

**GONG REASONABLE USE EXCEPTION
CONDITIONS OF APPROVAL
FILE NO. SAR14-00665**

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.
2. The proposed modification to reduce the required front yard setback by 10 feet, as allowed by KZC Section 90.140.7, is approved. Any changes to the approved site plan must be reviewed and approved by the Planning Department (see Conclusion II.C.11).
3. Structures and improvements allowed in the required yards under KZC 115.115.3 are not permitted outside of the proposed structure's footprint with the exceptions of eaves at a maximum of 18 inches wide (see Conclusion II.C.11.c).
4. As part of the building permit application, the applicant shall submit:
 - a. Development plans that incorporate the wetland buffer enhancement, monitoring, and maintenance plans. Prior to submission of the permit, the applicant shall pay for an additional review by the City's consultant to ensure that the recommendations of the consultant have been followed (see Conclusion II.C.8.b(2)(a)).
 - b. Erosion control plans, which should depict the location of a six foot high construction phase fence along the boundary of the entire wetland buffer with silt screen fabric installed per City standard. The fencing shall be installed prior to issuance of any permits. The fence shall remain upright in the approved location for the duration of development activities.
 - c. A financial security device to cover the cost of completing the buffer enhancement improvements. The security shall be consistent with the standards outlined in Zoning Code section 90.145.
 - d. A signed and notarized covenant that holds the City harmless against any future claims that may arise as a result of the development of the property (see Attachment 10).
 - e. Plans showing a split rail fence along the edge of the approved site disturbance area. An access gate shall be provided for access into the wetland and wetland buffer for maintenance of the plantings and control of noxious weeds. Three permanent metal or wood signs shall be installed and maintained on the fence stating that the area contains a wetland, stream and associated buffer to be protected and maintained (see Conclusion II.C.8.(3)(e)).

f. A Notice of Reasonable Use Permit document for recording that includes the following (see Conclusion II.C.4):

i. A statement, approved by the City, that includes the following:

- a) The footprint of the residence shall not be enlarged.
- b) The floor area of the residence shall not be increased.
- c) The total approved site disturbance area of 3,000 square feet shall not be increased;
- d) Structures or improvements shall not encroach into any required yards, with the exception that the required front yard is reduced to 10 feet and the garage shall be set back 18 feet from the rear property line; and
- e) The conditions and restrictions of this permit shall run with the property.

ii. A copy of the approved site plan with a reference to the recorded NGPE (see Attachment 9).

5. Prior to occupancy of the residence:

- a. The wetland mitigation plan and as built shall be completed.
- b. The split rail fencing and signage shall be installed.
- c. A 5-year security shall be provided for the maintenance and monitoring of the mitigation plan.
- d. A Native Growth Protection Easement shall be submitted for recording (see Conclusion II.C.8.b).

PLANNING DEPARTMENT

CITY OF KIRKLAND

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

DEVELOPMENT STANDARDS LIST

File: SAR14-00665

Gong Reasonable Use Exception

ZONING CODE STANDARDS

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

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

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

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

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

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

90.100.3 Monitoring and Maintenance of Stream Buffer Modifications: Modification of a stream buffer will require that the applicant submit a 5-year monitoring and maintenance plan consistent with KZC section 95.55. This plan shall be prepared by a qualified professional and reviewed by the City's wetland consultant. The cost of the plan and the City's review shall be borne by the applicant.

90.125 Frequently Flooded Areas. No land surface modification may take place and no improvements may be located in a frequently flooded area, except as specifically provided in Chapter 21.56 of the Kirkland Municipal Code.

92.35 Prohibited Materials In Design Districts. If in a design district the following building materials are prohibited or limited in use: mirrored glass or reflective materials, corrugated fiberglass, chain link fencing, metal siding, concrete block backlit awnings. Water spigots are required along building facades along sidewalks for cleaning and plant watering. Commercial buildings with more than one tenant shall install a cornerstone or plaque.

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

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

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

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

105.18 Pedestrian Walkways. All uses, except single family dwelling units and duplex structures, must provide pedestrian walkways designed to minimize walking distances from the building entrance to the right of way and adjacent transit facilities, pedestrian connections to adjacent properties, between primary entrances of all uses on the subject property, through parking lots and parking garages to building entrances. Easements may be required. In design districts through block pathways or other pedestrian improvements may be required. See also Plates 34 in Chapter 180.

