____ Corporation _____ Partnership _____ Government Consultant

_____ Individual/Proprietor _____ Other (explain)

TIN No.: ________________

Social Security No.: ______________

Print Name: ______________________________

Title: ______________________________

Business Name: ______________________________

Business Address: ______________________________

Business Phone: ______________________________

______________________ Date

______________________ Authorized Signature (Required)

VIC. Amendment No. 2 to Contract No. 09-C780 with Alcalde & Fay for Federal Government Relations Services - Nancy Ousley,

From the Desk of:

PAUL SCHLESINGER

The enclosed is for your general information

Thanks so much for entrusting us with this work.

We understand how important this project is to the City, & will work our hardest to make certain we don't let you [illegible]

RECEIVED
MAR 28 2009
CITY OF KENMORE

Alcalde & Fay, 2111 Wilson [illegible] VA 22201
Phone: (703) 841-0626 Fax: (703) 24[illegible]
e-mail: schlesinger@alcalde-fay.com

ATTACHMENT 3

City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic:	For Council Meeting Agenda of: 22 Oct 2012
Discussion and Approval of City of Kenmore Proposed 2013 Federal Legislative Agenda	Department: Executive Prepared by: Nancy Ousley
Proposed Council Action/Motion: Approve City of Kenmore 2013 Federal Legislative Agenda	**Initial & Date** Approved by Department Head: NKO 11OCT2012 Approved by City Attorney: Approved by Finance Director: [illegible] 10/11/12 Approved by City Manager: RJK Exhibits/Attachments: 1. Proposed 2013 Federal Legislative Agenda

Expenditure Required $n/a Amount Budgeted $ Appropriation Required $0

INFORMATION/BACKGROUND:

The City of Kenmore is active in working with our Congressional Delegation, Congressional Committee Staff and relevant federal agencies on City funding and policy priorities. The proposed legislative agenda for 2013 continues the focus on funding for SR 522 improvements and Kenmore Navigation Channel maintenance dredging. City officials have made significant progress in familiarizing our Delegation with these initiatives, and in maintaining positive contacts with federal officials at the staff and elected levels. Though recent Federal budgets are challenging, keeping Kenmore's issues in front of our Congressional Delegation and other decision-makers provides an advantage when funding opportunities emerge.

The proposed agenda also emphasizes seeking funding opportunities for other projects such as potential parking for downtown and transit users, economic development, and finding a workable solution for Kenmore Air's service disruptions when airspace is affected by federal dignitary flights in the area.

The City has worked with federal government relations firm Alcalde & Fay since 2009. Paul Schlesinger and Anne Cullather work on the City's behalf for the firm.

FISCAL CONSIDERATION:

The Council will consider an amendment to extend the term of the Alcalde & Fay contract later this year.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Council Goals for 2012-2013 prioritize: seeking funds for SR 522; economic development; parks financing; establishing a sidewalk plan; and pursuing downtown and Lakepointe development.

VIC. Amendment No. 2 to Contract No. 09-C780 with Alcalde & Fay for Federal Government Relations Services - Nancy Ousley,

October 22, 2012

CITY OF KENMORE

PROPOSED 2013 FEDERAL LEGISLATIVE AGENDA

SR 522 Improvements:

The SR 522 Corridor Improvements Project has been one that has been given great emphasis by the City in the federal agenda. Completing a financing package for the project has been hampered by Congressional policy implemented over the past three years that prohibits the earmarking of funds dedicated for project-specific purposes. Important progress on bringing to the attention the need for these improvements has been made with the Congressional Delegation, Congressional Committee staff and Office of Management and Budget.

Potential transportation funding opportunities:
The Senate Appropriations bill, written by Senator Murray, includes $500 million for a continuance of the TIGER program in FY '13. In the meantime, DOT should be making a decision in the near future as to whether they will solicit grant applications for the TIGER program with the partial year's funding they will receive under the CR for the first half of FY '13. o assist with the preparation of an application if the City decides to seek funding from this program.

MAP-21 (Moving Ahead for Progress in the 21st Century Act): the two year transportation reauthorization legislation which was enacted without earmarks earlier this year, runs only through FY '14, it is expected that Congress will begin its consideration of successor legislation next year. Congressional Delegation, and other congressional leaders to try and make certain that any such legislation be drafted in a way that might facilitate completion of SR 522 and include earmarks for this project if the determination is made that earmarks will indeed be part of this legislation.

Appropriations bills next year might include earmarks and a priority is to ensure we are in a position to advocate strongly for a SR 522 project in earmarks.

Kenmore Navigation Channel:

The Kenmore Navigation Channel has not seen an episode of federally-assisted maintenance dredging since the 1990's prior to the City's incorporation. Pursue funding for the Army Corps to engage in maintenance dredging through work with the Congressional delegation, Congressional Committee staff and appropriate federal Agencies.

Continue regular contact with Army Corps officials in the Seattle District, Northwestern Division, and Washington Headquarters, as well as with the Office of Management and Budget, to be certain that all pertinent officials are fully aware of the project's importance.

A provision that has been included in FY '13 appropriations bills taken up by both the Senate and House which add funds to the Corps' Operation and Maintenance budget with instructions that $30 million be utilized, at the discretion of the Corps, for small, remote, or subsistence navigation projects and Senator Cantwell mentioned the Kenmore Navigation Channel by name in a press release supporting this provision. The Corps is to determine a work plan for the utilization of these funds around the Spring of 2013. Continue to work with our Congressional Delegation to advocate that the Corps allocate some of the $30 million to the Kenmore Navigation Channel project.

<u>Kenmore Air Temporary Flight Restrictions</u>:

Continue to work with the Congressional Delegation to seek resolution to the Temporary Flight Restriction issue that is impacting Kenmore Air's business and inconveniencing passengers The Delegation has been provided an estimate of the financial impact each time Kenmore Air needs to close down its flight operations as a result of a TFR. As a result of these efforts, the staffs of our two Senators convened a meeting with leadership in the three agencies involved – U.S. Secret Service, TSA and FAA – to discuss a potential fix to the issue. The delegation tasked the three agencies to work to develop a viable solution.

<u>Commuter Parking Facility Funding</u>

Kenmore is a regional commuter center that is served by Metro Transit and Sound Transit, and existing park n' ride facilities are full by early morning, resulting in overflow parking going into neighborhoods. Work with Sound Transit and/or Metro Transit to identify opportunities for locating a parking structure that can also serve downtown Kenmore businesses and/or trail and park users. Determine the best strategy for pursuing Federal Transit Administration discretionary grant program funds in conjunction with the transit agencies and WSDOT. MAP-21 modified FTA discretionary grant programs (examples are Bus and Bus Facility, State of Repair) so that funds are to be distributed via formula funding, in most cases to urbanized areas and state Departments Of Transportation.

Identify and Pursue Grant Funding for City Priorities
The City's government relations consultants Alcalde & Fay will provide regular reports and alerts on federal grant funding opportunities for various purposes and programs, such as parks, economic development and infrastructure. The firm will assist the City in preparing grant proposals as requested.

Monitor Discretionary Budgets
Community Development Block Grant and other Housing and Urban Development Programs to ensure support for local governments is maintained.

Business of the City Council
City of Kenmore, WA

Subject: **Adopt 2013 Fee Schedule;** **Resolution No. 12-208**	**For Council Meeting Agenda of:** November 26, 2012 **Department:** City-wide **Prepared by:** Bryan Hampson
Proposed Council Action/Motion: Approve Resolution No. 12-208 the City of Kenmore, Washington, Adopting the City of Kenmore's 2013 Fee Schedule	**Initial & Date** **Approved by Department Head:** BH 11/16/12 **Approved by City Attorney:** NA **Approved by Finance Director:** 11/16/12 **Approved by City Manager:** **Exhibits/Attachments:** Attachment 1: Resolution No. 12-208 with Proposed 2013 Fee Schedule (Exhibit A) Attachment 2. 2012 Fee Schedule

Expenditure Required $ NA **Amount Budgeted $** NA **Appropriation Required $** NA

INFORMATION/BACKGROUND:

Annually the City of Kenmore's fee schedule is reviewed and updated as provided for in Ordinance 02-0139. **We are not proposing to increase the 2013 fees by the Consumer Price Index (CPI).**

The City Staff is proposing the following revisions to the 2012 Fee Schedule:

Note: Solid vertical lines (|) in the margin of the fee schedule indicate a change from the 2012 schedule, and a plus sign (+) in the margin of the fee schedule indicates a new fee for 2013.

1. Page 5 – Establish a site plan review fee for construction permits. Currently there is no fee for building, engineering and right-of-way site plan reviews. The proposed fee is $100. A site plan review is performed by a planner for building permits to verify the setbacks, impervious surface area calculations, landscaping requirements, building heights, utilities and critical areas.
2. Page 5 – Allow hourly development services fees to be billed in ½ hour intervals. Currently hourly services are billed at 1 hour intervals. This could allow a lower rate for the recipient.
3. Page 5 – Establish development agreement fees. This is a new service. Currently there are no fees established for development agreements. The proposed fee is a $200 application fee plus $5000 and City Attorney fees for agreements requested by the applicant. In the instance where the City approaches an applicant or developer, requests an agreement, we are recommending there would be no fee.

4. Page 6 –Establish a fee for a zoning verification letter or interpretation letter. Currently there is no administrative fee for this type of service. The proposed fee is $100. This is for instances when a perspective purchaser is interested in a parcel, inquirers to the allowed uses, and requests a letter of confirmation from the City.

5. Page 8 – Establish a legal lot status request fee. Similar to a zoning inquiry currently there is no fee; the proposed fee is $100; and is for instances when a perspective purchaser is interested in a parcel, inquirers to the legal status of the lot, and requests a letter of confirmation from the City.

6. Page 9 – Establish a fee for road and drainage standard variances. Currently there is no administrative fee for this service. The proposed fee is $200. This would apply to a development requesting a deviation or variance to a road or drainage standard.

7. Page 14 – Establish a base fee for plumbing and mechanical permits for new dwellings and townhomes. Currently each fixture needs to be accounted for prior to construction. If/when there are modifications to the count such as adding an exhaust fan or sink during construction, the applicant needs to come in and pay the additional $10 fee. This ends up costing the City and the applicant more time and money to process and is also an inconvenience for the customer. The proposed fee is $225 each, this is an average amount based on an average size new house in Kenmore.

8. Page 18 – Reduced the access right-of-way use fee from 80% to 25% of the assessed valuation of the adjacent property. 80 % was intended for a more permanent use. Access right-of-way permits are for a temporary use such as installing access to a property along an unopened City owned right-of-way.

9. Page 18 – Revised the encroachment right-of-way use fee from 80% of the assessed valuation of the adjacent property to 12% times the number of years intended to use it. This will allow a reduced fee for a shorter duration and still be consistent with fair market values. The fee will balance out at 6.7 years and thereafter will be more. An encroachment is a permanent structure, vehicle or similar.

10 Page 18 – Fixed typo on Utility Franchise ROW Application fee from 2012 schedule, (0 to $200).

10. Page 21 – Established a fee for using City owned property, other than right-of-way, for event parking, storage or similar use. An example would be the use of the Kenmore Village parking lot or old park-and-ride lot for parking. Currently there is no formal fee established. The proposed fee is $100 per day regardless of size or area needed. We will continue to review and process the requests through a special event permit.

<u>FISCAL CONSIDERATION</u>:
The proposed annual review and adjustments to the City's fee schedule are needed to ensure the City is recovering costs necessary with performing associated services.

<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED</u>:
To continue to improve City services and processes.

I:\City Clerk\AGENDA ITEMS\Finance & Administration\2012 Council Meetings\November 26, 2012\Agenda Bill Summary_2013 Fee Schedule.docx

(Attachments are located in I:\City Clerk\AGENDA ITEMS\Finance & Administration\2012 Council Meetings\November 26, 2012)

ATTACHMENT 1

CITY OF KENMORE
WASHINGTON

RESOLUTION NO. 12-208

A RESOLUTION OF THE CITY OF KENMORE, WASHINGTON, AMENDING EXHIBIT A TO RESOLUTION NO. 12-194 TO ADOPT THE CITY OF KENMORE, WASHINGTON 2013 FEE SCHEDULE.

WHEREAS, for the convenience of Kenmore residents and other city customers, the City Council desires to adopt all City fees by resolution; and

WHEREAS, the City of Kenmore adopted Ordinance No. 02-0139 on June 24, 2002, allowing the City to adopt all fees by Resolution; and

WHEREAS, the City Council desires to review any and all fee annually and make any necessary adjustments to fees at that time; and

WHEREAS, the City of Kenmore adopted Resolution No. 12-194 on January 23, 2012, adopting the City of Kenmore 2012 Fee Schedule; and

WHEREAS, the City now desires to adopt revisions to its fee schedule for 2013 based on these revisions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DOES RESOLVE to amend Exhibit A to Resolution No. 12-194, as set forth on Exhibit "A", entitled "City of Kenmore, Washington 2013 Fee Schedule", attached hereto and incorporated herein by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26th DAY OF NOVEMBER, 2012.

(SIGNATURES ON NEXT PAGE)

CITY OF KENMORE

____

Mayor

ATTEST/AUTHENTICATED:

____

Patty Safrin, City Clerk

Approved as to form:

____

Rod Kaseguma, City Attorney

EXHIBIT A

City of Kenmore, Washington

2013 Fee Schedule

Resolution No. _12-208__

VID. Adopt 2013 Fee Schedule - Resolution No. 12-208 - Bryan Hampson, Development Services Director

Table of Contents

Note: Solid vertical lines (❙) in the margin of the fee schedule indicate a change from the 2012 schedule, and a plus sign (+) in the margin of the fee schedule indicates a new fee for 2013.

1. BUSINESS LICENCES

Type		2013 Fee
Adult Entertainment		
	Device	$50 each
	Operator	$500/year
	Premises	$200/year
	Panoram Manager License	$50/year
Adult Cabaret		
	Operator	$500/year
	Cabaret Manager License	$50/year
	Cabaret Entertainer License	$50/year
	Adult Retail Business License	$500/year
Dance		$200/year $100/six months $50/day
Dance (non-profit, educational or City-sponsored)		Exempt
Live Entertainment: music (other than mechanical); boxing or wrestling; exhibition skating; video arcades; pool halls; bowling alleys; race tracks and drag strips (if attendance more than 2,000 at a single event). Covers more than one skating rink, shooting gallery.		$200/year $100/six months $50/day
Amusement Parks – Permanent		
	For one to 10 units, inclusive	$200/year $100/six months
	For more than 10 units	$400/year $200/six months
Carnivals		
	For one to 10 units, inclusive	$40.00/day
	For more than 10 units	$100/day
Closing out sales		
	Closing out sale license – original license	$300/year
	First 30-day renewal	$200/year
	Second 30-day renewal	$200/year
Junk Shop License		$300/year
Junk Wagon License		$40/year
Massage Parlor/Bathhouse		$150/year
Massage Practitioner		$50/year
Theaters		$100/each screen
Outdoor Musical Event (not sponsored by the City and with an admission fee)		$750/year
Pawnbroker		$500/year
Peddler/Solicitor		No fee
Secondhand dealer		$40/year
Shuffleboard License		$50/year
Renewal of License, registration or permit late penalty		10% of required fee
Transferability of license of permit		$25

2. CODE ENFORCEMENT

Code Enforcement	2013 Fee
Inspection/Posting	$50
Re-inspection	$50
Abatement	Actual City costs
Abatement Hearing	$360
Hearing Officer	$215/hour
Notice of Violation Appeal Hearing	$125
Removal of Declaration	$20
Violation of a stop work order	$500

Housing Code Enforcement	2013 Fee
Inspection/Posting	$255/hour
Re-Inspection plus Notice and Order	$510
Hourly Rate	$255
Appeal Fee	$150/each
Closing Fee	$255
Contract Abatement Fee	$15% of the contract
Late Fee	$25% of amount due
Hearing Officer	$215/hour

The following fees apply to all enforcement actions:	2013 Fee
Inspection Warrant	$350/each
Attorney Fees	Rate per hour to be determined as established by the City Attorney contract for legal services
Paralegal Services	$60/hour
Notary Services	$10
Abatement	Actual cost of labor

3. COMPREHENSIVE PLAN AND DEVELOPMENT REGULATION AMENDMENTS

Type	2013 Fee
Prescreening/threshold review fee	$200
Annual amendment cycle fee (applicants whose amendment proposals are approved for consideration by the City Council)	$400

4. DEVELOPMENT SERVICES

General Fees		2013 Fee
Development Review Technology Fee		
	Applies to development permits and is based on development plan review fees and permit fees, not to include impact fees or land use decisions.	3%
P-Suffix and other required site plan reviews		
	Initial plan review	$1,078
	Each additional review for compliance, including signs and tenant improvements.	$163
	Amend adopted P-suffix conditions	$2,241
Mobile home park and RV park plan review		$3,561
Site plan application fee (Land-use permit associated to KMC 18.105)		$364
Construction permit site plan review		$100
Landscape and tree management plan review		
	Initial plan review based on site area	
	0 – 1 site acre	$211
	> 1 – 2 site acres	$337
	> 2 – 5 site acres	$507
	> 5 – 10 site acres	$676
	More than 10 site acres	$1,352
	Each plan revision review	$324
	Request for modification requiring public notice	$673.00
Landscape and tree management inspections		
	Landscape installation inspection	$269
	Landscape maintenance bond release inspection	$269
Additional excessive reviews and inspection fees		
	Applies to all development permits; additional plan review or inspections required by changes, additions or revisions to the plans or excess reviews of re-submittals will be billed at an hourly rate.	$100/hour
Hourly fees throughout this section may be billed in ½ hour intervals		

Development Agreement	2013 Fee
Threshold review with City Council	$200
Development Agreement requested by the applicant (proposal is approved for consideration by the City Council)	$5,000 + City Attorney fees
Development Agreement requested by the City	No Fee

Pre-Application	2013 Fee
Pre-application review fee	No Fee

Zoning and Land Use	2013 Fee
Request for site specific rezone	$3,000
Conditional use permits (CUP) and special use permits (SUP)	
Administrative CUP	$3,633
SUP with public hearing	$8,501
Daycare with 24 children or less	$1,365
Request for time extension	$146
Variances (including variances from KMC 18.55)	
Application review	$2,500
Added fee when public hearing required	$1,626
Request for time extension	$146
Boundary line adjustment	$574
Communications facility application fee	$364
Accessory dwelling unit	$50
Change of use (zoning only)	$50
Reuse of closed public school facilities	$1,400
Land use inspections	$100/hour
Reasonable use exception	$2,500
Public agency and utility exception	$1,953
Zoning letter inquiry/request	$100
Design review	$100/hour

Subdivision – Preliminary Application Review	2013 Fee
Preliminary short subdivisions	
Short subdivision 4 lots or less	
Base fee	$1,111
Plus per lot	$140
Short subdivision 5 to 9 lots	
Base fee	$7,033
Plus per lot	$153
Revision to approved preliminary	$898
Short subdivision alteration	$1,245
Request for time extension	$100
Preliminary subdivisions	
Initial application 50 lots or less	
Base fee	$12,955
Plus per lot	$167
More than 50 lots	
Base fee	$22,208
Plus per lot	$37
Surcharge for applications utilizing lot clustering or flexible yard provisions (percent of initial fee)	10%
Major revision requiring new public hearing	$3,886
Minor revisions submitted after preliminary approval (not	$925

necessitating additional hearings)	
Request for time extension	$100
Subdivision alterations or subdivision vacations	
With public hearing	$3,886
Without public hearing	$1,944
Supplemental fee – a surcharge for applications involving significant environmentally sensitive areas (percentage of total initial fee)	10%
Supplemental fee – remanded applications (percentage of initial fee)	50%
Binding site plan	
Building permit, as-built or site plan review based plan	$4,862
Conceptual plan	$5,733
Revision to a preliminary approved plan	$1,112
Revision to a final binding site plan	$1,996

Shoreline Management Permit	2013 Fee
Substantial development permit	
Total cost of proposed development:	
Up to $10,000	$1,280
$10,001 to $100,000	$2,560
$100,001 to $500,000	$6,399
$500,001 to $1,000,000	$9,598
$1,000,001 or more	$12,797
Single family joint-use dock	$2,560
Shoreline conditional use permit	
Non-forest practices	$7,219
Forest practices	$1,313
Shoreline variance	
Up to $10,000 project value	$2,166
$10,001 or more project value	$7,219
Shoreline re-designation	
Base fee	$14,438
Per shoreline lineal foot	$27.60
Maximum	$54,144
Shoreline review of other permits or approvals for conditions	$177
Shoreline exemption	$276
Supplemental fees	
Request for an extension of a permit, calculated as a percentage of the original permit	20%
Shoreline permit revision, calculated as a percentage of the original permit	20%
Surcharge when public hearing required	12%
Minimum	$2,048
Permit compliance inspections	
Hourly rate (including travel time)	$100/hour
Plus per mile	$0.50/mile

Special Reviews	2013 Fee
State Environmental Policy Act (SEPA) review	
Environmental checklist	
Base fee	$600
After six hours	$100/hour
Supplemental Determination of Nonsignificance (DNS), Mitigated Determination of Nonsignificance (MDNS), or Determination of Significance (DS) review	$100/hour
MDNS deposit	$1,313
Environmental Impact Statement (EIS) deposit – a percentage of total estimated cost	33%
Draft Environmental Impact Statement (DEIS), Final Environmental Impact Statement (FEIS), Supplemental Environmental Impact Statement (SEIS) or addenda preparation and review costs – including scoping, writing, editing, publishing, mailing, distributing and contract administration:	
All fixed and contract costs, and time costs, per hour	$100/hour
Post MDNS, DEIS, FEIS or SEIS publication work preparing or consulting on staff reports, permit conditions or public hearing testimony, per hour	$100/hour
Critical areas review Applicants will be eligible for a refund of the portion of the base fee that is less than the city's costs (including consultants, public notice (as necessary) and other associated expenses).	
Review of residential building permits, shoreline permits, individual short subdivision, boundary line adjustments and right-of-way use permits:	
Site review base fee	$1,000
Plus, per hour	$100/hour
Review of commercial building permits, grading permits, engineering permits, subdivisions, PUDs, declassifications, variances, conditional use permits and unclassified use permits:	
Site review base fee	$1,000
Plus, per hour	$100/hour
Flood plain determination – certificate of elevation	$100
Plus, per hour	$100/hour
Review of mitigation plan compliance, per hour	$100/hour
Critical areas inspection	$100/hour
Inspection and monitoring, per hour	$100/hour
Appeals	
Appeals to the hearing examiner from decisions of the City	$125
Departmental review of non-departmental permits	$100/hour
Review and monitoring of master drainage plans, per hour	$100/hour
Legal lot status request	$200

Engineering: General Permitting & Inspections			2013 Fee
Parking review			
	New or additional spaces		
		First 0-25 spaces	$23/each space
		Next 26-50	$20.70/each space
		Next 51-75	$16.30/each space
		Next 76-150	$16.30/each space
		Anything above 150	$11.80/each space
		Minimum fee	$296.10
Clearing			
	0 – 5 site acres		
		Base fee	$73.50
		Hourly fee	No fee
	5.1 site acres or more		
		Base fee	$367.50
		Hourly fee	$100/hour
	Field inspections		$100/hour
Tree removal			$73.50
Drainage review			
	Residential drainage requirement review base fee		$238
		Small site drainage review	$143
		Targeted drainage review	$234
	Full drainage review		
		Simplex review	$293
		Complex review	$676
Commercial drainage plan review base fee			$570

Total distributed area	Targeted drainage review #1, 2 and 3	Full drainage review and targeted drainage review for #4
0 – .50 site acre	$895	$1,119
.51 – 1 site acre	$1,234	$1,543
1.1 – 2 site acres	$2,255	$2,819
2.1 – 5 site acres	$4,951	$6,189
5.1 – 10 site acres	$5,964	$7,456
More than 10 acres	$6,640	$8,300

Traffic impact analysis review		
	Level 1 (10 P.M. peak hour trips or less)	$337
	Level 2 (11-75 P.M. peak hour trips)	$800
	Level 3 (Over 75 P.M. peak hour trips)	$1,600
Road standards/drainage standards variance		$200
Grading permit (based on the total of the two tables listed below)		

Table 1

Volume	Base fee		Per 100 cubic yards
0 to 500 cubic yards	$0	+	$28.40
501 to 3,000 cubic yards	$54	+	$39.20
3,001 to 10,000 cubic yards	$339	+	$26.10
10,001 to 20,000 cubic yards	$2,159	+	$7.90
20,001 to 40,000 cubic yards	$3,319	+	$2.10

40,001 to 80,000 cubic yards	$3,599	+	$1.40
80,001 cubic yards or more	$4,239	+	$0.60
Table 2			
Disturbed Area	Base fee	+	Per acre
Up to 1 acre	$176	+	$819.40
1.1 to 10 acres	$381	+	$614.30
10.1 to 40 acres	$2,916	+	$360.80
40.1 to 120 acres	$10, 428	+	$176
120.1 to 360 acres	$22,944	+	$68.70
360.1 acres or more	$34,716		$36
Grading plan revision			
Hourly rate			$100/hour
Grading permit operation monitoring (inspection)			
The operation monitoring fee shall be calculated by adding the applicable amount from the Annual Volume Table (below) to an amount equal to $215 per acre distributed and not rehabilitated during the monitoring period, to a maximum of $10,000.			
Annual Volume Table			
Volume deposited or removed	Base fee		Per 100 cubic yards
0 to 3,000 cubic yards	$0	+	$102.20
3,001 to 10,000 cubic yards	$2,550	+	$17.20
10,001 to 20,000 cubic yards	$3,760	+	$5.10
20,001 to 40,000 cubic yards	$4,280	+	$2.50
40,001 cubic yards or more	$4,680	+	$1.50
Reclamation bond release inspection			$255
Re-inspection of non-bonded actions			$225

Construction inspections	
Bond quantities worksheet amount (line T)	Initial fee + additional fee based on bond
$0 – $30,000	$213 + $119 / $1,000 bond
$30,001 – 120,000	$2,253 + $51 / $1,000 bond
$120,001 or more	$6,693 + $1,400 / $1,000 bond
Addition inspection after 1 year	$100/hour
Maintenance bond inspections	
Bond quantities worksheet amount (line T)	Initial fee + additional fee based on bond
$0 – $30,000	$461 + $15.30 / $1,000 bond
$30,001 – 120,000	$770 + $5 / $1,000 bond
$120,001 or more	$1,166 + $1.70 / $1,000 bond

Engineering: Subdivision Plan Review and Inspections	2013 Fee
Short subdivision engineering plan review	
Short subdivision 4 lots or less	
Base fee	$2,087
Plus per lot	$209
Short subdivision 5 to 9 lots	
Base fee	$4,148
Plus per lot	$209
Additional review in excess of initial fees	$100/hour
Subdivision engineering plan review	
Subdivision 30 lots or less	
Base fee	$6,209
Plus per lot	$33.60
Subdivision 31 lots or more	
Base fee	$6,710
Plus per lot	$16.90
Revisions and re-submittals	
Each occurrence	$119
Additional review in excess of initial fees	$100/hour
Planned unit development engineering plan review	
30 units or less	
Base fee	$6,209
Plus per unit	$46.10
31 units or more	
Base fee	$6,911
Plus per unit	$22.70
Revisions and re-submittals	
Each occurrence	$119
Additional review in excess of initial fees	$100/hour
Conceptual binding site plan (including conceptual commercial binding site plan)	
Plan and profile base fee	$4,132
Revisions and re-submittals	
Each occurrence	$119
Additional review in excess of initial fees	$100/hour
Subdivision final approval	
Final short subdivision 4 lots or less	$1,922
Final short subdivision 5 to 9 lots	$3,873
Final short subdivision alteration	$714
Final subdivision 30 lots or less	
Base fee	$5,825
Plus per lot	$69.10
Final subdivision 31 lots or more	
Base fee	$6,470
Plus per lot	$47.60

Subdivision alteration	$1,077
Modification of a recorded building envelope	$541
Request for name change	$192
Final planned unit development	$4,530
Request for time extension	$145
Request for name change	$192
Final building site plan	$3,081
Subdivision – post final fees	
Maintenance bond inspection	
Bond amount	Initial fee + additional fee based on bond
$0 – $30,000	$461 + $15.30 / $1,000 bond
$30,001 – 120,000	$770 + $5 / $1,000 bond
$120,001 or more	$1,166 + $1.70 / $1,000 bond

Building Permits	2013 Fee
Building permit fees are based on valuation. The table below establishes the permit fee from the valuation. Valuation is determined by type of construction and square footage or from a contractor's bid. The most recent edition of the Building Safety Journal determines the type of construction and square footage factor.	
Total valuation	fee
$1 – $500	$23.50
$501 – $2,000	$23.50 for the first $500 plus $3.05 for each additional $100 or fraction thereof, to and including $2,000.
$2,001 – $25,000	$69.25 for the first $2,000 plus $14 for each additional $1,000 or fraction thereof, to and including $25,000.
$25,001 – $50,000	$391.25 for the first $25,000 plus $10.10 for each additional $1,000 or fraction thereof, to and including $50,000.
$50,001 – $100,000	$643.75 for the first $50,000 plus $7 for each additional $1,000 or fraction thereof, to and including $100,000.
$100,001 – $500,000	$993.75 for the first $100,000 plus $5.60 for each additional $1,000 or fraction thereof, to and including $500,000.
$500,001 – $1,000,000	$3,223.75 for the first $500,000 plus $4.75 for each additional $1,000 or fraction thereof, to and including $1,000,000.
$1,000,001 or more	$5,608.75 for the first $1,000,000 plus $3.65 for each additional $1,000 or fraction thereof.
Building plan review	
Plan review fees shall be 65% of the building permit fee (this does not include other review type costs). If the plan is a "basic", as determined by the Building Official, the plan check fee shall be 25% of the permit fee.	
Additional plan review required for changes, additions or revisions to plans (minimum charge ½ hour)	$100/hour
For use of outside consultants for plan review and inspections	Actual costs
Building code change in use or occupancy	Minimum 2 hour inspection charge ($200) plus actual inspections at hourly rate ($100/hour)

Mobile homes	
Mobile home permit	$216
Temporary mobile home permit	$263
Temporary mobile home for hardship	$263
Non-insignia mobile home inspection	$263
Re-Roof permits	
Single family residential	$94
Commercial and multi-family	Based on permit per fee valuation table
Special review of oversized buildings	$138
Condominium conversion review	
Project fee 1 to 30 units	$667
31 to 99 units	$1,665
100 or more units	$3,332
Plus per unit	$332
Special plan review	$100/hour
Pre-inspections	
Fire or flood damage	$311
Minimum housing or other code compliance	$311
Relocation of structures	$311
Demolition inspection	$94
Re-inspection (Ordinance 00-0098)	$100/hour
Inspections outside of normal hours	$100/hour
Inspections for which no fee is specifically indicated	$100/hour
Billboard alteration or relocation site review	$667
Certification of permit completion	
Temporary occupancy certificate, per building or tenant space	$284
Final occupancy certification when more than one building permit, each additional building	$284
Final occupancy certification for individual condominium or other portions of buildings, per unit	$128
Letter of completion for shell construction permits when more than one building permit, each additional building	$284
Extension and renewal	
Extensions for final inspection only Single family residential	$100
All other permits	$100
All other extensions or renewals (including temporary reinstatement) Single family residential and all other permits	$100
Temporary mobile home	$131
Temporary hardship mobile home	$119

Plumbing Permits	2013 Fee
Commercial and Multi-family (Non one- and two-family dwellings and townhouses)	Based on actual valuation of all fixtures materials and installation as submitted and determined by the Building Official. When plan review is required, as determined by the Building Official, the plan review fee for all permits will be 65% of the permit fee.
New one- and two-family dwellings and townhouses	$225/dwelling
Alterations or additions to one- and two-family dwellings and townhouses	Based on the table below
Base fee	$23.50
Plus: For each plumbing fixture on one trap or set of fixtures on one trap	$10/each
Roof drain	$10/each
Electric water heater	$10/each
Grease trap	$10/each
Alteration or repair of water piping or water treating equipment	$10/each
Back flow devices (other than atmospheric vacuum breakers)	$10/each
Other	$10/each

Mechanical Permits		2013 Fee
Commercial and Multi-family (Non one- and two-family dwellings and townhouses)		Based on actual valuation of all fixtures materials and installation as submitted and determined by the Building Official. When plan review is required, as determined by the Building Official, the plan review fee for all permits will be 65% of the permit fee.
New one- and two-family dwellings and townhouses		$225/dwelling
Alterations or additions to one- and two-family dwellings and townhouses		Based on the table below
Base fee		$23.50
Plus: Furnaces		
	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW)	$14.80
	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, over 100,000 Btu/h (29.3kW)	$18.20
	For the installation or relocation of each floor furnace, including vent	$14.80
	For the installation or relocation of each suspended heating, recessed wall heater or floor-mounted unit heater	$14.80

Appliance vent		
	For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	$7.25
Repairs, alterations and additions		
	For the repair or alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	$13.70
Boilers, compressors and absorption systems		
	For the installation and relocation of each boiler or compressor to and including 3 horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW)	$14.70
	For the installation and relocation of each boiler or compressor to and including 3 horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW)	$27.15
	For the installation and relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (512.9 kW)	$37.25
	For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,00,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW)	$55.45
	For the installation or relocation of each boiler or compressor over 50 horse power (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW)	$92.65
Air handlers		
	For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 Us), including ducts attached thereto. Note: this fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code)	$10.65
	For each air-handling unit over 10,000 cfm (4719 Us)	$18.10
Evaporative Coolers		
	For each evaporative cooler other than the portable type	$10.65
Ventilation and exhaust		
	For each ventilation fan connected to a single duct	$7.25
	For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit	$10.65
	For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	$10.65

Incinerators		
	For the installation or relocation of each domestic-type incinerator	$18.20
	For the installation or relocation of each commercial or industrial-type incinerator	$14.50
Gas piping		
	Gas pipe (1-5 outlets)	$10.65
	Gas pipe (outlets over 5)	$1/each
Miscellaneous		
	For each appliance of piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table	$10.65
	Gas water heater	$10.65

Transportation Impact Fees			ITE Code	2013 Fee
	Single family residence		210	$8,434.02/unit
	Multi-family		220	$5,462.31/unit
	Per peak hour trip			
		General light industrial	110	$11.93/sq. ft.
		Manufacturing	140	$9.01/sq. ft.
		Mini-warehousing	151	$3.16/sq. ft.
		Condominium/townhouse	230	$4,581.29/unit
		Mobile home park	240	$4,926.81/unit
		Hotel	310	$5,650/unit
		Motel	320	$4,500.85/unit
		Marina	420	$1,411.92/berth
		Golf course	430	$2,298.31/acre
		Movie Theater	444	$28.79/sq. ft.
		Racquet club	492	$4.76/sq. ft.
		High School	530	$4.61/sq. ft.
		Church	560	$5.81/sq. ft.
		Hospital	610	$14.10/sq. ft.
		Nursing home	620	$1,466.32/bed
		General office building	710	$18.15/sq. ft.
		Medical-dental building	720	$42.74/sq. ft.
		Shopping center	820	$9.30/sq. ft.
		Restaurant	932	$49.66/sq. ft.
		Fast food restaurant without drive through	933	$64.58/sq. ft.
		Fast food restaurant with drive through	934	$83.91/sq. ft.
		Gas station	944	$33,765.80/pump
		Gas station with convenience store	945	$25,533.86/pump
		Supermarket	850	$28.62/sq. ft.
		Convenience market	851	$62.64/sq. ft.
		Drive-in bank	912	$83.99/sq. ft.

Park Impact Fees	2013 Fee
Single family residence	$2,537/unit
Multi-family	$1,658.82/unit
Mobile home	$788.25/unit

Fire Department Review	2013 Fee
The fire review fee will be assessed per the approved contract with the Northshore Fire District #16 for all single family, multi-family and commercial projects.	

Limited Right-of-Way Permits	2013 Fee
Type A permit may be issued for activities within the right-of-way which will alter the surface or subsurface of the right-of-way. Examples include: • Open cut trenching • Culvert installation • Driveways • Shoulder improvements • Sidewalks • Above ground pedestals or utility boxes • Paving operations in right-of-way • Landscaping • Beautification (no fee)	
Application fee (includes review and 1 hour inspection)	$200
Inspections in excess of 1 hour	$100/hour
Type B permit may be issued for temporary use of the right-of-way (24 hours or less) for activities that will not alter the right-of-way surface or subsurface. Examples include: • Parade • Block party • Temporary parking • Temporary storage of dumpster/storage container	
Application fee (includes review and inspection)	$75
Type C permit may be issued for temporary use of the right-of-way (more than 24 hours) for activities that will not alter the right-of-way surface or subsurface. Also includes activities that require traffic plan and traffic plan review. Examples include: • Street closures • Extended storage in the right-of-way • Commercial activities in the right-of-way • Right-of-way used as construction site for private development	
Application fee (includes 1 hour inspection)	$150
Inspection in excess of 1 hour	$100/hour
Use fee	Fee = (use area) x $20 per sq. ft. x days of usage/365 or a minimum of $100, whichever is greater

Access Right-of-Way Permits	2013 Fee
Application fee (includes 1 hour review and 1 hour inspection)	$200
Review fee in excess of 1 hour	$100/hour
Inspection fee in excess of 1 hour	$100/hour
Use fee	
Open to the public	No fee
Limited (not open to the public)	Fee = (use area) x value* x 25% or a minimum of $100 whichever is greater
*value of adjacent land (in area, sq ft) according to the County Assessor records	

Encroachment Right-of-Way Permits	2013 Fee
Application fee (includes 1 hour review and 1 hour inspection)	$200
Review fee in excess of 1 hour	$100/hour
Inspection fee in excess of 1 hour	$100/hour
Use fee	Fee = (use area) x value* x No. of Years x 12% or a minimum of $100 whichever is greater
*value of adjacent land (in area, sq ft) according to the County Assessor records	

Utility franchise Right-of-Way Permits	2013 Fee
Application fee	$200
Review fee	$100/hour
Inspection fee	$100/hour
Use fee	No fee

State Route 522 driveway connection permit	2013 Fee
Fee structure. The following nonrefundable fee structure is established for the processing, review and inspection of the connection permit application. A description of each category can be found in section 12.85.040 of the KMC. Due to the potential complexity of Category II and Category III connection proposals, and required mitigation measures that may involve construction on SR 522, the city may require a developer agreement in addition to the connection permit. The developer agreement may include, but is not limited to: plans; specifications; maintenance requirements; bonding requirements; inspection requirements; division of costs by the parties, where applicable; and provisions for payment by the applicant of actual costs incurred by the city in the review and administration of the applicant's proposal that exceed the required base fees in the following schedule:	
Category I – Base fee for one connection:	
• Agricultural, forest, utility operation and maintenance	$50
• Residential dwelling units (up to 10)- single connection	$50/dwelling
• Other, with 100 average weekday vehicle trip ends	$500
• Fee per additional connection point	$50
Category II – Base fee for one connection:	
• Less than 1,000 average weekday vehicle trip ends	$1,000

• 1,000 to 1,500 average weekday vehicle trip ends	$1,500
• Fee per additional connection point	$250
Category III - Base fee for one connection:	
• 1,500 to 2,500 average weekday vehicle trip ends	$2,500
• Over 2,500 average weekday vehicle trip ends	$4,000
• Fee per additional connection point	$1,000
Category IV – Base fee per connection:	$100
Surety Bond. Prior to the beginning of construction of any connection, the city may require the permit holder to provide a surety bond as specified in WAC 468-34-020(3).	

