

Rowley Development Agreement Table of Contents

1.0	Rowley Redevelopment Project Description and Definition.....	6
1.1	Current Comprehensive Plan and Zoning Designation	
1.2	Purpose of Urban Village Zone	
1.3	Definition of Rowley Project	
2.0	Restrictions on Development.....	7
3.0	Goals.....	8
4.0	Urban Village Design Guidelines.....	8
5.0	Project Elements.....	8
5.1	Acreage Chart	
5.2	Required Project Elements	
6.0	Land Use Development Standards: Incorporation of Appendices.....	10
7.0	Expansion Areas.....	10
7.1	Notice by Master Developer	
7.2	Environmental Review	
7.3	Comprehensive Plan Amendment	
7.4	UV Rezone	
8.0	Allowable Development.....	11
8.1	Mix of Allowable Development	
8.2	Public Service and Quasi-Public Service Uses Not Counted Toward Maximum	
8.3	Accessory Residential and Live/Work Not Counted Toward Maximum	
8.4	No Increase in Allowable Development if Rowley Expands	
9.0	Affordable Housing.....	12
10.0	Surface and Ground Water.....	12
11.0	Critical Area Standards.....	12
12.0	Rowley Water Service.....	12
13.0	Rowley Sewer Service.....	12
14.0	Schools.....	12
15.0	Police Services.....	12
16.0	Fire Protection Services.....	12
17.0	Adequacy of Facilities.....	12
18.0	Additional Voluntary Mitigation.....	13
19.0	Financing Plan.....	13
19.1	Capital Facilities Financing	
19.2	Partnering	
20.0	Environmental Mitigation and Project Requirements.....	13
21.0	Flexibility and Modifications of Rowley Project Elements, Development Standards, and Other Mitigations by the City.....	13
21.1	Flexibility Objectives	
21.2	Modifications to Rowley Project Permitted	
21.3	Interim/Transitional Uses	
22.0	City Processing and Review.....	14
22.1	City Review Procedures and Standards	
22.2	SEPA Compliance	

23.0	Vesting of Development Standards and Mitigation.....	15
23.1	During Buildout Period	
23.2	Architectural Review Committee	
23.3	After Buildout Period	
23.4	Application and Processing Fees	
23.5	Replacement Regulations	
24.0	Other Development Standards.....	18
25.0	Declaration of CC&Rs; Owners’ Associations and Architectural Review Committee.....	18
25.1	Master Developer’s Declaration of Covenants	
25.2	Master Association	
26.0	Joint Transportation Improvements and Phasing.....	19
26.1	Phasing of Road Improvements in Rowley Project	
26.2	Road Standards for Rowley Project	
26.3	Master Transportation Financing Agreement	
26.4	Mitigation of Traffic Impacts	
27.0	Public-Private Partnership for Creation of Rowley Project.....	19
27.1	Master Developer’s Participation	
27.2	City’s Continuing Involvement in Rowley Development	
28.0	General Provisions.....	20
28.1	Governing Law	
28.2	Agreement Binding on Successors: Respective Obligations of Master Developer and Parcel Builders; Release of Master Developer’s Liability Upon Transfer to Master Developer Transferee	
28.3	Interpretation; Severability	
28.4	Authority	
28.5	Amendment	
28.6	Figures, Attachments and Appendices Incorporated	
28.7	Headings	
28.8	Time of the Essence	
28.9	Entire Agreement	
28.10	Dispute Resolution	
28.11	Default and Remedies	
28.12	Relief Against Defaulting Party or Portion of Rowley Project	
28.13	Term	
28.14	No Third-Party Beneficiary	
28.15	Interpretation	
28.16	Notice	
28.17	Delays	
28.18	Dispute Resolution Process	
28.19	Indemnification	
Attachment 1	Definitions.....	32
Attachment 2	Designated Official.....	44
Figure 1	Rowley Property.....	45
Figure 2	Legal Descriptions.....	46
Figure 3	Expansion Parcels.....	48
Figure 4	Project Boundary.....	49

ROWLEY DEVELOPMENT AGREEMENT

This Development Agreement (Agreement) is entered into the first day of February, 2012, by and between the City of Issaquah, a Washington municipal corporation (“City”), and Rowley Properties, Inc., a Washington corporation (Master Developer), collectively the “Parties”.