105.19 Public Pedestrian Walkways. The height of solid (blocking visibility) fences along pedestrian pathways that are directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way. If in

design district, see section and Plate 34 for through block pathways standards.

105.20 Required Parking. 2 parking spaces are required for this use.

105.47 Required Parking Pad. Except for garages accessed from an alley, garages serving detached dwelling units in I density zones shall provide a minimum 18-foot by 20-foot -wide parking pad between the garage and the access easement tract, or right-of-way providing access to the garage.

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

115.07.9 Accessory Dwelling Units Market and Norkirk Neighborhoods. Accessory dwelling units are prohibited on lots smaller than the required minimum lot size approved using the Small Lot Single-family and Historic Preservation subdivision regulations.

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

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

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

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

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

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

115.47 Service Bay Locations. All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas. If not feasible must screen from view.

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

115.85 Rose Hill Business District Lighting Standards: See this section for specific requirements that apply to all exterior lighting on buildings, all open air parking areas and equipment storage yards within this business district. The intent of this section is to discourage excessive lighting and to protect low density residential zones from adverse impacts that can be associated with light trespass from nonresidential and medium to high density residential development.

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

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.

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

115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.

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

disapproval jurisdiction of the Houghton Community Council.

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

115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

115.115.5.a Driveway Width and Setbacks. For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall be separated from other hard surfaced areas located in the front yard by a 5-foot wide landscape strip. Driveways shall not be closer than 5 feet to any side property line unless certain standards are met.

115.115.5.b Driveway Setbacks. For attached and stacked dwelling units in residential zones, driveways shall have a minimum 5' setback from all property lines except for the portion of any driveway, which connects with an adjacent street. Vehicle parking areas shall have a minimum 20-foot setback from all front property lines and meet the minimum required setbacks from all other property lines for the use.

115.115.5.c Driveway Setbacks. Vehicle parking areas for schools and day-care centers greater than 12 students shall have a minimum 20-foot setback from all property lines.

115.115.5.d Driveway Setbacks. Parking areas and driveways for uses other than detached dwelling units, attached and stacked dwelling units in residential zones, or schools and day-cares with more than 12 students, may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than 5 feet to any property line.

115.120 Rooftop Appurtenance Screening. New or replacement appurtenances on existing buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenance by incorporating them in to the roof form.

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

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

Prior to issuance of a grading or building permit:

85.40 Natural Greenbelt Protective Easement. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County (see Attachment 8).

85.45 Liability. The applicant shall enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property (see Attachment 9).

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

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

90.145 Bonds. The City may require a bond and/or a perpetual landscape maintenance agreement to ensure compliance with any aspect of the Drainage Basins chapter or any decision or determination made under this chapter. A security is required for Performance of the Wetland and Stream Buffer Mitigation Plan (see Attachment 2).

90.150 Natural Greenbelt Protective Easement. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County (see Attachment 8).

90.155 Liability. The applicant shall enter into an agreement with the City which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the stream, minor lake, or wetland (see Attachment 9).

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

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

by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

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

Prior to occupancy:

90.145 Bonds. The City may require a bond and/or a perpetual landscape maintenance agreement to ensure compliance with any aspect of the Drainage Basins chapter or any decision or determination made under this chapter. A security is required for Monitoring and Maintenance of the Wetland and Stream Buffer Mitigation Plan (see Attachment 2).

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

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

95.51.3 Maintenance of Preserved Grove. The applicant shall provide a legal instrument acceptable to the City ensuring the preservation in perpetuity of approved groves of trees to be retained.

110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way.

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

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

PUBLIC WORKS DEPARTMENT

Permit #: SAR14-00665

Project Address: 9105 128th Ave NE

Public Works General Conditions:

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

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

- Water and Sewer connection Fees (paid with the issuance of a Building Permit)
- Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
- Water Meter Fee (paid with the issuance of a Building Permit)
- Right-of-way Fee
- Review and Inspection Fee (for utilities and street improvements).
- Traffic, Park and School Impact Fee (paid with the issuance of Building Permit). For additional information, see notes below.

3. Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s).

4. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

5. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineer's stamp.

6. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).

7. A completeness check meeting is required prior to submittal of any Building Permit applications.

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

Public Right-of-way Sidewalk and Vegetation Maintenance: Each property owner shall be responsible for keeping the sidewalk abutting the subject property clean and litter free. The property owner shall also be responsible for the maintenance of the vegetation within the abutting landscape strip. The maintenance shall "run with the land" and will be binding on the property owner of this parcel, including their heirs, successors and assigns.

Sanitary Sewer Conditions:

1. The existing sanitary sewer main within the public right-of-way along the front of the property is adequate to serve all the lots within the proposed project.
2. Provide a 6-inch minimum side sewer stub to the lot.

Water System Conditions:

1. The existing water main in the public right-of-way along the front of the subject property is adequate to serve this proposed development.
2. Provide a separate 1" minimum water service from the water main to the meter for the lot; City of Kirkland will set the water meter. Due to the sensitive nature of the wetland and the location of the stream near the front of the property, disturbance must be kept to a minimum and boring under the stream for the water service may be necessary.

Surface Water Conditions:

2009 KCSWDM

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

Small Project Drainage Review (Types I & II)

Small project drainage reviews are divided into two types, Type I and Type II, primarily based on the amount of impervious surface area. Typical Type I projects create between 500 and 1,999ft² impervious surface area. Type II projects involve between 2,000 and 9,999ft² impervious surface areas, with a total of no more than 5,000ft² of new impervious area and not more than a total of 9,999ft² impervious surface area added since 01/08/01.

Targeted Drainage Review

A targeted project drainage review is required for projects that meet the new impervious area criteria for small project but also have additional characteristics that require a more in-depth level of review, such as sensitive drainage areas or 1 construction/modification of a 12" pipe or ditch.

2. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater low impact development facilities on-site (per section 5.2 in the 2009 King County Surface Water Design Manual). If feasible, stormwater low impact development facilities are required. See PW Pre-Approved Plan Policy L-1 for more information on this requirement.
3. A storm detention system is not required.
4. The storm water may be discharged from the project site to a natural location so as not to be diverted onto the adjacent downstream property. The site storm drainage system shall include a flow dispersal device in order to mitigate erosion and flooding.
5. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2)
6. Provide an erosion control report and plan with Building Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.

7. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on soil and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.

8. Below are additional surface water conditions for permit PRE12-01406 .

The applicant must submit a drainage report analyzing potential onsite and offsite drainage impacts associated with development of the project site; and propose appropriate mitigations of those impacts. In addition to standard requirements, the report must include the following:

- Hydraulic modeling (Hec-ras software or other similar product) with supporting drainage calculations to verify all proposed structures are outside the 100-yr flood path.
- A downstream analysis, assessing the project impact to downstream properties.
- An assessment of any loss of flood storage on the project site and how this will be mitigated.
- The applicant must meet the conditions under KMC 21.56 Flood Damage Prevention.
- If armoring of the stream bank is proposed, the applicant must meet the conditions under KZC 90.110 Bulkheads in Streams.

Street and Pedestrian Improvement Conditions:

1. A 2-inch asphalt street overlay will be required where three or more utility trench crossings occur within 150 lineal ft. street length or where utility trenches parallel the street centerline. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
2. Remove and replace all broken existing curb, gutter, and sidewalk along property frontage.
3. The driveway for each lot shall be long enough so that parked cars do not extend into the access easement or right-of-way.
4. The driveway width shall be a min/max of 10ft/20ft, respectively.
5. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.
6. Underground all new and existing on-site utility lines and overhead transmission lines.
7. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on 128th Avenue NE is not feasible at this time ; the undergrounding of off-site/frontage transmission lines should be deferred with a Local Improvement District (LID) No Protest Agreement. The final recorded subdivision mylar shall include a condition requiring all associated lots to sign a LID No Protest Agreement prior to the issuance of a building permit for said lot. In addition, if a house is to be saved on one the lots within the subdivision, a LID No Protest Agreement shall be recorded against this lot at the time of subdivision recording.