Special Event Permit	2013 Fee
Application fee	$100

5. ANIMAL CARE AND CONTROL

Animal License and Registration	2013 Fee
Pet license – dog or cat	
Unaltered	$60
Altered	$30
Juvenile pet license – dog or cat	$15
Discounted pet license – dog or cat	$15
Replacement tag	$5
Transfer fee	$3
Guard dog registration	$100
Exotic pet	
New	$500
Renewal	$250
Service animal	No fee
K-9 police dog	No fee
Late fees	
Received 45-90 days following license expiration	$15
Received 90-135 days following license expiration	$20
Received more than 135 days following license expiration	$30
Received more than 365 days following license expiration	$30 plus license fee(s) for any previous year pet was unlicensed

Animal Business and Activity Permits	2013 Fee
Hobby kennel and hobby cattery license	$50
Private animal placement permit	No fee

Civil Penalties		2013 Fee
General		
	No previous similar code violation within one year	$50
	One previous similar code violation within one year	$100
	Two previous similar code violation within one year	Double the rate of the previous penalty, up to a maximum of $1,000.
Vicious animal or animal cruelty violations		
	First violation within one year	$500
	Subsequent violations within one year	$1,000
Dog leash law violations		
	First violation within one year	$25
	Additional violation within one year	$50
Animal abandonment		$500
Unlicensed cat or dog		
	Altered cat or dog	$125
	Unaltered cat or dog	$250

Service Fees		2013 Fee
Adoptions –including licensing and spaying or neutering or the animal		$75-$250 based upon adoptability/animal
Spay or neutering deposit		$150/animal
Impound or redemption – dogs, cats or other small animals		
	First impound within one year	$45
	Second impound within one year	$85
	Third impound within one year	$125
Impound or redemption – livestock, small		$45
Impound or redemption – livestock, large		$45 or actual cost of sheltering, whichever is greater
Kenneling at King County animal shelter – per 24 hours or portion thereof in-field pick-up of an owner's deceased unlicensed pet or pick-up of an unlicensed pet released voluntarily to the regional animal service section.		$20
Owner-requested euthanasia (unlicensed pets)		$50
Optional micro-chipping for adopted pets		$25

6. MISCELLANEOUS

Type	2013 Fee
NSF (insufficient check)	$25
Reports, copies, maps, etc.	
Accident reports, case reports	$0.15/page
Ordinances, resolutions or findings	$0.15/page
Copies or computer printouts	$0.15/page
Audio or Electronic duplications	$5 per tape or CD (other than budget documents)
Recording documents	Actual costs or $100 minimum, whichever is greater
Note: any maps, plans, blueprints, as-built maps, or budget documents to be provided at cost. Other items not specifically listed will be charged at a rate that will reimburse the City's total cost of duplicating that item. Additionally, if any requested items are to be mailed, the cost of the envelope and postage shall be charged to the requestor.	
Use of City owned property, other than right-of-way, for event parking, storage or similar use	$100/day

ATTACHMENT 2

City of Kenmore, Washington
2012 Fee Schedule

VID. Adopt 2013 Fee Schedule - Resolution No. 12-208 - Bryan Hampson, Development Services Director

Table of Contents

1. Business Licenses

Type:	
Adult Entertainment:	
Device	$50.00 each
Operator	$500.00 per year
Premises	$200.00 per year
Panoram Manager License	$50.00 per year
Adult Cabaret:	
Operator	$500.00 per year
Cabaret Manager License	$50.00 per year
Cabaret Entertainer License	$50.00 per year
Adult Retail Business License	$500.00 per year
Dance	$200.00 per year $100 per six months $50.00 per one night
Dance (non-profit, educational or City-sponsored)	Exempt
Go Kart Track	$500.00 per year
Live Entertainment: music (other than mechanical); boxing or wrestling; exhibition skating; video arcades; pool halls; bowling alleys; race tracks and drag strips (if attendance is more than 2,000 people at a single event). Covers more than one skating rink, shooting gallery.	$200.00 per year $100 per six months $50.00 per one night
Amusement Parks – Permanent	
For one to 10 units, inclusive	$200.00 per year $100.00 per six months
For more than 10 units	$400.00 per year $200 per six months
Carnivals	
For one to 10 units, inclusive	$40.00 per day
For more than 10 units	$100.00 per day
Closing out sales	
Closing out sale license – original license	$300.00 per year
First 30-day renewal	$200.00 per year
Second 30-day renewal	$200.00 per year
Junk Shop License	$300.00 per year
Junk Wagon License	$40.00 per year

Massage Parlor/Bathhouse	$150.00 per year
Massage Practitioner	$50.00 per year
Theaters	$100.00 per screen
Outdoor Musical Event (not sponsored by the City and with an admission fee)	$750.00 per year
Pawnbroker	$500.00 per year
Peddler/Solicitor	No fee
Secondhand Dealer	$40.00 per year
Shuffleboard License	$50.00 per year
Renewal of License, registration or permit late penalty	10% of the required fee
Transferability of license or permit	$25.00

2. Code Enforcement Fees

<u>Code Enforcement</u>	
Inspection/Posting	$50.00 each
Re-inspection	$50.00 each
Abatement	Actual City costs
Abatement Hearing	$360.00 each
Hearing Officer	$215.00 per hour
Notice of Violation Appeal Hearing	$125.00
Removal of Declaration	$20.00
Violation of a stop work order	$500.00
<u>Housing Code Enforcement</u>	
Inspection/Posting	$255.00 per hour
Re-Inspection plus Notice and Order	$510.00
Hourly Rate	$255.00
Appeal Fee	$150.00 each
Closing Fee	$255.00
Contract Abatement Fee	15% of the contract
Late Fee	25% of the amount due
Hearing Officer	$215.00 per hour
<u>The following fees apply to all enforcement actions:</u>	
Inspection Warrant	$350.00 each
Attorney Fees	Rate per hour to be determined as established by the City Attorney contract for legal services.
Paralegal Services	$60.00 per hour

Notary Services	$10.00
Abatement	Actual cost of labor

3. Comprehensive Plan and Development Regulation Amendments

Prescreening / threshold review fee:	$200.00
Annual amendment cycle fee: (applicants whose amendment proposals are approved for consideration by the City Council)	$400.00

4. Land Development and Permitting

A. General

Development Review Technology fee:	3.00%
Applies to development permits and is based on development plan review fees and permit fees, not to include impact fees or land use decisions.	
P-Suffix, and other required site plan reviews:	
Initial plan review	$1,078.00
Each additional review for compliance, including signs and tenant improvements.	$163.00
Mobile home park and RV park plan review:	$3,561.00
Site Plan Application Fee:	$364.00
Landscape plan review:	
Initial plan review based on site area	
0 – 1 site acre	$211.00
1.1 – 2 site acres	$337.00
2.1 – 5 site acres	$507.00
5.1 – 10 site acres	$676.00
More than 10 site acres	$1,352.00
Each plan revision review	$324.00
Request for modification requiring public notice	$673.00
Landscape Construction Inspections	
Landscape installation inspection	$269.00
Landscape maintenance bond release inspection	$269.00
Additional/excessive reviews and inspection fees:	
Applies to all development permits; additional plan review or inspections required by changes, additions or revisions to plans or excess reviews of re-submittals will be billed at an hourly rate.	$100.00 per hour

B. Pre-Application Fees: No fee

C. Zoning and Land Use Permits

Request for Site Specific Rezones:	$3,000.00
Conditional Use Permits (CUP) and Special Use Permits (SUP):	
Administrative CUP	$3,633.00
SUP with public hearing	$8,501.00
Daycare with 24 children or less	$1,365.00
Request for time extension	$146.00
Variances: (including variances from KMC 18.55)	
Application review	$2,500.00
Added fee when public hearing required	$1,626.00
Request for time extension	$146.00
Boundary line adjustment:	$574.00
Communications Facility Application Fee:	$364.00
Accessory dwelling unit: (ORD99-0052)	$50.00
Change of use: (zoning only)	$50.00
Amend adopted P-suffix conditions:	$2,241.00
Reuse of closed public school facilities:	$1,400.00
Land use inspections:	$100.00 per hour
Reasonable use exceptions:	
Reasonable use exception:	$2,500.00
Reasonable use exception – additional when combined with variance request.	$903.00
Public agency and utility exception:	$1,953.00
Transfer of development credit: sending site certification applications (up to a maximum of $500.00) to qualify a proposed sending site and determine the number of credits available for transfer per application.	$100.00 per hour
Master plan review:	$10,000.00 deposit

Master plan review fees shall be an hourly fee to cover the cost of intake, development of scope of work, and all work performed under the scope of work. The deposit of $10,000 shall be made at the time of application. The hourly fee shall be billed monthly. Staff time to be charged at an hourly rate of $100.00 per hour, consultant time to be charged at the consultant's rate.

D. Subdivision – Preliminary Application Review Fees:

Preliminary Short Subdivisions:	
Short subdivision 4 lots or less	
Base fee:	$1,111.00
Plus per lot:	$140.00
Short subdivision 5 to 9 lots	
Base fee:	$7,033.00
Plus per lot:	$153.00
Revision to approved preliminary:	$898.00
Short subdivision alteration:	$1,245.00
Request for time extension:	$100.00
Preliminary Subdivisions:	
Initial Application	
50 lots or less	
Base fee:	$12,955.00
Plus per lot	$167.00
More than 50 lots	
Base fee:	$22,208.00
Plus per lot	$37.00
Surcharge for applications utilizing lot clustering or flexible yard provisions (percent of initial fee:	10.00%
Major revision requiring new public hearing:	$3,886.00
Minor revisions submitted after preliminary approval (not necessitating additional hearings):	$925.00
Request for time extension:	$100.00
Subdivision alterations or subdivision vacations:	
With public hearing:	$3,886.00
Without public hearing:	$1,944.00
Supplemental fee – a surcharge for applications involving significant environmental sensitive areas (percent of total initial fee).	10.00%
Supplemental fee – remanded applications (percent of total application fee).	50.00%
Binding Site Plan:	
Building permit, as-built or site plan review based plan:	$4,862.00
Conceptual plan:	$5,733.00
Revision to a preliminary approved plan:	$1,112.00
Revision to a final binding site plan:	$1,996.00

E. Shoreline Management Permit

Substantial Development Permit	
Total cost of proposed development:	
Up to $10,000	$1,280.00
$10,001 to $100,000	$2,560.00
$100,001 to $500,000	$6,399.00
$500,001 to $1,000,000	$9,598.00
$1,000,001 or more	$12,797.00
Single family Joint-Use Dock	$2,560.00

Shoreline Conditional Use Permit		
Non-forest practices		$7,219.00
Forest practices		$1,313.00
Shoreline Variance		
Up to $10,000 project value		$2,166.00
$10,001 or more project value		$7,219.00
Shoreline re-designation:		
	Base fee:	$14,438.00
	Per shoreline lineal foot:	$27.60
	Maximum:	$54,144.00
Shoreline review of other permits or approvals for conditions:		$177.00
Shoreline Exemption:		$276.00
Supplemental Fees:		
Request for an extension of a permit, calculated as a percentage of the original permit:		20.00%
Shoreline permit revision, calculated as a percentage of the original permit:		20.00%
Surcharge when public hearing required:		12.00%
Minimum		$2,048.00
Permit compliance inspections		
Hourly rate (including travel time)		$100.00 per hour
Plus per mile rate		$0.50 per mile

F. Special Review Fees

State Environment Policy Act (SEPA) Review:	
Environmental checklist:	
Base fee:	$600.00
After six hours	$100.00 per hour
Supplemental Determination of Nonsignificance (DNS), Mitigated Determination of Nonsignificance (MDNS), or Determination of Significance (DS) review	$100.00 per hour
MDNS deposit	$1,313.00
Environmental Impact Statement (EIS) deposit – a percentage of total estimated cost	33.00%
Draft Environmental Impact Statement (DEIS), Final Environmental Impact Statement (FEIS), Supplemental Environmental Impact Statement (SEIS) or addenda preparation and review costs – including scoping, writing, editing, publishing, mailing, distributing and contract administration:	
All fixed and contract costs, and time costs, per hour	$100.00 per hour
Post MDNS, DEIS, FEIS OF SEIS publication work preparing or consulting on staff reports, permit conditions or public hearing testimony, per hour	$100.00 per hour

Critical Areas Review:
Applicants will be eligible for a refund of the portion of the base fee that is less than the city's costs (including consultants, public notice (as necessary) and other associated expenses).

Review of residential building permits, shoreline permits, individual short subdivision, boundary line adjustments, right-of-way use permits:	
Site review base fee	$1,000.00
Plus, per hour	$100.00 per hour
Review of commercial building permits, grading permits, engineering permits, subdivisions, PUDs, declassifications, variances, conditional use permits and unclassified use permits:	
Site review base fee	$1,000.00
Plus, per hour	$100.00 per hour
Flood plain determination – certificate of elevation:	$100.00
Plus, per hour	$100.00 per hour
Review of mitigation plan compliance, per hour	$100.00 per hour
Critical Areas inspections:	$100.00 per hour
Inspection and monitoring, per hour:	$100.00 per hour
Appeals:	
Appeals to the hearing examiner from decisions of the City:	$125.00
Departmental review of non-departmental permits:	$100.00 per hour
Review and monitoring of master drainage plans, per hour	$100.00 per hour

G. Engineering General Permitting & Inspection Fees

Parking Review Fee:

New or additional spaces:	
First 0-25 spaces	$23.00 each space
Next 26-50	$20.70 each space
Next 51-75	$16.30 each space
Next 76-150	$16.30 each space
Anything above 150	$11.80 each space
Minimum fee	$296.10
Alterations, change in use or increase area, with no additional spaces.	$296.00

Clearing Permit:

	Base fee		Hourly Fee
Permit plan review (minimum 1 acre)			
1 – 5 acres	$73.50	+	$0.00
5.1 acres or more	$367.50	+	$100.00 per hour
Field inspections			$100.00 per hour

Drainage Review:

Residential drainage requirement review base fee:	$238.00
Small site drainage review	$143.00
Targeted drainage reviews	$234.00

Full drainage review:	
Simple review	$293.00
Complex review	$676.00

Commercial drainage plan review base fee: $570.00

Total distributed area:	Targeted drainage review #1, 2, and 3	Full drainage review and targeted drainage review for #4
0 - .50 site acre	$ 895.00	$1,119.00
.51 – 1 site acre	$ 1,234.00	$1,543.00
1.1 – 2 site acres	$ 2,255.00	$2,819.00
2.1 – 5 site acres	$ 4,951.00	$6,189.00
5.1 – 10 site acres	$ 5,964.00	$7,456.00
More than 10 acres	$ 6,640.00	$8,300.00

Traffic Impact Analysis review:

Level 1 (10 P.M. Peak Hour Trips or Less)	$337.00
Level 2 (11-75 P.M. Peak Hour Trips)	$800.00
Level 3 (Over 75 P.M. Peak Hour Trips)	$1,600.00

Grading Permit:
Grading permit review fees are based on the total of the two tables listed below:

Table 1:

Volume	Base fee		Per 100 cubic yards
0 to 500 cubic yards	$0.00	+	$28.40
501 to 3,000 cubic yards	$54.00	+	$39.20
3,001 to 10,000 cubic yards	$339.00	+	$26.10
10,001 to 20,000 cubic yards	$2,159.00	+	$7.90
20,001 to 40,000 cubic yards	$3,319.00	+	$2.10
40,001 to 80,000 cubic yards	$3,599.00	+	$1.40
80,001 cubic yards or more	$4,239.00	+	$0.60

Table 2:

Disturbed Area	Base fee		Per acre
Up to 1 acre	$176.00	+	$819.40
1.1 to 10 acres	$381.00	+	$614.30
10.1 to 40 acres	$2,916.00	+	$360.80
40.1 to 120 acres	$10,428.00	+	$176.00
120.1 to 360 acres	$22,944.00	+	$68.70
360.1 acres or more	$34,716.00	+	$36.00

Grading Plan Revision fee:
Hourly rate $100.00 per hour

Grading permit operation monitoring fees (inspection fees):
The operation monitoring fee shall be calculated by adding the applicable amount from the Annual Volume Table (below) to an amount equal to $215.00 per acre distributed and not rehabilitated during the monitoring period, to a maximum of $10,000.00.

Annual Volume Table:

Volume deposited or removed	Base fee		Per 100 cubic yards
0 to 3,000 cubic yards	$0.00	+	$102.20
3,001 to 10,000 cubic yards	$2,550.00	+	$17.20
10,001 to 20,000 cubic yards	$3,760.00	+	$5.10
20,001 to 40,000 cubic yards	$4,280.00	+	$2.50
40,001 cub yards or more	$4,680.00	+	$1.50

Reclamation bond release inspection	$225.00
Re-inspection of non-bonded actions	$225.00

Construction Inspections Fees:

Bond quantities worksheet amount (line "T')	Initial fee + additional fee based on bond
$0 – $30,000	$213.00 + $119.00 / $1,000.00 bond
$30,001 - $120,000	$2,253.00 + $51.00 / $1,000.00 bond
$120,001 or more	$6,693.00 + $1400 / $1,000.00 bond
Additional inspection after 1-year	$100.00 per hour

Maintenance bond inspection fees:

Bond quantities worksheet amount (line "T')	Initial fee + additional fee based on bond
$0 – $30,000.	$461.00+$15.30 / $1,000.00 bond
$30,001 - $120,000	$770.00+$5.00 / $1,000.00 bond
$120,001 or more	$1,166.00+$1.70 / $1,000 bond

H. Engineering Subdivision Plan Review and Inspection Fees

Short Subdivision:

Short subdivision 4 lots or less	
Base fee:	$2,087.00
Plus per lot:	$209.00
Short subdivision 5 to 9 lots	
Base fee:	$4,148.00
Plus per lot:	$209.00
Additional review in excess of initial fees	$100.00 per hour

Subdivision:

Engineering plan review:	
30 lots or less	
Base fee:	$6,209.00
Plus per lot	$33.60
31 lots or more	
Base fee:	$6,710.00
Plus per lot	$16.90
Revisions and re-submittals	
Each occurrence	$119.00
Additional review in excess of initial fees	$100.00 per hour

Planned Unit Development:

Engineering plan review:	
30 units or less	
Base fee:	$6,209.00
Plus per unit	$46.10
31 units or more	

Base fee:	$6,911.00
Plus per unit	$22.70
Revisions and re-submittals	
Each occurrence	$119.00
Additional review in excess of initial fees	$100.00 per hour

Conceptual Binding Site Plan:
(Including conceptual commercial binding site plan)

Plan and profile base fee:	$4,132.00
Revisions and re-submittals	
Each occurrence	$119.00
Plus per hour	$100.00 per hour

Subdivision construction permit fee:

Landscape installation inspection	$269.00
Landscape maintenance bond release inspection	$269.00

Subdivision – final approval fees:

Final short subdivision 4 lots or less	$1,922.00
Final short subdivision 5 to 9 lots	$3,873.00
Final short subdivision alteration	$714.00
Final subdivision	
30 lots or less	
Base fee:	$5,825.00
Plus per lot:	$69.10
31 lots or more	
Base fee:	$6,470.00
Plus per lot:	$47.60
Subdivision alteration	$1,077.00
Modification of a recorded building envelope:	$541.00
Request for name change	$192.00
Final planned unit development:	$4,530.00
Request for time extension	$145.00
Request for name change	$192.00
Final building site plan:	$3,081.00

Subdivision – post final fees:
Maintenance bond inspection fees:

Bond amount:	Initial Fee		
$0 - $30,000	$461.00	+	$15.30 per $1,000.00 bond
$30,001 - $120,000	$770.00	+	$5.00 per $1,000.00 bond
$120,001 or more	$1,166.00	+	$1.70 per $1,000.00 bond

I. Building Permit Fees:

Building permit fees are based on valuation. The table below establishes the permit fee from the valuation. Valuation is determined by type of construction and square footage or from a contractor's bid. The most recent edition of the Building Safety Journal determines the type of construction and square footage factor.

Total Valuation	Fee
$1.00 - $500.00	$23.50
$501.00 - $2,000.00	$23.50 for the first $500.00 plus $3.05 for each additional $100.00 or fraction thereof, to and including $2,000.
$2,001.00 - $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000, or fraction thereof, to and including $25,000.
$25,001.00 - $50,000.00	$391.25 for the first $25,000 plus $10.10 for each additional $1,000, or fraction thereof, to and
$50,001.00 - $100,000.00	$643.75 for the first $50,000 plus $7.00 for each additional $1,000, or fraction thereof, to and including
$100,001.00-$500,000.00	$993.75 for the first $100,000 plus $5.60 for each additional $1,000, or fraction thereof, to and including $500,000.
$500,001.00 - $1,000,000.00	$3,223.75 for the first $500,000.00 plus $4.75 for each additional $1,000, or fraction thereof, to and including
$1,000,001.00 and up	$5,608.75 for the first $1,000,000 plus $3.65 for each additional $1,000, or fraction thereof.

Building Plan Check Fees:

Plan check fees shall be 65% of the building permit fee plus the calculated cost of drainage review (if required). If the plan is a "basic", as determined by the Building Official, the plan check fee shall be 25% of the permit fee.

J. Plumbing Permit Fees:

The fee for single-family residential plumbing permit is based on the following table, non-single-family residential permits are based on actual valuation of all fixtures, materials and installation as submitted to and determined by the Building Official. The permit fee for non-single-family residential permits shall be based on valuation and determined by the Building Permit Table on page 5. When plan check is required, as determined by the Building Official, the plan check fee for all permits will be 65% of the permit fee.

Base fee	$23.50
Plus:	
For each plumbing fixture on one trap or set of fixtures on one trap.	$10.00
Roof drain	$10.00 each
Electrical water heater	$10.00 each
Grease trap	$10.00 each
Alteration or repair of water piping or water treating equipment.	$10.00 each fixture
Back flow devices (other than atmospheric vacuum breakers).	$10.00 each
Other	$10.00 each

K. Mechanical Permit Fees:

The fees for each permit shall be set forth in the following table, except non-single-family residential permits, which shall be based on actual valuation of all equipment and installation as submitted to and determined by the Building Official. The permit fee for non-residential permits shall be based on valuations and determined by the Building Permit Table. When plan check is required, as determined by the Building Official, the plan check fee for all permits will be 65% of the permit fee.

Base Fee:	$23.50
Plus:	
Furnaces:	
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW).	$14.80
For the installation or relocation of each forced-air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 100,000 Btu/h (29.3kW):	$18.20
For the installation or relocation of each floor furnace, including vent:	$14.80
For the installation or relocation of each suspended heating, recessed wall heater or floor-mounted unit heater.	$14.80
Appliance Vents:	
For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit.	$7.25
Repairs or Additions:	
For the repair or alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code.	$13.70
Boilers, Compressors and Absorption Systems:	
For the installation and relocation of each boiler or compressor to and including 3 horsepower (10.6 kWO), or each absorption system to and including 100,000 Btu/h (29.3kW).	$14.70
For the installation or relocation of each boiler or compressor over 3 horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW).	$27.15
For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (512.9 kW).	$37.25
For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW).	$55.45
For the installation or relocation of each boiler or compressor over 50	$92.65

horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW).

Air Handlers:

For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 Us), including ducts attached there to. Note: this fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code).	$10.65
For each air-handling unit over 10,000 cfm (4719 Us).	$18.10

Evaporative Coolers:

For each evaporative cooler other than the portable type.	$10.65

Ventilation and Exhaust:

For each ventilation fan connected to a single duct.	$7.25
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.	$10.65
For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood.	$10.65

Incinerators:

For the installation or relocation of each domestic-type incinerator.	$18.20
For the installation or relocation of each commercial or industrial-type incinerator.	$14.50

Gas Piping:

Gas pipe (1-5 outlets)	$10.65
Gas pipe (outlets over 5)	$1.00 each

Miscellaneous:

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table.	$10.65
Gas water heater.	$10.65

L. General Building Fees:

Building Code Change in Use or Occupancy fee:	Minimum 2 hour inspection charge ($200.00) plus actual inspections at hourly rate ($100.00 per hour).

Mobile Homes:

Mobile home permit	$216.00
Temporary mobile home permit	$263.00
Temporary mobile home for hardship	$263.00
Non-insignia mobile home inspection	$263.00

Re-Roof Permit Fees:

Single family residential	$94.00

Commercial and Multifamily	Based on building permit fee valuation table.
Special Review of Oversized Buildings:	$138.00
Condominium Conversion Review Fee:	
Project fee	
1 to 30 units	$667.00
31 to 99 units	$1,665.00
100 or more units	$3,332.00
Per unit fee	$332.00
Special Plan Review:	$100.00 per hour
Pre-inspection Fees:	
Fire or flood damage	$311.00
Minimum housing or other code compliance	$311.00
Relocation of structures	$311.00
Demolition Inspection Fee:	$94.00
Billboard alteration or relocation site review:	$667.00
Certification of Permit Completion:	
Temporary occupancy certificate, per building or tenant space.	$284.00
Final occupancy certification when more than one building permit, each additional building.	$284.00
Final occupancy certification for individual condominiums or other portions of buildings, per unit.	$128.00
Letter of completion for shell construction permits when more than one building permit, each additional building.	$284.00
Allowable Residential Discounts	
Granted for the permit categories listed below based on the plan check amount calculated from the valuations.	
Registered plans and basic permits for single-family	25.00%
Extension/Renewal Fee:	
Extensions for final inspection only:	
Single-family residential	$100.00
All other permits	$100.00
All other extensions/renewals (including temporary reinstatement):	
Single-family residential / all other permits	$100.00
Extension of temporary mobile home	$131.00
Extension of temporary hardship mobile home	$119.00
Design Review Fees:	$100.00 per hour
Other:	

Inspections outside of normal hours	$100.00 per hour
Re-inspection fees (Ordinance 00-0098)	$100.00 per hour
Inspections for which no fee is specifically indicated	$100.00 per hour
Additional plan review required by changes, additions or revisions to plans (minimum charge ½ hour).	$100.00 per hour
For use of outside consultants for plan checking and inspections	Actual costs

M. Impact Fees:

Transportation:	ITE Code	
Single family residence	210	$8,434.02 per unit
Multifamily	220	$5,462.31 per unit
Per peak hour trip:		$7,661.02 per trip
General light industrial	110	$11.93 per sq. ft.
Manufacturing	140	$9.01 per sq. ft.
Mini-warehousing	151	$3.16 per sq. ft.
Condominium/townhouse	230	$4,581.29 per unit
Mobile home park	240	$4,926.81 per unit
Hotel	310	$5,650.00 per unit
Motel	320	$4,500.85 per unit
Marina	420	$1,411.92 per berth
Golf course	430	$2,298.31 per acre
Movie Theater	444	$28.79 per sq. ft.
Racquet club	492	$4.76 per sq. ft.
High School	530	$4.61 per sq. ft.
Church	560	$5.81 per sq. ft.
Hospital	610	$14.10 per sq. ft
Nursing home	620	$1,466.32 per bed
General office building	710	$18.15 per sq. ft.
Medical-dental building	720	$42.74 per sq. ft.
Shopping center	820	$9.30 per sq. ft.
Restaurant	932	$49.66 per sq. ft.
Fast food restaurant without drive through	933	$64.58 per sq. ft.
Fast food restaurant with drive through	934	$83.91 per sq. ft.
Gas station	944	$33,765.80 per pump
Gas station with convenience store	945	$25,533.86 per pump
Supermarket	850	$28.62 per sq. ft.
Convenience market	851	$62.64 per sq. ft.
Drive-in bank	912	$83.99 per sq. ft.

Park:	
Single family residence	$2,537.00 per unit
Multifamily	$1,658.82 per unit
Mobile home	$788.25 per unit

N. Fire Department Review Fees:

Fire review fees will be assessed per the approved contract with the Northshore Fire District #16 for all single family, multifamily, and commercial projects.

O. Right-of-Way Permits and Fees

Limited Right of Way Permit

Type A permit may be issued for activities within the right-of-way which will alter the surface or subsurface of the right-of-way. Examples include:

- Open cut trenching
- Culvert installation
- Above ground pedestals or utility boxes
- Paving operations in right-of-way
- Driveways
- Sidewalks
- Landscaping
- Shoulder improvements
- Beautification (no fee)

Application fee (includes review and 1 hour inspection):	$200.00
Inspection fee in excess of 1 hour	$100.00 per hour

Type B permit may be issued for temporary use of the right-of-way (24 hours or less) for activities that will not alter the right-of-way surface or sub-surface. Examples include:

- Parade
- Block party
- Temporary parking
- Temporary storage of dumpster/storage container

Application fee (includes review and inspection):	$75.00

Type C permit may be issued for temporary use of the right-of-way (more than 24 hours) which does not change the surface or subsurface. Also includes activities that require traffic plan and traffic plan review. Examples include:

- Street closures
- Commercial activities in the right-of-way
- Extended storage in right-of-way
- Right of way used as construction site for private development

Application fee (includes 1 hour inspection):	$150.00
Inspection in excess of 1-hour	$100.00 per hour
Use fee:	Fee = (use area) x $20 per s.f. x days of usage/365 or a minimum of $100 whichever is greater.

Access Right of Way Permit

Application fee (includes 1 hour review and 1 hour inspection)	$200.00
Review fee in excess of 1 hour	$100.00 per hour
Inspection fee in excess of 1 hour	$100.00 per hour
Use fee:	
-Open to the public	$0.00
-Limited (not open to the public)	Fee = (use area) x value* x 80% or a minimum of $100 whichever is greater.

*Value of adjacent land according to the County Assessor records

Encroachment Permit

Application fee (includes 1 hour review and 1 hour inspection)	$200.00
Review in excess of 1 hour	$100.00 per hour
Inspection in excess of 1 hour	$100.00 per hour
Use fee:	Fee = (use area) x value* x 80% or a minimum of $100 whichever is greater.
*Value of adjacent land according to the County Assessor	

Utility Franchise Fees:

Application fee	$0.00
Review fee	$100.00 per hour
Inspection fee:	$100.00 per hour
Use fee:	$0.00

State Route 522 Driveway Connection Permit Fee
Fee structure. The following nonrefundable fee structure is established for the processing, review and inspection of the connection permit application. A description of each category can be found in section 12.85.040 of the KMC. Due to the potential complexity of Category II and Category III connection proposals, and required mitigation measures that may involve construction on SR 522, the city may require a developer agreement in addition to the connection permit. The developer agreement may include, but is not limited to: plans; specifications; maintenance requirements; bonding requirements; inspection requirements; division of costs by the parties, where applicable; and provisions for payment by the applicant of actual costs incurred by the city in the review and administration of the applicant's proposal that exceed the required base fees in the following schedule:

Category I – Base fee for one connection:	
• Agricultural, forest, utility operation and maintenance	$50.00
• Residential dwelling units (up to 10)- single connection	$50.00 per dwelling
• Other, with 100 average weekday vehicle trip ends	$500.00
• Fee per additional connection point	$50.00
Category II – Base fee for one connection:	
• Less than 1,000 average weekday vehicle trip ends	$1,000.00
• 1,000 to 1,500 average weekday vehicle trip ends	$1,500.00
• Fee per additional connection point	$250.00
Category III - Base fee for one connection:	
• 1,500 to 2,500 average weekday vehicle trip ends	$2,500.00
• Over 2,500 average weekday vehicle trip ends	$4,000.00
• Fee per additional connection point	$1,000.00
Category IV – Base fee per connection:	$100.00

Surety Bond. Prior to the beginning of construction of any connection, the city may require the permit holder to provide a surety bond as specified in WAC 468-34-020(3).

P. Special Events Permits

Special Events Application Fee:	$100.00

5. Animal Care and Control

A. Animal License and Registration Fees

Pet License – Dog or Cat	
Unaltered	$60.00
Altered	$30.00
Juvenile Pet License – Dog or Cat	$15.00
Discounted Pet License – Dog or Cat	$15.00
Replacement Tag	$5.00
Transfer Fee	$3.00
Guard Dog Registration	$100.00
Exotic Pet	
New	$500.00
Renewal	$250.00
Service Animal	No Charge
K-9 Police Dog	No Charge
Late Fees	
Received 45-90 days following license expiration	$15.00
Received 90-135 days following license expiration	$20.00
Received more than 135 days following license expiration	$30.00
Received more than 365 days following license expiration	$30.00 plus license fee(s) for any year the pet was unlicensed

B. Animal Business and Activity Permit Fees

Hobby Kennel and Hobby Cattery License	$50.00
Private Animal Placement Permit	No Charge

C. Civil Penalties

General	
No previous similar code violation within one year	$50.00
One previous similar code violation within one year	$100.00
Two or more similar code violation within one year	Double the rate of the previous penalty, up to a maximum of $1000.00
Vicious Animal or Animal Cruelty Violations	
First violation within one year	$500.00
Subsequent violations within one year	$1000.00
Dog Leash Law Violations	
First violation within one year	$25.00
Additional violations within one year	$50.00
Animal Abandonment	$500.00
Unlicensed Cat or Dog	
Altered cat or dog	$125.00
Unaltered cat or dog	$250.00

D. Service Fees

Adoptions- per Animal, Including licensing and Spaying or Neutering of the Animal	$75.00-$250.00 based upon adoptability
Spay or Neutering Deposit – per Animal	$150.00

Impound or Redemption – Dogs, Cats, or Other Small Animals	
First impound within one year	$45.00
Second impound within one year	$85.00
Third impound within one year	$125.00
Impound or Redemption – Livestock, Small	$45.00
Impound or Redemption – Livestock, Large	$45.00 or actual cost of sheltering, whichever is greater
Kenneling at King County Animal Shelter – per 24 hours or portion thereof In-Field Pick-up of an Owner's Deceased Unlicensed Pet or Pick-up of an Unlicensed Pet Released Voluntarily to the Regional Animal Service Section	$20.00
Owner-requested Euthanasia (Unlicensed Pets)	$50.00
Optional Microchipping for Adopted Pets	$25.00

5. Miscellaneous Fees

NSF (insufficient check) fee:	$25.00
Reports, copies, maps, etc.	
Accident reports, case reports	$0.15 per page
Ordinances, resolutions of findings	$0.15 per page
Copies or computer printouts	$0.15 per page
Audio duplications	$5.00 per tape / CD (other than budget documents).
Recording Documents fee:	Actual costs or $100 minimum whichever is greater

Note: any maps, plans, blueprints, as-built maps, or budget documents to be provided at cost. Other items not specifically listed will be charged at a rate that will reimburse the City's total cost of duplicating that item. Additionally, if any requested items are to be mailed, the cost of the envelope and postage shall be charged to the requestor.

City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Ordinance No. 12-0348 Amending the 2011-2012 Biennial Budget **Proposed Council Action/Motion:** Adopt Ordinance No. 12-0348 of the City of Kenmore, Washington, Relating to the 2011-2012 Budget, Amending Ordinance No. 10-0319 as Amended by Ordinance No. 11-0331, to Adjust Appropriations for the Swamp Creek Basin Fund, The Capital Project Fund and the Equipment Rental Fund, Providing for Severability, and Establishing an Effective Date	**For Council Meeting Agenda of: November 26, 2012** **Department: Finance and Administration** **Prepared by: Joanne M. Gregory** **Initial & Date** **Approved by Department Head:** JMG 11/16/12 **Approved by City Attorney:** RKenial **Approved by Finance Director:** JMG 11/16/12 **Approved by City Manager:** RDK **Exhibits/Attachments:** Memorandum dated November 7, 2012 with Attachment A Ordinance No. 12-0348

Expenditure Required	Amount Budgeted	Appropriation Required
$0	$41,198,917 All Funds Expenditures	$1,500,833 Increase in All Funds Expenditures

INFORMATION/BACKGROUND:

On November 22, 2010, the City of Kenmore adopted the 2011-2012 biennial budget. The budget included revenue ($33,682,086) and expenditure ($37,128,077) estimates for both years which support the City Council priorities, departmental work programs, various municipal obligations, as well as Federal and State mandates.
On November 28, 2011, the City Council adopted a mid biennial budget amendment as prescribed by State law which included adjustments resulting from proposed and Council authorized changes to the adopted budget. Prior to the close of 2012, which will be the end of the 2011-2012 biennial budget period, it is important to review all funds' budgets, consider actions taken by the City Council since the mid biennium review, and adjust fund budgets accordingly so as not to exceed approved fund appropriations. The City Council reviewed the Budget amendment recommendations at the regular Council meeting on November 19, 2012.

FISCAL CONSIDERATION:

No adjustments are recommended to the General Fund as expenditures are expected to be less than budget.
In three other funds, the Swamp Creek Basin Fund, the Capital Projects Fund, and the Equipment Replacement Fund, the proposed expenditure adjustments represent an increase of $1,500,833 to the 2011-2012 total amended biennial expenditure budget of $41,198,917, bringing the amended expenditure budget, for all funds, to $42,699,750. The adjustments are described in more detail on the attached memorandum.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Per RCW 35A the budget is the legal authority to expend public funds and controls those expenditures by setting the amount of the appropriation at the fund level by ordinance.

VIE. Adopt Ordinance No. 12-0348 Amending the 2011-2012
Biennial Budget - Joanne Gregory - Finance & Administration

CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 12-0348

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, RELATING TO THE 2011-2012 BUDGET; AMENDING ORDINANCE NO. 10-0319, AS AMENDED BY ORDINANCE NO. 11-0331, TO ADJUST APPROPRIATIONS FOR THE SWAMP CREEK BASIN FUND, THE CAPITAL PROJECT FUND, AND THE EQUIPMENT REPLACEMENT FUND; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council (the "Council") of the City of Kenmore, Washington (the "City"), is required by applicable state law to finalize its biennial budget prior to the commencement of the first fiscal year of the biennium; and

WHEREAS the amount of revenue and appropriations can only be estimated at the time of finalization of the budget and subsequent budget amendments; and

WHEREAS, the City Council finds it in the best interest of the City to adjust appropriations in the Swamp Creek Basin Fund, the Capital Projects Fund, and the Equipment Replacement Fund;

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

Section 1. Funds Appropriated. The 2011-2012 biennial budget, adopted by Ordinance No. 10-0319, for the period January 1, 2011 through December 31, 2012, and amended by Ordinance No. 11-0331 on November 28, 2011 ("2011-2012 Biennial Budget"), is hereby amended by fund to reflect the adjustments to appropriations as follows:

FUND	2011-2012 Budgeted Revenues as Amended 11/28/2011	Change	Amended 2011-2012 Budgeted Revenues
General Fund	$18,945,595	0	$18,945,595
Street Fund	2,394,724	0	2,394,724
Arterial Street Fund	7,574,163	0	7,574,163
Public Art Fund	3,979	0	3,979
Park Impact Fee Fund	440,942	0	440,942
Transportation Impact Fee Fund	943,962	0	943,962
Swamp Creek Basin Fund	35,619	0	35,619
Municipal Capital Reserve Fund	2,038,341	0	2,038,341
Capital Projects Fund	508,079	0	508,079

Surface Water Management Fund	3,743,334	0	3,743,334
Strategic Reserve Fund	0	0	0
Equipment Replacement Fund	161,520	0	161,520
Total Budget	**$36,790,258**	**$0**	**$36,790,258**

FUND	2011-2012 Budgeted Expenditures as Amended 11/28/2011	Change	Amended 2011-2012 Budgeted Expenditures
General Fund	$18,914,946	0	$18,914,946
Street Fund	3,160,790	0	3,160,790
Arterial Street Fund	8,420,240	0	8,420,240
Public Art Fund	1,000	0	1,000
Park Impact Fee Fund	700,000	0	700,000
Transportation Impact Fee Fund	1,221,255	0	1,221,255
Swamp Creek Basin Fund	0	202,500	202,500
Municipal Capital Reserve Fund	3,262,894	0	3,262,894
Capital Projects Fund	507,820	1,210,000	1,717,820
Surface Water Management Fund	4,866,475	0	4,866,475
Strategic Reserve Fund	0	0	0
Equipment Replacement Fund	143,497	88,333	231,830
Total Budget	**$41,198,917**	**$1,500,833**	**$42,699,750**

The City Manager is hereby authorized and instructed to effectuate the necessary changes to the 2011-2012 Biennial Budget and to make any necessary and appropriate line item entries and adjustments in order to reflect the amendments of this ordinance.

Section 2. 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 3. 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 the publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26th DAY OF NOVEMBER, 2012.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Patty Safrin, City Clerk

Approved as to form:

Rod Kaseguma, City Attorney

City Council Business Agenda Item
City of Kenmore, WA

<table>
<tr><td>Subject/Topic: Review 2013 Tax Levy Ordinance

Proposed Council Action/Motion:
Adopt Ordinance No. 12-0349 of the City of Kenmore, Washington, Relating to the 2013 Regular Property Tax Levy; Providing for Severability; and Establishing an Effective Date</td><td>For Council Meeting Agenda of: November 26, 2012

Department: Finance and Administration

Prepared by: Joanne M. Gregory

<u>Initial & Date</u>
Approved by Department Head: JMG 11/15/12
Approved by City Attorney: RK email
Approved by Finance Director: JMG 11/15/12
Approved by City Manager: RGK

Exhibits/Attachments:
1. Ordinance No. 12-0349 (provides for a 0% increase in the property tax levy for 2013)</td></tr>
</table>

Expenditure Required N/A | Amount Budgeted N/A | Appropriation Required N/A

<u>INFORMATION/BACKGROUND</u>:

Public hearings on the City of Kenmore 2013 property tax levy were held on October 22 and November 26, 2012 to receive public comment and testimony. A property tax ordinance must be adopted to include either a zero percent (0%) increase or up to a one percent (1%) increase ($41,722) in the levy (except for new construction and other adjustments). New construction added to the tax rolls for 2013 is expected to be about $18.5 million, the lowest since at least 2001, and only adds $29,508 to the tax levy.

The City has not raised the tax levy by the statutorily allowable 1% since 2004, resulting in a cumulative amount of $1,562,494 not levied through 2013. $529,549 is the current amount of the City's banked levy capacity per the King County Assessor's Department.

<u>FISCAL CONSIDERATION</u>:

A 1% levy increase in 2013 would provide $41,722.
The property tax revenue for 2013 is currently budgeted without a 1% increase for an amount of $4,213,917. No increase (0%) in the levy is requested in the ordinance, other than for allowable additions such as new construction.

The levy ordinance indicates a levy dollar amount in excess of what is budgeted to ensure that the request is adequate. The limitation is contained in the $0, 0% increase language in Section 1 and the County will only assess what is allowed with that limitation.

<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED</u>:
The property tax levy must be set by November 30 of each year per RCW 84.52.070

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VIF. Adopt the 2013 Property Tax Levy - Ordinance No. 12-0349 -
Joanne Gregory, Finance & Administration Director

CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 12-0349

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, RELATING TO THE 2013 REGULAR PROPERTY TAX LEVY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Kenmore has considered its biennial budget for calendar years 2013-2014; and

WHEREAS, the City Council held public hearings on October 22, 2012 and November 26, 2012, to consider the City's current expense budget and revenue sources pursuant to RCW 84.55.120; and

WHEREAS, after a public hearing, and after duly considering all relevant evidence and testimony presented, the City Council determined that the City of Kenmore requires an estimated regular tax levy in the amount of $4,219,000 which includes a zero (0%) increase in property tax revenue from the previous year except for amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the City and in its best interest (the actual levy to be calculated by the King County Assessor's Office once the City's assessed value is certified by the Assessor);

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

<u>Section 1. Regular Tax Levy.</u> An increase in the regular property tax levy is hereby authorized for the 2013 levy in the amount of $0, which is a percentage increase of 0% from the previous year. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and any additional amounts resulting from any annexations that have occurred and refunds made.

<u>Section 2. Transmittal.</u> The City Clerk is directed to transmit a certified copy of this Ordinance to the Office of the Auditor of the State of Washington, Division of Municipal Corporations, to the King County Assessor, to the Clerk of the King County Council, and to any other agency required by law to receive a copy of this Ordinance.

<u>Section 3. Severability.</u> 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 4. 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.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26th DAY OF NOVEMBER, 2012.

City of Kenmore

____

David Baker, Mayor

ATTEST/AUTHENTICATED:

____

Patty Safrin, City Clerk

Approved as to form:

____

Rod P. Kaseguma

City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Review 2013 Tax Levy Ordinance **Proposed Council Action/Motion:** Adopt Ordinance No. 12-0349 of the City of Kenmore, Washington, Relating to the 2013 Regular Property Tax Levy; Providing for Severability; and Establishing an Effective Date	**For Council Meeting Agenda of: November 26, 2012** **Department: Finance and Administration** **Prepared by: Joanne M. Gregory** **Initial & Date** **Approved by Department Head:** jmg 11/15/12 **Approved by City Attorney:** RK email **Approved by Finance Director:** jmg 11/15/12 **Approved by City Manager:** ______ **Exhibits/Attachments:** 1. Ordinance No. 12-0349 (provides for a 0% increase in the property tax levy for 2013)

Expenditure Required N/A **Amount Budgeted** N/A **Appropriation Required** N/A

INFORMATION/BACKGROUND:

Public hearings on the City of Kenmore 2013 property tax levy were held on October 22 and November 26, 2012 to receive public comment and testimony. A property tax ordinance must be adopted to include either a zero percent (0%) increase or up to a one percent (1%) increase ($41,722) in the levy (except for new construction and other adjustments). New construction added to the tax rolls for 2013 is expected to be about $18.5 million, the lowest since at least 2001, and only adds $29,508 to the tax levy.

The City has not raised the tax levy by the statutorily allowable 1% since 2004, resulting in a cumulative amount of ~~loss of revenue of approximately~~ $1,562,494 NOT LEVIED through 2013. $529,549 is the current amount of the City's banked levy capacity per the King County Assessor's Department.

FISCAL CONSIDERATION:

A 1% levy increase in 2013 would provide $41,722.
The property tax revenue for 2013 is currently budgeted without a 1% increase for an amount of $4,213,917. No increase (0%) in the levy is requested in the ordinance, other than for allowable additions such as new construction.

The levy ordinance indicates a levy dollar amount in excess of what is budgeted to ensure that the request is adequate. The limitation is contained in the $0, 0% increase language in Section 1 and the County will only assess what is allowed with that limitation.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:
The property tax levy must be set by November 30 of each year per RCW 84.52.070

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VIF. Adopt the 2013 Property Tax Levy - Ordinance No. 12-0349 -
Joanne Gregory, Finance & Administration Director

City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Adopt 2013-2018 Capital Improvement Program Proposed Council Action/Motion: Adopt Ordinance 12-0350 Adopting a City of Kenmore, Washington Capital Improvement Program	For Council Meeting Agenda of: November 26, 2012 Departments: Finance and Administration, Community Development, Engineering & Environmental Services, Public Works Operations Prepared by: Joanne Gregory, Finance and Administration Director Debbie Bent, Community Development Director Kris Overleese, Engineering and Environmental Services Director Jennifer Gordon, Public Works Operations Manager Initial & Date Approved by Department Head: JMG 11/16/12 Approved by City Attorney: RK email Approved by Finance Director: JMG 11/16/12 Approved by City Manager: RK ok Exhibits/Attachments: Ordinance 12-0350 with Exhibit A

Expenditure Required	Amount Budgeted	Appropriation Required
2013-2014: $34,428,550	$0	2013-2014: $34,428,550

INFORMATION/BACKGROUND:

The 2013-2014 Budget process includes a review and inclusion of a six-year (2013-2018) Capital Improvement Program for parks, transportation and surface water projects. There are no facilities project needs identified in this Capital Improvement Program (CIP).

Capital Improvement Programs serve at least three basic objectives: first, this is the document or plan that implements the City's vision and comprehensive plan; second, the program guides budgetary and financial decisions and allocations; and third, it represents the official document for state and federal funding eligibility and the potential of grant and loan awards. State and federal funding agencies require a project to be consistent with a jurisdiction's plans, needs, and priorities.

Staff compiled a list of potential projects and their funding strategy and presented them to the City Council for their first review on September 17, 2012. On October 29, November 5, and November 13, 2012 the City Council reviewed and commented on the projects included in the CIP. Public hearings were held on October 22 and November 26, 2012.

Parks

There were fourteen parks projects, totaling $5,260,000, proposed in the 2013-2018 Parks Capital Improvement Program. Inclusion of these projects, funding and schedule was based on the following principles and priorities. Projects identified at the 6/25/12 Council meeting are included in the CIP. Projects that were started but not completed during the prior biennium (2011-2012) are identified as priorities to complete in 2013, which are the Tolt Trail Phase 1 project and the Northshore Summit Park Phase 1 project. Moving forward with a signature downtown public park/square is a priority related to the Kenmore Village action plan and stimulating downtown development with funding identified in 2013-2015. Updating the Park and Recreation Open Space (PROS) plan is a work program priority for 2013 to become eligible for State grant funding in 2014 through 2020. Funding for Moorlands Park ballfield improvements, Rhododendron Park waterfront improvements, and several projects at Log Boom Park is based on an assumption of partial grant funding and the construction phase is based on anticipated grant funding cycles. Update of the PROS plan will be a priority for the Parks Project Manager (new position) and therefore keeping the number of parks projects (seven identified) to a manageable number in 2013 was a consideration.

On October 29, 2012 the City Council directed that $75,000 allocated for the City Hall Plaza Improvements (as amended from City Hall Plaza Water Feature) project P 22 be moved out two years and $40,000 be provided for a restroom at the Sammamish River Boat Launch Project P 24. Real estate excise tax is the funding source.

On November 19, 2012 the City Council directed that project P 20, 18804 73rd Ave NE Improvements (Abagobez), be removed from the CIP. Park impact fees were the funding source.

Transportation

There are ten transportation projects, which total $26,789,200, proposed within the 2013-2018 CIP. The projects include the completion of the 181st/68th Avenue signal, the annual Sidewalk Program, 2013 Juanita Overlay, the Wayfinding/Banner project, City Gateways, addition of a right turn pocket at Inglemoor High, the 2013 Safety Improvements (completely grant funded), and the 68th Avenue queue jump (extension of right turn pocket) between the Sammamish Bridge and Highway 522, and the west segment of Highway 522 improvements.

Staff proposes an annual Sidewalk Program funding of $100,000 a year which is less than the historic level. However, Staff believes there are sidewalk segments within the City that would be grant competitive. A more strategic and sustainable approach to the Sidewalk Program would be to leverage City resources for sidewalk grant match. See the attached grant memo (Attachment C). Also, there is a Council Goal to create a 20-30 year Sidewalk Plan. Staff is developing a list of sidewalk segments that meet the Comprehensive Plan criteria. This list will be presented at a later date and will be included as a component of the CIP Sidewalk Program.

Staff also proposes to streamline the west Highway 522 project into two discrete segments: 522 West A (61st to 65th Avenues NE including north and south legs of the signalized 61st/522 intersection and West B (61st Avenue NE west to the City limits, including the Burke Gilman Trail wall). The West A segment includes the 61st/522 signal improvements. The City has applied for a Transportation Improvement Board (TIB) grant for the West A segment and is utilizing the $1,100,000 appropriation from the legislature as match funds within the TIB application (Attachment C). The City will learn late in 2012 if the TIB application is successful. As mentioned, surface water funds are to be utilized within the West 522 project to pay for surface water components. The City could not have pulled a TIB application together that was within the guidance given by TIB staff if it were not for the inclusion of surface water funds.

Surface Water

There are twelve projects, totaling $2,389,350, proposed within the 2013-2018 Surface Water component of the CIP. The bulk of the projects were identified in the Surface Water Management Plan which was adopted in 2008 and is scheduled to be updated in 2013. There are no planned or proposed Swamp Creek property acquisitions. There are several culvert replacement projects identified as well as stabilization projects. A shift in funding strategy from the current CIP is the utilization of surface water fund resources to pay for surface water components of sidewalk projects and Highway 522 improvements. Not only is this allowable, but it is necessary to help these projects move forward given that Real Estate Excise Tax (REET) funds continue to come in lower than in the past.

FISCAL CONSIDERATION:

The City's goal is to adopt 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, 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.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

The proposed Capital Improvement Program is consistent with Council Goals, specifically:
-Seek funds to move forward on SR 522 project.
-Implement a parks improvement and financial plan
-Establish a 20 - to 30 year Sidewalk Plan
-Move the City Council's interconnectivity vision forward toward implementation (parks, trails, open space, institutions, and shuttle bus)

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CITY OF KENMORE
WASHINGTON
ORDINANCE NO.12-0350

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, ADOPTING A SIX YEAR CAPITAL IMPROVEMENT PROGRAM; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a Proposed 2013-2018 Six Year Capital Improvement Program was submitted to the City Council and the City Clerk on September 17, 2012; and

WHEREAS, the City Council scheduled and held Public Hearings on the Proposed 2013-2018 Six Year Capital Improvement Program on October 22, 2012 and November 26, 2012;

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

Section 1. Adoption of City of Kenmore, Washington Capital Improvement Program. The City of Kenmore hereby adopts a new City of Kenmore, Washington Capital Improvement Program, attached as Exhibit "A".

Section 2. City of Kenmore, Washington Capital Improvement Program. To the extent the City of Kenmore, Washington Capital Improvement Program ("Capital Improvement Program") is different from the Capital Facilities Element of the City's Comprehensive Plan, including but not limited to the Capital Facilities Plan portion thereof ("Capital Facilities Element"), the Capital Improvement Program shall supersede and amend the Capital Facilities Element accordingly.

Section 3. 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 4. 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.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26th DAY OF NOVEMBER 2012.

CITY OF KENMORE

____
Mayor David Baker

ATTEST/AUTHENTICATED:

Six Year Capital Improvement Program

____
Patty Safrin, City Clerk

Approved as to form:

____
Rod P. Kaseguma, City Attorney

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CITY OF KENMORE, WASHINGTON
CAPITAL IMPROVEMENT PROGRAM
FOR THE YEARS 2013-2018

EXPENDITURES	2013 Proposed	2014 Proposed	2015 Proposed	2016 Proposed	2017 Proposed	2018 Proposed	2013-2018 Totals
PARKS							
P 1 Twin Springs(Portal 44)	$0	$0	$45,000	$360,000	$0	$0	$405,000
P 2 Tolt Pipeline Trail Phase One	120,000	0	0	0	0	0	120,000
P 6 Moorlands Park Ballfield Improvements	20,000	0	300,000	0	0	0	320,000
P 9 Northshore Summit Design Phase One	190,000	0	0	0	0	0	190,000
P 10 Park Land Acquisition	30,000	0	0	800,000	0	0	830,000
P 11 Log Boom Park Pedestrian Bridge Replaceme	0	40,000	150,000	0	0	0	190,000
P 13 Skate Park	0	20,000	250,000	0	0	0	270,000
P 17 Tolt Pipeline Trail Phase Two	0	0	30,000	190,000	0	0	220,000
P 18 Rhododendron Park Waterfront	0	0	20,000	200,000	0	0	220,000
P 19 Log Boom Park Waterfront	0	0	30,000	75,000	75,000	1,000,000	1,180,000
P 20 18804 73rd Ave NE Improvements (Abagobe	0	0	0	0	0	0	0
P 21 Kenmore Village Public Square	50,000	100,000	800,000	0	0	0	950,000
P 22 City Hall Plaza Improvements	0	0	75,000	0	0	0	75,000
P 23 Squires Landing Trail	0	0	0	0	40,000	200,000	240,000
P 24 Sammamish River Boat Launch Restroom	40,000	0	0	0	0	0	40,000
Total Parks	**$450,000**	**$160,000**	**$1,700,000**	**$1,625,000**	**$115,000**	**$1,200,000**	**$5,250,000**
TRANSPORTATION							
T 5 68th Ave NE SR522 to Sammamish Slough	$0	$0	$0	$110,000	$320,000	$2,440,000	$2,870,000
T 6 SR 522 West A 61st to 65th	4,398,500	4,865,000	2,000,000	0	0	0	11,263,500
T 7 61st Ave NE & 181st Traffic Signal	487,300	0	0	0	0	0	487,300
T 8 SR 522 West B 57th to 61st with BGT Wall	0	0	410,000	8,585,000	15,000	0	9,010,000
T 22 Simonds Road-Inglemoor HS Right Turn La	25,000	0	70,000	445,000	0	0	540,000
T 26 Wayfinding Signage and Banners	20,000	20,000	20,000	20,000	20,000	20,000	120,000
T 36 City Gateways	75,000	225,000	0	0	0	0	300,000
T 27 Sidewalk Program	174,950	100,000	100000	100000	100000	100000	674,950
T 31 City Safety Improvements	250,000	0	0	0	0	0	250,000
T 35 Juanita Drive/68th Ave NE Overlay	1,273,450	0	0	0	0	0	1,273,450
Total Transportation	**$6,704,200**	**$5,210,000**	**$2,600,000**	**$9,260,000**	**$455,000**	**$2,560,000**	**$26,789,200**
SURFACE WATER							
SW 1 Tributary 0057 Channel Relocation	$889,750	$0	$0	$0	$0	$0	$889,750
SW 2 80th Ave NE Ditch Improvements	0	0	40,000	75,000	0	0	$115,000
SW 3 Juanita Dr NE Ditch Grading Ph 1	75,000	0	0	0	0	0	$75,000
SW 7 NE 187th Street Bypass	0	40,000	71,000	0	0	0	$111,000
SW 8 61st Ave NE Sidewalk Embankment Repair	55,000	0	0	0	0	0	$55,000
SW 9 Swamp Creek Regional Basin Study	10,000	40,000	0	0	0	0	$50,000
SW 12 74th Avenue NE Culvert Replacement	87,000	202,000	0	0	0	0	$289,000
SW 13 NE 155th Street Outfall Revision	0	0	50,000	0	0	0	$50,000
SW 16 Arrowhead Drive Conveyance Improvemer	0	0	0	106,000	116,100	0	$222,100
SW 17 Little Swamp Creek Relocation Project	0	0	0	0	56,500	50,000	$106,500
SW 19 NE 192nd ST Culvert Replacement	0	20,000	106,000	0	0	0	$126,000
SW 20 Small Works Projects	50,000	50,000	50,000	50,000	50,000	50,000	$300,000
Total Surface Water	**$1,166,750**	**$352,000**	**$317,000**	**$231,000**	**$222,600**	**$100,000**	**$2,389,350**
TOTAL EXPENDITURES	**$8,320,950**	**$5,722,000**	**$4,617,000**	**$11,116,000**	**$792,600**	**$3,860,000**	**$34,428,550**

CITY OF KENMORE, WASHINGTON
CAPITAL IMPROVEMENT PROGRAM
FOR THE YEARS 2013-2018

REVENUES	2013 Proposed	2014 Proposed	2015 Proposed	2016 Proposed	2017 Proposed	2018 Proposed	2013-2018 Totals
Real Estate Excise Tax (Transportation)	$897,300	$290,000	$250,000	$300,000	$0	$123,750	$1,861,050
Real Estate Excise Tax - Set Aside Sidewalks	229,950	100,000	100,000	100,000	100,000	100,000	729,950
Transportation Impact Fee Revenue	412,500	380,000	435,000	527,500	115,000	400,000	2,270,000
Park Impact Fee Revenue	220,000	0	45,000	1,322,345	0	0	1,587,345
Real Estate Excise Tax (Parks)	60,000	60,000	350,000	175,000	115,000	200,000	960,000
Kenmore Village Sale	50,000	100,000	800,000	0	0	0	950,000
King County Parks Levy	120,000	0	30,000	27,655	0	0	177,655
Parks Grants	0	0	475,000	100,000	0	1,000,000	1,575,000
Surface Water Utility Funds	1,000,250	672,000	547,000	231,000	222,600	100,000	2,772,850
King County Flood District Grant	150,000	0	0	0	0	0	150,000
State/Transportation Improvement Board	0	4,100,000	1,100,000	2,000,000	0	0	7,200,000
Federal Grants/Allocations	3,600,000	0	0	0	0	0	3,600,000
STP Preservation Grant-Juanita Overlay	636,725	0	0	0	0	0	636,725
Street Fund-Juanita Overlay	636,725	0	0	0	0	0	636,725
Other Agencies Reimbursements	37,500	0	55,000	222,500	0	0	315,000
Federal Funding	250,000	0	354,650	55,000	205,000	1,916,250	2,780,900
PWTF Loan	0	0	55,350	6,035,000	15,000	0	6,105,350
General Fund	20,000	20,000	20,000	20,000	20,000	20,000	120,000
TOTAL REVENUES	**$8,320,950**	**$5,722,000**	**$4,617,000**	**$11,116,000**	**$792,600**	**$3,860,000**	**$34,428,550**

City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Ordinance Adopting the 2013-2014 Biennial Budget	For Council Meeting Agenda of: November 26, 2012 Department: Finance and Administration Prepared by: Joanne M. Gregory
Proposed Council Action/Motion: Adopt Ordinance No. 12-0351 Adopting a Biennial Budget for the Period January 1, 2013 through December 31, 2014, Establishing Appropriations of Funds for the 2013-2014 Biennium	Initial & Date Approved by Department Head: jmg 11/16/12 Approved by City Attorney: Per email Approved by Finance Director: jmg 11/16/12 Approved by City Manager: RCK **Exhibits/Attachments:** Ordinance No. 12-0351 Exhibit A: Adjustments to proposed 2013-2014 biennial budget

Expenditure Required	Amount Budgeted	Appropriation Required
		All Fund Revenue: $47,374,475 All Fund Expenditures: $47,441,310

INFORMATION/BACKGROUND:

On September 24, 2012, proposed estimates of revenues and expenditures for the 2013-2014 biennial budget were submitted to the City Council. Budget review sessions were conducted from October 8 through November 19, 2012. The attached ordinance reflects adjustments to the proposed 2013-2014 biennial budget as directed by the City Council on November 13, 2012 (attached as Exhibit A). Two public hearing were also scheduled to receive public comment and testimony on October 22 and November 26, 2012.

FISCAL CONSIDERATION:

The budget is balanced in each fund with total budgeted revenues for the biennium of $47,374,475 and total budgeted expenditures for the biennium of $47,441,310.

The Biennial Budget also includes a 2% market wage adjustment for 2013 and 2014 for all city employees.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Council Policy: Deliver services at a level greater than prior to incorporation of the City.
Washington State statutes require adoption of the budget prior to the beginning of the ensuing fiscal year.

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EXHIBIT A

City of Kenmore, Washington

Adjustments to proposed 2013-2014 biennial budget

Fund/Account	Proposed Budget	Increase (Decrease)	Adjusted Budget
General Fund/ARCH Contribution	$150,000	($50,000)	$100,000
General Fund/Economic Develop: Business Incubator Citizen Survey	$214,900	($50,000) ($20,000)	$144,900
General Fund/Police Contract	$6,259,020	($50,000)	$6,209,020
General Fund/Abatement	$50,000	($25,000)	$25,000
General Fund/District Court	$100,000	($10,000)	$90,000
General Fund/Human Services	$279,601	$125,000	$404,601
General Fund/Transfer to Sammamish River Bridge Fund	$0	$80,000	$80,000
Sammamish River Bridge Fund/Transfer from General Fund	$0	$80,000	$80,000
Strategic Opportunities Fund/Business Incubator	$0	$50,000	$50,000
Parks Capital: City Hall Plaza Boat Launch Restroom Abagobez Property Improvement	 $75,000 $0 $10,000	 ($75,000) $40,000 ($10,000)	 $0 $40,000 $0
Park Capital/Transfer from Real Estate Excise Tax Fund	$155,000	($35,000)	$120,000
Real Estate Excise Tax Fund/Transfer to Park Capital Fund	$155,000	($35,000)	$120,000
Park Capital/Transfer from Park Impact Fee Fund	$230,000	($10,000)	$220,000
Park Impact Fee Fund/Transfer to Park Capital	$230,000	($10,000)	$220,000
Kenmore Village Fund/Sale of Property	$0	$2,500,000	$2,500,000
Kenmore Village Fund /Reimbursement from Kenmore Camera	$0	$90,000	$90,000

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CITY OF KENMORE
WASHINGTON
ORDINANCE NO.12-0351

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, ADOPTING A BIENNIAL BUDGET FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2014; ESTABLISHING APPROPRIATIONS OF FUNDS FOR THE 2013-2014 BIENNIUM; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a Preliminary 2013-2014 Biennial Budget was submitted to the City Council and the City Clerk on September 24, 2012; and

WHEREAS, the City Council scheduled and held Public Hearings on the Preliminary 2013-2014 Biennial Budget on October 22, 2012 and November 26, 2012;

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

Section 1. Funds Appropriated. The Budget for January 1, 2013 through December 31, 2014 is appropriated by fund as follows:

FUND	2013-2014 Revenue Budget
General Fund	$19,241,694
Street Fund	$3,850,173
Public Art Fund	$600
Park Impact Fee Fund	$346,567
Transportation Impact Fee Fund	$876,670
Swamp Creek Basin Fund	$16,000
Strategic Reserve Fund	$0
Strategic Opportunities Fund	$2,525,062
Sammamish River Bridge Fund	$80,000
Real Estate Excise Tax Fund	$1,147,317
Kenmore Village Fund	$1,692,340
Park Capital Fund	$653,534
Transportation Capital Fund	$11,387,950
Surface Water Management Fund	$3,499,176
Surface Water Capital Fund	$1,902,250
Equipment Replacement Fund	$155,142
Total Budget	**$47,374,475**

FUND	2013-2014 Expenditure Budget
General Fund	$21,714,108
Street Fund	$3,840,126
Public Art Fund	$1,000
Park Impact Fee Fund	$220,000
Transportation Impact Fee Fund	$792,500
Swamp Creek Basin Fund	$160,000
Strategic Reserve Fund	$0
Strategic Opportunities Fund	$50,000
Sammamish River Bridge Fund	$0
Real Estate Excise Tax Fund	$2,157,250
Kenmore Village Fund	$339,200
Park Capital Fund	$610,000
Transportation Capital Fund	$10,900,750
Surface Water Management Fund	$4,477,876
Surface Water Capital Fund	$1,902,250
Equipment Replacement Fund	$276,250
Total Budget	**$47,441,310**

Section 2. Wage Adjustment. The 2013-2014 Biennial Budget includes annual 2% market wage adjustments for city employees, effective January 1, 2013 and January 1 2014.

Section 3. Transmittal. A complete copy of the budget as adopted, together with a copy of this adopting Ordinance, shall be transmitted by the City Clerk to the Division of Municipal corporations of the Office of the State Auditor and to the Association of Washington Cities.

Section 4. 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 5. 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.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26th DAY OF NOVEMBER 2012.

CITY OF KENMORE

____
Mayor David Baker

ATTEST/AUTHENTICATED:

____
Patty Safrin, City Clerk

Approved as to form:

____

Rod P. Kaseguma, City Attorney

City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic:	For Council Meeting Agenda of: November 26, 2012
Solid Waste	Department: City Manager Prepared by: Rob Karlinsey To Be Presented By: Rob Karlinsey
Proposed Council Action/Motion: Informational only	Initial & Date Approved by Department Head: ______ Approved by City Attorney: ______ Approved by Finance Director: Jane 11/15/12 Approved by City Manager: RJK
	Exhibits/Attachments: January 26, 2009 agenda bill and meeting minutes.

Expenditure Required $ | Amount Budgeted $ | Appropriation Required $

INFORMATION/BACKGROUND:

The solid waste utility in the City of Kenmore is provided by Republic Services (formerly Allied Waste Management) and is regulated by the State Utilities and Transportation Commission (UTC).

Jeffry Borgida, General Manager of Republic's Eastside region, and Janet Prichard, Republic's Municipal Relationship Manager, will attend the November 26 City Council meeting to give an overview of the utility and answer questions.

Attached are the agenda bill and minutes from the January 26, 2009 City Council meeting.

FISCAL CONSIDERATION:

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

CITY OF KENMORE, WASHINGTON
AGENDA BILL SUMMARY

AGENDA TITLE			MEETING DATE
Motion to Authorize the City Manager to Transmit Letter to Solid Waste Carrier Regarding Notice of Intent to Negotiate Franchise Agreement.			January 26, 2009
DEPARTMENT	**DIRECTOR**	**CONTACT PERSON**	**PHONE**
City Manager/Public Works	Jennifer Gordon	Fred Stouder	425-398-8900
COST OF PROPOSAL: Undetermined Administrative time for research and then negotiations will be estimated in future report.		**ACCOUNT NUMBER:** N/A	
AMOUNT BUDGETED: N/A		**NAME AND FUND #:**	

ATTACHMENT(S) TO AGENDA PACKET ITEM: 1. Minutes of Council meeting - 12/11/2007. 2. Agenda report and Minutes of Council meeting - 2/26/2007. 3. Agenda report and minutes of Council meeting – 7/2/2007.

SUMMARY STATEMENT:
On December 11, 2006, February 26, 2007, and July 2, 2007 the City Council agendas included discussions of solid waste service options, as noted in these agenda reports. Solid waste removal and recycling services are provided in Kenmore by Allied Waste, formerly know as Rebanco. Allied operates under a certificate, or permit, issued by the WUTC, Washington Utilities and Transportation Commission. Cities have the right to control solid waste collection by directly contracting with the private hauler rather than having the hauler operate under state regulation. State law requires cities to provide the State Certificate holders with a franchise or contract of at least seven years upon taking over control of the solid waster collection system process.

On December 11, 2006, the City Council provided direction to the administration to notify the WUTC that Kenmore would like to cancel the State Certificate and pursue alternatives for solid waste and recycling services. At the meeting of February 26, 2007, options regarding solid waste management was further presented. See attached February 26, 2007 agenda, staff report, and minutes. The conclusions or result of that discussion was that the item be moved forward for further discussion at the April 16, 2007 meeting. The item was next discussed at the July 2, 2007 City Council meeting and direction was given. See attached July 2, 2007 agenda, report and minutes. The minutes note that direction was provided to negotiate a seven year contract with Allied Waste and allow WUTC to set rates for services as part of the process.

The purpose of this report and discussion is to confirm and inform regarding the background of this issue, and proceed with discussions with Allied Waste. The City Administration has met with a representative of Allied Waste, Nels Johnson, and they are in support of this direction. As a footnote, this "project," likely similar to others, has been on hold until sufficient "permanent" staffing was completed, and the next anticipated steps could be taken. In recent months I have been asked if this process had ever proceeded, and if a letter had been sent to the appropriate agencies and individuals regarding proceeding in negotiations. This report, resulting from the research on the matter, and a meeting with Allied Waste, along with the attachments are for Council's information. With the City Council's confirmation of this understanding and direction, the administration will proceed with further research and negotiations.

<table>
<tr><td colspan="3">CONSISTENT WITH OR COMPARISON TO PAST COUNCIL POLICIES, ORDINANCES, DIRECTION: Consistent with directions previously provided and minutes and directions from previous Council meetings.</td></tr>
<tr><td colspan="3">RECOMMENDED CITY COUNCIL ACTION/SUGGESTED MOTION: Acknowledge previous understanding and confirm direction to proceed with future negotiations with Allied Waste.</td></tr>
<tr><td>REVIEWED BY FINANCE DIRECTOR:</td><td>REVIEWED BY CITY ATTORNEY:</td><td>APPROVED BY CITY MANAGER:</td></tr>
<tr><td>TODAY'S DATE:
January 16, 2009</td><td>REVISION DATE(S):</td><td>FILE NAME & PATH (HYPERLINK):
I:\City Clerk\AGENDA ITEMS\City Manager\Agenda Bill Solid Waste Carrier for 01 26 09 - Word.doc
Last Saved 01 16 09 jg</td></tr>
</table>

VIIIC. Republic Services, Inc. Solid Waste Services Overview - Rob Karlinsey, City Manager; Jeffry Borgida, Republic Services General

City of Kenmore
City Council Regular Meeting
Minutes
December 11, 2006

CALL TO ORDER: Mayor Eastwood called the regular meeting to order at 6:05 p.m.

Mayor Eastwood called an executive session at 6:06 p.m. to discuss PROPERTY NEGOTIATION RCW 42.30.110(1)(b) and POTENTIAL LITIGATION RCW 42.30.110(1)(i). He stated that the executive session will last for approximately 60 minutes and that no action is anticipated when the meeting is reconvened back to regular session.

Mayor Eastwood convened the regular meeting at 7:05 p.m.

Councilmembers present: Mayor Randy Eastwood, Deputy Mayor David Baker, and Councilmembers John W. Hendrickson, Bob Hensel, Glenn Rogers, Laurie Sperry, and Allan Van Ness

Staff present: Stephen Anderson, City Manager; Doug Farmen, Finance Director; Robert English, City Engineer; Debbie Bent, Director of Community Development; Ted Carlson, Superintendent of Public Works; Cliff Sether, Police Chief; Rod Kaseguma, City Attorney; Leslie Dycus, Special Events Coordinator; and Lynn Batchelor, City Clerk

FLAG SALUTE

Councilmember Rogers led the flag salute.

AGENDA APPROVAL

Deputy Mayor Baker moved to approve the agenda as submitted. Councilmember Hensel seconded the motion.

Discussion.

Councilmember Hendrickson moved to amend the agenda to add a discussion item regarding the Downtown Task Force clarifying what is going on and confirm the role of the Downtown Task Force members. Councilmember Rogers seconded the motion. Motion failed 5-2.

It was unanimous to approve the agenda as submitted.

CONSENT AGENDA

Deputy Mayor Baker moved to approve the consent agenda as submitted. Councilmember Rogers seconded the motion to approve the Minutes of the November 20, 2006 Council Study Session; November 27, 2006 Regular Council Meeting; and November 27, 2006 Special Study Session; Claims in the amount of $128,513.30 for the period ending December 5, 2006; Agenda Bill No. 06-128 – Resolution No. 06-128 Revising the 2007 Fee Schedule; Agenda Bill No. 06-129 – Resolution No. 06-129 Amending Resolution No. 06-117 by Creating a New Section 5 Relating to the Rules of Procedure for Council Member

Attendance/Voting Via Speakerphone; Agenda Bill No. 06–130 – Resolution No. 06-130 Amending Resolution No. 06-117 by Creating a New Section 6 Relating to the Rules of Procedure for Executive Sessions; Agenda Bill No. 06–C529 #1 – Motion Authorizing the City Manager to Enter Into Amendment No. 1 to Contract No. 06-C529 with Heartland for Consulting Services Relating to the Downtown Development Plan; Agenda Bill No. 04-C356 #2 – Motion Authorizing the City Manager to Enter Into Amendment No. 2 with Bill Evans for Consulting Services Relating to Parks Planner; and a Motion Canceling the Council Meetings Scheduled for December 18, 2006, December 25, 2006 and January 1, 2007. The motion passed unanimously.

CITIZEN COMMENTS

Ray Benish, 23127 13th Place W, Bothell, was present to state his concerns relating to the P zone and the language regarding alcohol sales as outlined in proposed Ord. No. 06-0254.

Clyde Merriwether, 16311 69th Avenue NE, Kenmore, was present to announce that he had resigned from the Downtown Task Force but that as a citizen he will continue to support the community. He briefly reviewed the reasons for his resignation.

Ashley Peck, 24301 2nd Place W, Bothell, was present to state her concerns relating to the P zone and the language regarding alcohol sales as outlined in proposed Ord. No. 06-0254.

Manny Mankowski, 1510 5th Place, Kirkland, was present to state his concerns relating to the P zone and the language regarding alcohol sales as outlined in proposed Ord. No. 06-0254.

Jacob Keilman, 20018 163rd Avenue NE, Woodinville, was present to state that he has been involved in Project Darfur whose mission is to raise awareness of the humanitarian crisis in the Darfur region of Sudan as well as to promote responsible political action in response to this situation. He stated that in keeping with this mission, they are planning a march from Inglemoor High to the Kenmore Post Office on January 15 (MLK Day) to deposit letters written to local politicians and media. He invited the Council to participate in the march.

Debra Srebnik, 18521 63rd Avenue NE, Kenmore, was present to ask the Council to ensure that the Downtown Plan be consistent with the community input for a pedestrian friendly plaza.

ORDINANCES

Agenda Bill No. 06-0253 – Ordinance No. 06-0253 Adopting a Budget for the Period January 1, 2007 Through December 31, 2007; Establishing Appropriations of Funds for 2007; and Establishing Position and Salary Schedules for 2007 - Director of Finance Farmen was present to give a brief staff report in which he stated that per State law, the budget must be adopted prior to January 1, 2007. He stated that the adoption of the 2007 Budget also includes the approval of the salary schedule and Capital Facilities Plan. He was also available to answer any questions.

Councilmember Rogers moved to approve Ordinance No. 06-0253 Adopting a Budget for the Period January 1, 2007 Through December 31, 2007; Establishing Appropriations of Funds for 2007; and Establishing Position and Salary Schedules for 2007. Deputy Mayor Baker seconded the motion. The motion passed 6-1 with Councilmember Hendrickson voting no.

Agenda Bill No. 06-0254 – Ordinance No. 06-0254 Amending the Kenmore Municipal Code to Establish a Parks Zone to Implement the City's Comprehensive Plan Designation of Public/Private institution (PPI), and Adopting Use and Development Regulations for the Parks Zone; and Amending the Kenmore Zoning Map for Inclusion and Application of the Parks Zone to Public Properties Designated Under the Comprehensive Plan as PPI - Debbie Bent, Director of Community Development, was present to give a staff report in which she stated that proposed Ordinance 06-0254 amends the zoning map to identify a parks zone and amends the zoning code to include use and development regulations for the parks zone. She stated that the amendments implement the City's comprehensive plan designation of public/private institution zone. She stated that the ordinance was developed based on a public process including a public hearing that was held on November 13, 2006. She briefly reviewed the proposed amendments that were made to the ordinance since the public hearing. She was also available to answer any questions.

Councilmember Van Ness moved to table the discussion on this item and forward it to the agenda of a council meeting in early January 2007. Councilmember Sperry seconded the motion. Motion failed. Councilmember Van Ness and Councilmember Rogers voted yes. The motion failed 5-2.

Deputy Mayor Baker moved to amend the language on page 4, by deleting, Table A Parks Zone Use Allowances, under Prohibited (or excluded in definitions) "or WAC 352-32 for State facilities." Mayor Eastwood seconded the motion. Councilmember Hensel voted no. The motion passed 6-1.

Councilmember Van Ness moved to adopt the ordinance as amended. Councilmember Sperry seconded the motion. Councilmember Hensel voted no. The motion passed 6-1.

Agenda Bill No. 06-0255 – Ordinance No. 06-0255 Adopting Annual Docketing Amendments to the City's Comprehensive Plan which Amends the City's Vision Statement; Updates the Capital Facilities Element; Amends the Natural Environment Sub-Element with Updated Critical Areas Information; Amends the Land Use Element, Economic Development Sub-Element, and Housing Element with Updated Housing and Employment Targets; and Amending Development Regulations Through the Annual Docketing Amendment Process to Establish a Planning Commission and Its Duties; Amending Titles 19 and 20 For Housekeeping Revisions; and Amending Chapters 19.20 and 19.25 to Revise Procedures Regarding the Annual Docketing Process for Amendments to the Comprehensive Plan and Development Regulations - Debbie Bent, Director of Community Development was present to give a staff report in which she stated that at the December 4th Council study session Council reviewed a draft of the ordinance. At that meeting, it was the consensus of the Council to make some minor changes to the ordinance and move it forward for adoption on December 11, 2006. She briefly reviewed the changes. She was also available to answer any questions.

Councilmember Rogers moved to adopt Ordinance No. Ordinance No. 06-0255 Adopting Annual Docketing Amendments to the City's Comprehensive Plan which Amends the City's Vision Statement; Updates the Capital Facilities Element; Amends the Natural Environment Sub-Element with Updated Critical Areas Information; Amends the Land Use Element, Economic Development Sub-Element, and Housing Element with Updated

Housing and Employment Targets; and Amending Development Regulations Through the Annual Docketing Amendment Process to Establish a Planning Commission and Its Duties; Amending Titles 19 and 20 For Housekeeping Revisions; and Amending Chapters 19.20 and 19.25 to Revise Procedures Regarding the Annual Docketing Process for Amendments to the Comprehensive Plan and Development Regulations. Councilmember Sperry seconded the motion. The motion passed unanimously.

CITY MANAGER REPORTS

Government Finance Officers Award (GFOA) – Director of Finance Farmen was present to award the plaque to the City. He stated that the City of Kenmore is the recipient of a budget award regarding its 2006 Annual Budget. He reviewed that for the fifth consecutive year, the City of Kenmore has received a Distinguished Budget Presentation Award the Government Finance Officers Association of the United States and Canada (GFOA). He explained that the award is based on strict program criteria related to the budget as a policy document, an operations guide, as a financial plan, and as a communications device. He stated that the award is the highest form of recognition in governmental budgeting and represents a significant achievement for our City.

The entire Council thanked Director of Finance Farmen for the great job he did in enabling the City to receive such a prestigious award.

3rd Quarter Police Report – Chief of Police Sether was present to review and answer questions regarding the Third Quarter 2006 Police Services Report.

Solid Waste Franchise Options – Public Works Superintendent Ted Carlson was present to give a brief staff report in which he stated that currently the City does not have a contract or franchise agreement with the private garbage haulers operating in the City of Kenmore. He stated that the haulers are operating under the regulatory authority of the Washington Utilities and Transportation Commission just as they were prior to incorporation. He stated that the City can be as involved as they want to be in solid waste collection ranging from the hands off approach currently applied to contracting with haulers and setting rates. He stated that any revenue received by the City in the form of an administrative fee, franchise fee, or utility tax is passed on to the rate payers. He stated that the trade off is a higher level of control and potentially increased level of service to the citizens. He was also available to answer any questions.

It was Council direction that staff proceed right away with the competitive bid process. It was Council consensus that they would like this item brought forward for further discussion in early 2007.

CITY COUNCILMEMBER COMMENTS/INITIATIVES

Councilmember Hensel publicly thanked staff for all their accomplishments in 2006. He also publicly thanked Clyde Merriwether for all of his years of service to the City. He suggested that Clyde be awarded a plaque to show the Council's appreciation and to acknowledge his dedication to the City.

Councilmember Sperry stated that she appreciates all the work staff has done. She stated that she had been approached by the KCLS/Friends of the Library to see if the Council would like to set up a library advisory board.

It was the consensus that this item would be moved forward for discussion in 2007.

Councilmember Hendrickson discussed the recent resignation of Clyde Merriwether from the Downtown Task Force. He reviewed that he has concerns regarding the performance of some of the officers of the City. He stated that he has concerns over the zoning at Murphy's Auction and wants it addressed.

Deputy Mayor Baker stated that he had recently attended a NLC Conference that was very informational. He stated that he would prepare a summary report of some of the issues that were discussed at the Conference. He stated that he recently attended a library group meeting. He stated that he would like to clarify that the City would not be responsible if the Post Office should decide to close. He stated that he would like the Council to consider looking at the feasibility of providing Wi-Fi to all the citizens. He stated that Lake Forest Park is interested in partnering with Kenmore as they would like to provide Wi-Fi to their citizens as well.

It was Council consensus that they would like to discuss the issue of Wi-Fi in 2007.

Councilmember Van Ness stated that when the City comes to a final decision on a location for the new city hall, that staff approach the Post Office and Library to see if they would like to co-locate on the site.

Councilmember Rogers thanked the city manager and the city attorney for all the work they do for the City. He also thanked his fellow Councilmembers.

Mayor Eastwood thanked his peers. He also stated that he would like to review/discuss the initiative/citizen comment process at the upcoming Council Retreat.

ADJOURNMENT TO SPECIAL STUDY SESSION

Mayor Eastwood adjourned the regular meeting at 9:00 p.m.

Randy Eastwood

Randy Eastwood, Mayor

ATTEST:

Lynn Batchelor

Lynn Batchelor, City Clerk

The City Of Kenmore

P. O. Box 82607/6700 NE 181st Street · Kenmore, Washington 98028-0607

City of Kenmore
City Council Regular Meeting Agenda
7:00 p.m., Monday, February 26, 2007
Northshore Utility District, Northshore Room
6830 NE 185th Street, Kenmore, WA 98028

AGENDA ITEMS ARE SUBJECT TO CHANGE up to and including the time of the meeting; items may be added or dropped. Please call the City Clerk if you have any questions or to confirm the agenda items prior to the meeting at (425) 398-8900, or stop by City Hall at 6700 NE 181st Street, Kenmore.

6:00 pm - EXECUTIVE SESSION –
PROPERTY NEGOTIATION RCW 42.30.110(1)(b)

I. CALL TO ORDER REGULAR MEETING – 7:00 pm

II. ROLL CALL

III. FLAG SALUTE

IV. AGENDA APPROVAL

V. CONSENT AGENDA

(Items on the Consent Agenda may be removed for discussion and/or alternate action purposes.)

A. Minutes of February 5, 2007 Council Study Session and February 12, 2007 Regular Council Meeting.

B. Approval of Claims in the amount of $360,150.29 for the period ending February 21, 2007.

VI. CITIZEN COMMENTS

(This is an opportunity to express your views on issues that are important to you and that of the community. Please limit your comments to three (3) minutes; the City Clerk will notify you when your time is ready to expire. Any comments beyond 30 minutes will be continued to the end of the meeting, up to an additional 30 minutes.)

VII. CITY MANAGER REPORTS

A. Solid Waste Options – Public Works Superintendent

B. 2007 Comprehensive Plan Update and Threshold Recommendations/ Proposed Amendment of Height Regulations in the DR Zone – Director of Community Development

C. Proposed Contract with Otak for SWMP – City Engineer (Discussion/possible approval)

D. Proposed Contract for SR 522 Construction Management – City Engineer

E. Brightwater Property Transfer – City Manager

VIIIC. Republic Services, Inc. Solid Waste Services Overview - Rob Karlinsey, City Manager; Jeffry Borgida, Republic Services General

VIII. CITY COUNCILMEMBER COMMENTS/INITIATIVES

IX. ADJOURNMENT

Upcoming Meeting Schedule:

February 27, 2007	**Planning Commission Interviews**	**City Hall**
March 5, 2007	**Council Study Session**	**Northshore Utility District, Tolt Room**

The City of Kenmore

February 22, 2007

STAFF MEMO

To: Steve Anderson, City Manager

Fr: Ted Carlson, Public Works Superintendent

Re: Solid Waste and Recycling Collection

Solid waste removal services are provided in Kenmore by Allied Waste (formerly known as Rebanco). Allied operates under a certificate, or permit, issued by the Washington Utilities and Transportation Commission (WUTC). The certificates issued by the WUTC allow private haulers to provide services in areas known as "Tariffs". Kenmore is part of the Eastside Tariff area which also includes Lake Forest Park, portions of unincorporated King County and several eastside cities. Cities have the right to control solid waste collection by directly contracting with the private hauler rather than having the hauler operate under state regulation. However, state law requires cities to provide the State Certificate holders with a franchise or contract of at least seven years upon taking over control of the solid waste collection system. After the seven year franchise is up the City can then go to competitive bid and award the contract to the most responsible bidder.

At the December 11, 2006 City Council Meeting, staff was given direction to notify the WUTC that Kenmore would like to cancel the State Certificate and pursue alternatives for solid waste and recycling collection services. After subsequent discussions with WUTC staff, the City needs to first negotiate a franchise agreement with Allied Waste for the minimum 7 year term. Once the franchise agreement is in place the WUTC can cancel the certificate and the 7 year period would start.

There are two franchise options available to the City. The quickest and easiest is to grant a seven year franchise to Allied allowing them to collect solid waste in Kenmore under the terms and conditions of their WUTC Certificate. Service would remain the same, the seven year notification period would begin, after which City could go out to bid for services. The second option is to negotiate a seven year contract with Allied which could include service benefits such as, increased recycling options and liquidated damages for performance deficiencies.

Cities contracting directly with haulers have the option of either setting rates themselves or having the WUTC continue to set rates for their collection area. Contracts can also include administration fees paid to the city by the hauler to help offset additional staff time and expenses incurred to the city. The cities of Sammamish and Lake Forest Park have recently signed contracts with Allied Waste which take effect in 2007. Sammamish has elected to have the WUTC continue to set rates and did not include an administrative fee. Lake Forest Park has elected to set rates themselves and collect an administrative fee of $7,100 per month. I have spoken with representatives from Allied Waste and they are very much agreeable to negotiating a contract with Kenmore similar to other cities in our area.

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City of Kenmore
City Council Regular Meeting
Minutes
February 26, 2007

CALL TO ORDER - The regular meeting of the Kenmore City Council was called to order by Mayor Randy Eastwood at 6:00 p.m.

EXECUTIVE SESSION

Mayor Eastwood adjourned the regular meeting at 6:01 p.m. to an executive session to discuss Property Negotiation Pursuant to RCW 42.30.110(1)(b). He stated that the executive session will last for approximately 60 minutes and that action is anticipated when the meeting is reconvened back to regular session.

CALL TO ORDER – Mayor Eastwood reconvened the meeting back to regular session at 7:00 p.m.

Councilmembers present: Mayor Randy Eastwood, Deputy Mayor David Baker, and Councilmembers John Hendrickson, Bob Hensel, Glenn Rogers, Laurie Sperry, and Allan Van Ness

Staff present: Stephen Anderson, City Manager; Robert English, City Engineer; Debbie Bent, Director of Community Development; Ted Carlson, Superintendent of Public Works; Cliff Sether, Police Chief; Rod Kaseguma, City Attorney; and Lynn Batchelor, City Clerk

FLAG SALUTE

City Attorney Rod Kaseguma led the flag salute.

AGENDA APPROVAL

It was Council consensus to delete Item No. B "2007 Comprehensive Plan Update and Threshold Recommenedations/Proposed Amendment of Height Regulations in the DR Zone" under City Manager Reports; add an update by Chief Sether on the Fatal Car/Bicycle accident that occurred in Kenmore on Friday, February 23, 2007 immediately following Citizen Comments; and prior to the City Manager Reports, add an item related to potential property purchase.

Councilmember Rogers moved and Mayor Eastwood moved to approve the agenda as amended. It was approved unanimously.

CONSENT AGENDA

Deputy Mayor Baker moved to approve the consent agenda as submitted. Councilmember Hensel seconded the motion to approve the Minutes of the February 5, 2007 Council Study Session and February 12, 2007 Regular Council Meeting; and Approval of Claims in the amount of $360,150.29 for the period ending February 21, 2007. The motion passed unanimously.

CITIZEN COMMENT - None

CAR/BICYCLE ACCIDENT – Chief Cliff Sether gave a brief update on the fatal car/bicycle accident that occurred in Kenmore on Friday, February 23, 2007. He was also available to answer any questions.

POTENTIAL PROPERTY PURCHASE

Mayor Eastwood moved to authorize the City Manager, upon successful negotiation, to enter into an agreement, with the Northshore Utility District, for the purchase of the NUD surplus property located at 18120 68th Ave. NE for the site of a new city hall. The motion was seconded by Councilmember Rogers. The motion passed 6 – 1 with Councilmember Hendrickson voting no.

Discussion followed.

CITY MANAGER REPORTS

Solid Waste Options – Public Works Superintendent Carlson was present to give a brief staff report in which he reviewed that solid waste removal services are provided in Kenmore by Allied Waste. He stated that Allied operates under a certificate, or permit, issued by the Washington Utilities and Transportation Commission (WUTC). He reviewed that at the December 11, 2006 City Council Meeting, staff was given direction to notify the WUTC that Kenmore would like to cancel the State Certificate and pursue alternatives for solid waste and recycling collection services. He stated that after subsequent discussions with WUTC staff, the City needs to first negotiate a franchise agreement with Allied Waste for the minimum 7 year term. He stated that once the franchise agreement is in place the WUTC can cancel the certificate and the 7 year period would start. He reviewed the franchise options. He was also available to answer any questions.

It was Council consensus that this item be moved forward for further discussion at the April 16, 2007 Council Study Session.

Proposed Contract with Otak for SWMP - City Engineer English was present to give a brief staff report in which he stated that five firms responded to the City's Request for Qualifications (RFQ) to complete the Surface Water Management Plan (SWMP), two of which were short-listed for interviews in January 2007. He stated that Otak was selected to complete the work based on their qualifications and experience with similar projects in the area. He stated that the consultant's fee is $104,950 with a 10% contingency added for supplemental work authorized by the City Manager. He stated that staff recommends approval of the contract so work can begin on the SWMP Update. He was also available to answer any questions.

Deputy Mayor Baker moved to approve the contract with Otak for consulting services relating to the SWMP Update. Councilmember Rogers seconded the motion. The motion passed unanimously.

Proposed Contract for SR 522 Construction Management – City Engineer English was present to give a brief staff report in which he reviewed that the City is preparing to begin construction on the SR522 corridor improvements. He stated that the first contract to be advertised for construction will be Phase II and it is expected that construction on this contract will begin in May. He stated that a construction management firm is needed to administer the construction contracts, provide inspection, implement a public relations plan, complete material testing and inspection and close-out the construction contracts. He stated that the City advertised and received statement of qualifications from five firms, HDR, Harris & Associates, DMJM Harris, URS and the Louis Berger Group. He stated that three (HDR, Harris & Associates and DMJM Harris) of the five firms were selected for an interview based on their statement of qualifications. He stated that the firms made a presentation to the selection panel which was comprised of representatives from Sound Transit and WSDOT, along with City staff Kent Vaughan and Rob English. He stated that the selection panel chose HDR, Inc. based on their experience and qualifications in accordance with the City's consultant selection policy. He was also available to answer any questions.

It was Council consensus that this item be moved forward to the agenda for the March 5, 2007 Study Session for further discussion.

Brightwater Property Transfer – City Manager Anderson was present to give a brief staff report in which he reviewed that at the February 12th Special Study Session, Parks Planner Bill Evans gave a presentation on potential recreation uses. He stated that the presentation had been requested by Council to assist them in determining if Council wants to accept the transfer of this property to the city from King County. He stated that following Mr. Evans' presentation, you directed staff to bring this possible transfer back to you for your consideration. He was also available to answer any questions.

Discussion followed.

Councilmember Rogers moved that this item/agreement be forwarded to the April 16th Study Session for further discussion and/or possible passage. Councilmember Hensel seconded the motion. The motion passed 5-2 with Mayor Eastwood and Deputy Mayor Baker voting no.

CITY COUNCILMEMBER COMMENTS/INITIATIVES

Deputy Mayor Baker encouraged Council to attend the next Suburban Cities Association meeting as there is going to be a presentation/update on the recent windstorm by Puget Sound Energy.

Councilmember Hensel recommended to Council that they look for a better/more timely process for conducting the City Manager evaluation.

It was Council consensus to bring this item forward to an upcoming Study Session for review and further discussion.

Councilmember Sperry recommended that Council revisit the Mission Statement.

It was Council consensus to bring this item forward to an upcoming Study Session for review and further discussion.

Councilmember Hendrickson stated that he would like to get a staff report on the apartments that are being turned into condos and on the mobile home legislation.

It was Council consensus to bring this item forward to an upcoming Study Session for review and further discussion.

ADJOURNMENT

Mayor Eastwood adjourned the regular meeting at 8:25 p.m.

Randy Eastwood, Mayor

ATTEST:

Lynn Batchelor

Lynn Batchelor, City Clerk

The City Of Kenmore

P. O. Box 82607/6700 NE 181st Street · Kenmore, Washington 98028-0607

CITY OF KENMORE
CITY COUNCIL STUDY SESSION AGENDA
7:00 p.m. Monday, July 2, 2007
Kenmore City Hall
6700 NE 181st Street, Kenmore, WA 98028

AGENDA ITEMS ARE SUBJECT TO CHANGE up to and including the time of the meeting; items may be added or dropped. Please call the City Clerk if you have any questions or to confirm the agenda items prior to the meeting at (425) 398-8900, or stop by City Hall. (If you have pertinent facts relative to the issue being discussed and you believe the sharing of these facts will benefit the Council, then raise your hand during the discussion and the Mayor may acknowledge you.)

6:00 pm - EXECUTIVE SESSION
PROPERTY NEGOTIATION RCW 42.30.110(1)(b) and LITIGATION RCW 42.30.110(1)(i)

I. **CALL REGULAR MEETING TO ORDER 7:00 PM**

II. **AGENDA APPROVAL**

III. **CITY MANAGER REPORTS**

A. **Transportation Element/Goals & Policy – Director of Community Development (30 minutes – move forward to 7/16 for further discussion)**

B. **Proposed Consultant Contract Log Boom Park Phase Two – Parks Project Manager (20 minutes – move forward to 7/9 consent agenda for possible approval)**

C. **Puget Sound Regional Council (PSRC)Vision 2020 – Director of Community Development (30 minutes – presentation)**

D. **Accessory Dwelling Units – Discussion of Potential Zoning and Development Regulation Amendment Measures – Director of Community Development (15 minutes – discussion)**

E. **Uncodified Land Use Classifications – Discussion of Potential Zoning & Development Regulation Amendment Measures – Director of Community Development (15 minutes – discussion)**

F. **Resolution 07-139 Approving the Luke Long Plat – Director of Community Development (5 minutes – move forward to 7/9 consent agenda for possible adoption)**

G. **Resolution 07-140 Approving the Turner Long Plat – Director of Community Development (5 minutes – move forward to 7/9 consent agenda for possible adoption)**

H. **Solid Waste Options – Assistant Director of Public Works (10 minutes – discussion/direction)**

I. **Finance Director Recruitment – City Manager (10 minutes – discussion/direction)**

IV. **CITY COUNCILMEMBER REPORTS/INITIATIVES**

V. **ADJOURNMENT**

UPCOMING MEETING SCHEDULE:

July 9, 2007	7:00 p.m.	Regular Council Meeting	Northshore Utility District
July 16, 2007	7:00 p.m.	Council Study Session	City Hall

VIIIC. Republic Services, Inc. Solid Waste Services Overview - Rob Karlinsey, City Manager; Jeffry Borgida, Republic Services General

The City of Kenmore

STAFF MEMO

To: Steve Anderson, City Manager

Fr: Ted Carlson, Assistant Director, Public Works

Re: Solid Waste Collection

Allied Waste currently provides solid waste hauling services in Kenmore operating under a certificate issued by the Washington Utilities and Transportation Commission (WUTC). The WUTC sets rates and determines what services will be available to Kenmore residents. Cities have the right to control solid waste collection directly by contracting with the private hauler rather than having the hauler operate under WUTC regulation. State law requires cities provide the certificate holders with a franchise or contract for a minimum of seven years upon taking over control of the solid waste collection system. After the initial seven-year franchise is up the City can go to competitive bid and award the contract to the most responsible bidder.

There are several options available to the City each with different advantages and disadvantages including, differing amounts of control over service levels and different levels of impact on staff time. The first option is to grant a franchise to the current hauler to operate under the terms and conditions of their exiting WUTC Certificate. This option requires the least amount of staff time and would start the seven-year period with the WUTC. The downside of this approach is that the City would not have the ability of adding services such as increased recycling options. And while the hauler would be operating under a franchise with the City, the City would have relatively little control of the level of services provided or the performance of the hauler.

A second option is to enter into a seven-year contract for services with the existing hauler. This option also starts the clock with the WUTC, in addition it allows the City to add service options such as increased recycling, including food recycling, and a larger variety of container sizes and pick up schedules for garbage, recycling, and yard waste. There is also the ability to improve service standards and add penalties for persistent problems through the use of liquidated damages. With this option, the City could either have the WUTC continue to set rates or take over the rate setting responsibility. Managing the contract will take additional staff time, how much time depends on the contract. In discussions with neighboring cities, staff time spent managing solid waste contracts range from a few hours a week to up to 10 hours a week.

The third option is to allow the hauler to continue to operate under their existing WUTC certificate. This current approach requires almost no staff time and would provide the same level of service to Kenmore residents in the future. However, it would not start the seven-year period with the WUTC and would limit the ability of going out to competitive bid in the future.

Recommendation
Staff's recommendation is to negotiate a seven-year contract with Allied Waste and continue to let the WUTC set rates for services. This option gives Kenmore the ability to go out for competitive bid in the future and provides the City with increased control over what services are provided to Kenmore residents. Several cities in our area have recently signed contracts with Allied so there are a number of models Kenmore can use when negotiating a contract.

The WUTC must approve any rate setting formula and the haulers are going to recover any costs associated with new services. There does not appear to be any major advantage in taking over rate setting authority unless the City wanted to provide services for which the WUTC has not already set rates. Below are the current rates for Kenmore and some neighboring cities. It can be difficult to compare rates across jurisdictions due to the difference in services provided including size of containers available, frequency of pick ups, and how the costs are actually broken out. However, if you compare the total costs for garbage, recycling, and yard waste pick up for a 96-gallon toter the costs are very similar in each jurisdiction.

Solid Waste Rates

Curbside Garbage	**Kenmore**	**LFP**	**Bothell**	**Kirkland**	**Shoreline**
20- Gallon Can	$ 5.75	$13.11	$ 7.26	$ 11.44	N/A
32 Gal Toter	$ 9.15	$20.82	$12.09	$ 17.73	$ 13.30
64 Gal Toter	$ 15.20	$30.11	$24.23	$ 24.44	$ 17.93
96 Gal Toter	$ 21.85	$40.55	$36.34	$ 39.00	$ 22.59
One 32 Gal once a month	N/A	$ 6.38	$ 6.09	$ 6.24	$ 9.49
Extra 32 Gal can (each)	$ 3.02	$ 6.38	$ 4.54	$ 6.76	$ 3.04
Curbside Recycling					
96 Gal Toter	$ 7.50	included	included	included	included
96 Gal w/o garbage service	$ 8.50	N/A	N/A	N/A	$ 5.90
Extra 96 Gal Toter	N/A	2.1	N/A	N/A	N/A
64 Gal Can	N/A	N/A	N/A	N/A	N/A
Yard Debris					
96 Gal Toter	$ 6.50	included	included	included	$ 12.22
Additional 96 Gal Toter	$ 1.50	2.02	5.24	10.04	N/A
32 Gal (each)	$ 5.00	N/A	4.22	included	N/A
Food Waste					
Yard debris Container	N/A	included	included	included	N/A
96 Garbage, 96 Recycling, & 96 Yard	**$ 35.85**	**$40.55**	**$36.34**	**$ 39.00**	**$ 34.81**

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City of Kenmore
City Council Study Session
Minutes
July 2, 2007

CALL TO ORDER – 6:00 p.m.

EXECUTIVE SESSION

Mayor Randy Eastwood adjourned the study session meeting at 6:01 p.m. to an executive session to discuss Property Negotiation pursuant to RCW 42.30.110(1)(b) and Litigation pursuant to RCW 42.30.110(1)(i). He stated that the executive session will last for approximately 60 minutes and that no action is anticipated when the meeting is reconvened back to regular session.

CALL TO ORDER – Mayor Randy Eastwood reconvened the meeting back to the study session at 7:28 p.m.

Councilmembers present: Mayor Randy Eastwood, Deputy Mayor David Baker, and Councilmembers John W. Hendrickson, Glenn Rogers, Laurie Sperry, and Allan Van Ness

Councilmembers excused: Councilmember Bob Hensel

Staff present: Steve Anderson, City Manager; Nancy Ousley, Assistant City Manager; Debbie Bent, Director of Community Development; Rob English, City Engineer; Ted Carlson, Assistant Director to Public Works; Doug Farmen, Director of Finance; Bill Evans, Parks Project Manager; and Lynn Batchelor, City Clerk

AGENDA APPROVAL

Councilmember Laurie Sperry moved that an item "J" discussion on a drafting a letter to Sound Transit Board regarding a pedestrian overpass be added to the agenda. Councilmember Glenn Rogers seconded the motion. The motion passed unanimously.

Council approved the agenda as amended.

CITY MANAGER REPORTS

Transportation Element/Goals & Policy – Director of Community Development Bent was present to give a brief staff report. She was also available to answer any questions.

Steve Lewis, H. W. Lochner, was present to review the proposed goals & policies. He was also available to answer any questions.

It was Council direction that staff make the discussed changes to the Transportation Element Goals & Policy and move the discussion of the Transportation Element/Level of Service to the agenda for the July 23rd Council meeting.

Proposed Consultant Contract Log Boom Park Phase Two – Parks Project Manager Evans was present to give a brief staff report in which he stated that this item was introduced at the June 25 Council meeting. He stated that the proposed consultant contract outlines the improvements and tasks associated with the project. He reviewed that at 30% - 60% design staff will take the proposal to the Corps of Engineers. He was also available to answer any questions.

Juliet Vong, Hough Beck & Baird, was available to answer any questions.

It was Council consensus to move this item forward to the July 9, 2007 consent agenda for possible approval.

Puget Sound Regional Council (PSRC) Vision 2020 – Director of Community Development Bent was present to make a brief staff report in which she stated that a staff member from Puget Sound Regional Council (PSRC) is present to provide information relating to the Vision 2020 update.

Yorik Stevens-Wajda, PSRC, was in attendance to give a Power Point presentation on Vision 2040. He was also available to answer any questions.

It was Council consensus to move this item forward to a Special Study Session immediately following the adjournment of the July 9, 2007 Regular Council meeting.

Accessory Dwelling Units - Discussion of Potential Zoning and Development Regulation Amendment Measures – Director of Community Development Bent was present to make a brief staff report in which she stated that the Council was introduced to this item at a regular City Council meeting on May 14, 2007. She stated that this is a continuance of the review of current zoning regulations and purposed amendments to the zoning regulations pertaining to accessory dwelling units (ADU's). She stated that staff is requesting Council provide input and direction regarding any additional proposed amendments to regulations. She was also available to answer any questions.

It was Council direction that staff proceed forward with proposed code amendments related to ADU's. The proposed amendments will be included in a draft ordinance, along with all other potential development amendment regulations, that will go to a public hearing and additional study sessions in the fall of 2007.

Uncodified Land Use Classifications - Discussion of Potential Zoning & Development Regulation Amendment Measures – Director of Community Development Bent was present to make a brief staff report in which she stated that this item has been discussed at several previous meetings. She stated that this is a continuance of the review of Uncodified Land Use Classifications zoning regulations and proposed amendments to the zoning regulations pertaining to Uncodified Land Use Classifications. She stated that staff is requesting Council provide input and direction regarding any additional proposed amendments to regulations. She was also available to answer any questions.

It was Council direction that staff proceed forward with proposed code amendments related to Uncodified Land Use Classifications. The proposed amendments will be included in a draft ordinance, along with all other potential development amendment regulations, that will go to a public hearing and additional study sessions in the fall of 2007.

Resolution 07-139 Approving the Luke Long Plat – Director of Community Development was present to make a brief staff report in which she stated that the Luke Long Plat is a proposed

9-lot single family residential development on a 1.55-acre site zoned R-6. She stated that the Luke Long Plat meets all the requirements. She was also available to answer any questions.

It was Council consensus to move this item forward to the July 9, 2007 consent agenda for possible approval.

Resolution 07-140 Approving the Turner Long Plat – Director of Community Development was present to make a brief staff report in which she stated that the Turner Long Plat is a proposed 9-lot single family residential development on a 1.55-acre site zoned R-6. She stated that the Turner Long Plat meets all the requirements. She was also available to answer any questions.

It was Council consensus to move this item forward to the July 9, 2007 consent agenda for possible approval.

Solid Waste Options – Assistant Director of Public Works Carlson was present to make a brief staff report in which he reviewed the solid waste options.

It was Council direction that staff negotiate a seven-year contract with Allied Waste and continue to let the WUTC set rates for services.

Finance Director Recruitment – City Manager Anderson was present to give a brief staff report in which he stated that staff is recommending that the firm of Prothman be selected to conduct the recruitment. He stated that this is a technical position and the firm has a proven track record with this position recruitment. He was also available to answer any questions.

It was Council consensus that the city manager be authorized to enter into an agreement with Prothman for professional services related to the recruitment of a Finance Director.

Letter to Sound Transit Board – Council reviewed a draft letter urging Sound Transit to fund, design and construct a pedestrian overpass at the Kenmore Park & Ride. The proposed overpass would provide safety for the passengers that are using Sound Transit bus services at that location and must cross SR 522 to reach the Park & Ride lot. The letter made mention of the recent pedestrian tragedy that occurred at that location.

It was Council direction that staff make the discussed changes to the draft letter and, on their behalf, send the letter to the Chair of the Sound Transit Board and copy all Sound Transit Board members; King County Councilmembers; King County Executive Ron Sims; King County Councilmember Bob Ferguson; and Joni Earl, Sound Transit Executive Director.

CITY COUNCILMEMBER COMMENTS/INITIATIVES

Councilmember Laurie Sperry stated that she will be bringing back a proposed PRSA amendment that will offset their operating and audit costs.

Deputy Mayor David Baker stated that he has been appointed to serve on the Flood Control District about SWM. He announced that, as a citizen, he will be writing a letter to the editor regarding the recent pedestrian accident on SR 522.

Councilmember John Hendrickson stated that he would like WSDOT to lower the speed on SR 522 and install pedestrian safety barriers.

ADJOURNMENT

There being no further business, Mayor Eastwood adjourned the study session at 10:00 p.m.

Randy Eastwood, Mayor

ATTEST:

Lynn Batchelor

Lynn Batchelor, City Clerk

VIIIC. Republic Services, Inc. Solid Waste Services Overview - Rob Karlinsey, City Manager; Jeffry Borgida, Republic Services General

City of Kenmore
City Council Regular Meeting
Minutes
January 26, 2009

CALL TO ORDER - The regular meeting of the Kenmore City Council was called to order by Mayor David Baker at 5:45 p.m.

EXECUTIVE SESSION

Mayor David Baker adjourned the regular meeting at 5:46 p.m. to an executive session to discuss Potential Litigation and Litigation pursuant to RCW 42.30.110(1)(i). He stated that the executive session will last for approximately 75 minutes and that no action is anticipated when the meeting is reconvened back to regular session.

At 7:00 p.m. Mayor David Baker extended the executive session for an additional 10 minutes.

CALL TO ORDER – Mayor David Baker reconvened the meeting back to regular session at 7:10 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Milton Curtis and Councilmembers John Hendrickson, Laurie Sperry, Allan Van Ness, and *Glenn Rogers.

*Glenn Rogers participated via telephone for the executive session portion of the meeting.

Councilmembers excused: Glenn Rogers

Staff present: Fred Stouder, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance Director; Ron Loewen, City Engineer; Debbie Bent, Director of Community Development; Cliff Sether, Chief of Police; Rod Kaseguma, City Attorney; and Lynn Batchelor, City Clerk

FLAG SALUTE

Boy Scout Troop No. 582 led the flag salute.

AGENDA APPROVAL

Councilmember Laurie Sperry moved to approve the agenda as submitted. Deputy Mayor Milton Curtis seconded the motion. The motion passed unanimously .

CONSENT AGENDA

Councilmember Laurie Sperry pulled the December 1, 2008 Council Study Session minutes from the consent agenda for separate consideration.

Councilmember Allan Van Ness moved to approve the consent agenda as amended. Deputy Mayor Milton Curtis seconded the motion to approve the Minutes of the November 20, 2008 Special Council Study Session; November 24, 2008 Regular Council Meeting; December 8, 2008 Regular Council Meeting; Approval of Claim Nos. 19006 - 19090 in the Amount of $620,605.87 for the period ending December 31, 2008. The motion passed unanimously.

Councilmember Laurie Sperry moved to amend the December 1, 2008 Council Study Session minutes by changing the language of the motion on page 4, last paragraph from "Councilmember Laurie Sperry moved to table ***the motion that*** the City get a legal opinion on the Public Agency Utility Exemption (PAUE), as it would apply to the proposed project, prior to continuing with the project design" to "Councilmember Laurie Sperry moved to table ***the discussion until*** the City gets a legal opinion on the Public Agency Utility Exemption (PAUE), as it would apply to the proposed project, prior to continuing with the project design." Mayor David Baker seconded the motion. The motion passed unanimously.

CITIZEN COMMENTS

Diane Brennan, 6239 NE 204th Place, Kenmore, was present to request that Council not spend money on the proposed Wallace Swamp Creek sports field, but rather spend it on the St. Edward State Park pool.
Mark Mayberry, 7608 NE 155th, Kenmore, was present to state his concerns related to the salvage that is happening on the waterfront, and he is pleased about the clean up of Log Boom Park.
Jack Bunnell, 6428 NE 182nd, Kenmore, was present to state that he would like to know the status of the Public Agency Utility Exemption (PAUE) for the proposed ball fields at Wallace Swamp Creek Park.
Elizabeth Mooney, 5934 NE 201st St., Kenmore, was present to request that the Bastyr University dormitories hearings be held in the evening instead of the daytime.
Daryl Banks, 6121 NE 175th St., Kenmore, was present to state his concerns related to the new city hall.
Todd Bergman, 19812 69th Ave. NE, Kenmore, was present to request that Council not spend money on the proposed Wallace Swamp Creek sports field, but rather spend it on the St. Edward State Park pool or Log Boom Park. He stated his concerns related to the Swamp Creek flooding. He also stated that he would like to see the City launch their new website.

Deputy Mayor Milton Curtis summarized the citizen comments.

ORDINANCE(S)

Ordinance No. 09-0295 - An Ordinance Amending Chapter 18.42 of the Kenmore Municipal Code Relating to Tree Protection and Management; Providing for Financial Guarantees, Enforcement and Penalties for the Chapter; and Establishing an Effective Date - Debbie Bent, Director of Community Development, was present to give a brief staff report in which she reviewed that at the January 5, 2009 Council Study Session, Council passed a motion (5-2) to revise the draft ordinance with regard to selection of a proposed civil penalty for a person removing a tree in violation of tree protection and management regulations. She stated that proposed Ordinance No. 09-0295 reflects Council direction. She was also available to answer any questions.

Discussion followed.

Councilmember Allan Van Ness moved to amend proposed Ordinance No. 09-0295 on page 10, Section 7, 18.42.110 Penalties, Enforcement A3 by amending the language from "A person removing a tree in violation of this chapter shall be assessed a monetary penalty in the amount of $2,000 ***per diameter (in inches)*** at breast height of tree removed." to "A person removing a tree in violation of this chapter shall be assessed a monetary penalty in the amount of $2,000 ***per inch in diameter*** at breast height of tree removed." Councilmember Laurie Sperry seconded the motion. The motion passed unanimously.

Deputy Mayor Milton Curtis moved to Adopt Ordinance No. 09-0295 - An Ordinance Amending Chapter 18.42 of the Kenmore Municipal Code Relating to Tree Protection and Management; Providing for Financial Guarantees, Enforcement and Penalties for the Chapter; and Establishing an Effective Date as Amended. Councilmember Laurie Sperry seconded the motion. The motion passed unanimously.

MOTION(S)

Motion to Authorize the City Manager to Transmit Letter to Solid Waste Carrier Regarding Notice of Intent to Negotiate Franchise Agreement - Fred Stouder, City Manager, was present to give a brief staff report in which he reviewed that solid waste and recycling services are currently provided by Allied Waste under a certificate or permit issued by the Washington Utilities and Transportation Commission (WUTC). He stated that Cities have the right to control solid waste collection by directly contracting with the private hauler rather than having the hauler operate under state regulations. He stated that staff has met with a representative of Allied Waste, Nels Johnson, and they are in support of this directon. He was also available to answer any questions.

Nels Johnson, Allied Waste, was present to answer any questions.

Council consensus was that they support sending the solid waste letter notifying WUTC that the City wants to start the 7-year process.

November 2008 Financial Reports - Joanne Gregory, Director of Finance, was present to provide an overview of the November 2008 Financial Reports. She was also available to answer any questions.

Councilmember John Hendrickson moved to accept the November 2008 Financial Reports. Councilmember Randy Eastwood seconded the motion. The motion passed unanimously.

COUNCILMEMBER COMMENTS/INITIATIVES

Councilmember Allan Van Ness reviewed what was discussed at the recent Radio Executive Policy Committee (REPC) meeting he attended. He also stated that he wants to see what we can do to keep the pool open.

Mayor David Baker reviewed what was discussed at the recent SeaShore meeting he attended. He stated that he had attended a recent Kirkland City Council meeting where he expressed Council desire that Kirkland partner with Kenmore on some special events. Council unanimously supported partnering with Kirkland.

Councilmember Laurie Sperry provided an update on the WRIA8 and Kenmore Library Advisory Board meetings.

Councilmember Randy Eastwood supports the City withdrawing from its membership with SeaShore.

Councilmember John Hendrickson reviewed that he is putting various Swamp Creek related documents together in one file. He stated his concerns relating to the flooding in Swamp Creek. He would like the City to seek funding to assist with the flooding problem at Swamp Creek, possibly even purchasing property. He stated that he would like to include this issue for discussion and possible staff direction.

Councilmember John Hendrickson moved to direct staff to pursue funding to assist with the cost of the City purchasing the Simmonds property. Councilmember Allan Van Ness seconded the motion. Motion failed 2-4 with Councilmember Allan Van Ness and Councilmember John Hendrickson voting aye.

Fred Stouder, City Manager, provided a brief update on what staff has being doing relating to Swamp Creek.

ADJOURNMENT

Mayor David Baker adjourned the meeting at 8:45 p.m.

David Baker, Mayor

ATTEST:

Lynn Batchelor

Lynn Batchelor, City Clerk

VIIIC. Republic Services, Inc. Solid Waste Services Overview - Rob Karlinsey, City Manager; Jeffry Borgida, Republic Services General

November 26, 2012

Republic Services

REPUBLIC SERVICES

KENMORE

1. Name change
2. Sustainability
    1. Environmental
    2. Financial
3. Kenmore
4. City options
5. UTC options
6. Questions

Agenda

REPUBLIC SERVICES

KENMORE

- Respectful
- Responsible
- Reliable
- Resourceful
- Relentless

Name change

REPUBLIC SERVICES

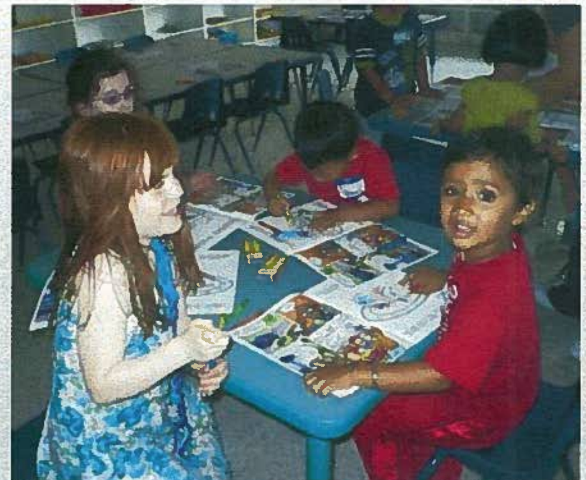
KENMORE

- Lower carbon footprint
- Quieter operations
- Blue Planet maintenance
- One Fleet initiative
- Infrastructure investment
- Local iconic images

Environmental partner

REPUBLIC SERVICES

KENMORE



Republic's Recycle Rosie, an education program to introduce recycling to young citizens

www.RecycleRosie.com

Environmental partner

REPUBLIC SERVICES

KENMORE

Students sort through the garbage bin to learn how much more can be recycled.

Environmental partner

REPUBLIC SERVICES

KENMORE

Highest Credit Rating in Solid Waste Industry Nationwide

Always maintained investment-grade status

Ready access to bank and capital markets

Locally, that means

- ✓ **New natural gas fueling station**
- ✓ **Fleet of natural gas vehicles**
- ✓ **Community investment**

"Republic is well positioned to capitalize on waste stream growth that will likely emerge as the economic recovery progresses." -- Moody's, April 2011

"Republic benefits from a strong business profile marked by its significant scale of operations, high level integration of services, and good diversity across geographies, end markets, and customers." -- Standard & Poor's, November 2010

Financial stability

REPUBLIC SERVICES

KENMORE

Residential satisfaction ratings for 2010

97 percent
overall satisfaction!

Overall Satisfaction

Quality of work by the collection crew that services your home.

Courtesy of Allied Waste's customer service staff over the phone.

Allied Waste's responsiveness to service inquiries when on the phone.

Knowledge of Allied Waste's customer service staff over the phone.

Allied Waste's response time following a missed collection.

Allied Waste's response time following a request for a cart.

Commissioned by City of Bellevue, conducted by Craciun Research Group

Satisfied Customers

REPUBLIC SERVICES

KENMORE

Silver Sponsor

- Kenmore Summer Concert Series
- Fourth of July Fireworks Show
- Jack V. Crawford Day
- Dog-O-Ween Costume Contest
- Christmas Tree Lighting

Kenmore and Republic

REPUBLIC SERVICES

KENMORE

Corporate Sponsor

The Arts of Kenmore

Republic Services presents Kim Weers with the 'Recycling is Beautiful' award. Weers incorporated at least 70 percent of re-purposed materials in her entry, 'How Does Your Garden Grow?'

Kenmore and Republic

REPUBLIC SERVICES

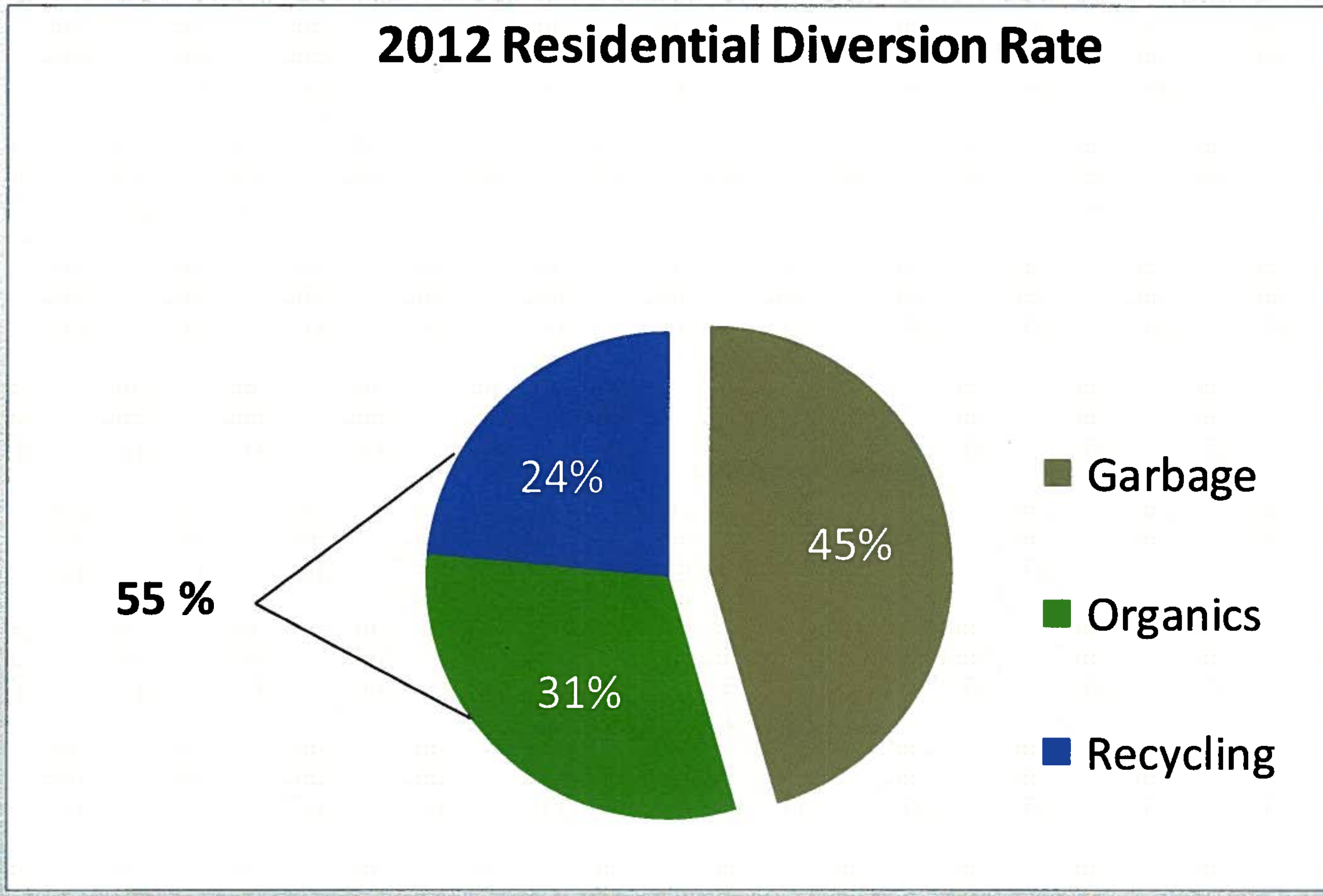
KENMORE

Kenmore Elementary Giving Tree

Kenmore and Republic

REPUBLIC SERVICES

KENMORE

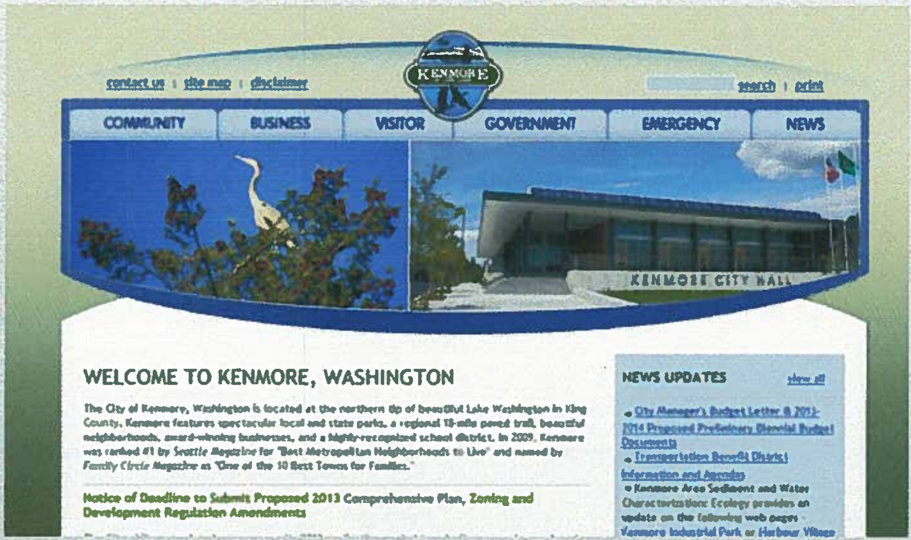


Kenmore and Republic

REPUBLIC SERVICES

KENMORE

1. **Municipal hauling**
2. **Franchise**
3. **Utility**
4. **Utilities and Transportation Commission regulation**



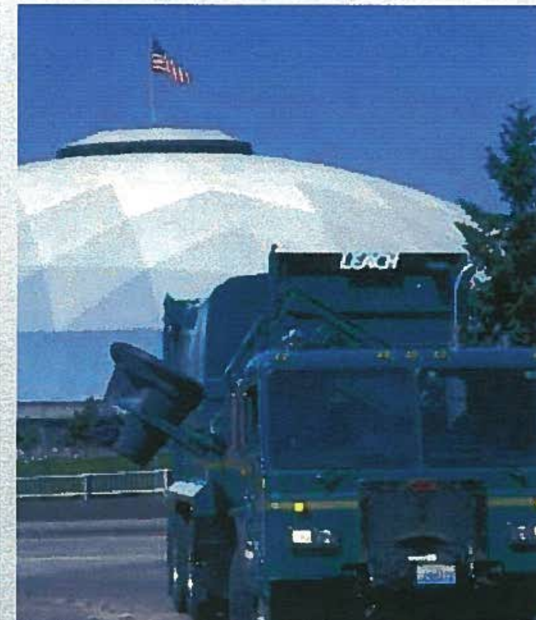
City options

1. **Municipal hauling**

Examples: Tacoma, Marysville

Staff needs: Drivers, mechanics, customer service, billing

Other: Trucks, containers, accounting system



City options

REPUBLIC SERVICES

KENMORE

2. Franchise Agreement

Examples: Lake Forest Park, Shoreline

Staff needs: Contract administration

Other: Annual rate increases

City options

REPUBLIC SERVICES

KENMORE

3. **Utility**

Examples: Seattle, Monroe

Staff needs: Contract administrator, customer service, billing

Other: Accounting system; annual rate increases

City options

REPUBLIC SERVICES

KENMORE

4. Utilities and Transportation Commission

Examples: Kenmore, Edmonds, Woodinville

Staff needs: none

Other: customers receive recycling credit

City options

REPUBLIC SERVICES

KENMORE

Change level of service

Weekly recycling

Weekly organics

Annual clean-up days

WASHINGTON

UTC

UTILITIES AND TRANSPORTATION COMMISSION

Options within the UTC

REPUBLIC SERVICES

KENMORE

Questions?

REPUBLIC SERVICES

KENMORE

Business of the City Council
City of Kenmore, WA

Subject/Topic: Discussion of the Commercial Zoning Project **Proposed Council Action/Motion:** Council discussion and feedback on the proposed project scope and policy questions.	**For Council Meeting Agenda of: 11/26/12** **Department: Community Development** **Prepared by: Debbie Bent, Director** **Initial & Date** **Approved by Department Head:** DB. 11/8/12. **Approved by City Attorney:** **Approved by Finance Director:** 11/14/12 **Approved by City Manager:** **Exhibits/Attachments:** **1.** Staff Memo dated 11/9/12

Expenditure Required $0 **Amount Budgeted** $0 **Appropriation Required** $0

INFORMATION/BACKGROUND: At the November 26, 2012 City Council meeting, staff will introduce the commercial zoning project and obtain any preliminary feedback and direction from the Council on project scope or the identified policy questions related to the project. Formal consideration of the Commercial Zoning Project would begin in 2013, with review and hearings in front of the Planning Commission as part of the Comprehensive Plan "docket" with final action by the Council. As such, the project will be brought forward as part of the 2013 docket recommendation at a Council meeting in January or February. This project will result in amendments to the comprehensive plan and development regulations.

The Commercial Zoning Project was part of the Community Development Department's 2012 work program. To date, this project has been delayed due to other work program priorities. The Commercial Zoning Project is a significant part of the Department's proposed 2013 work program.

Attachment 1 is a staff memo discussing the project and identifying some significant policy questions for preliminary Council consideration.

FISCAL CONSIDERATION: None at this time. Future amendments associated with this project could result in the need for consultant assistance with traffic analyses, economic analyses, airport planning (Kenmore Air), or viewshed analyses.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:
Goal 2. To implement the Economic Development Plan. Goal 5. To pursue downtown development. Goal 8. To move the City council's inter-connectivity vision forward. Goal 12. To continue to seek opportunities to complete a successful Lake Pointe development.

The City of Kenmore
18120 68TH AVENUE NE PO BOX 82607
KENMORE, WASHINGTON 98028

MEMO

TO: **Rob Karlinsey, City Manager**

FROM: **Debbie Bent, Director of Planning & Community Development** DB.
Lauri Anderson, Senior Planner LWA

DATE: November 9, 2012

SUBJECT: Commercial Zoning Project – Preliminary Discussion

At the November 26, 2012 City Council meeting, staff will introduce the commercial zoning project and obtain any preliminary feedback from the Council on project scope or the identified policy questions related to the project. In January 2013, staff will prepare a Comprehensive Plan docket recommendation for this project, including a potential schedule for the Planning Commission and City Council to consider possible Comprehensive Plan and development regulation amendments. Council takes action on the staff docket recommendation no later than the end of February 2013.

A primary City Council goal for 2012-2013 is to implement the city's Economic Development Strategy. Goal II of the Strategy is to support existing businesses and pursue opportunities to expand employment. Goal IV is to advance the community's connection to the waterfront.

The proposed commercial zoning project, focused on the Regional Business, or RB, zone will address both of these goals directly. The RB zone includes the largest concentration of existing Kenmore businesses and has potential to attract new businesses and investment. The RB zone stretches in a band along much of SR-522, and is the connection between the core of downtown and Lake Washington (see Attachment 1). RB properties, including the Lakepointe site, make up most of Kenmore's commercial waterfront. Updating the RB zone, established before Kenmore's incorporation, is key to supporting Kenmore's future economic vitality.

As currently envisioned, the project would:

- Comprehensively review the Regional Business (RB) zone and its relationship to other commercial zones, including a review of the Comprehensive Plan vision; review of uses--including allowed, prohibited, nonconforming and existing legal uses; review of P-suffix conditions, density and other development regulations; review of geographic boundaries for the RB and nearby zones; and review of the relationship to the transportation network.

- Consider three holdover private docket requests--from 2008 through 2010--including requests to address building height and Lake Washington view issues (Greene and

Weise), and a private request for a Comprehensive Plan and zoning change from Community Business to Regional Business (Mendrey).

- Review and implement the proposed Transit Oriented District overlay.

The project's end result would be Council consideration of new/amended Comprehensive Plan policies and new/amended implementing development regulations for properties in the RB and nearby zones.

At the Council retreat in early 2012, a working paper on Kenmore's future employment opportunities and the city's commercial zoning was presented to provide background for this project. A copy of that paper, dated 12/2/11 with some minor revisions is provided as Attachment 2.

POLICY ISSUES AND QUESTIONS FOR PRELIMINARY DISCUSSION

Staff has identified the following policy issues and questions that we recommend be addressed as part of the commercial zoning work program. Staff also has identified a recommended approach to these issues and questions for Council consideration.

1. The Comprehensive Plan and the City's economic development strategy support mixed-land uses (i.e. multi-family high density residential/commercial) with a pedestrian and transit orientation, and creation of a central place (downtown). Another basic premise in the Comprehensive Plan is preserving single-family areas and concentrating new multi-family and commercial uses outside of these areas. Supporting existing businesses and opportunities to expand employment is a related goal in the City's economic development strategy and Comprehensive Plan. These broad goals appear to still hold true for a community vision and are consistent with future trends identified in the 12/2/11 working paper

   Staff recommends that these broad goals—protecting existing single-family neighborhoods, supporting a mixed-use, pedestrian-oriented downtown, and supporting existing businesses and opportunities to expand employment—provide the policy framework for the commercial zoning project.

2. As mentioned above, the Regional Business (RB) zone has been in place since prior to incorporation and has not been reviewed in a comprehensive way since that time. The Downtown Commercial (DC) zone was adopted in 2003 and the Community Business (CB) zone was adopted in 2008. The Neighborhood Business (NB) zone—another King County holdover zone--is located in two discrete areas outside the core commercial area of the City, with the intent to provide neighborhood-scale retail at limited locations.

   Staff recommends that the focus of the commercial zoning project be the RB zone and its relationship to the DC and CB zones. Staff recommends that an analysis of the NB zone uses and development regulations only be completed if time allows.

3. A primary goal of the Economic Development Strategy is to support existing businesses. The city's industrial zone was changed to RB in 2007 and the Comprehensive Plan calls for phasing out industrial uses. The largest number of

existing RB-zoned properties (40%) are developed with manufacturing/industrial uses (light or heavy), construction and trade, warehousing and distribution, wholesale trade, vehicle and equipment yards, and auto sales and service uses. These existing industrial and distribution uses provide commerce and jobs to our city.

The Economic Development Strategy also supports pursuit of opportunities to expand employment, focusing on independent community scale retailers and employers, with a particularly emphasis in the target sectors of outdoor recreation, green/clean tech, biotech and health care. Green/clean tech often entails a light manufacturing component. Maintaining opportunities for longer-term office based employment is another strategy focus.

Considering these existing and proposed uses raises questions about whether mixed-use development throughout the RB zone is feasible or desirable. Would the market support mixed use throughout RB? Can manufacturing be part of mixed-use?

Staff recommends the following approach to address the question of uses and location. First, identify a standard set of commercial and other uses and then identify where such uses should be allowed or prohibited in terms of general areas. This exercise should indicate if there are any distinctions in preferred locations for a particular type of use which may then lead to development of new distinct zones, and/or elimination of some current zones. The next step would be to consider how or if performance standards (such as limitations on noise, vibration or hours of operation) could support compatibility if uses are combined.

4. Affirming or amending the current long-term vision for mixed-use development or identifying a new vision for the RB zone is a critical issue. It's possible that the city's long-term vision for future development in the RB zone may differ from currently existing development. To ensure that existing businesses can continue to thrive until uses are ready to convert, zoning must encourage transformation without jeopardizing present vitality. Offering incentives to change or making requests for incremental site improvements as successful businesses grow or expand are two possible techniques that could continue support for existing businesses while moving toward a different vision.

   In particular, code changes may be needed to accelerate development on the Lakepointe site and help it realize its full potential. There are several P-Suffix conditions that affect this property (and the Plywood Supply property), dictating uses, design, and infrastructure improvements, and requiring master plan approval.

   Staff recommends the following approach to address questions of existing legal uses and nonconformance. First, determine the key characteristics of the uses that require ongoing support to maintain vitality. Then develop incentives or other mechanisms to accelerate conversion and make it easy for the property-owner to move toward change without jeopardizing current business activity.

   Staff recommends that the P-Suffix conditions be assessed to determine if the mixed-use visions for the Lakepointe and Plywood Supply properties are still appropriate, if the standards facilitate the vision and are achievable, and whether *amendments to comprehensive plan policies and development regulations are required. Staff recommends that any redundant P-Suffix requirements be eliminated and all others be incorporated into development regulations. The "Lakepointe staff team" currently holding meetings to develop strategies to support a quality private development on the Lakepointe site, would provide information to the Planning Commission and City Council for consideration.*

5. A significant portion of RB-zoned property fronts on SR522 which is a major transportation corridor for vehicles and transit. Sound Transit plans identify SR522 as a future High Capacity Transit Corridor. How can zoning for commercial and/or residential uses along SR522 support Bus Rapid Transit or light rail?

   Staff recommends addressing these questions as part of assessing appropriate uses as described in #3 above, and in particular considering land uses that are compatible with promoting transit use, including evaluating and incorporating the regulations considered for the Transit Oriented District.

6. Are there any special connections/circulation requirements (e.g. sidewalks, streets, bike routes, woonerfs, etc.) that need to be identified to link commercial and residential areas? What land uses are compatible and support air service and ferry service?

   Staff recommends reviewing current plans and policies to determine if there are any amendments required. In particular, completion of an aviation plan for Kenmore Air will be required as part of the state-mandated 2015 Comprehensive Plan update.

7. How should retention of significant viewpoints to Lake Washington as promoted in the Comprehensive Plan be implemented?

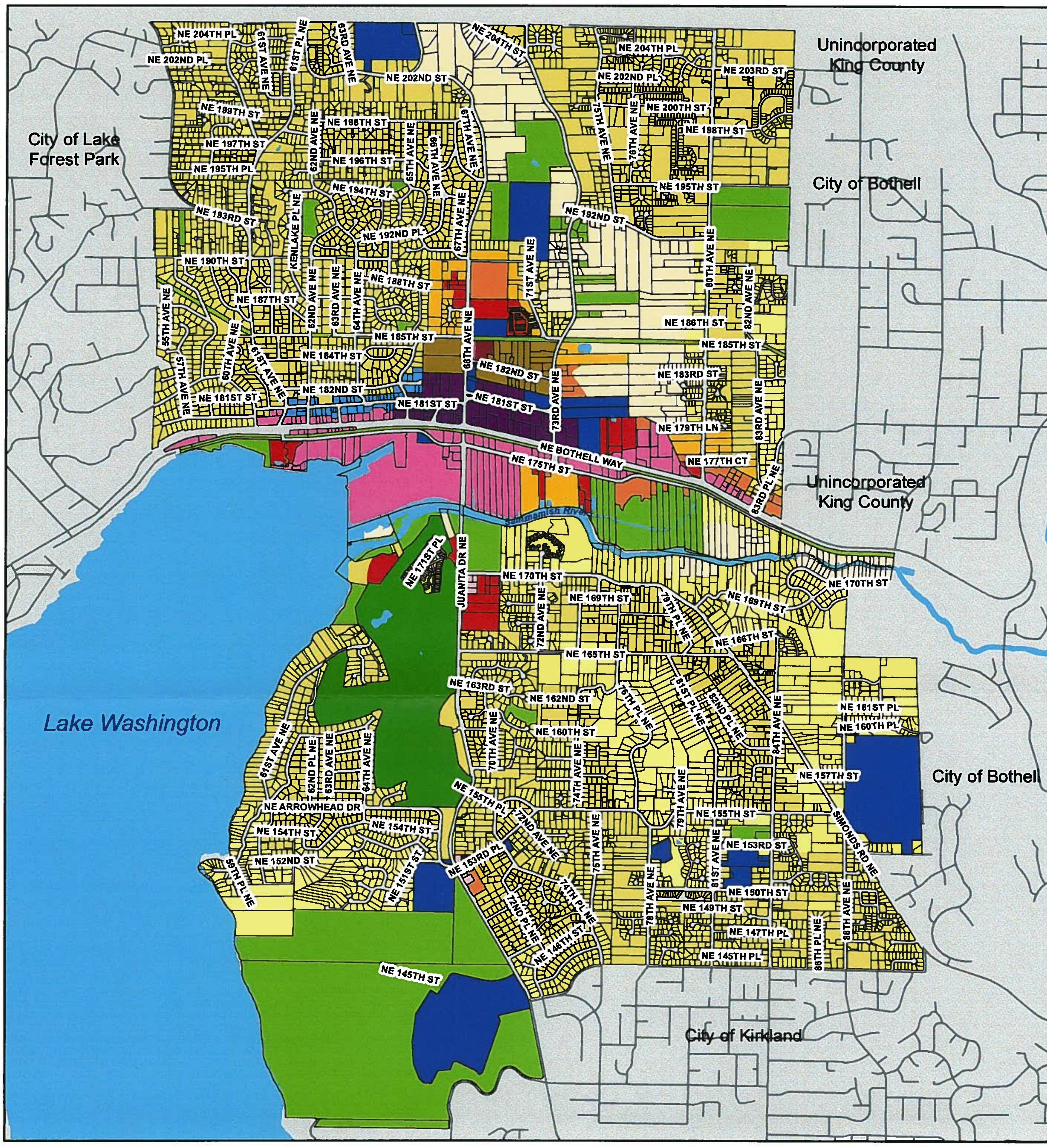
   Staff recommends that the relationship between use, density, height and views for the RB zone be addressed as part of the commercial zoning project and appropriate policies and development regulations implemented. The project also should assess whether the current density and height regulations support the proposed uses in an area.

8. A key component of a prosperous Kenmore is leveraging one of our most powerful assets—access to Lake Washington. Goal IV of the Economic Development Strategy (improving access and connection to the waterfront) should be part of the commercial zoning discussion as most of Kenmore's commercial waterfront is in the RB zone.

   Staff recommends that the commercial zoning project include discussion of how the city can achieve public access to, and use of, the Lake Washington waterfront for residents, those who work here, and visitors. The existing P-Suffix requirements for public access on the Lakepointe site should be evaluated. Zoning standards and proposed uses should be considered in light of the new shoreline regulations requiring public access.

Attachments

Attachment 1: Zoning Map showing the Regional Business (RB) zone
Attachment 2: Memo to Frederick Stouder from Debbie Bent and Lauri Anderson, dated December 21, 2011



Official Zoning Map | City of Kenmore

Regional Business	Neighborhood Business	R-1 (Residential, 1 Dwelling per Acre)	R-18 (Residential, 18 Dwellings per Acre)
Downtown Commercial	Public / Semi-Public	R-4 (Residential, 4 Dwellings per Acre)	R-24 (Residential, 24 Dwellings per Acre)
Downtown Residential	Parks*	R-6 (Residential, 6 Dwellings per Acre)	R-48 (Residential, 48 Dwellings per Acre)
Community Business	Golf Course	R-12 (Residential, 12 Dwellings per Acre)	

* Portions of the Burke-Gilman Trail & Tolt Pipeline occur in rights-of-way and not as separate parcels. However, these facilities are considered to be Parks along their full length.

0 4,000
Feet

This map is intended for planning purposes only and is not guaranteed to show accurate measurements.

Map Date: May 2011
Amended: June 2012 by Ordinance 12-0341

Attachment 1

Attachment 2

The City of Kenmore

18120 68TH AVENUE NE PO BOX 82607
KENMORE, WASHINGTON 98028

MEMO

TO: **Frederick Stouder, City Manager**

FROM: **Debbie Bent, Director of Planning & Community Development**
Lauri Anderson, Senior Planner

DATE: December 2, 2011, updated February 2, 2012*

SUBJECT: Working Paper on Kenmore's Future Employment Opportunities and Commercial Zoning

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A work objective in the Planning and Community Development Department's approved 2011/2012 biennial budget is a review of commercial zoning categories for consistency [1]with the Comprehensive Plan. It is anticipated that a discussion of the scope of this project will be scheduled for a Council agenda in the first quarter of 2012.

In advance of this discussion, staff has prepared this "working paper" on commercial zoning and future employment opportunities in the city. The paper contains information on existing conditions in Kenmore, the national/regional employment context, implications for jobs and land use in the city, and information on related issues such as the Transit Oriented District (TOD) proposal. The last section of the paper presents some general themes arising from the analysis. A conclusion is that addressing many of the issues raised in this working paper would require consideration of amendments to Kenmore's Comprehensive Plan. Significant opportunities and challenges discussed in the paper could not be resolved by regulatory changes alone.

Council questions and comments about this memo may be directed to the City Manager's office. Staff will then prepare responses to the questions as part of the agenda package to be forwarded to the Council in the next few months.

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*The Working Paper has been updated with regard to permitted uses in the Regional Business (RB) zone. Previously, the paper stated that office uses and eating and drinking places were not permitted in the RB zone. Actually, these uses are permitted, not with the titles "Professional Offices" and "Eating and Drinking Places" as used in most zones, but as part of the "Government/Business Services Land Uses" and "Retail Land Uses" use listings in the RB zone (defined in Title 18). The need for this revision reinforces the importance of reexamining and clarifying permitted uses in the commercial zones for code users.

I. Existing Conditions in Kenmore

Current Comprehensive Plan expectations

Kenmore's Comprehensive Plan Vision includes two statements directly related to the city's commercial zoning. The Vision says:

"In 2020, we see Kenmore as:

- A community with an attractive, vital, pedestrian-friendly city center offering commercial, civic, cultural and park spaces, integrated with higher density housing.

- A community with an economic base that provides for the needs of its citizens and provides quality employment opportunities."

The Comprehensive Plan Land Use Element states that the future land development pattern under the existing Comprehensive Plan would show: a "concentration of commercial and business uses locations where they are currently located," "phasing out of industrial uses in favor of mixed uses (commercial and residential)," and "creation of a Central Place (Downtown) in Kenmore." The priority area for commercial development is to be the Downtown (Policy LU-2.1.4).

The Downtown Plan Sub-element of the Comprehensive Plan states that the city should encourage regional serving development south of SR-522 and local serving development north of SR-522. The northwest quadrant of 68th Avenue and SR-522 would have smaller-scale civic and mixed uses. The approved Lakepointe mixed use project in the southwest quarter would be developed and provide public access to the waterfront. The southeast quadrant of 68th Avenue NE and SR-522 would have larger scale mixed-use master planned development and the Plywood Supply site, in particular, would be a pedestrian-oriented commercial area. The desired focus is on prevention of "strip development" and on development of centers. The Downtown Plan supports not only physical, but also visual access to the waterfront.

The Comprehensive Plan describes the purpose, appropriate uses, and allowable multifamily densities for each commercial district in the city and provides a map (identical to the current Zoning Map) showing the locations of these districts.

Current Zoning designations, including P-suffixes

There presently are four commercial zones in the city (Neighborhood Business or NB, Community Business or CB, Downtown Commercial or DC, and Regional Business or RB). Attachment 1 is a summary of the purpose/intent statement for each zone and its basic development standards. Allowable residential densities vary between these zones, with the highest density in the DC zone (from 36 to 72 dwelling units per acre) and the lowest in the NB zone (8 to 12 units per acre). For the most part, standalone uses are limited to 35' in height (CB and DC) unless additional setbacks are provided (NB and RB). Mixed uses can achieve 65' in height in the DC zone and unlimited heights in NB and RB as long as additional setbacks are provided. The majority of commercial properties, except in NB, are covered by some design standards, although the design districts and the zoning boundaries are not congruent.

Attachment 2 provides a comparison of uses between zones. All zones allow multiple family dwellings, medical/dental office/outpatient clinics, indoor retail sales, artist studios, and home occupations. All zones allow professional offices and eating and drinking places. All zones prohibit warehousing and wholesale trade and heavy industry, such as fabricated metal products and heavy equipment manufacture. All but RB prohibit construction and trade, manufacturing, and trucking and courier services. In the RB zone, new light manufacturing uses require a conditional use permit.

For the balance of this paper, the NB zone is not discussed. This zone is located in just two discrete areas outside the core commercial area of the city and is designed to provide neighborhood scale retail at limited locations. Interestingly, the NB zone has fairly liberal use and development standards. It may be worth considering whether some of these standards should be more circumscribed. (The NB zone allows automotive repair, vactor waste receiving facilities and automotive parking, for example.)

As an overlay to underlying zoning in the city's commercial areas, there are five P-suffixes in effect: NS-P1, NS-P4, NS-P10, NS-P13 and NS-P19 (see Attachment 3). P-suffixes are development conditions applied to specific properties that must be satisfied in additional to the general zoning requirements.

NS-P1 applies to a small area of Regional Business (and other surrounding zonings) along NE 185th Street and requires dedication and improvement of NE 185th Street to collector arterial standards on the property frontage.

NS-P4 applies to the Lakepointe and Glacier (CalPortland) properties, requiring a mixed use, pedestrian oriented place, approved through a Master Plan. The development standards are extensive, detailing phasing and infrastructure improvements.

NS-P19 applies to the Plywood Supply property, requiring mixed use, pedestrian oriented developments. This property also has a Special District Overlay (SO-050) for pedestrian-oriented commercial development, which describes permitted uses and special development standards.

NS-P10 applies to the Lakepointe, Glacier (CalPortland) and Plywood Supply properties and restricts uses until such time as a master plan or pedestrian-oriented commercial development is proposed for these sites.

NS-P13 applies to the Harbor Village Development and Marina, zoned RB. These standards regulate public access, signage, marina facilities, and dredging.

P-suffixes cover the two largest privately-owned redevelopment sites in the city--Lakepointe and the Plywood Supply property.

Kenmore Demographic Information

The following statistics come from the Demographics and Economics section of the Comprehensive Plan and are relevant to a discussion of employment in the city:

Educational attainment in Kenmore, 2000:
2,931 high school grad/GED or less (23%);
3,374 some college, no degree (27%);
4,607 associate or bachelor degree (36%);
1,812 graduate or professional degree (14%).

Kenmore has a highly educated population with the majority having attended college or attained an associate's degree, a bachelor's degree or a graduate or professional degree.

Occupations of Residents, 2000:

9,569	Total
4,521	professional services, including professional, scientific, management, administrative and waste management; FIRE—finance, insurance, real-estate; education/health/social services; public administration; and other professional and related services (47%).
1,303	retail trade (14%);
1,160	manufacturing (12%);
900	construction and resources, including agricultural, forestry, fisheries, and mining (9%)
850	transportation, warehousing, utilities and wholesale trade (9%)
835	arts, entertainment, recreation, accommodation and food services (9%)

About half of Kenmore's residents work in professional services, typical of an office setting.

Available Jobs in the City, 2003:

4,260	Total
3,200	services, FIRE, education and government (75%)
378	construction and resources (9%);
316	retail (7%)
301	transportation, communication, utilities, wholesale trade (7%)
65	manufacturing (2%)

There are not enough jobs in the city to accommodate residents. There are shortages in all occupational categories. Major employers in the city include Bastyr University, American Bowling, Inc., Kenmore Air Harbor, Plywood Supply, and Safeway.

By 2010, the Puget Sound Regional Council (PSRC) had estimated covered employment in the city to be 3,625—46% in services, followed by 15% in education. Covered employment are jobs covered by the state unemployment insurance program administered by the Washington State Employment Security Department. Workers excluded from covered employment include members of the armed forces, self-employed workers, sole proprietors and other non-insured workers. If total job numbers are likely to be about 10-15% higher than the number of covered jobs ("Capitalizing on Kenmore's Potential—An Economic Development Strategy"), there were fewer jobs in Kenmore in 2010 than were identified in 2003.

Kenmore Downtown Plan Market Study

As part of the development of the Kenmore Downtown Plan, Property Counselors, in association with Mizrahi and Associates/CB Richard Ellis, conducted a May 2005 study of existing market conditions in Kenmore's downtown area. Significant findings of the study include:

- Kenmore retail largely serves a local market area, but still captures only a small share of resident expenditures. While this might not be unusual in the general merchandise category, Kenmore businesses captured only a little more than half of the community's retail gross sales for groceries. With the exception of the Safeway retail concentration, many of the existing retail facilities are dated in terms of configuration, appearance and performance.

- The Kenmore office market is quite small in comparison to the region. As of 2005, there were only 22 office buildings with a total of 107,000 sq.ft. The largest buildings are only 10,000 sq.ft. The inventory is split between general office (60%) and medical/dental (40%).

Economic Development Strategy

"Capitalizing on Kenmore's Potential—An Economic Development Strategy" was adopted in June 2009 and was to "serve as a roadmap, outlining actions the City could take over the next 5 years to ensure a sustainable, diversified, and healthy economy."

The Strategy notes that most Kenmore residents work outside of the City, primarily in Seattle, Bellevue and Redmond. Only 3% of residents work inside the city limits, where, as noted above, there are not enough job opportunities to serve residents.

The Strategy finds that residents do much of their shopping outside the city limits at strong regional retail centers such as Northgate, Alderwood, and Kirkland. This regional competition limits Kenmore's opportunities in some retail sectors. Although SR-522 has a lot of traffic, the same cars passing through Kenmore also drive through Bothell and Lake Forest Park where there is already established retail. SR-522 is viewed largely as a traffic bottleneck and attracting pass-through traffic is seen as very difficult. With tolling of the SR-520 bridge, SR-522 is likely to see more traffic. The higher rents associated with mixed-use development (for which much of the city is zoned) also may limit potential retail tenants.

Between 1999 and 2007, health/personal care retail spending was the strongest retail sector in Kenmore. Personal expenditures in nonstore retail have been steadily increasing; this category includes delivery of internet/mail order items to residents. Electronics/appliances and groceries/liquor are the second and third-strongest personal expenditure sectors. In 2007, another retail strength was in "other vehicles dealers." Other vehicles spending is primarily on motorcycles and boats. The Strategy identifies opportunities to increase restaurant options in Kenmore.

The Strategy found that there has been no new office space added to Kenmore since 1997. The existing office space (Class C) is located along Bothell Way and is small-scale. Class C locations are older buildings in need of extensive renovation. Building infrastructure and technology are outdated. Because of this, the existing office space has the lowest rental rates of all office types, takes a longer time to lease, and may be targeted for redevelopment.

There is significant office capacity in the Seattle area, which will be utilized before new development in Kenmore occurs; Bothell's current office vacancy rate is almost 20%. The Strategy suggests that office development in the city is one to two business cycles away (3 to 8 years) and that office development will be a challenge for Kenmore because the city is not located on a major transportation corridor with easy access. The Strategy states that the source of demand for office and industrial space in Kenmore is most likely to come from local entrepreneurs or local residents moving their business closer to home; speculative office building is unlikely.

The Strategy also found that there has been only one industrial space added to Kenmore since 1997. Similar to office space, most existing industrial development is located along Bothell Way.

A goal of the Strategy is to support existing businesses and pursue opportunities to expand employment. Strategies include attracting desirable specialty manufacturers and employers in target sectors, and planning for long-term growth of the office sector. Independent, community scale retailers and employers, with a particular emphasis on the outdoor recreation, green/clean-tech, biotech, and health care sectors are specifically mentioned. The Strategy suggests targeting health and fitness businesses, such as outdoor gear rental shops, that would benefit from the waterfront, the Burke-Gilman Trail, and traffic along SR-522. The Strategy also suggests that Kenmore zone for and attract development related to flexible office environments, such as call centers or light manufacturing.

Another Strategy goal is to continue to create a multi-use, vibrant, and walkable downtown. The Strategy notes that as a general rule businesses want to be next to where people live, transit hubs, and near retail and other amenities. One desired outcome is transit oriented development within the city. The Strategy suggests encouraging additional residential development in the downtown to increase activity and attract daily goods shops, services, and restaurants. Kenmore Village is viewed as a catalyst project to this development pattern. Kenmore presently has a relatively low percentage of multifamily housing units (25%)—less than Bothell, Kirkland, Woodinville, and the greater Kenmore area.

A third goal of the Strategy is to advance the community's connection to the waterfront. The Strategy suggests that the city provide leadership in opening up the waterfront, perhaps by working with the Lakepointe owner to encourage attractive redevelopment of that site. The Strategy recommends that the city invest to the extent possible in the waterfront—that the waterfront is Kenmore's competitive advantage. It also recommends using zoning to preserve public lake views.

The Strategy recommends exploring other opportunities to promote development using land use tools and incentives, such as a planned action environmental review or transfer of development rights.

Attachment 4 is a map of existing business types in Kenmore taken from the city's 2010 Economic Opportunity Mapping project.

2007 Buildable Lands Report and 2031 Growth Targets

The Buildable Lands Report, prepared by King County and its cities, is a requirement of the Growth Management Act. The report provides a review and evaluation of residential and non-residential development in the county and its cities every 5 years to ensure sufficient capacity for planned growth.

The latest report shows that Kenmore may have up to twice as much residentially-zoned land as is needed to meet the King County Countywide Planning Policies' growth targets for the horizon year (2031). Under present zoning, Kenmore could accommodate 5,023 dwelling units—2,341 in mixed use, 943 in multifamily and 1,739 in single-family—which translates to 4,824 households. The 2031 housing unit target assigned by the Countywide Planning Policies ranges between 2,500 and 3,500 housing units. The Buildable Lands Report notes that, "among suburban areas, unincorporated South County and the cities of Renton, Kent, Covington, Black Diamond, Kenmore, Issaquah, Bellevue, and Shoreline stand out with capacity surpluses of more than 2,500 households beyond targeted growth." The approved Lakepointe project accounts for 1,200 of these dwelling units.

The report shows that job capacity in King County's urban growth area is double what is needed to accommodate the growth target to the year 2031. Capacity sufficient to accommodate the job targets exists within each planning subarea and within nearly all individual jurisdictions. Under present zoning, Kenmore has a non-residential (commercial) floor area capacity of 479,691 sq.ft. and a non-residential (industrial) capacity of 37,021 sq.ft., translating to an employment capacity for 3,048 jobs—3,002 of them (98%) in mixed use. The 2031 target ranges from 2,500 to 3,000 jobs, leaving a surplus capacity for 48 to 548 jobs out to the year 2031.

The report also shows that 2001 to 2006 was a time of job loss in Kenmore, even before the start of the current recession. The city lost approximately 332 jobs—a 7% loss. Between 2001 and 2005, Kenmore permitted only 14,449 sq.ft. of new commercial space and no industrial space. While land capacity is sufficient, the city has seen little or no job creation likely due to economic cycles and local market conditions.

Attachment 5 is a map from the Kenmore Economic Opportunity Mapping project showing vacant, redevelopable or pipeline properties identified through the Buildable Lands Analysis.

National/Regional Context

Demographic Trends

Nationally, two generational groups dominate the discussion of employment, jobs and community planning. The first, the Baby Boomers (born between 1946 and 1964 and now from 47 to 65 years old), make up about 27% of King County's population. As the Baby Boomers age, health care will become increasingly important as will the need to fill jobs vacated by retirees. As personal mobility decreases with aging, access to transit will become a significant lifestyle issue.

The second dominant population group is the Y generation or "millennials" born between about 1980 and 1998 and now from 13 to 31 years old. This group, another 27% of King County's population, is made up of the children of the Boomers. The Y generation has been significantly affected by the Great Recession, with a particularly high unemployment rate. This generation has been characterized as "high performance and high maintenance," "tech savvy," "entrepreneurial," and "team-oriented." Many are well-educated and want jobs that can accommodate family and personal lives (as opposed to their "workaholic parents"). They expect to change jobs frequently. The Y generation marries later and has fewer children. They will likely to rent far longer than previous generations before buying a house ("The New Normal Requires New Rules for Success" by Aaron Gruen, an International City/County Management Association (ICMA) report, April 2011).

One irony of the high unemployment rate of the millennials (whose members may bear crushing college debts) is that some of it may result from the continued employment of their parents who must retire later as a result of the economic downturn or who, with their experience, fill entry level jobs rather than be unemployed. The millennials may need to live at home longer because their parents fill the jobs that they need to live independently.

By 2020, more than one-third of all households will be single-person households ("The New Normal Requires New Rules for Success" by Aaron Gruen, an ICMA report, April 2011)—a function of both the aging of the population and the unique characteristics of the Y generation.

In a March 2009 article, "In Putting the Urban in Suburban," Alan Ehrenhalt concludes: "An impressive collection of evidence documents that today's young adults have a pronounced taste for urban living. One recent poll, conducted by the marketing firm Lesser & Co., reported that 77 percent of Americans born after 1981 want to live in an "urban core." More than 70 percent said they would remain urbanites even after they had children. In "The New Normal Requires New Rules for Success" by Aaron Gruen, an ICMA report, April 2011, Gruen states that successful places will create "multifamily rental units in mixed-use developments that offer dining and nightlife that appeal to Gen Yers." The report encourages, "green office space near transit, integrated with relatively high-density housing close to experiential shopping, restaurant, and entertainment venues."

Another survey by Lesser & Co. found that "71 percent of the Boomers placed walking distance to transit at the top of their list of housing demands."

<u>What Creates Jobs?</u>

The role of zoning in spurring economic development is indirect. Certainly, regulatory clarity and streamlined processes can make constructing or remodeling a building easier and potentially less expensive. Rezoning can impact land values, positively or negatively. Zoning can also support or prohibit specific land uses within a community. However, zoning for a use does not mean that the use actually will locate within the community. In Contemporary Urban Planning (2003), academic John M. Levy states, "Zoning, by itself, cannot address the redevelopment problem, for controls cannot compel anyone to invest in an area."

Opinions vary on what directly creates jobs—on a continuum from deregulation (more economic freedom) to increased regulation (mandating new technologies to spur innovation and provide certainty for new technologies). Other strategies mentioned in articles about the subject include government-sponsored infrastructure improvements (transportation projects and modernizing and renovating schools, for example) and education and retraining for the unemployed to fill existing jobs requiring specialized skills.

Although a review of commercial zoning may remove some constraints to developing new locations for job growth, zoning changes will not create jobs or necessarily overcome the economic conditions which may limit new non-residential development in Kenmore.

What Are the Jobs of the Future?

According to a study titled, Industrial Versus Mixed-Use Zoning: Economic Impact and Job Creation, prepared for the Central City Association (Los Angeles) in 2007 by CBRE Consulting, "America is moving from a heavy manufacturing economy to a service and high technology economy." The study cites Richard Florida's Rise of the Creative Class, published in 2003, as an analysis "widely accepted by economic development professionals throughout the U.S." Mr. Florida's key findings include:

> "• The U.S economy has seen the creative class of workers (scientists, artists, engineers etc) grow from 10% of the workforce in 1900 to over 30% today.
> • The creative economy offers tremendous growth potential, as evidenced by R&D spending which has grown from $5 billion in 1950 to over $250 billion in 2000.
> • Scientists and engineers have increased from 625,000 in 1950 to 5 million in 2000.
> • Professional artists, musicians, etc., have increased 500% in the same time frame.
> • Big city urban centers have always been the crucibles for innovation and creativity. They are leading a dramatic economic turnaround driven primarily by the location choices of the creative class who favor authentic urban fabric, and who have the ability to operate their businesses out of their homes."

The CBRE study was completed to address concerns about retaining industrial zoning in Los Angeles when trends show that new workers want to locate in a mixed use, more dense urban area served by public transit and with related amenities. It noted that manufacturing industries bring very few jobs, with employment estimated at less than one job per every 2,000 to 5,000 square feet, or 1/10th the level of typical service sector employers. The study concluded that industrial employment in the U.S. is undergoing a massive transformation with low-skilled and medium-skilled work being outsourced overseas to areas with low cost labor and industrial users leaving the city because of high taxes, high rents, traffic congestion, poor infrastructure, small parcel sizes, and obsolete buildings. The CBRE study states that preserving industrial land doesn't change these economics.

A study done for the city of Kirkland (Kirkland Industrial Study, UrbanAdvisors, Ltd., April 12, 2005), also concluded that "warehouse and distribution uses are moving regionally to areas with newer, less costly stock and a local labor force that can live in reasonable close proximity at moderate wage rates. The trend in spec built industrial and warehouse space is occurring elsewhere on less valuable land with highway access." This study, too, states "trends indicate ...that an emphasis should be placed on the creation of higher density employment space for financial, insurance, real estate, services and "tech" uses that can employ higher wage local residents...and can afford the land and development costs for higher density."

The Occupational Outlook Handbook (2008-2018) from the federal Bureau of Labor Statistics (BLS) says employment in goods-producing industries has declined since the 1990s and is expected to change little. Overall employment in manufacturing will also decline as "productivity gains, automation, and international competition adversely affect employment." Some manufacturing—pharmaceutical and medicine manufacturing, for example, is expected to grow, but new jobs are limited.

Information from The Washington Labor Market Quarterly Review, 4th Quarter 2009 seems to support these findings. In an analysis of industries during the recession for the period 2007-2009, manufacturing showed a significant decline (12.9%).

The Puget Sound Economic and Demographic Forecast, published by the Puget Sound Regional Council in February 2006 concluded that most new jobs in the area would be in the service-producing sector, versus goods-producing industries such as resources, construction and manufacturing. Service-producing industries include transportation and utilities, trade financial activities, services and government. The three fastest-growing industries from their study were food services and drinking places, professional and business services, including information, and health services.

The ICMA report entitled "The New Normal Requires New Rules for Success," by Aaron Gruen (April 2011), states that "retail will not return to what it was before the Great Recession and an increasing proportion of sales will shift to the Internet." In 2000, 50% of all households had access to the internet. By 2010, only 11.63% of all households in Washington had no internet use (U.S. Census Bureau). Nationally, 71% of the adult internet users surveyed had bought a product online (U.S. Census Bureau). By 2015, it is estimated that 11% of all retail sales in the U.S. will be online (Forrester Research, 2/28/11). This percentage climbs to 15% when excluding grocery purchases. The federal Bureau of Labor Statistics also believes that there will be slower growth in retail trade.

Futurist Glen Hiemstra, 2011, believes that, "In the future, people will work "stints" rather than "jobs." He says, "To work at a stint is to become part of a project team for 18 months, followed by joining three friends doing a start-up business that folds after two years, after which you sign on with a multinational which disappears in a merger... and the beat goes on." He also sees a future where, as fewer people are needed to produce goods and services because of machines replacing human effort, more will be done by hand—"working the land by hand, making things by hand, teaching and entertaining others in person...as a counter-weight to an overly technological world."

Ian Wylie, in "Jobs of the Future" in The Guardian, January 2010, states that by 2020 we will continue to make the transition from fossil fuels to alternative energy. "Green" jobs, niche sectors of knowledge intensive manufacturing required highly skilled workers, development of robots and artificial intelligence, entrepreneurs, nanotechnology and biotechnology, social services—primarily nurses and aides, educators, and agricultural workers (local organic farmers) will be jobs for the future.

The Bureau of Labor Statistics (BLS) forecasts large gains in professional, scientific, and technical services. Computer systems design and related services are expected to account for nearly one quarter of all new jobs in this industry sector. Computer-related industries, such as data-processing, hosting and related services industry including Web and application hosting and streaming services, as well as software publishing, will be fast-growing. "Employment in management, scientific, and technical consulting services is anticipated to expand at staggering 83%, making up about 31% of job growth in the sector."

BLS ranks the employment services industry "fifth among industries with the most new employment opportunities in the Nation over the 2008-2018 period" stemming from strong need for seasonal and temporary workers and for specialized human resources services.

BLS notes that "about 26% of all new jobs created in the U.S. economy will be in the healthcare and social assistance industry, including hospitals, nursing and residential care facilities as well as individual and family services. Registered nurses and home health aides will be some of the occupations with the largest numerical growth.

Other occupations with large numerical growth will include customer service representatives, and combined food prep and serving workers.

At a more local level, PSRC's publication, Puget Sound Economic and Demographic Forecast, 2006, states that the three fastest-growing industries will be food services and drinking places, professional and business services, including information, and health services.

Again, The Washington Labor Market Quarterly Review, 4th Quarter 2009 seems to bear out some of these findings. Health-related and some computer-related occupations have been "recession resistant," along with jobs in the life/physical/social sciences and some personal services jobs (hairdressers, for example).

BLS estimates that, "In general, occupations in a category with some postsecondary education are expected to experience higher rates of growth than those in an on-the-job training category."

Implications for Jobs in Kenmore

What Jobs "Fit" with Kenmore Residents?

Kenmore's population is well-educated and primarily working outside of the city in professional services. If local employment for residents is a policy goal as stated in the Comprehensive Plan, provision of places for professional services jobs in the city is desirable. The job sectors supported by the Economic Development Strategy—clean tech, health care, and outdoor recreation—line up well with national and regional trends in future employment.

Clean Tech Opportunities

Kenmore's Economic Development Strategy and general information about jobs for the future indicate that "clean tech" might be an opportunity for the city. Clean tech includes technologies that address resource and environmental challenges. Most fall into the following broad categories: renewable energy generation (wind, solar, geothermal, hydro, biomass); finance/investment; energy and environmental consulting; green building and design (architecture, and building materials such as composites, recycled products, solar water heaters, non-toxic paints); clean transportation (alternative fuels, electric and other low-emissions vehicles); energy efficiency (smart grid, low wattage lighting, sensors to improve HVAC performance, smart metering, green software), and remediation and pollution prevention (graywater recycling, emissions monitoring and control). Relevant industry sectors are "professional, scientific and technical services," followed by "manufacturing".

According to the North American Industry Classification System (NAICS), the "professional, scientific and technical services sector comprises establishments that special in performing professional scientific and technical activities for others. These activities require a high degree of expertise and training. Examples include architects, engineers, specialized design services, computer services, consulting services, research services, etc."

Manufacturing, according to NAICS, "comprises establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products." Light manufacturing generally involves small amounts of raw materials, area and power; work occurs inside a building; and products are made in batches in discrete production runs with not much pollution. Light manufacturing may use partially processed materials. Nationwide, 26% of clean economy (clean tech) jobs are in manufacturing (Brookings Metropolitan Policy Program, "Sizing the Clean Economy").

In <u>The Clean Tech Cluster Analysis Update for the Puget Sound Region</u>, by the Puget Sound Regional Council (PSRC) Workforce Development Council in November 2009, clean tech was defined as including 9 major job categories: energy generation and distribution, residential construction, non-residential construction, manufacturing, architectural services, engineering services, environmental consulting, R&D, and recycling and waste. Green building is identified as the largest of the clean tech sectors. The largest numbers of jobs are projected to be added in engineering, environmental consulting and architectural services. Half of the the identified occupations require a B.A. or higher.

The analysis notes that key trends point to an increase in clean tech: rising energy costs, the focus on U.S. energy security and decreased dependence on foreign oil, and greater understanding and acceptance of climate change and the desire to reduce greenhouse gas emissions.

In "Coming Clean in the New Economy," 7/15/2011, <u>Forbes</u> notes that there is a fierce global race to capture the clean tech market. Looking at regional initiatives, there is also competition at the local level.

To fill clean tech jobs, highly-educated workers are needed. Access to Kenmore's highly educated population, and proximity to the University of Washington campus in Bothell, could be perceived as locational advantages for Kenmore.

Medical Office Opportunities

Another opportunity discussed in the Economic Development Strategy is medical office development. According to an Urban Land Institute (ULI) report, The Outlook for Health Care, 2011, "the rising demand for medical services to treat aging baby boomers, combined with shifts in approaches to treatments to curb rising costs, will significantly increase the need for new and refurbished medical office buildings in the decades ahead." "Medical office building demand is forecast to expand by 19 percent by 2019, 11 percent of which is related to the impact of the new healthcare law, and the remainder due to population growth and demographics."

While historically located in city centers, more hospitals have been opening satellite facilities in the suburbs. The report notes that low-cost walk-in clinics are popping up in pharmacies, grocery stores, and malls.

The report identifies factors supporting increased demand for this land use, including:

- An aging population. Those over 65 years old have three times as many office visits per year as those under 45;
- Advances in technology.
- 32 million more Americans covered by health insurance under the new health care law.
- Cost control pressures encouraging cheaper outpatient surgical and other facilities. "Almost 65% of all surgeries today do not require overnight hospital stays, compared with 16 percent in 1980." The number of freestanding surgery centers has skyrocketed.

There will also be a need for medical support services such as electronic medical records management and software developers and managers, along with insurance claim processors and others working in medical billing. The complexities of billing issues may result in physicians joining hospitals, rather than owning their own practices to consolidate the business side of clinic operations.

There currently are no hospitals in Kenmore. The nearest hospitals are Evergreen Hospital Medical Center in Kirkland and Swedish/Edmonds (formerly Stevens Hospital) in Edmonds. Care Plus Medical Center, 17511 68th Avenue NE, provides extended hours for treatment by physician assistants and nurse practitioners. Evergreen Medical Group, 18208 66th Avenue NE, is a primary care clinic affiliated with Evergreen Hospital.

Bastyr University operates the Bastyr Integrative Oncology Research Center (opened in February 2009), but their teaching clinic is located in Seattle.

Affiliations with Evergreen Hospital and Bastyr may provide support for expanding medical office employment in Kenmore.

Outdoor Recreation

The Economic Contribution of Active Outdoor Recreation – Technical Report on Methods and Findings, July 9, 2006, Prepared by Southwick Associates, Inc., Fernandina Beach, Florida, for the Outdoor Industry Foundation (OIF) is a national study addressing the benefits of the outdoor recreation market in the U.S. The report was based on data from a survey commissioned by the OIF and conducted by Harris Interactive® in late 2005, and covered bicycle and paddle recreation, along with other types of recreation. Paddle recreation includes kayaking and canoeing, but does not include power boating.

The analysis was done by region of the country. Washington was placed in the Pacific region, including Alaska, California, Hawaii, and Oregon.

The report shows that 57.9% of bicycling participants report trip or equipment expenditures related to their activities. 68.4% of paddling participants reported such expenditures. Expenditures included food and drink (groceries used on the trip, restaurants, bars etc.); transportation (gas & oil for the trip, bus, etc.); recreation, entertainment and activities (entry/access/parking fees, equipment rental, guide fees, etc); and souvenirs, gifts and other miscellaneous spending. In the Pacific region, mean expenditures for a day trip while bicycling were $18 for food and drink, $11 for transportation, $11 for recreation, entertainment and activities, and $4 for souvenirs, gifts and miscellaneous. For paddling, the numbers were $34 for food and drink, $31 for transportation, $42 for recreation, entertainment and activities, and $9 for souvenirs, gifts and miscellaneous.

In 2005, the major business sectors enjoying the most direct business from active outdoor recreation were: accommodation and food services, manufacturing, retail trade, and real-estate and rental.

In Washington in 2005, 32% of the population participated in bicycling; 12% in paddling. Given Kenmore's proximity to the Burke-Gilman Trail and Lake Washington, the city has an opportunity to create jobs and capture some of these recreational expenditures.

An American Planning Association (APA) publication on how cities use parks for economic development noted that "knowledge workers prefer places with a diverse range of outdoor recreational activities, from walking trails to rock climbing." Seattle is among the top cycling cities; and is also among the leaders in knowledge workers. A survey of 1,200 high technology workers in 1998 by KPMG found that quality of life in a community increases the attractiveness of a job by 33 percent. Outdoor recreation opportunities in Kenmore may also stimulate job growth in other employment sectors.

Land Use Implications

General Implications

If trends are accurate, both the Baby Boomers and the Y-Generation are going to be looking for the same land use pattern: a mix of uses--focused around multifamily housing, professional offices, small-scale and experiential retail, and light manufacturing for new technologies--with good access to transit.

In Industrial Versus Mixed-Use Zoning: Economic Impact and Job Creation, prepared for the Central City Association (Los Angeles) in 2007 by CBRE Consulting, the study states that "livability" is a critical locational factor for contemporary business. "The current economy values proximity and clustering. Placing jobs, homes, shops and recreation in proximity increases business opportunities." The study supports creating 24-hour communities--as opposed to locations open only 9 to 5 Monday through Friday—as these environments are increasingly attractive to young professionals.

Although the Comprehensive Plan shares the vision of a mixed-use, pedestrian-friendly place, current land use in Kenmore does not fit this pattern. Existing industrial "legal uses," such as the asphalt batch plant, Glacier/CalPortland, and activities on the Lakepointe site show a heavy manufacturing face to visitors. Approved projects that were to create pedestrian-oriented mixed use districts (Lakepointe and Kenmore Village) have stalled in the present economic climate. SR-522 continues to be dominated by small, primarily auto-oriented businesses, fast-food establishments, and construction-related businesses.

The following discussions explore land use implications of current zoning for development of future facilities to provide job opportunities in retail, office, and manufacturing. Opportunities for providing multifamily land uses in mixed use developments under present development standards also are assessed.

<u>Retail</u>

As internet sales capture more of the retail market, Aaron Gruen ("The New Normal Requires New Rules for Success," an ICMA report, April 2011) states that the new downtown retail base is likely to include pet stores, food and wine, including "small-format grocery stores offering organic and locally grown products"; health spas and other health and alternative heath products; a variety of personal services; and experiential retail and fitness facilities. Kenmore's CB, RB and DC zones allow most if not all of these retail uses, although indoor recreational uses in CB are a conditional use and theaters are prohibited in this zone. Some of the retail uses described in the Zoning Code are very specific and may be able to be more generalized. For example, Fabric Shops, Florist Shops, Jewelry Stores, and Hobby, Toy, Game Shops all could be grouped under the broad heading of Retail Sales, Indoor.

Interestingly, in the area targeted for Kenmore's downtown (Kenmore Village and immediate surroundings), current businesses include three fitness facilities, a beauty salon, a barbershop, a restaurant, two espresso businesses and a bar, along with a camera "learning center," health and counseling services, and a jewelry store—directly reflecting some of the "future downtown retail" envisioned by Mr. Gruen.

Mark Hinshaw, local urban designer and former architecture critic for <u>The Seattle Times</u> notes that a supportable "main street" downtown is a maximum of 4 blocks. This opinion is echoed by other urban designers who suggest "pushing retail together like embers" to develop a synergy. At a workshop put on in February 25, 2011 by the American Planning Association, the Urban Land Institute (ULI), and the Cascade Land Conservancy, a presenter noted that it is common to have too much space planned for retail in the U.S. He stated that retail planning is at 30-40 sq.ft. per capita in this country, versus 8-9 sq.ft. per capita in Europe. Under present zoning, Kenmore has additional non-residential (commercial) floor area capacity, including both retail and office floorspace, of 479,691 sq.ft. (2007 Buildable Lands Report). With a 2011 population of 20,650, this translates to a per capita retail and office floorspace of 23 sq.ft. This number does not include any of Kenmore's existing retail floorspace.

"Core" retail zoning in Kenmore currently includes the DC, CB and RB zones. This area expands from downtown in all directions and includes nearly all of the SR-522 frontage in the city, as well as of the large industrial and construction-related acreages to the south. It may be worth considering retail limitations in some of these areas to focus retail development to the heart of downtown.

While downtown retail may thrive in the future, a transformation is envisioned for strip commercial retail. The Urban Land Institute (ULI) in 2001 wrote that demands for a greater sense of community and convenience in suburbanites' lives would "challenge the continuing competitiveness and sustainability of aging suburban strips," particularly in an overbuilt market. Two of their "principles to help suburban strips evolve in ways that meet the market demands of the new economy, the new consumer, and the new face of retailing" are to "prune back retail-zoned land" and "establish pulse nodes of development." The ICMA report, "The New Normal Requires New Rules for Success" by Aaron Gruen, April 2011, suggests that strip commercial development will continue to be deemphasized.

An April 7, 2011 article in the Wall Street Journal, noted that "mall vacancies hit their highest level in at least 11 years in the first quarter." Strip malls and other neighborhood shopping centers were particularly hard hit. The article concluded that "strip-center vacancies are likely to remain stubbornly high," particularly now that "you have a retail presence in everyone's pocket via your smart phone."

An October 26, 2011 article in the Wall Street Journal discusses the conversion of space in U.S. shopping centers to entertainment venues: go-cart tracks, laser-tag venues, movie theaters, health clubs, restaurants, salons, fencing academies, aquariums, places for swimming lessons, and indoor trampoline facilities. The article notes that, "The proliferation of nonretail tenants comes as traditional stores ceded ground in U.S. shopping centers because of the constrained consumer spending and decades of retail overbuilding in the U.S."

According to the Environmental Protection Agency (EPA), one strategy for conversion of strip retail is to encourage and accommodate clustered retail at crossroad locations beginning with identifying the most favorable locations along the corridor for retail clusters and taking into consideration the direction of the evening commute, the availability of property for investment, and the pattern of existing successful retail concentrations ("Restructuring the Commercial Strip—A Practical Guide for Planning the Revitalization of Deteriorating Strip Corridors," prepared for the EPA by ICF International and Freedman Tung & Sasaki, 2010).

The EPA report states that "corridor restructuring efforts must place priority on assembling the conditions that foster diversity, synergy, and activity by:

1. Identifying corridor segments with stable or prospering commercial uses, such as clusters of specialized auto-accessed retail uses (such as auto dealerships), clusters of non-retail uses (such as lodging, medical uses, offices, or constellations of light manufacturing, assembly, and distribution), or retail and service businesses that do not cluster (such as institutional uses like schools and medical facilities or retail uses that need a lot of land but are relatively unsuited to

pedestrian-oriented retail centers, such as nurseries or stores selling construction materials). Where assets like these are stable and in place, the plan should bolster and extend their market draw by promoting investment in similar or complementary uses on nearby properties.

2. For segments without a strong existing commercial focus, housing will almost always be the most promising ingredient for future value. The same market preferences driving the surge in demand for compact, walkable, mixed-use centers are driving demand for a wider range of housing types. To restore value to older segments, residential entitlements should be extended to all or most corridor properties. One option for making this change is to add residential use to those permitted along the corridor. A more effective approach is to replace underperforming retail entitlements with residential entitlements in segments that are well suited for housing, providing complementary market support for both centers and segments. Replacement with, rather than addition of, residential entitlements provides greater incentive for desired change. If the full range of retail entitlements remains in place, property owners may be tempted to hold their properties in anticipation of a hoped-for future retail development that they believe to be more lucrative."

An analysis of the strip commercial development in Kenmore along SR-522 shows that there are small clusters of specialized auto-accessed retail uses—tire shops and other auto-oriented retail, along with retail uses that need a lot of land but are unsuited to pedestrian-oriented retail centers, such as Plywood Supply and surrounding establishments selling construction materials.

There are also segments of the corridor without a strong commercial focus. In considering multifamily for these areas as suggested by the EPA report, zoning roadblocks arise. Although multifamily is permitted in the RB zoning in the corridor, it is required to be either in a mixed use development, or at a relatively low density with a 35' height limit. It's possible that along the SR-522 corridor some retail uses could be restricted and a multifamily focus encouraged--particularly in the non-industrial areas with potential views of the lake and on the higher elevations north of SR-522 where access for retail is limited.

Office

According to the Urban Land Institute, "new economy" users are looking for offices with nearby amenities…They also tend to cluster in areas where there are other like businesses and an available workforce." Forrester Research (3/12/09) believes that telecommuting (working from home between one and four days a week) will rise to include 43% of U.S. workers by 2016.

Futurist Glen Hiemstra, 2011, says that the places people will work will change with changes in job types. "Data and information will be in the Cloud—available everywhere, all the time. Thus we will come to the office only when it is really desirable to get together. The offices themselves will consist of inviting meeting and collaboration spaces, and "hotel" stations for free agents to plug in. The typical company may use half the office footprint it uses today for the same number of people."

From the Kirkland Industrial Study, a "typical low or mid-rise office building (for green tech, for example) would be between four and six stories, or 60 to 75 feet in height. Typical retail/office mixed use buildings would be in the range of 65 to 80 feet (the first floor of retail is normally a 15-foot floor height as opposed to office space at 12 feet)."

While the DC and CB zones allow offices, they are constrained by 35' height limits unless developed as vertical mixed use—a more expensive style of construction. The RB zone also limits heights to 35', unless large setbacks are provided or for vertical mixed use; new light manufacturing developments require a conditional use permit. RB may be an area where clean tech could be a possibility, but zoning is a barrier.

In the ICMA report "The New Normal Requires New Rules for Success" by Aaron Gruen, April 2011, Gruen states that medical offices need easily accessible space, sometimes with after-hours or 24-hour access. Hospitals are generally the catalyst for developing medical office space, but there are more ambulatory surgical centers or satellite hospital campuses in suburban areas. Medical office space is expensive to build—perhaps as much as 3 times more than regular office space—partly because of the extensive plumbing (NE Real Estate Business). The Urban Land Institute (ULI) report, The Outlook for Health Care, 2011, concludes that medical office buildings "will not be plagued in future years by continuing excess capacity, as is the case with residential real estate, malls, and office buildings."

Medical/dental offices/outpatient clinics are allowed in all commercial zones in Kenmore, although hospitals are permitted only in DC and RB and require a conditional use permit in DC. As with other offices, existing height limits restrict the potential for medical office and hospital development in Kenmore.

Manufacturing

Kenmore eliminated its industrial zoning in October 2007, although industrial "existing legal uses" in the RB zone (those existing as of May 8, 2003) may be remodeled or enlarged subject to current development code requirements if they have not been abandoned for more than 12 months.

Clean tech manufacturing is generally light manufacturing, needing light industrial space as well as flexible lower-cost office space. The space must be flexible enough to allow companies to advance from startup into production, then into sales and potentially into corporate management ("Building San Francisco's Cleantech Economy: Analysis and Stategy Options," prepared for San Francisco Planning and Urban Research Association by ICF International and Business Cluster Development, September 2008).

In Developing Green Economy Industry Clusters, 2008, by Craft Consulting Group for San Francisco's East Bay, the authors note that clean tech businesses tend to be small (less than 100 employees) and tend to cluster. The Kirkland Industrial Study states that "high tech firms tend to cluster in two settings: park-like campuses or areas with urban amenities."

The CBRE study (Industrial Versus Mixed-Use Zoning: Economic Impact and Job Creation, prepared for the Central City Association (Los Angeles) in 2007 by CBRE Consulting) contends that traditional office and industrial parks are too inward focused and suggests development of horizontal mixed use that could be designed so that residential uses are not incompatible with neighboring light industrial uses, using techniques such as double paned windows. Residents could be made aware of potential issues with these neighbors through CC&R's that they sign when purchasing any new condominium unit. The CBRE study notes that many live/work residents actually seek this proximity. Mixed use in areas of manufacturing also improves public safety by bringing a 24 hour – 7 day a week presence to the area, which according to police departments nationwide improves overall safety.

Although Kenmore's RB zone allows light manufacturing with a conditional use permit and has access to significant urban and natural amenities (Kenmore Air Harbor, Lake Washington, Sammamish River, Burke-Gilman Trail), the properties are large and without a street grid to facilitate pedestrian and transit access.

Washington's Department of Community Trade and Economic Development (CTED) in Green Economy Strategic Framework (check title) suggests building in flexibility and room for industries and institutions to make adjustments based on market conditions and new discoveries.

The multiple overlapping layers of zoning regulation on the most significant of the RB properties are fairly inflexible and were tailored for a development climate of more than 20 years ago. Simplification of the regulations may provide more flexibility and allow the market to determine the appropriate mix of residential, office and light manufacturing in the area.

Light manufacturing is not permitted in the DC zone as the focus downtown is to be on office and retail uses.

<u>Multifamily Development</u>

In an article in <u>Urban Land</u> (publication of the Urban Land Institute) entitled, "Tsunami of Rental Housing Demand is on the Way, 9/26/11" author Leslie Braunstein states that, based on the latest ULI research, while U.S. homeownership has dropped from its peak of more than 69 percent in 2004 to about 66 percent today, the number of renters in the United States has grown by nearly 4 million people. The millenials are expected to contribute more than 11 million new renters over the next decade. Ms. Braunstein notes that the rental housing supply is not keeping up with demand. In particular, affordable rental housing is in short supply.

Zoning for multifamily development in commercial areas serves three purposes: it provides a housing type appealing to Gen Y and the aging Boomers, it energizes local retail, and it provides opportunities for people to live closer to work with adequate densities for effective transit.

The ICMA report, "The New Normal Requires New Rules for Success" by Aaron Gruen, April 2011, encourages zoning more land for higher-density housing as a way to support retail businesses. "If multifamily uses are encouraged and single-family housing prices are not again excessively inflated, demand will increase for some retail uses."

Mark Hinshaw, in a presentation at American Planning Association Washington conference in October 2011, focused again on the oversupply of commercial and office land. He noted that apartments and /multifamily development are now able to get construction financing and that the area needs to find places for people to live in the middle of the community.

In a March 2009 article, "In Putting the Urban in Suburban," Alan Ehrenhalt points out that, "There is the Catch-22 of density and transit. Every study shows that those willing to live in retrofitted suburbs want good public transit more than almost anything else…But without density, it's extremely hard to persuade local authorities to create the transit lines." One example he cites of a successful suburban retrofit is in Lakewood Colorado, a Denver suburb, where a failing shopping mall was demolished and replaced with more than a thousand housing units in three and four story buildings. The buildings were sited on narrow, gridded streets with wide sidewalks. "It's not a shopping center pretending to be a downtown," the developer insists. "It's a real downtown."

If building vertical mixed use is not immediately attractive to developers, the opportunity for vertical mixed use in the future may be preserved in stand-alone buildings with a requirement that the first floor be designed with a floorplan and head height to accommodate future retail uses.

As mentioned previously, multifamily development is permitted in all of the city's commercial zones. In the RB zone, multifamily is limited to 35' in height if not in a mixed use development or with large setbacks from property lines. Pulling buildings closer to the street to encourage pedestrian access, and allowing higher transit-supportive densities are discouraged by these requirements.

In the DC zone, a mixed use requirement also applies to multifamily, although it can occur either vertically or horizontally. Again, base height is limited to 35' unless in a mixed use development or if structured parking is provided.

Although standalone multifamily is permitted in the CB zone, it is generally limited to 35' in height.

Other Issues

Transportation Opportunities

Kenmore serves as an important local and regional transportation hub--with SR-522, a large Park and Ride facility, and Kenmore Air located here. The Comprehensive Plan supports augmenting this role through development of a Lake Washington ferry terminal in the city. Consideration of whether plans for the city's commercial zones support or limit these opportunities is important.

Kenmore Air Harbor is a major employer in Kenmore and is defined as an "essential public facility" under state growth management guidelines, meriting special protection. Airports require a special use permit in the RB zone. Expansions of Kenmore Air Harbor generally would require a new special use permit.

Airport "influence areas" are typically places where dense residential developments, schools, hospitals, or uses that attract wildlife are incompatible. Uses should not be sensitive to noise.

Federal Aviation Regulation (FAR) Part 77, *Objects Affecting Navigable Airspace* provides guidance to protect airspace, including the area that encompasses the airport, runway protection zones, and airport approaches. For most airports, these FAR Part 77 surfaces extend beyond airport boundaries. The city presently does not have information on Kenmore Air Harbor requirements.

Location of a future ferry terminal could also impact surrounding land uses. Since there are limited areas where this use could locate, it may be worth "building in" some opportunities through master plan or other zoning requirements.

Relationship to Proposed Transit Oriented District (TOD)

In 2009 and 2010, the Downtown Task Force developed a recommendation for a TOD in Kenmore. The area identified by the Task Force included areas zoned Regional Business and Downtown Commercial on the east side of 68th Avenue NE. The City Council held a public hearing on the recommendation on September 27, 2010 and then tabled the discussion until a comprehensive review of the RB zoning could be completed.

Significant features of the TOD are as follows:

1. The TOD is proposed as overlay and does not cover much of downtown Kenmore (see Attachment 6). A developer may choose between using the existing underlying zoning or TOD zoning (with corollary incentives).
2. The TOD includes area within .25 up to .5 mile from Bothell Way, walkable to high-frequency express and local bus transit.
3. TOD incentives include reduction in the minimum required commercial or residential parking spaces and increase of allowable residential density up to 120 dwelling units per acre, with wider variety of allowed uses in some zones and potentially increased height up to 65'.
4. TOD requirements include: a minimum density of 40 du/acre, 10% affordable housing, preservation of significant tree groves, public pathways, and design standards.

Lakepointe Project

Kenmore's largest redevelopable waterfront piece (more than 40 acres in size) has an approved mixed use master plan, set to expire in December 2015. Current "existing legal" uses of the site are industrial and will become more intensive over the next few years if the site is used for auxiliary construction for the 520 bridge. There continues to be significant public interest in public access to the shoreline and protection of the Sammamish River. This is also a potential site for a cross-lake ferry terminal.

The project as approved would include 1200 dwelling units, 205,588 sq.ft. office, 438,627 sq.ft. retail and commercial space (including cinemas and a hotel)—enough space for an estimated 1462 employees. Heights of the approved project range from 35' along the Sammamish River to 90+ feet at the north central interior of site.

The project includes cleanup for contamination regulated under Model Toxics Control Act (MTCA) compliance through placement of an engineered cap over the site.

Since the Lakepointe approval in 2001, conflicting community visions have been presented for the property: mixed-use development, park/open space, high-tech business park, and regional industrial uses. What is the city's vision for this significant property?

Kenmore Village Project

The city of Kenmore owns the 3rd largest redevelopable commercial property in town, although locational commitments have been made to the Post Office (which holds a lease until 2015 with options to extend to 2040). The city's Development Agreement with RECP/UP Kenmore, LP would provide 300 dwelling units, 23,000 sq.ft. of community event and central gathering space, and 77,200 sq.ft. of retail that could support 171 employees. Some live/work spaces might also be included. In the Development Agreement, NE 181st Street is identified as the city's main pedestrian-oriented retail shopping street with the character of a downtown "Main Street." Closing on the Kenmore Village property is to occur by December 15, 2014, with the developer filing the site plan review permit by December 15, 2013.

Successful redevelopment of local downtowns has frequently been centered around a catalyst project supported by local government. In Bothell, for example, the city has been a major developer of the downtown. Likewise, in Bremerton and Burien, public investment has spurred private growth.

Existing Legal Uses

In the RB zone, existing legal uses as of May 8, 2003, which are not otherwise currently allowed, are permitted and can be rebuilt, re-established, remodeled, or enlarged subject only to current development code requirements for height, lot coverage, etc. Expansion of existing legal uses may even be permitted onto adjacent parcels if the adjacent parcels were and still are owned or leased by the same business at the time the use became existing legal. This is a different treatment than for traditional nonconformances that generally cannot be expanded or intensified except through a conditional use permit that addresses issues of character and appearance, health and safety, and traffic.

In the RB zone, the existing legal use provision means that many of the major existing industrial uses (Glacier/Cal Portland, Cemex, operations on the Lakepointe site) can be continued without any constraints to redevelopment or expansion other than the physical limitations of setbacks, parking, height, etc. There is no "push" to convert these industrial uses to other uses, even though the Comprehensive Plan envisions just such a transformation.

If the city wishes to allow existing legal uses to continue but also support an "attractive, vital, pedestrian-friendly city center," consideration could be given to requiring site improvements (sidewalks, landscaping, etc.) in exchange for redevelopment or expansion. Specific requirements, particularly frontage improvements, could be identified in the code to support a gradual improvement of the city's attractiveness from surrounding properties and SR-522. This might actually make Kenmore more appealing to future developers of other types of uses.

View Issues

Kenmore currently has no view standards except in the CB zone where certain approved height increases must maintain a view corridor for upland development.

The Downtown Plan supports maintaining views of the lake, and the Economic Development Strategy cites the waterfront as Kenmore's competitive advantage. The Strategy recommends using zoning to preserve public lake views.

In his presentation at the APA Conference (October 2011), urban designer Mark Hinshaw noted that even if a community can't have a physical connection to the waterfront, it can at least preserve views. Kenmore could consider a similar approach when considering building height limits along the north shore of Lake Washington.

Sustainability

A new focus in land use planning is "sustainability"—meeting the needs of the present without compromising the ability of future generations to meet their own needs. A sustainable community generally means a healthy community built on a "three-legged stool" of economic vitality, environmental quality, and social equity (fairness).

In a fourth quarter 2010 national research survey completed by Harris Interactive with funding provided by the Ford Foundation, 79% of respondents were in favor of "sustainable communities"—defined as "an urban, suburban, or rural community that has more housing and transportation choices, is closer to jobs, shops or schools, is more energy independent, and helps protect clean air and water."

Measures of sustainability include such things as programs for pollution prevention, brownfield redevelopment, critical areas protection, locations with reduced auto dependence and walkable streets, housing and jobs proximity, an effective public transit system, low-impact development, and a green building program. Most measures of sustainability lead to the same broad vision: a mixed-use, pedestrian-friendly place, protective of the environment and with a diversity of jobs and housing types.

Improving Kenmore's sustainability could include consideration of more jobs for residents, improved access to transit, diversity of housing opportunities, a focus on green building, and continued environmental protection.

Zoning Considerations

Approaches to commercial zoning could include continued reliance on the chart of permitted, conditional and prohibited uses, or could consider such new approaches as developing more flexible performance-based zoning or a more concentrated focus on development agreements or master plans.

The Urban Land Institute (ULI) explains that "traditional zoning relies on the segregation of uses (a place for everything and everything in its place). However this approach does not always work and may limit options if neighboring uses can be designed to accommodate each other." With flexible or performance based standards, "regulation of land uses is based not on use categories determined at the time zoning ordinances are adopted but on their actual physical characteristics and functions - their 'performance' - measured against predetermined criteria and standards. Performance standards can include traffic generation, noise, lighting levels, stormwater runoff, loss of wildlife or vegetation, or even architectural style. Theoretically, in a regulatory system based solely on performance standards, any use could locate adjacent to any other use, provided that it could satisfy the criteria and standards contained in the ordinance. Questions of potential uses are wide open, whereas site planning, building design, and facility operation, among other factors, may be strictly controlled. Only a few regulatory systems even approach such flexibility. Nevertheless, virtually all contemporary zoning codes contain, to varying degrees of 'purity', elements of performance standards."

In 1995, the state legislature authorized "development agreements" in RCW 36.70B.170 – .210. These statutes place some restrictions and requirements on local government use of development agreements, and they apply to any new agreements or contracts related to rezones (Municipal Research Services Center). A development agreement (such as the one used for Kenmore Village) is a site-specific, negotiated document that outlines all facets of a development—permitted uses and site standards. The agreement can be authorized only after a public hearing. Master plans achieve a similar end, but may be more conceptual in nature and typically do not include all of the specifics of a development agreement. Using these kinds of tools allows the city to consider developments "outside the box" of regular zoning with a corollary ability to negotiate important development requirements. The tradeoff is the upfront investment in process made by the developer.

Flexible, performance-based zoning, or code requirements for master plans or development agreements, could be used in some commercial areas of the city to move away from use restrictions and toward a more general discussion of land use compatibility. This approach could be helpful as the city ultimately does not know what types of uses will want to locate here in the future.

<u>Themes</u>

Reviewing the information on existing conditions and future trends presented in this paper, some overarching themes can be identified:

- The fundamental vision of the city's Comprehensive Plan is consistent with future trends. Both the plan and the preferred economic development strategy provide continued support for mixed land uses, with a pedestrian and transit orientation.

- The city's current commercial zones need adjustment. Uses are too specific, there are inconsistencies between zoning districts, and there are too many overlapping layers of regulation.

- Jobs for the Kenmore residents of the future are likely to be in:

    - ❖ professional, scientific and technical occupations, either in office settings (including medical offices) or as home occupations;

- ❖ service occupations, particularly related to health care (nurses and aides, for example);
- ❖ light manufacturing associated with clean tech; and
- ❖ entertainment, recreation and food and drink services.

- The area zoned for retail in Kenmore may be too extensive. Revisiting permitted land uses along the SR-522 corridor to begin retrofitting the strip commercial corridor may have beneficial results.
- The city may wish to consider allowing horizontal rather than requiring vertical mixed use in commercial zones.
- Height limits may need to be increased, both for multifamily development and office development.
- Incentives for retail/restaurant development along the Burke Gilman Trail could be developed.
- Multifamily development should be encouraged in the city's commercial zones at higher densities than presently allowed.
- A conditional use permit for light manufacturing in the RB zone may not be necessary. It might be helpful to identify performance/size standards for light manufacturing uses rather than listing specific permitted/prohibited uses in the zone, to support new technologies.
- "Existing legal uses" could be required to provide a more attractive face for the community in exchange for redevelopment or expansion.
- Views of, and access to, the waterfront are important assets for Kenmore.

Conclusion

The significant adjustments to the city's commercial zones explored in this working paper (reducing land zoned for retail use, allowing a mix of smaller-scale office and light manufacturing uses to support clean tech, and increasing allowable multifamily densities, for example) would require consideration of Comprehensive Plan amendments to address zone purposes and densities and, possibly, to revise the Comprehensive Plan Land Use Map. Although regulatory changes to address some of the themes identified in this paper are possible, without amendments to the Comprehensive Plan, the potential scope of the changes is constrained.

Attachments
Attachment 1: Comparison of Code Standards, NB, CB, DC and RB Zones
Attachment 2: Table of Comparative Uses

Attachment 3: Active P-Suffixes
Attachment 4: Map of Existing Business Types
Attachment 5: Map of Vacant, Redevelopable or Pipeline Properties
Attachment 6: Proposed Transit Oriented District (TOD) Map

Attachment 1

COMPARISON OF CODE STANDARDS
NB, CB, DC AND RB ZONES

	Neighborhood Business (NB)	Community Business (CB)	Downtown Commercial (DC)	Regional Business (RB)
Intent	To provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties and to provide for limited residential development. Non-residential uses should serve the everyday needs of the surrounding residential area. Mixed use and townhouse development allowed. Industrial and community/ regional business-scaled uses excluded.	Pedestrian –friendly, mixed use development that both supports larger mixed use and commercial areas with its residential development and provides small-scale retail, office and personal services for the local community. Not appropriate for extensive outdoor storage or auto-related uses.	Mix of private and public uses designed to create a small-town feel, and pedestrian-friendly environment. Permitted uses emphasize mixed or multiple use developments, and include high-density housing, civic and governmental offices, small-scale commercial and retail, and locally oriented professional and personal services.	Provide for the broadest mix of comparison retail, wholesale, service and recreational/cultural land uses with compatible storage and fabrication uses, serving regional market areas and offering significant employment opportunities. Compact higher-density development that is supportive of transit encouraged. Outdoor sales and storage allowed.
Density	8 to 12 dwelling units/acre	18 to 36 dwelling units/acre	36 to 72 dwelling units/acre	36 to 48 dwelling units/acre in mixed use
Setbacks	Street: 10' Interior: 0' to 20'	Street: 0' to 10' Interior: 0' to 15'	Street: 0' to 10' Interior: 0' to 20'	Street: 10' Interior: 0' to 20'
Height	Standalone uses except townhouses: 35' to 75'. Mixed uses and townhouses: 45' to unlimited.	35'	Standalone uses: 35'. Mixed uses: 65'.	Standalone uses: 35' to 75'. Mixed uses: 65' to unlimited.

	Neighborhood Business (NB)	Community Business (CB)	Downtown Commercial (DC)	Regional Business (RB)
Maximum Impervious Surface	85%	90%	90%	90%
Design Standards	Not applicable.	The CB zone is congruent with the Design Standard 3 area.	The DC zone is in the Design Standard 1 area.	The RB zone is in the Design Standard 1 and Design Standard 2 areas.

Attachment 2

TABLE OF COMPARATIVE USES

P = Permitted Use (allowed outright)
C = Conditional Use (public comment period; decision by director; appealable to hearing examiner)
S = Special Use (public hearing; decision by hearing examiner; appealable to court)
X = Prohibited
No entry in cell = Not addressed in the zone

ZONING DISTRICT:	NB	CB	DC	RB
Adult Entertainment Business	X	X	P	P
Agricultural Product Sales	X			X
Airport	S			S
Aircraft, Ship and Boat Building				X
Amusement Arcade	X			P
Amusement Park	X			C
Amusement and Recreation Services	X			P
Apartment	P			
Apparel and Accessory Stores	X			
Apparel and Other Textile Products Manufacture				C
Arboretum	P			P
Artist Studios	P	P	P	P
Arts and Crafts Schools/Studios		P	P	
Auction House	X		P existing	
Auto Supply Stores	X	X	P	
Automotive Parking	P			
Automotive Rental and Leasing	X	X		
Automotive Rental and Leasing, Accessory			P	
Automotive Rental and Leasing, New, Nonaccessory			X	
Automotive Repair	P	X	P existing	P
Automotive Repair, Accessory			P	
Automotive Repair, New, Nonaccessory			X	
Automotive Service	P	X	P existing	P
Automotive Service, Accessory			P	
Automotive Service, New, Nonaccessory			X	
Bed and Breakfast Guesthouse	P	P	P	C
Book, Stationery, Video & Art Supply Stores	P			
Bowling Center	X			P
Building, Hardware and Garden Materials Stores	P			
Bulk Retail	X	X	X	
Campground	X			X
Car Wash		X		
Car Wash, Accessory			P	

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ZONING DISTRICT:	NB	CB	DC	RB
Car Wash, Nonaccessory			X	
Cemetery, Columbarium or Mausoleum	P			P, C
Chemicals and Allied Products Manufacture				X
Church, Synagogue, Mosque, Temple	P			P
City Government Facilities and Offices		C	P	
College/University	P, C, S	C	C	P
Commercial/Industrial Accessory Uses	P			
Communication Facility	C, S			P
Communication Facility, Major		C	C	
Communication Facility, Minor		C	C	
Communication Office	X			
Community Residential Facility I and II	P	C	C	P
Commuter Parking Lot	P			
Computer and Office Equipment Manufacture				C
Conference Center	P	C	P	P
Construction and Trade	X	X	X	
Court	X			
Cultural Facilities		C	P	
Day Care I and II	P	P	P	P
Department and Variety Stores	P			
Designated Manufactured Home	X			X
Destination Resort	X			C
Dormitory	X			X
Drive-Through Service		X	P	
Drug Stores	P			
Drycleaning Plants	X			X
Earth Station	P, C			P
Eating and Drinking Places	P	P	P	
Electronic and Other Electric Equipment Manufacture				C
Elementary School	X			X
Energy Resource Recovery Facility	S			S
Fabric Shops	X			
Fabricated Metal Products				X
Fairground	X			S
Family Child-Care Home	X	P		X

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ZONING DISTRICT:	NB	CB	DC	RB
Farm Product Warehousing, Refrigeration and Storage	X			X
Fire Facility	P	C	C	
Florist Shops	P			
Food and Kindred Products Manufacture				C
Food Stores	P			
Forest Product Sales	X			
Freight and Cargo Service	X			
Fuel Dealers	X			
Funeral Home/Crematory	X			P
Furniture and Fixtures Manufacture				C
Furniture and Home Furnishings Stores	X			
Gasoline Service Station	P		P existing; X new	
General Business Service	P	P	P	
General Personal Service	P			P
Golf Course Facility	X			
Golf Facility				X
Government/Business Services Land Uses, Except Warehousing and Wholesale Trade; Farm Product Warehousing; Refrigeration and Storage; Log Storage; Transportation Service; Heavy Equipment and Truck Repair; and Helistop				P
Guided Missile and Space Vehicle Manufacture				X
Heavy Equipment and Truck Repair	X			X
Heavy Machinery and Equipment Manufacture				X
Heliport	S			S
Helistop	C	X	C	C
Hobby, Toy, Game Shops	P			
Home Industry	X			X
Home Occupation	P	P	P	P
Hospital	X	X	C	P
Hotel	X	X	P	P
Hydroelectric Generation Facility	X			X
Individual Transportation and Taxi	X			
Indoor Storage		X	X	
Industrial and Commercial Machinery Manufacture				X

VIIID. Commercial Zoning Project Introduction & Discussion -
Debbie Bent, Community Development Director

Attachment 2

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X = Prohibited
No entry in cell = Not addressed in the zone

ZONING DISTRICT:	NB	CB	DC	RB
Industrial Launderers	X			X
Interim Recycling Facility	P	X	X	P
Jail	S			S
Jail Farm/Camp	X			X
Jewelry Stores	X			
K-12 Educational Institution (Public or Private)		C	C	
Kennel or Cattery	X			P
Landfill	S			S
Leather and Leather Goods Manufacture				C
Library	P			P
Liquor Stores	X			
Livestock Sales	X			X
Log Storage	X			X
Manufacturing		X	X	
Manufacturing Land Uses, Except Printing and Publishing	X			
Marina	P			P
Measuring and Controlling Instruments Manufacture				C
Medical/Dental Lab	X	C	C	P
Medical/Dental Office/Outpatient Clinic	P	P	P	P
Middle/Junior High School	X			X
Miscellaneous Equipment Rental	X			
Miscellaneous Health Services	X			P
Miscellaneous Light Manufacturing				P, C
Miscellaneous Repair	X			P
Miscellaneous Transportation Vehicles Manufacture				X
Mobile Food Vendor		X	P	
Mobile Home and Manufactured Home	X			X
Mobile Home Park	X	X		X
Monuments, Tombstones and Gravestones Sales	X			
Motel	X	X	X	P
Motor Vehicle and Bicycle Manufacturing				X
Motor Vehicle and Boat Dealers	X	X		
Motor Vehicle and Boat Dealers, Accessory			P	
Motor Vehicle and Boat Dealers, Nonaccessory			X	

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No entry in cell = Not addressed in the zone

ZONING DISTRICT:	NB	CB	DC	RB
Movie Production/Distribution				P
Multiple Family Dwelling		P	P	P
Municipal Water Production	S			S
Museum	P			P
Nonhydroelectric Generation Facility	C, S			C, S
Nursing and Personal Care Facilities	X	C	X	P
Off-Site Services			P	
Oil and Gas Extraction	S			S
Organization Hotel/Lodging Houses	X			P
Outdoor Advertising Service	X			
Outdoor Performance Center	X	X	P	S
Outdoor Retail Display/Sidewalk Sale		X	P	
Outdoor Storage		X	X	
Paper and Allied Products Manufacture				X
Park	P	P	P	P
Parking: Commuter Parking Lot or Structure, Off-Street Required Parking Lot or Structure			P	
Passenger Transportation Service	X			
Personal Medical Supply Stores	X			
Pet Shops	P			
Petroleum Refining and Related Industries				X
Photographic and Electronic Shops	P			
Police Facility	P	C	C	
Primary Metal Industries				X
Printing and Publishing	P			P, C
Private Stormwater Management Facility	P	P	P	
Professional Office	P	P	P	
Professional Sports Teams/Promoters	X			
Public Agency Animal Control Facility	X			S
Public Agency Archives	X			
Public Agency Training Facility	X			S
Public Agency or Utility Office	P			
Public Agency or Utility Office: Non-city		C	C	
Public Agency or Utility Yard	X			
Racetrack	S			S
Railroad Equipment Manufacture				X
Recreational Facilities, Indoor		C	P	

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ZONING DISTRICT:	NB	CB	DC	RB
Recreational Facilities, Outdoor		X	X	
Recreational Vehicle Park	X			X
Religious Institutions: Church, Synagogue, Mosque, Temple		C	C	
Rental Services, No Outside Storage		P	P	
Rental Services With Outside Storage		X	X	
Research, Development and Testing	X			
Residential Accessory Uses	P			P
Resource Land Uses	X			X
Retail Land Uses				P
Retail Sales, Indoor		P	P	
Retail Sales, Outdoor		X	X	
Rubber and Miscellaneous Plastic Products Manufacture				X
School Bus Base	S			S
School District Support Facility	C			P
Secondary or High School	X			C
Secure Community Transition Facilities	S			S
Self-Service Storage	X	X	X	
Senior Citizen Assisted Living	P			P
Services, Off-site		C		
Services, On-site		P	P	
Shooting Range	X			C
Single Detached Dwelling Unit	X	P existing; X new		X
Social Services	P			P
Social Services, Correctional		X	C	
Social Services, Noncorrectional		C	P	
Soil Recycling Facility	X			X
Specialized Instruction School	P	C	C	P
Sporting Goods and Related Stores	X			
Sports Club	C			P
Stable	X			X
Stadium/Arena	X			S
Stone, Clay, Glass and Concrete Products Manufacture				P
Taxi Stand		X	P	
Telegraph and Other Communications	X			

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No entry in cell = Not addressed in the zone

ZONING DISTRICT:	NB	CB	DC	RB
Textile Mill Products				X
Theater	X	X	P	P
Theater, Drive-in	X			C
Theatrical Production Services	X	X	P	P
Tire Retreading				C
Tow Truck Operation/Auto Impoundment Yard			X	
Tow Truck Operation/Auto Yard		X		
Townhouse	P			
Trail	P	P	P	P
Transfer Station	S			S
Transit Bus Base	S			S
Transit Center		X	P	
Transportation Service	X			X
Trucking and Courier Service	X	X	X	
Used Goods: Antiques/Secondhand Shops	X			
Utility Facility	P	C	C	
Vactor Waste Receiving Facility	P			
Vehicle Auction			P existing	
Veterinary Clinic	P			P
Veterinary Office/Clinic		C	P	
Vocational School	X	C	C	P
Warehousing and Wholesale Trade	X	X	X	X
Wastewater Treatment Facility	S			S
Winery/Brewery				C
Wood Products Manufacture, Except Furniture				C
Work Release Facility	S			S
Zoo/Wildlife Exhibit	X			S

Attachment 3

King County

NS-P01: Kenmore and Woodinville Right-of-Way Dedication and Roadway Improvements

Effective: August 18, 1997

Description

Kenmore and Woodinville Right-of-Way Dedication and Roadway Improvements

Development Condition Text

Kenmore and Woodinville Right-of-Way Dedication and Roadway Improvements (Source: Northshore Community Plan Update and Area Zoning, pp. 233-234)

To implement policy T-16, the following P-suffix condition applies:

Development and land use permits on tax lots 005 and 0079, in STR 11-26-4, tax lots 0457, 0453, 0451, 0423, 0425, 0606, 0663, 0480 and 0475 in STR 12-26-4, and tax lots 0046, 0078 and 0167 in STR 1-26-4 shall meet the following P-suffix condition:

The development shall dedicate and build NE 185th Street to collector arterial standards on the property frontage.

Ordinance

12824

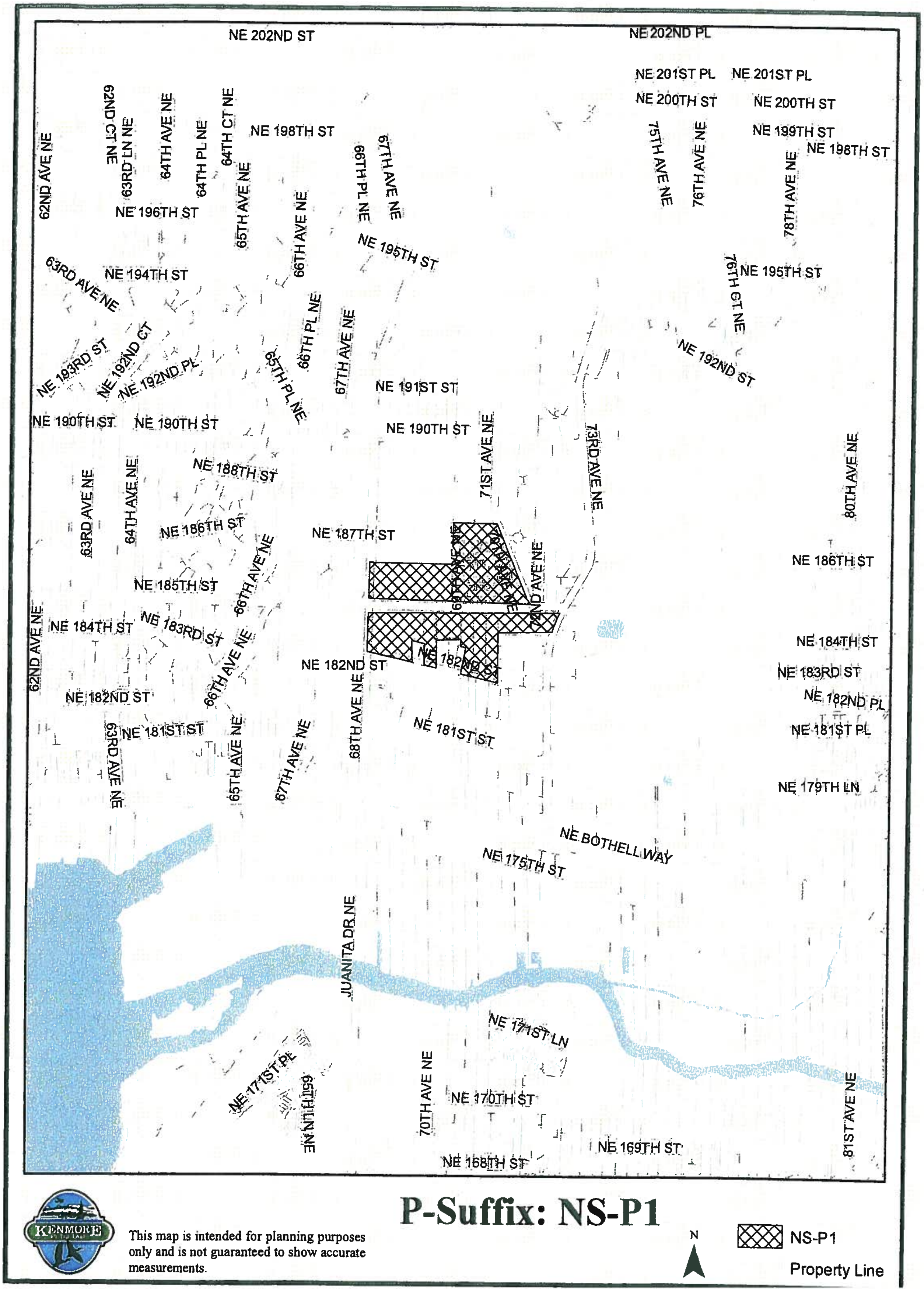
Effective Date

August 18, 1997

Changes

N/A

View Map(s) for NS-P1. *(Click on a map name in the list)*



VIIID. Commercial Zoning Project Introduction & Discussion - Debbie Bent, Community Development Director

King County

NS-P04: Mixed-Use Pedestrian Oriented Area

Effective: August 18, 1997

Description

Mixed-Use Pedestrian Oriented Area

Development Condition Text

Mixed Use Pedestrian Oriented Area (Source: Northshore Community Plan Update and Area Zoning, pp. 241-254 and as amended by Ordinance 11653)

To implement policies CI 4 , K 2 and K 12, special conditions are attached to the property known as the Kenmore Pre Mix site. The discussion and mitigation below applies specifically to the Pre Mix site.

The Mixed Use District is intended to be a pedestrian oriented place, where residents and visitors can enjoy an "urban village" extension of Kenmore. The design of the Mixed Use District is intended to integrate different land uses and activities and minimize the conflicts between vehicles, pedestrians and cyclists. It includes a new "pedestrian street" that will connect the new Lakepointe Drive to the waterfront park. Shops and dining establishments will front the street, with residences above.

The Mixed Use District will provide almost a mile of Lake Washington and Sammamish River channel shoreline public access. A waterfront promenade will be developed for pedestrian use along the existing barge basin, and will include trees, benches, public viewpoints, walking paths and sidewalk cafes. The promenade will lead to a new public waterfront park at the end of the peninsula with a special public gathering place for musical events and other occasions. The park will have unobstructed views down Lake Washington available to residents of the Kenmore community.

Pedestrian improvements will include a new public shoreline park along the Sammamish River channel, which will incorporate a shoreline/wildlife interpretive trail and bike path. Townhouse style homes will be set back from the shoreline to allow for enhancement of this new natural area. The shoreline/wildlife interpretive trail will lead to a new public community shoreline park with public restrooms and a trailhead interpretive center.

Mixed business residential use is recognized as a viable use in the long term for the Kenmore Pre-Mix site. However, any development in this area requires mitigation of environmental impacts. Therefore, a site-specific mitigation program is incorporated in the P-Suffix conditions for this area. The objective of this mitigation plan is to ensure that all impacts of the proposed development are mitigated.

SR-522 in Kenmore is recognized to be at "ultimate design." Roads that are at ultimate design cannot be widened without significant destruction of existing development and potential environmental damage because the land around the roadway is already developed and/or contains natural features. King County recognizes that while some improvement to adjacent roadways is possible, congestion below County thresholds is likely to continue on SR 522. The level of acceptability cannot be based on current County standards due to the ultimate design characteristics of the SR-522 roadway described above.

The King County Department of Public Works has identified transportation improvements which will facilitate traffic flow in Kenmore. Transit improvements have also been identified. The transportation P suffix conditions in this package identify ways to mitigate transportation impacts as a result of mixed use development on the Pre Mix site.

The following p suffix conditions apply to the Pre Mix site:

1._Permitted Uses

_Permitted uses shall include those uses permitted in the various zones within the Pre-mix site, except the following:

_a._Gasoline service stations

_b._Drive through restaurants

_c._Retail nurseries

_d._Car washes

_e._Stores with outdoor storage

_f._Single retail tenants with a gross floor area in excess of 65,000 square feet

_For properties in the Neighborhood Commercial, Waterfront, and Waterfront Extension Subdistricts (described below), the location of residential dwelling units shall be prohibited on the ground floor, and retail and service uses are encouraged on the ground floor. Other ground floor uses (including parking) may be permitted when designed so as to be compatible with the pedestrian orientation of the development.

2._Building Development

_Orientation to Pedestrian Street

_For properties with frontage on the primary pedestrian street the following building setback requirements shall apply:

__Street Setback: maximum of 5 feet; larger setbacks shall be allowed if arcades, street side outdoor cafes, patios, parks, plazas, or other public spaces are provided along the street.

__For properties with frontage on the primary pedestrian street, the primary ground floor building entrance should orient to either the street or public spaces such as plazas, arcades, and parks.

_For development located on the primary pedestrian street, a minimum of 75% of the street shall be fronted by buildings at grade. A minimum of 50% of the buildings on the street shall be fronted by retail or service uses.

_Public pedestrian access to the waterfront located at the rear of buildings located on the primary pedestrian street shall be provided a minimum of every 300 feet of street frontage.

_Street Facade Requirements

_The building street facade of ground floor retail and service uses that front the primary pedestrian street shall include windows and overhead protection. The use of blank walls without facade ornamentation is not permitted along the primary pedestrian street.

_Building materials such as concrete, brick, masonry, glass, tile, stone, metal, or wood are required on the building street facade. Sheer, uninterrupted glass curtain walls, all mirrored glass and cinderblocks are not permitted on the building street facade along the primary pedestrian street.

_Height

_Maximum heights shall be 92 feet in the northern and central portions of the mixed use development area. A 45-foot height limit shall apply to all development within 100 feet of the channelized edge of the Lake Washington shoreline. The boundary of the channelized edge shall extend to the inner harbor line. A 35-foot height limit shall apply to all development within the first 200 feet, and a 45-foot height limit to all development within the next 100 feet of the Sammamish River shoreline edge and the Lake Washington shoreline edge that is not channelized.

_Street Frontage

_The frontage of Lakepointe Drive shall be designed as to be attractive to passing road users and to screen surface parking adjacent to the roadway. For example, parking areas fronting on Lakepointe Drive should be screened either by bermed landscaping or buildings. Street trees shall be provided along Lakepointe Drive.

3._Parking

_Amount and Location

_At full build out, off street parking shall be no greater than one space for every 400 square feet of floor area in the waterfront, waterfront extension, and residential subdistricts; provided that during initial phases of development, off street parking standards may be exceeded in anticipation of future development.

_In the Neighborhood Commercial subdistrict, minimum parking requirements for office, retail and commercial uses shall be one space for every 300 square feet of public area.

_Surface parking shall be located to the greatest degree possible in the rear of buildings that front the primary pedestrian street. Any parking which cannot be accommodated in the rear of the building may be provided on the side of the building.

_At full build-out, on-site surface parking shall consume a maximum of 50% of the total site area in the Neighborhood Commercial subdistrict, and 25% of the total site area in the Waterfront, Waterfront Extension, and Residential subdistricts. The remaining off street parking requirements shall be accommodated using one or a combination of the following:

__On site parking structure

__On street parking spaces

__Off site common parking facility

_At full build out, 75% of the parking in the Waterfront, Waterfront Extension, and Residential subdistricts shall be provided in structures or on street.

_In the Neighborhood Commercial subdistrict of the Pre Mix site, a maximum of 60 parking stalls are permitted in any one surface parking lot. At a minimum, parking lots must be separated by buildings, streets, or 12 feet of Type II landscaping.

_Design

_All parking areas that front sidewalks (except along Lakepointe Drive) shall be screened by a streetwall and landscaping.

_Retail uses shall be provided on the first floor of the street side edges of parking structures.

4._Transit and Transportation Circulation

_Mitigation for development of the Pre Mix site should emphasize enhancement of transit and non vehicular use and improvement of local access and circulation within the Kenmore area. Therefore, mitigating conditions (as specified in paragraph 14 below) include dedication and construction of Lakepointe Drive, signalization of the intersection of this road with 68th Avenue and with SR 522, dedication and improvement of a transit stop on SR 522, contribution to development of a pedestrian bridge crossing SR 522, construction of a pedestrian street, provision of commuter parking, the construction of Lakepointe Drive and improvements to a new intersection at 65th Avenue NE, and development and enforcement of a transportation management plan on site.

_Fair share participation in applicable projects listed in the current Mitigation Payment System Program, as well as contribution towards other transportation projects identified through the Master Plan and development plan approval process.

_Furthermore, the requirement that residential development occur throughout the various phases of development of the Pre Mix site will ensure that transit and transportation linkages occur from the very beginning of development.

5._Pedestrian and Bicycle Circulation

_Design of the Mixed Use District shall emphasize public pedestrian access and linkages to the transit facilities and adjacent sites. This includes contribution to development of a pedestrian bridge across SR 522, as specified in Condition 14 below, if approved by King County and WSDOT. Required primary public pedestrian and bicycle routes are shown on Map B (Northshore Community Plan Update and Area Zoning, p. 256). Other, minor pedestrian routes shall be identified through the Master Planning and building permit review processes.

_All pedestrian walkways and connections, including shoreline pedestrian routes, shall be accessible and open to the general public. Public vehicular access may be limited to the Residential area. Pedestrian access within the Residential area shall be limited to two public access corridors across the subdistrict.

_Bicycle and pedestrian linkages to the Burke Gilman Trail, and to the transit stop required as part of Condition 14 below, shall be provided. See Map B (Northshore Community Plan Update and Area Zoning, p. 256). Location of these linkages is subject to the review and approval of King County.

_Bicycle parking facilities shall be provided at all major public destination points.

6._Landscaping and Public Amenities

_All properties that front the pedestrian street must provide sidewalk landscaping and other amenities (street furniture, street trees, and special lighting).

_20% of the entire mixed use development shall be designated as public open space for the general public. Major public activity nodes are identified on Map B (Northshore Community Plan Update and Area Zoning, p. 256). A public gathering place which accommodates a minimum of 50 people shall be provided on the site. See Map F and G (Northshore Community Plan Update and Area Zoning, pp. 260-1). These public open space areas shall be easily accessible to the pedestrian, and shall be considered in the pedestrian circulation plan. Waterfront access areas, public parks and sensitive area buffers may be utilized to calculate the 20% requirement. Internal pedestrian walkways, public streets, and private open space areas shall not be utilized to calculate the 20% requirement. Public access shall be provided around the entire waterfront edge of the site, See Map B (Northshore Community Plan Update and Area Zoning, p. 256).

_Street trees shall be provided in all roads constructed with the development. .

7._Vehicular Access and Circulation

_Driveways on the primary pedestrian street shall be limited to an average of one for every two hundred lineal feet.

_The on site vehicular circulation system shall contribute to pedestrian movement and safety by including all of the following items that are feasible, considering the overall design of the development:

· Pedestrian crosswalks at key crossing areas

· Signage that clearly communicate the location of vehicular and pedestrian zones

· Designated passenger drop off areas

· Parking on interior roads, to slow down vehicular traffic

· The primary pedestrian street shall be built in the Waterfront subdistrict. Location of this pedestrian route as shown in Map B is conceptual. Actual location may vary based on road and signalization design. The street shall be built to the general specifications of the illustrative street section in Map C and Map D (Northshore Community Plan Update and Area Zoning, p. 257-8)

8._Public Viewpoints

_Public viewpoints, linked with the pedestrian routes, shall be provided. Public viewpoints shall provide views of the Sammamish River and Lake Washington. See Maps B, E, F and G (Northshore Community Plan Update and Area Zoning, p. 256-261). Public viewpoints shall be integrated into the pedestrian plan for the site and shall be easily accessible to the public. Development of the public viewpoint areas shall include pedestrian amenities such as seating and signage.

9._Shoreline Enhancement

_The shoreline edge of the Sammamish River and Lake Washington shall be improved to enhance water quality and wildlife and marine habitat. A wetland and riparian enhancement plan subject to the review and approval of King County, shall be performed by a qualified wetland biologist. Setbacks shall be subject to the King County Sensitive Areas Ordinance and the Shoreline Master Program with a minimum 100-foot setback for structures from the river's edge. Buffer averaging may require off site mitigation, to be determined in the Master Plan process. No disturbance of the Sensitive Areas Ordinance required buffers is permitted, except at minimum 300 foot intervals, wildlife viewing trails extending into the buffer may be allowed if no significant impact to the wildlife and marine habitat is anticipated to occur. The use of moorage developed in the barge channel shall be limited to private use. Public moorage shall be provided, if feasible, on the Lake Washington frontage of the site, subject to approval under the King County Sensitive Areas Ordinance, the Shoreline Master program and other agencies with jurisdiction. Approval of all water moorage is subject to mitigation of marine/air conflicts. A special study shall be performed to determine if boat moorage will have a negative impact on salmon runs entering the Sammamish River or feeding at the River mouth. If it is found that moorage and associated boat traffic may have an impact, boat moorage shall not be provided.

10._Affordable Housing.

_Affordable housing units amounting to 10% of the total number of units in the development shall be provided. Compliance with this requirement shall be required (a) upon occupancy of the first 400 units at the Pre Mix site, and (b) thereafter, upon the completion of each additional 260 residential units at the site. Compliance may be achieved through construction of affordable units or provision of adequate security to the County to ensure their future development. The affordable units need not be provided within the development, but must be provided within the Northshore planning area. Units may be either rented or sold. Affordable housing shall be calculated as follows: Rented units shall be provided only to households earning less than 50% of the median income. Monthly rents shall be no greater than 30% of the monthly income from households earning 50% of the median income. Sold units shall be sold to first time buyers (i.e. person not having owned a home in the past three years) earning less than 80%

of the median income. Home prices shall be Affordable based on FHA lending standards. Covenants shall be established which guarantee the fulfillment of this obligation.

11._Residential Density.

_Residential density at full build out shall be calculated at the following levels per acre for the gross land area of each subdistrict in the development:

________Minimum_Maximum_Neighborhood Commercial____12 du/ac_ 48 du/ac

_Waterfront & Waterfront Extension___12 du/ac_24 du/ac

_Residential______24 du/ac_48 du/ac

_Residential uses in the mixed use area shall not exceed 75% and shall not fall below 50% of the total built floor area of the development at full build out. Where feasible, buildings with non residential uses (in particular, large buildings), shall include residential uses as well. A minimum of 25% of total floor area of each phase of development shall be residential.

12._Hazardous Waste Removal

_Prior to any development, the applicant shall conduct additional environmental assessment as specified by King County and, if contamination is found, shall prepare a remediation plan and schedule acceptable to the King County Executive Branch. Prior to development of any phase of the project, contamination (if any) on the portion of the site to be developed in that phase shall be remediated in accordance with the remediation plan and all legal requirements. The remainder of the site shall be cleaned up on accordance with the remediation schedule.

13._Fair Share Mitigation.

_In applying the above conditions on individual properties, mitigation shall be at a reasonable level related to each proposed development.

14._Phasing Requirements

_The approved Master Site Plan for and all approvals for development of phases of the Pre Mix site, shall satisfy the following requirements for phasing, provision of mitigation, and development by subdistrict.

_a._Subdistrict Development. The Pre Mix site shall be divided into four subdistricts, as shown on Map A. The location of the subdistrict boundaries may vary somewhat from Map A; the final boundaries for each subdistrict will be determined in the master plan process. Development in each subdistrict is subject to all P Suffix conditions of the zone set forth above, as well as the subdistrict specific conditions described below and any mitigations identified through the Master Site Plan approval process. The Residential Subdistrict may overlap with the adjacent subdistricts for the purpose of distributing density across the site, as set forth under the approved Master Plan. This plan contemplates that ultimate development of the outright RB zoned portion of the Pre Mix site (not including the Waterfront Extension Subdistrict) will include approximately 1000 units of residential development and approximately 500,000 square feet of commercial (including approximately 250,000 square feet of office/professional service, and 250,000 square feet of retail and entertainment) development.

__(1)_Neighborhood Commercial (approximately 12 18 acres). This area will serve as the focus of neighborhood scale retail and commercial development, because of its proximity to road and transportation infrastructure. It may also include entertainment uses, and will incorporate residential development, though at a lower density than the remainder of the Mixed Use District. Where feasible, residential uses will be included in the same structure as retail and office uses. Some vertical integration of residential and retail/office uses shall occur in this area.

__(2)_Waterfront (approximately 10 14 acres). This subdistrict will emphasize pedestrian scale access and development, both at and near the channelized edge of the inner harbor. Development will be mixed use, with a higher density of residential than in the Neighborhood Commercial Subdistrict. Enjoyment of the urban shoreline environment and pedestrian connections throughout the site will be stressed.

__(3)_Residential (approximately 10 14 acres). The residential subdistrict will be the center of residential development on the site. This area will be linked to the neighboring commercial and waterfront subdistricts, as well as to the transit stop, by pedestrian corridors, bridges, and other linkages. Residential development will respect the natural shoreline of the Sammamish River, where public access will be provided.

__(4)_Waterfront Extension (approximately 4 8 acres). This future phase (potentially zoned RB P) will develop after the discontinuation of the existing industrial use.

_b._Phasing. There are no restrictions on when or where development may occur within the Pre Mix site, so, long as it is in accordance with the approved master plan.

_c._Mitigation Phasing Requirements. The purpose of identifying mitigation phasing requirements in the area zoning is to insure that adequate mitigation is in place for development of each portion of the mixed use development site. These requirements are designed to insure that most of the capital project roadway mitigations for the entire Pre Mix site shall occur at the beginning of development. Thus most of the roadway related capital infrastructure and amenities will be in place in connection with initial development to support full development of the Pre Mix site. Certificates of occupancy shall not be issued for a particular subdistrict until the mitigation requirements of that subdistrict have been satisfied or adequate security to ensure their satisfaction has been provided King County (unless these p suffix conditions or the approved Master Plan set forth a different timetable for completion of the mitigation).

__Mitigation provided under these conditions shall be credited where appropriate against mitigation requirements otherwise applicable to the project through the SEPA process or under County codes. The property owner may fund mitigation improvements based upon agreements for reimbursement of portions of such costs by public agencies or other benefited private parties.

__The intersection of SR 522 and 68th Avenue currently operates at LOS F. Significant mitigation of this intersection is not possible, and therefore mitigation for the development of the Pre Mix site must be directed to improving access and circulation in other ways. Satisfaction of the linkage requirements set forth below shall be construed as satisfying the County's concurrence and intersection standards for the overall project.

__(1)_Overall Project Mitigation. The following items shall be provided in connection with initial development of the Pre Mix site. Certificates of occupancy shall not be issued for development on the Pre Mix site until the following mitigation requirements have been satisfied or adequate security to ensure their satisfaction has been provided King County.

___(a)_Full signalization of the intersection of 68th Avenue and Lakepointe Drive (listed in the CIP), and intersection improvements to include a northbound left turn and left turn/pass through lanes on 68th Avenue but not including improvements to the 68th Avenue Bridge over the Sammamish River;

___(b)_Dedication of right of way adequate for a five lane principal arterial on site for Lakepointe Drive, connecting 68th Avenue to SR 522 at the northwest corner of the Pre Mix site;

___(c)_Construction of Lakepointe Drive on site in a five lane cross section with landscaped median within the dedicated right of way, connecting 68th Avenue to SR 522;

___(d)_Provide for signalization and reconfiguration of the intersection of SR 522 and Lakepointe Drive (listed in the CIP), once signal installation authority has been obtained from the State of Washington by King County;

___(e)_Provide for realignment of existing 175th Street with a grade separated crossing under Lakepointe Drive (listed in the CIP), as set forth in Map B(Northshore Community Plan p 256);

___(f)_Construction of two enhanced transit stops (to be listed in the CIP), which shall be located on the north and south side of SR 522 and north of the Burke Gilman Trail and shall include seating areas, weather protection, and specially designed landscaping and walkway surfaces. The transit stop may be in lane or pull out, and King County shall be responsible for land acquisition and for obtaining approvals for the transit stops;

___(g)_The developer shall be responsible for achieving SOV trip reduction for the project by providing 50 commuter parking stalls in a location accessible to the southern enhanced transit stop or by contributing its fair share to the construction of a new park and ride facility in the Kenmore area, as determined in the approved Transportation Management Plan.

___(h)_Payment of fair share mitigation fees, including those for a fair share contribution to the transit lane improvements planned on SR 522 with credit, if applicable, for the system improvements (e.g., Lakepointe Drive) constructed for the project;

___(i)_Pedestrian access from the developed area to the transit stop and the 68th Avenue/SR 522 intersection;

___(j)_Provision of other minor roadway improvements identified by the Master Plan, such as signal phasing, lane realignment, etc.;

___(k)_Provide a touchdown location on site for the proposed pedestrian bridge crossing SR 522;

___(l)_Provide for a grade separated connection for the Burke Gilman Trail under the to be constructed Lakepointe Drive, that is compatible with the design of the Burke Gilman Trail undercrossing at 68th Avenue. The Trail shall have a 12 foot clear height and project design shall seek to enhance linkages between the Trail and pedestrian routes in the project and reasonably to minimize grade change along the Trail. A curb-cut shall be provided on SR 522 east of 65th Avenue N.E. for access to a parking structure, and the Trail level portion of the parking structure shall include retail or pedestrian services or open space oriented to the Trail (subject to WSDOT approval);

___(m)_The developer shall provide cash incentives, such as transit subsidies, parking fees, or rent abatement for transit use, in residential leases, if called for under the approved transportation management plan;

___(n)_The developer shall maintain access on the existing 175th Street for the off site lots adjacent to the northeast corner of the project site, as long as the design and function of such access is acceptable to the owners of the off site lots and will not result in adverse impacts to the use of these lots;

___(o)_Development of shoreline enhancement, including public recreation and access areas on the Sammamish River shoreline of the

Mixed Use District. Development in the initial phase shall include parking, public restrooms, trailhead facilities, vehicle turnaround, public viewpoint, construction of shoreline interpretive trail, enhancement of the riparian edge of the Sammamish River, and provision of a public viewpoint;

___(p)_Prior to any development, the applicant shall conduct additional environmental assessment as specified by King County and, if contamination is found, shall prepare a remediation plan and schedule acceptable to the King County Executive Branch. Prior to development of any phase of the project, contamination (if any) on the portion of the site to be developed in that phase shall be remediated in accordance with the remediation plan and all legal requirements. The remainder of the site shall be cleaned up on accordance with the remediation schedule.

___(q)_The developer shall appoint an on site transportation coordinator, and provide cash incentives, such as transit subsidies, parking fees, or rent abatement for transit use, in residential leases in the residential subdistrict, if called for under the approved TMP. If alternative p-suffix conditions are utilized (see P-suffix condition 16.i.) the application shall include a mitigation plan which identifies both the actual cost and fair share cost of project mitigation;

__(2)_Neighborhood Commercial Subdistrict Mitigation. The requirements for the Neighborhood Commercial Subdistrict are satisfied with the initial phase development. Therefore, additional mitigation requirements are not set forth for further development in the neighborhood commercial subdistrict. Although single use commercial buildings are not prohibited in this subdistrict, residential and commercial uses in various structures should be integrated to the greatest degree possible, through the use of walkways and other functional connections between buildings. Further, the prohibition on ground floor residential units will encourage the inclusion of mixed uses in residential structures.

__(3)_Waterfront Subdistrict Mitigation. Additional mitigation requirements for the Waterfront Subdistrict, identified below, are focused on enhancing open space opportunities in this portion of the mixed use district and on emphasizing pedestrian connections within the development. Development shall satisfy the following criteria, in addition to the standards of the underlying zoning:

___(a)_The pedestrian street shall be constructed. See Maps C and D (Northshore Community Plan Update and Area Zoning, p. 257-8). Construction of the street shall be phased so that the street is constructed in conjunction with development of adjacent buildings. The pedestrian street shall be developed to County road standards as a business access street including two traffic lanes, two 8 foot parallel parking strips, and two 10 foot sidewalk areas.

___(b)_The harborside promenade shall be constructed. See Map E (Northshore Community Plan Update and Area Zoning, p. 259). Like the pedestrian street, the construction of the harborside promenade shall be phased to occur in conjunction with development of adjoining buildings. The harborside promenade shall be constructed as a 20 foot wide hard surfaced pedestrian walkway, beginning at the channelized edge, and shall include pedestrian features such as seating, landscaping, sidewalk cafes, and pedestrian amenities.

___(c)_Upon completion of the pedestrian street, a public parking area shall be developed at the southern end of the pedestrian street. The parking area shall provide parking for approximately 20 vehicles.

___(d)_A harborside viewpoint shall be constructed in conjunction with the harborside promenade, at a location identified in the approved master plan. See Map E (Northshore Community Plan Update and Area Zoning, p. 256).

___(e)_A lakeside viewpoint shall be developed at the southern end of the site, at a location identified in the approved master plan. Development of the lakeside view point shall occur upon completion of the pedestrian street. See Map B and F. (Northshore Community Plan Update and Area Zoning, p. 256 and 260)

___(f)_A public gathering place shall be developed at the southern end of the pedestrian street, adjacent to the lakeside viewpoint and in a location identified in the approved master plan. See Map F (Northshore Community Plan Update and Area Zoning, p. 260). The major public gathering place shall provide area for gathering of at least fifty people. It shall be developed upon completion of the pedestrian street.

__4._Residential Subdistrict Mitigation. Additional mitigation/linkage requirements for the residential subdistrict are geared toward enhancing pedestrian connections within the site, reducing reliance on single occupancy vehicles, and enhancing transit use. Development shall satisfy the following criteria, in addition to the standards of the underlying zoning:

___(a)_Internal pedestrian connections from the residential subdistrict to the transit stop shall be provided;

___(b)_A pedestrian bridge over SR 522 shall be provided (subject to WSDOT approval) when fair share funding for construction is available from sources other than the developer. The developer shall be required to pay its fair share toward the cost of the bridge;

___(c)_At build out of the Residential District, the developer shall provide a shuttle service to connect the development with the transit stop, if called for under the approved TMP;

__5._Waterfront Extension Stage Mitigation. Mitigation requirements for the waterfront extension stage are provided in connection with development of the other subdistricts. Therefore, additional mitigation requirements are not set forth for development in the Waterfront Extension Subdistrict. Development in this subdistrict may not proceed until mitigation for the overall development and Waterfront subdistrict have been provided.

15._Mixed Use Master Plan Submittal Requirements.

_Before development can occur, a Master Plan shall be completed and approved. The following requirements apply to the process for obtaining Master Plan approval for development of the Pre Mix site. The Master Plan application shall be subject to review and approval by DDES. The Master Plan application shall establish vehicular, pedestrian and open space connections within the entire development. These vehicular, pedestrian and open space connections and transportation mitigations shall be binding. Approval of the Master Plan shall assure:

_a._the Mixed Use development area in its entirety meets the goals, policies and criteria of the Northshore Community Plan;

_b._that there is adequate environmental review of the cumulative impacts of all mixed use development in Kenmore;

_c._that there is detailed project level review of environmental impacts of the phase or phases that comprise the development application;

_d._that there is adequate mitigation developed for the project level review;

_e._that specific criteria of the Northshore Area Zoning and these p suffix conditions are met;

_f._that each phase of development will adequately meet the expressed goals for the mixed use area, and adequately mitigate for its impacts at the time of development.

16._Required Elements for Master Plan and Final Development Applications:

_The following elements are required of the Master Plan applications in the mixed use development area. This application may include development approval for one or more phases of the entire mixed use area. The discussion of the following elements should be conceptual in nature in the preliminary master plan application, except for phases for which final development approval is sought.

_a._Environmental documents assessing project level impacts of the development. Appropriate mitigation necessary for site specific impacts should be identified.

_b._Housing units for all phases shall be identified by number and type for each phase including affordable housing requirements of item 10 of the area zoning. Any phase included in a final development application shall also identify location and value of housing units in that phase, if applicable.

_c._Retail/Commercial uses for all phases shall be identified by square footage per phase. Any phase included in a final development application shall also identify major tenant types and building locations in that phase.

_d._Office uses for all phases shall be identified by square footage. Any phase included in a final development application shall include building footprints and employment data for that phase.

_e._Public and private facility improvements shall be identified for the entire mixed use development area. Appropriate size or capacity, location, operational characteristics and relationship should be estimated or defined in further detail as defined in other sections of the mixed use requirements.

_f._Open space shall be identified for all phases and broken down by the amount per phase and type of facility. Specific improvements should be identified for the phase of a final development application.

_g._Vehicular circulation and access shall be identified for all phases. Any phase included in a final development application shall include locations of driveways and parking and a plan for internal circulation.

_h._A map and text identifying pedestrian and bicycle circulation through the entire Mixed Use Development Area is required. Major routes are identified on Map B (Northshore Community Plan p.256). Major pedestrian and bicycle connections identified by King County through the staff report shall be binding for subsequent building permits, unless revised. Detailed design of facilities within any phase applying for final development approval shall be included for that phase.

_i._P-suffix conditions for the Pre-Mix site are intended to be flexible to facilitate development of a pedestrian-oriented place. Alternative P-suffix conditions may be utilized where the Department deems such alternatives to be warranted based upon: 1) changed conditions relating to proposed project plans or capital improvements, including but not limited to transit plans, road alignments, or pedestrian connections; or 2) modified P-suffix conditions which would result in a development which has equal or greater overall environmental benefits. Alternative conditions may be approved by the Department only where the alternatives meet the goals and intent to both the P-suffix condition and the Northshore Plan.

__The application shall include a description of how the project conforms to the requirements of the P-suffix conditions, or if any alternative conditions are proposed, a description of how such alternative conditions are warranted under criteria set forth above.

_j._An agreement identifying timing and funding of public and private funding commitments for identified capital and transit improvements shall be prepared by King County. This agreement shall also include funding commitments necessary to mitigate impacts for the phase or phases proposed in the development application. The plan shall be consistent with the p suffix conditions. If the agreement proposes that the developer funds construction of improvements in excess of the developer's fair share, the agreement shall also include a plan that describes how such excess contributions can be recaptured from public or private sources and/or credited against mitigation required for development of future phases, including the waterfront extension district.

_k._A transportation management plan shall be created for the entire site to reduce single occupancy vehicle trips related to the project. Strategies to be considered shall include transit subsidies, parking fees, and rent abatement. Mitigations should not be required in excess of the project's overall fair share.

_l._King County shall be required to conduct SEPA review of the Master Plan. King County and the applicant have completed the transportation analysis for the project, and the transportation related p suffix conditions are based on this analysis and are intended to mitigate the impacts of the development. This transportation study will be incorporated in the SEPA review for this area zoning. Future SEPA review for the Master Plan and more specific elements of the project should rely on previously conducted analysis where appropriate and should be scoped so as to focus review on impact areas not previously reviewed.

17._Subsequent Applications

_The following elements are required of subsequent development applications within the mixed use development area:

_a._Developer shall make application to DDES for final development approval of portions of the site prior to actual construction. The application shall include the information identified in Section 16 above for final development plans and shall also include building elevations for review of mixed use and pedestrian-oriented requirements of these p-suffix conditions. The final development plan shall be approved if it is consistent with the Master Plan.

_b._Revisions to the Master Plan may be approved by King County in connection with future development of the site, as long as the revisions to the Master Plan conform to the goals and intent of the P suffix conditions and the Northshore Plan.

Ordinance

12824

Effective Date

August 18, 1997

Changes

N/A

View Map(s) for NS-P4. *(Click on a map name in the list)*

Note: *If there are more than one map listed below, there may be a map file ending with a* ***"_x"*** *which provides an index for the remainder of the maps.*

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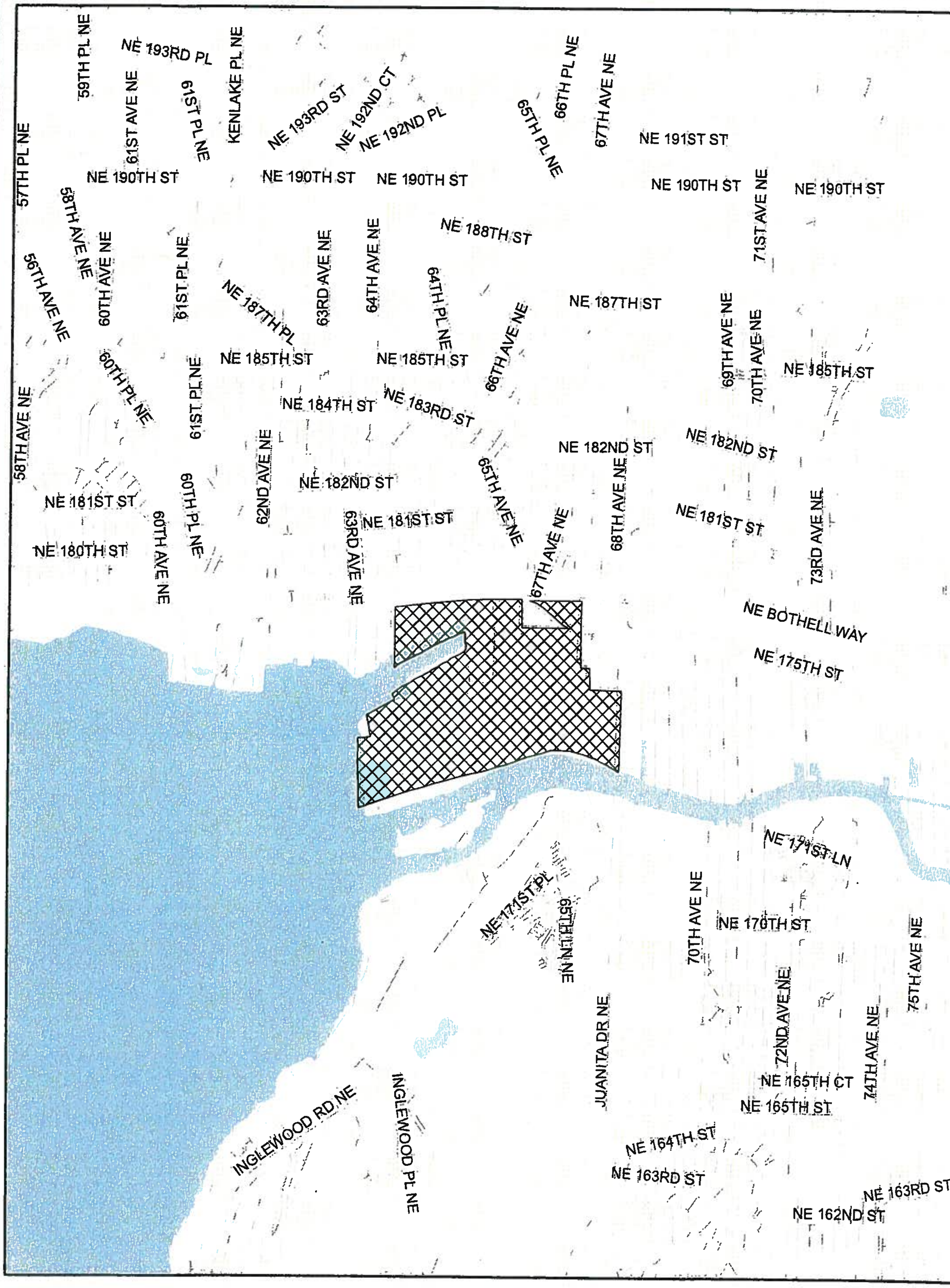

P-Suffix: NS-P4

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N

NS-P4

Property Line

VIIID. Commercial Zoning Project Introduction & Discussion - Debbie Bent, Community Development Director

King County

NS-P10: STR 11-26-4: TL 9001, 9137, 9020, 9165 STR 12-26-4: TL 416410-0310, 0305, 0300, 0295, 0290, 0285, 0275, 0270

Effective: August 18, 1997

Description

STR 11-26-4: TL 9001, 9137, 9020, 9165 STR 12-26-4: TL 416410-0310, 0305, 0300, 0295, 0290, 0285, 0275, 0270

Development Condition Text

STR 11-26-4: T.L. 9001, 9137, 9020, 9165

_STR 12-26-4: T.L. 416410-0310, 0305, 0300, 0295, 0290,

0285, 0280, 0275, 0270 (Source: Northshore Community Plan Update and Area Zoning, p. 271)

No retail uses are permitted with the exception of the sale of forest products and other building materials. Office uses shall be allowed only as required in support of industrial wholesale and permitted retail operations on the site. Personnel service uses such as banks, service stations, hotels, restaurants and mini-warehouses are not permitted. Residential uses are not permitted (applies only to the I-P and RB-P zones of these properties).

A. These use limits shall apply for STR 11-26-4: T.L. 9001, 9137, 9020, 9165 until such time as a Commercial Site Development permit (in conjunction with an approved Master Plan per the requirements of NS-P4) is approved.

B. These use limits shall apply for STR 12-26-4: T.L. 416410-0310, 0305, 0300, 0295, 0290, 0285, 0280, 0275, 0270 until such time as any development permit (in conjunction with an approved Master Plan or similar phased plan per the requirements of NS-P19 for development) is approved.

Ordinance

12824

Effective Date

August 18, 1997

Changes

N/A

View Map(s) for NS-P10. *(Click on a map name in the list)*

***Note:** If there are more than one map listed below, there may be a map file ending with a "_x" which provides an index for the remainder of the maps.*

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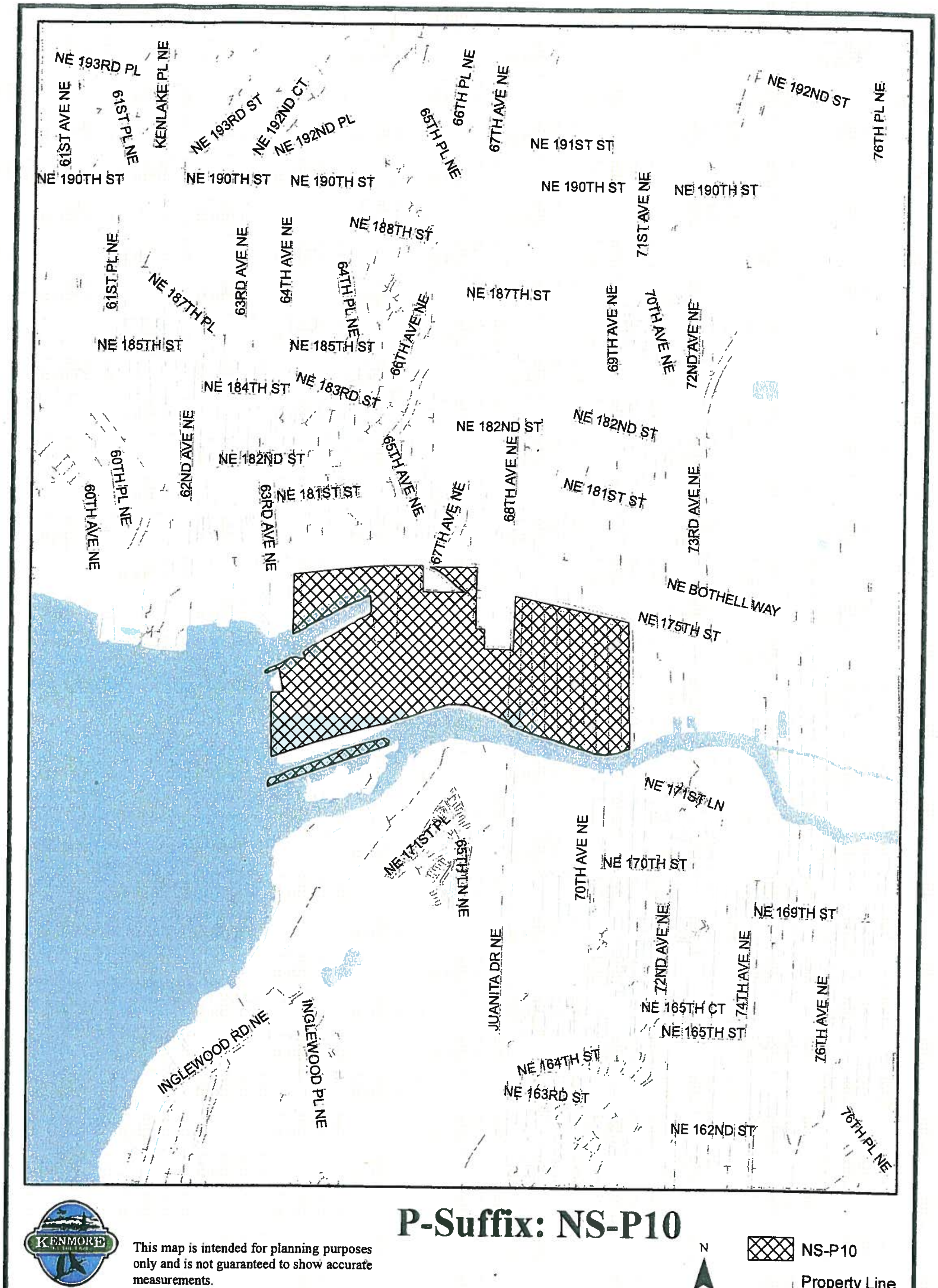

VIIID. Commercial Zoning Project Introduction & Discussion - Debbie Bent, Community Development Director

King County

NS-P13: Harbor Village Development and Marina

Effective: August 18, 1997

Description

Harbor Village Development and Marina

Development Condition Text

Harbor Village Development and Marina (Source: Northshore Community Plan Update and Area Zoning, p. 273)

The conditions of permits 130-79R, 131-79R, 020-77-SH, and 127-82-R continue to apply.

I._Upland Site Construction

1._The applicant shall guarantee that public access to the shoreline from N.E. 175th Street and from the King County Kenmore Log Boom Park abutting the ordinary high water line along the entire shoreline of the subject property except for the boat hoist and fueling facility in the east 150 feet will be available in perpetuity.

2._The applicant shall provide a comprehensive signing plan for the proposed site. Said signing plan shall include the following:

a. Exterior: Only one free-standing sign at the primary entrance to the proposed marina development shall be allowed. Said sign shall be no higher than ten feet from existing grade. The use of natural materials and indirect lighting shall be encouraged. In no instance shall the proposed sign rotate or contain flashing lights.

Only one freestanding sign shall be allowed for the proposed residential development. Said sign shall be no higher than five feet from existing grade and shall contain no more than thirty square feet of information.

b. Interior: Only one sign per use within the commercial portion of the development shall be allowed. Each sign shall be located preferably at ground level and in no case, shall be above the roof line of any structure. The use of natural materials and indirect lighting shall be encouraged. In no case shall the required signing rotate or contain flashing lights. A single, comprehensive sign for the interior commercial development on the site may be authorized provided it is in keeping with the size and character of the proposed development.

3._The applicant shall provide separate public restroom facilities for both the general public and marina tenants on the proposed site.

4._With reference to the applicant's plans to construct ponds and streams within the proposed site, all side slopes leading into the ponds shall be a ratio of no less than 4 to 1 (horizontal to vertical).

5._The proposed boat hoist shall be used exclusively by the marina sales and tenants of the marina.

II._Marina Site Construction

1._"Live aboards" shall not be permitted at any time. The marina management shall be responsible for the strict enforcement of this regulation and repeated violations of said regulations shall be considered to be a violation of approved Shoreline Management Substantial Development Permit.

2._All side slopes adjacent to the inner harbor line (ordinary high water line) shall be at a ration of 1½:1 (horizontal to vertical). No further encroachment beyond that which is necessary to construct the proposed rip-rap rock shoreline protection is authorized.

3._The proposed chemical treatment of pilings to be utilized within the marina development must be approved by the Washington State Department of Fish & Wildlife and the Washington State Department of Ecology. In any instance, all treated lumber must be completely dry before use in or near the water.

4._The applicant shall provide waste/garbage disposal receptacle in conspicuous places, on the docks and adjacent to the shoreline of the marina complex.

5._In-water maintenance and repair of boats moored at the marina facility shall not be permitted. Only minor in-water maintenance related to day-to-day upkeep of boats is allowed. In no instances shall chemicals or other contaminants be allowed to enter Lake Washington. The marina management will have the responsibility of strictly enforcing this condition. If repeated violations of this condition take place, revocation of the approved Shoreline Management Substantial Development Permit may be warranted.

6._The applicant shall provide a recorded public easement from the ordinary high water line to, and including, the breakwater facility. Said easement may stipulate that public access only be authorized during daylight hours. The required public access easement shall be for fishing and visual access to the water only.

7._The applicant shall provide to King County, at no cost, a moorage slip for the Marine Patrol Safety Unit boat. Additionally the applicant shall make available minimal office space to the Marine Patrol Safety Division, Department of Public Safety at no cost.

8._A log boom or other appropriate navigational devices shall be established along the west property line of the proposed site in order to prevent pleasure craft from entering the shallow waters of the King County Log Boom Park. The location of said facilities shall be subject to the approval of the King County Division of Parks.

9._The applicant shall provide to King County a detailed contingency plan indicating how chemical/oil spills would be removed in the event such an occurrence should take place. Said plan shall clearly indicate the type of equipment to be maintained on-site at all times and the personnel available to carry out said program. This plan shall be submitted to King County Fire Marshal and the Department of Ecology for their approval.

10._The applicants shall participate in conjunction with King County Marine Patrol Division (Department of Public Safety), the United States Army Corps of Engineers, and United States Coast Guard in formulating a water access and safety plan for the north end of Lake Washington. Said participation shall include proportionate funding by the applicant for such off-site/on-site control devices as navigational buoys, speed limit signs, night lights, safety signs etc., as deemed appropriate. The proposed marina complex shall not commence operation until such time as a water access and safety plan for the north end of Lake Washington has been approved by the public agencies noted above and is in place and operational. If King County does not implement and access and safety plan for the north end of Lake Washington within twelve months of final Council Action on this matter, this condition relative to the commencement of operations of the marina shall be waived.

11._The applicant shall retain at least ten transient moorage slips for the patrons of Harbour Village Marina restaurant and commercial area only.

12._All pleasure craft moored at the site shall be in excess of 26 feet in designated length.

III._Dredging

1._Dredging shall only be permitted between November 1 through March 1 and June 20 through July 15 of any year unless specifically modified by the Washington State Department of Fisheries.

2._The applicant shall be required to post in escrow (naming King County as an assignee) sufficient funds for King County to hire an independent firm to design a water quality monitoring program acceptable to the Washington State Department of Ecology (DOE) and the United State Army Corps of Engineers. The number of daily samples and types of tests to be performed shall be approved by said agencies. If specified water quality standards are exceeded any time during the dredging operation, the independent consultant shall have the authority to shutdown the dredging operations until such time as water quality standards are met.

3._Hydraulic dredging shall be prohibited.

4._There shall be no dredging more than ten percent below the final contours as indicated on the submitted plans.

5._The limits of dredging with the King County Kenmore Log Boom Park shall be approved by the King County Division of Parks prior to the commencement of dredging operations. No additional accumulation of sediment resulting from dredging shall be permitted within the King County Log Boom Park. In the event that additional accumulation occur the applicant shall remove excess material to the satisfaction of King County Parks and Building and Land Development Divisions and the Washington Department of Fisheries and Game.

6._All dredging and pile driving operations shall be limited to the hours of 8:00 A.M. through 5:00 P.M. on weekdays and 9:00 A.M. through 5:00 P.M. on weekends.

7._A sonic pile driver must be utilized if soil conditions permit as determined by a qualified soils expert.

8._The applicant shall demonstrate that all reasonable noise reduction techniques have been utilized to reduce dBA levels from the dredging and pile driving activities. Such demonstration shall be submitted to the Health Department prior to any work for their approval.

9._A $25,000 performance bond shall be posted to assure the removal of any silt of other sediment which the reviewing agency finds to be caused by the dredging operations of this project and which is close enough to residences between the Log Boom Park on the Lake Forest Park Community Center to affect their beach and near shore water areas.

Ordinance

12824

Effective Date

August 18, 1997

Changes

N/A

View Map(s) for NS-P13. *(Click on a map name in the list)*

> ***Note:*** *If there are more than one map listed below, there may be a map file ending with a* ***"_x"*** *which provides an index for the remainder of the maps.*

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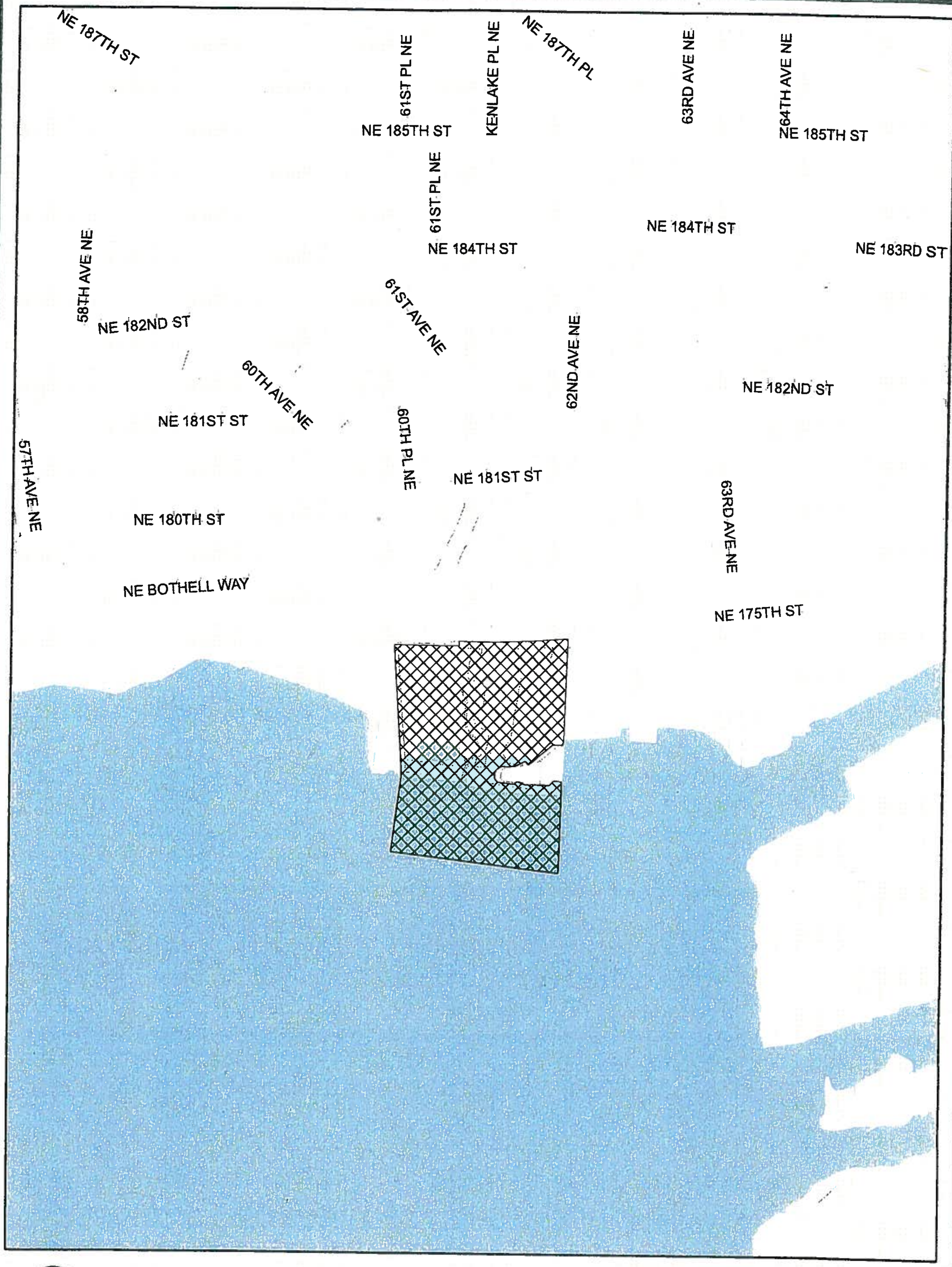

P-Suffix: NS-P13

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N

NS-P13

Property Line

VIIID. Commercial Zoning Project Introduction & Discussion - Debbie Bent, Community Development Director

King County

NS-P19: Mixed Use Redevelopment Requirements

Effective: August 18, 1997

Description

Mixed Use Redevelopment Requirements

Development Condition Text

Mixed Use Redevelopment Requirements (Source: Northshore Community Plan Update Area Zoning, pg. 277)

Conditions for Development

Mixed business-residential use is recognized as a viable use in the long term for the underutilized and vacant land delineated on the Kenmore Pedestrian Oriented Areas and Design Requirements map B (Northshore Community Plan Update Area Zoning, p.240). However, any development in this area requires substantial mitigation for significant environmental impacts to be reduced or eliminated. Any mixed use development proposed in this area must achieve the following criteria . If special district overlay-pedestrian oriented commercial development conditions are adopted by the County Council, they shall apply to these areas.

A._SR-522 in Kenmore is recognized to be at "ultimate design." Roads that are at ultimate design cannot be widened without significant destruction of existing development and potential environmental damage because that land around the roadway is already developed and/or contains natural features. King County recognizes that while some improvement to adjacent roadways is possible, congestion below County thresholds is likely to continue on SR-522.

_The King County Department of Public Works has identified potential transportation improvements which will facilitate traffic flow in Kenmore. Preliminary transit improvements have also been identified. The level of acceptability cannot be based on current County standards due to the ultimate design characteristics of the SR-522 roadway described above. Completion of the Transportation/Circulation Master Plan is necessary to update and clarify mitigation measures when a more detailed development proposal is submitted.

_Mitigation for development of the RB-P site should emphasize enhancement of transit and non-vehicular use and improvement of local access and circulation within the Kenmore area. Therefore, mitigating conditions include dedication and construction of a new 175th bypass road, signalization of the intersection of this road with 68th Avenue, participation in the cost of a improvement of a transit hub on SR-522, participation in the cost of development of a pedestrian bridge crossing SR-522, construction of a pedestrian route, participation in the cost of intersection improvements at the intersection of the new 175th bypass road and 73rd Avenue, and development and enforcement of a transportation management plan on-site. Fair share participation in applicable projects listed in the current Mitigation Payment System program as well as transportation projects recommended in the Northshore Plan is also a required mitigation condition.

B._The general design of the project shall be oriented to the pedestrian. Access by automobile to the interior of the development shall be minimized. A minimum of 60% of the parking shall be in structures, on-street, or off-site in joint use parking facilities. No more than 60 stalls may be provided in one parking lot. Lots must be separated by buildings, open space or roads at a minimum of 12' depth between lots.

C. _One pedestrian overcrossing and one at grade pedestrian crossing to the existing Kenmore core should be provided across SR 522. In addition, direct, identifiable pedestrian access to the Lake Washington and Sammamish River waterfronts should be provided by abutting properties. Pedestrian access must be clearly visible from NE 175th and the SR-522, NE 68th Street intersection. Access to the water and to major pedestrian routes must be open to the general public. Linkages shall be provided to the nearby park facilities of Logboom Park, Swamp Creek Park (South of SR-522) and Kenmore Park.

D._20% of the entire mixed use development area shall be designated as public open space for the general public. A public gathering place which accommodates a minimum of 50 people shall be provided on the site. These public open space areas shall be easily accessible to the pedestrian, and shall be considered in the pedestrian circulation plan. Waterfront access areas, public parks and sensitive area buffers may be utilized to calculate the 20% requirement. Internal pedestrian walkways, public streets, landscaping and private open space areas shall not be utilized to calculate the 20 % requirement. Public access shall be provided around the entire waterfront edge of the site.

E. _A minimum of two view corridors shall be provided. View corridors identified in the Kenmore Urban Design Study are recommended conceptually, subject to further design review.

F._At least two public viewpoints, linked with the pedestrian routes shall be provided. Public viewpoints shall provide views of Kenmore and the Sammamish River.

G._Bicycle and pedestrian linkages to the Burke-Gilman shall be provided. Location of these linkages is subject to the review and approval of King County.

H._The shoreline edge of the Sammamish River shall be enhanced to provide for water quality and wildlife and marine habitat. A wetland and riparian enhancement plan, subject to the review and approval of King County, shall be performed by a qualified wetland biologist. Setbacks shall be subject to the King County Sensitive Areas Ordinance and the Shoreline Master Program. Variations to adopted setbacks may require off-site mitigation, to be determined in the development permit process. No disturbances of SAO required buffers shall be allowed, except at minimum 300 foot intervals, wildlife viewing trails extending into the buffer may be allowed if no significant impact to the wildlife and marine habitat is anticipated to occur.

I._Affordable housing units amounting to 10% of the total number of units in the development shall be provided. The affordable units need not be provided within the development, but must be provided within the Northshore planning area. Units may be either rented or sold. Affordable housing shall be calculated as follows: Rented units shall be provided only to households earning less than 50% of the median income. Monthly rents shall be no greater than 30% of the monthly income for households earning 50% of the median income. Sold units shall be sold to first-time buyers (i.e. person not having owned a home in the past three years) earning less than 80% of the median income. Home prices shall be Affordable based on FHA lending standards. Covenants shall be established which guarantee the fulfillment of this obligation.

J._In general, commercial and office use should be provided adjacent to the Kenmore commercial core and residential development to the water. Specific exceptions to this may be made if the pedestrian orientation of the project will be improved. (For example, a restaurant, or other pedestrian oriented uses may be located on the waterfront.)

K._Residential density shall be calculated at a maximum of 24 d.u.'s per acre and at a minimum of 12 d.u.'s per acre for the gross land area of the entire development. Residential uses in the mixed use area shall not exceed 75% and shall not fall below 50% of the total built floor area of the development.

L._Specific requirements from the Kenmore Mixed Use Pedestrian Oriented Area P-suffix conditions shall apply to the Mixed Use Development Area, as defined in this Area Zoning.

M._Maximum heights shall be 92 feet in the northern portions of the mixed use development area. A 45 foot height limit shall apply to all development within 300 feet of the Sammamish River shoreline edge.

N._Satisfaction of these conditions may be accomplished through phased development.

O._In applying the above conditions on individual properties, mitigation shall be at a reasonable level related to each proposed development.

Permit Submittal Requirements

The following requirements apply to the process applying for any permits for uses currently prohibited under NS-P10. These conditions apply to all properties shown on Map B designated as the Mixed Use Pedestrian Oriented Area (Northshore Community Plan Update Area Zoning, p240). If applications are submitted independently on separate parcels, the applications shall be analyzed as phases of the entire mixed use development area. The phase one application shall establish vehicular, pedestrian and open space connections to all other Mixed Use properties in Kenmore. These vehicular, pedestrian and open space connections shall be binding. The phase one proposal shall prepare environmental documents that consider both the impacts of the subject application (phase) and the cumulative impacts of all other phases based on buildout of the Mixed Use Pedestrian Oriented Area. Any and all phases of development within the Area should assure:

1._the Mixed Use development area in its entirety meets the goals, policies and criteria of the Northshore Community plan;

2._that there is adequate environmental review of the cumulative impacts of all mixed use development in Kenmore;

3._that there is detailed project level review of environmental impacts of the phase or phases that comprise the application.

4._that there is adequate mitigation developed for the project level review and that mitigation can be achieved for cumulative impacts of all mixed use development in Kenmore.

5._that specific criteria of the Northshore Area Zoning are met.

6._that there is adequate transportation mitigation for each phase of project development to meet the policy direction established by the King County Council for road adequacy in SR-522 corridor.

Required Elements for Development Applications

The following elements are required of the first development application in the mixed use development area. This application may constitute one or more phases of the entire mixed use area.

1._Buildout of the mixed use development area is likely to have significant environmental impacts. The environmental review for the entire Mixed Use area should address all relevant elements of the environment from WAC 197-11-444. Mitigation to address probable significant adverse impacts should be identified. Alternatives to buildout of the Mixed Use Area should be analyzed.

2._Environmental documents assessing project level impacts of the phase or phases of the Mixed Use Development Area proposed in the application shall be prepared. Appropriate mitigation necessary for site-specific impacts should be identified.

3._Mixed Use Development Comprehensive Project Description

a._Housing units for all phases shall be identified by number and type for each phase including affordable housing requirements of Item K of the area zoning. The phase or phases included in the first application shall also identify location and value of housing units.

b._Retail/Commercial uses for all phases shall be identified by square footage per phase. The phase or phases included in the first application shall also identify major tenant types and building locations.

c._Office uses for all phases shall be identified by square footage. The phase or phases included in the first application shall include building footprints and employment data.

d._Public and private facility improvements shall be identified for the entire mixed use development area. Appropriate size or capacity, location, operational characteristics and relationship should be estimated or defined in further detail as defined in other sections of the mixed use requirements.

e._Open space shall be identified for all phases and broken down by the amount per phase and type of facility. Specific improvements should be identified for the phase or phases of the first application.

4._Transportation/Circulation Master Plan

_

a._A Traffic and Circulation report shall be prepared identifying all capital and transit improvements possible to improve traffic flow through Kenmore. The report shall include the appropriate cost of each project. King County shall weigh the cumulative impacts of the mixed use development area on the transportation system as part of approval of any phase of development.

b._A Financing report identifying public and private funding commitments for identified capital and transit improvements shall be prepared. King County shall ultimately determine the public/private financing commitments in coordination with the applicant, Metro and WASHDOT.

c._A Phasing report shall be prepared identifying the timing of funding commitments necessary to mitigate impacts for the phase or phases proposed in the application. The staff report prepared by King County shall recommend to the County Council which road and transit improvements from the Transportation/Circulation Master Plan are necessary for the proposed phases of mixed use development. Policy K-11 and item A from the Conditions for Development shall apply. No development permits shall be approved until construction and/or service contracts are signed for capital and transit improvements needed for each project phase.

5._Pedestrian/Bicycle Circulation Plan

A map and text identifying pedestrian and bicycle circulation through the entire Mixed Use Development Area is required. Policy K-11 and items B, C, D, F, G and I from The Conditions for Development shall be incorporated. Major pedestrian and bicycle connections identified by King County through the staff report shall be binding for subsequent permit applications. Detailed design of facilities within the phase or phases applying for rezone shall be included.

6._Open Space Plan

Map and text identifying public and private open space for the entire Mixed Use Development Area is required. Policy K-11 and items E, I and K from the Conditions for Development shall be incorporated. The staff report prepared by King County shall identifying acreage and location of open space necessary for the mixed use development area at buildout based on impacts of the proposal and the policies and criteria of the Northshore Community Plan. At least 25% of all the open space necessary for entire Mixed Use Development shall be constructed as part of the Phase I approval.

The following elements are required of subsequent applications within the mixed use development area:

1._Environmental documents assessing project level impacts of the phase or phases of the Mixed Use Development Area proposed in the application shall be prepared. Appropriate mitigation necessary for site-specific impacts should be identified.

2._Phased Project Description A map and narrative shall be submitted describing buildout of all phases proposed in the application. The narrative shall include:

a._Housing units by phase - number, type, location and value, including the affordable housing component identified in policy K-11 and item J of the Area Zoning.

b._Retail/Commercial uses by phase-major tenant types, square footage and location;

c._Office uses by phase-square feet, building footprints and employment;

d._Public/Private facility improvements by phase-type, approximate size or capacity, location, operational characteristics, relationship to existing facilities and method of financing.

e._Open Space by phase - type, area size, improvements.

3._Capital and Transit Improvements Phasing Report that identifies improvements necessary for the phase or phases proposed in the application based on the Transportation/Circulation Master Plan and the financing report shall be identified. This shall include timing of funding commitments.

4._Pedestrian/Bicycle Phasing Report that identifies detailed bicycle and pedestrian improvements identified for the phase or phases proposed in the application based on the Pedestrian/Bicycle Circulation Plan.

5._Open Space Phasing Report that identifies detailed open space provisions for the phase or phases proposed in the application based on the Open Space Plan.

Ordinance

12824

Effective Date

August 18, 1997

Changes

N/A

View Map(s) for NS-P19. *(Click on a map name in the list)*

Note: *If there are more than one map listed below, there may be a map file ending with a **"_x"** which provides an index for the remainder of the maps.*

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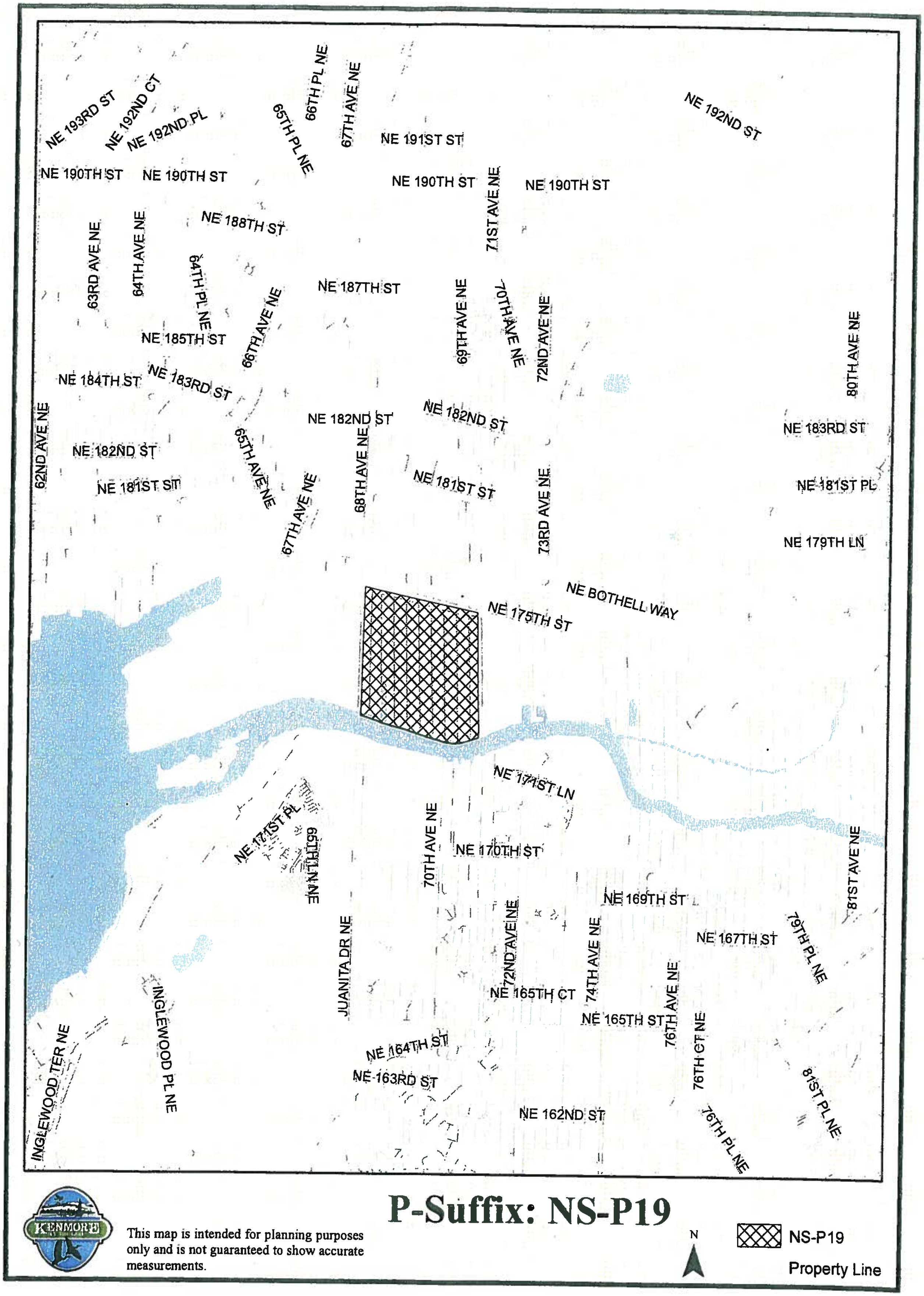

P-Suffix: NS-P19

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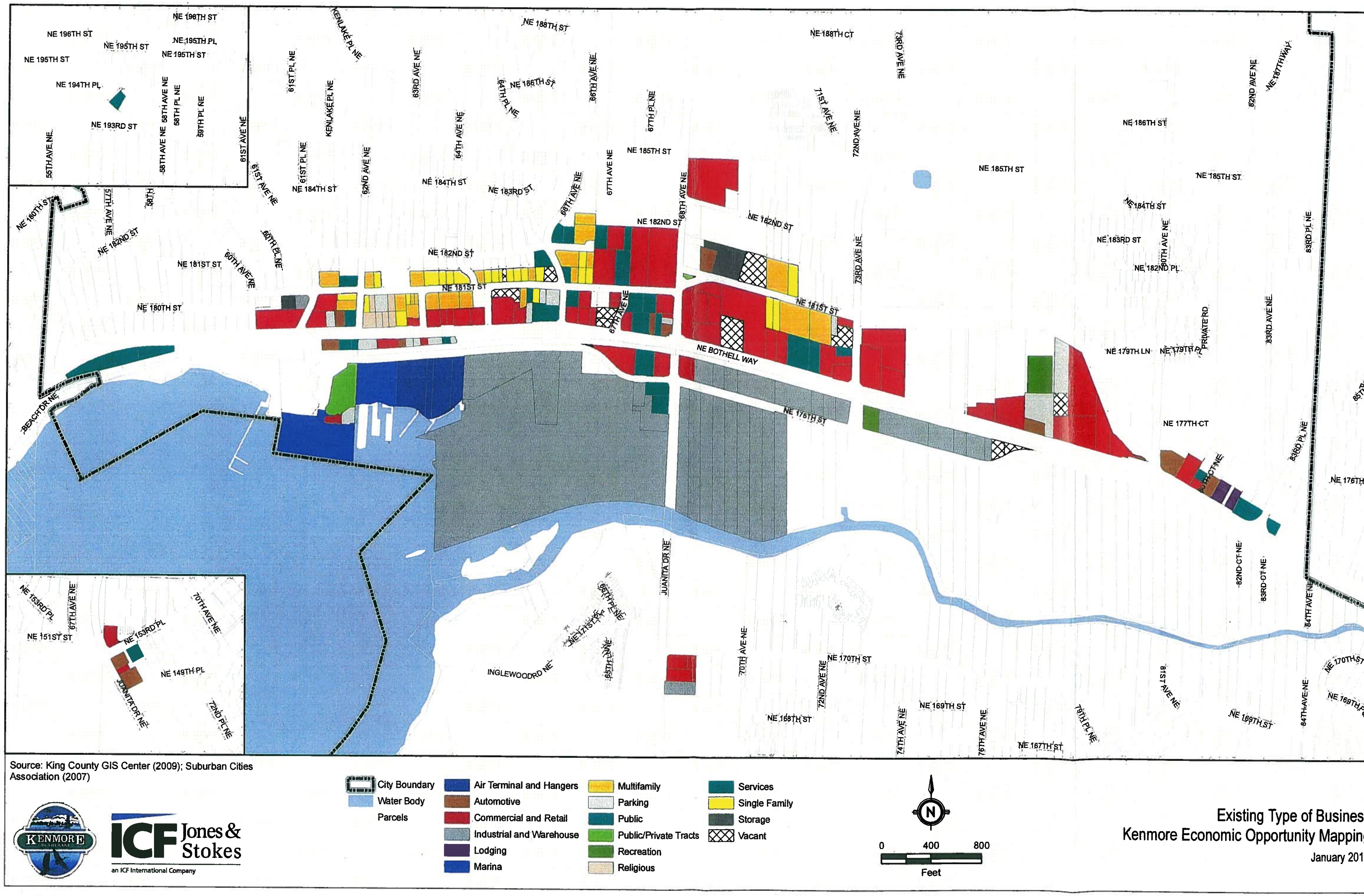
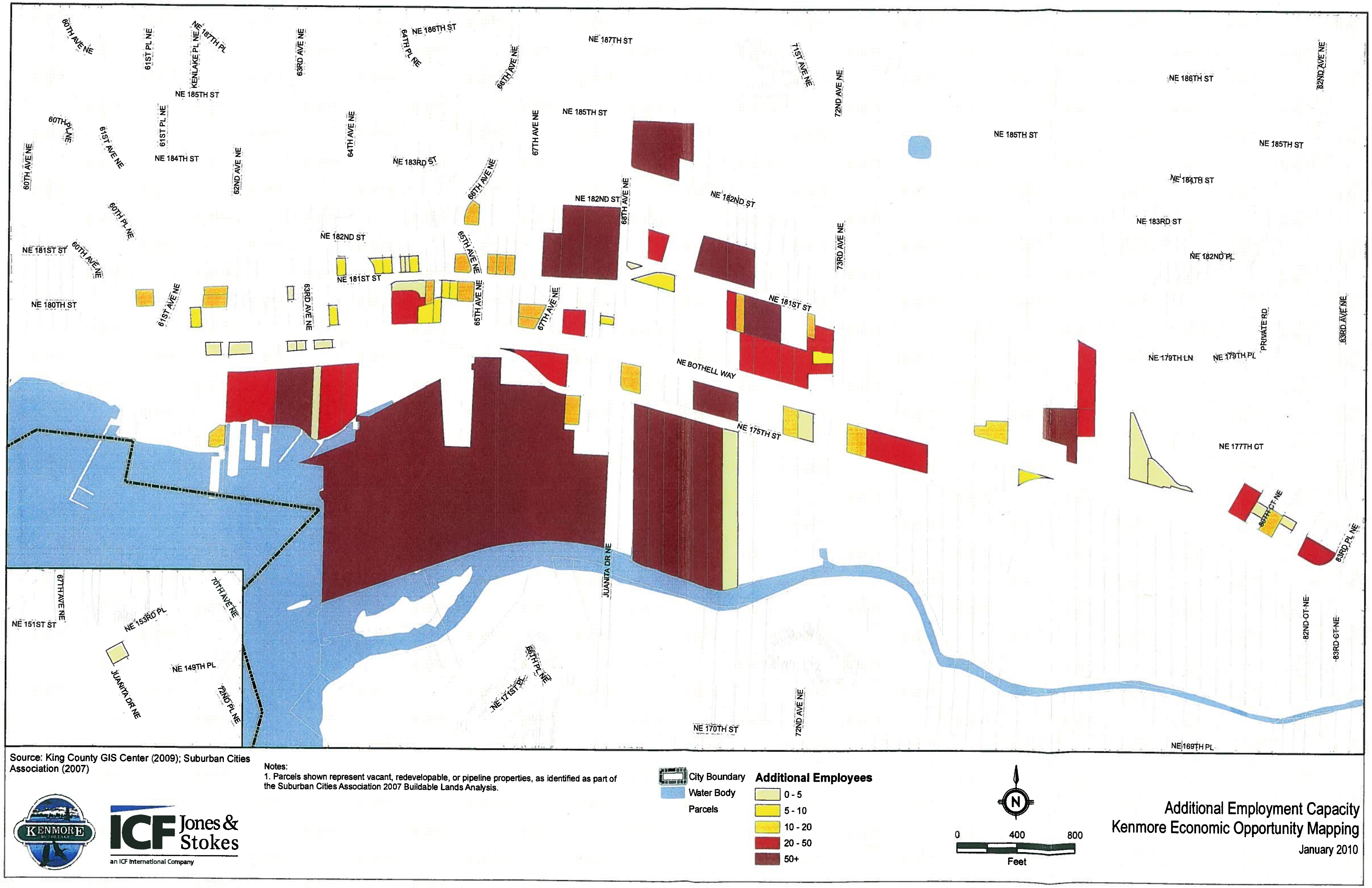
VIIID. Commercial Zoning Project Introduction & Discussion - Debbie Bent, Community Development Director

Attachment 4



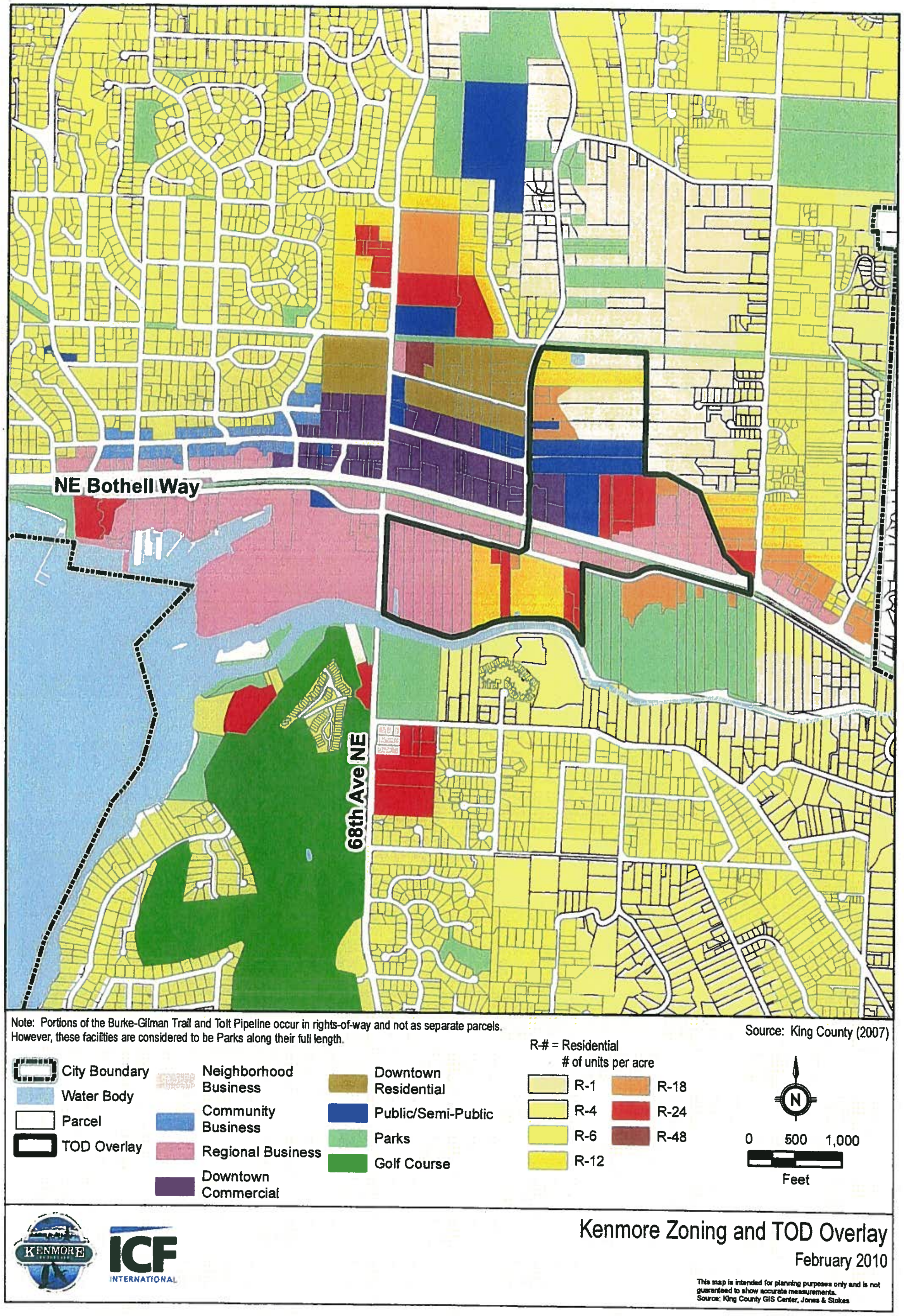
VIIID. Commercial Zoning Project Introduction & Discussion - Debbie Bent, Community Development Director

Attachment 5



VIIID. Commercial Zoning Project Introduction & Discussion -
Debbie Bent, Community Development Director

Attachment 6



VIIID. Commercial Zoning Project Introduction & Discussion -
Debbie Bent, Community Development Director

COVENTRY PLACE HOMEOWNERS ASSOCIATION
6700 N.E. 182d Street
Kenmore, Wa. 98028

September 25, 2012

David Baker
Mayor of Kenmore
dbaker@kenmorewa.gov

Rob Karlinsey
Kenmore City Manager
rkarlinsey@kenmorewa.gov

Re: Jack V. Crawford Skate Park

Gentlemen:

On behalf of the 96 homeowners at the Coventry Place condominiums, we write to address the matter of the current location of the skate park and to request prompt consideration of its replacement with a new skate park at the new City Hall property.

As you may be aware, the skate park currently is located directly across the street from the main entrance to our condominium project. Throughout the year, but especially in the summer months, there are substantial land use conflicts between the park on the one hand and our living environment on the other hand. Skate park users can be quite noisy, and this is especially bothersome to our owners in the evening hours. In addition, when our private swimming pool is in use by our owners during the warm weather, skate park users have frequently trespassed ("hopped the fence") to unlawfully use the pool facility.

We believe a change of location of the skate park would be in the best interest of all, and encourage you to actively consider that.

You will recall that as many as five years ago, when the City made plans with a private developer for sale of the City's property and development of the new "Kenmore Village", there were plans to move the skate park away from its present location.

More recently, as the City constructed the new City Hall, those construction plans included relocation of the skate park. Indeed, the City's website discloses that "room for temporary skate park at the [new City Hall] site" was listed as one of the "Guiding Principles for Kenmore City Hall." It is our understanding that there is now plenty of room for the skate park at the new City Hall site, and we would advocate location of the skate park there.

We understand that because of the economic downturn, the 2007 deal for development of Kenmore Village was abandoned; but we also understand that the City continues to actively consider sale of the City-owned Kenmore Village property to private parties.

It would seem, then, that sooner or later when private parties do take over the properties in question, the skate park will need to be moved. We are only asking that the City consider seriously moving forward the timing of that decision, so as to minimize use conflicts and benefit all concerned, including our many homeowners.

We would be happy to sit down and discuss these issues further, or to provide any further information that you should need.

We look forward to hearing from you or your representatives. Please respond by e-mail to: jalkire@alliancepackaging.net or, if by U. S. Mail, to:

Coventry Place Homeowners Association
c/o Phillips Real Estate Management
Attn: Vickie Tolson
223 Taylor Ave. No., Suite 200
Seattle, Wa. 98109

Thank you for your attention.

Jack Alkire
for the Board

Jerry Dyer
Sally Rutherford
Jack Alkire
Board of Directors
Coventry Place Homeowners Association

IXA. Temporary Skate Park - Rob Karlinsey, City Manager &
Debbie Bent, Community Development Director