RECITALS

A. The City is a noncharter Optional Municipal Code city incorporated under the laws of the State of Washington. The City has authority to enact laws and enter into agreements to promote the health, safety and welfare of its citizens and thereby to control the use and development of the Rowley Property (as hereafter defined) and specify zoning and development standards for areas within the City. The City has the authority to enter into development agreements with those who own or control property within its jurisdiction, pursuant to the Development Agreement Statutes, RCW 36.70B.170 through 36.70B.210. This Agreement is intended to constitute a development governed by the terms and conditions of the Development Agreement Statute.

B. The Master Developer owns approximately 78 acres of land (“the Rowley Property”) located within the City limits, adjacent to State Route 900, as shown on the vicinity map attached hereto as **Figure 1**, and as legally described in **Figure 2**, attached hereto.

C. The Master Developer wishes to develop the Rowley Center and Hyla Crossing properties over time as an urban village type of master planned community, and the City is willing to approve an urban village master plan for the Rowley Property under the terms and conditions set forth herein. The Rowley master planned community will be an urban, pedestrian-oriented village providing a variety of distinctive building types, styles, and densities with a cohesive and unified overall community identity. The Project will have an integrated circulation system of streets, sidewalks and trails that link its various development areas and serve vehicles, cyclists, and pedestrians. As set forth hereafter, there are significant advantages to a master planned community, which are in the public interest.

D. An urban village master plan for the Rowley Center and Hyla Crossing properties promotes and implements a number of Washington State and City growth management and planning goals and objectives. Such goals and objectives are in the public interest and include the following:

1. Growth Management Act Goals.

An urban village master plan for the Project promotes and achieves the following planning goals of Washington’s Growth Management Act, RCW 36.70A.020, which goals are themselves consistent with, and have guided the development of, the City’s Comprehensive Plan and development regulations:

- a. **Creates urban growth in an appropriate location:**
It will constitute development in an urban area where adequate public facilities and services can be provided in an efficient manner.
- b. **Reduces sprawl:**
It will reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
- c. **Promotes efficient transportation:**
It will promote efficient multi-modal transportation systems that are based on regional priorities and coordinated with the City's adopted Comprehensive Plan.
- d. **Creates housing:**
It will develop and make available housing that is affordable to various economic segments of the population of this state and region.
- e. **Creates desirable economic development:**
It will create economic development that is consistent with the City's adopted Comprehensive Plan and will create economic opportunity for citizens of this region, within the capacities of the area's natural resources, public services, and public facilities.
- f. **Protects the environment:**
It will protect the environment, including air and water quality, and enhance the City's high quality of life.
- h. **Promotes citizen participation:**
It has been formulated collaboratively, with the continuing close involvement and support of local citizens and affected jurisdictions, throughout the Rowley Development Agreement planning process.
- i. **Ensures concurrent public facilities and services:**
Redevelopment will be conditioned on the provision of adequate public facilities and services necessary to support each new phase prior to occupancy.

2. **City's Planning Goals and Objectives.**

In addition to the foregoing, an urban village master plan for the Rowley Property promotes and achieves the following desirable planning goals and objectives of the City, in furtherance of objectives and policies in the City's adopted Comprehensive Plan:

- a. **Promotes Sustainable Development:**
Establishes a framework to foster green building and sustainable development. (Objectives L-8 & U-4, Policies L-2.1, L-2.4, U-2.3)
- b. **Protects environmental quality:**
Provides an innovative and sensitive re-development of land that clusters density, promotes and protects environmental quality, open space, and wildlife habitat, preserves

sensitive areas and buffers, and preserves areas of contiguous natural open space as a wildlife corridor. (Objectives L-1, U-4, EV-1 & P-1, Policies L-1.1, L-1.2, U-4.2, U-4.3, P-1.3, P-2.5)

- c. Encourages innovative housing designs:**
Establishes a framework that encourages innovative and creative housing types and designs that result in reasonably-priced housing, including criteria for flexibility in site design, bulk, and building standards, linked by pedestrian sidewalks and trails. (Objectives L-1, H-1 & H-2, Policies H-1.1, H-1.2, H-1.3, H-1.4, H-1.6, H-1.8, H-1.9, H-2.4, H-2.9)
- d. Meets City surface water standards:**
Employs surface water retention-detention and water quality treatment methods that meet the City's current standards and those of the King County Surface Water Design Manual, in order to mitigate adverse environmental impacts. (Objective U-4, Policies U-2.3, U4.1, U4.2, U4.4, and U4.6)
- e. Provides major improvements to public facilities:**
Includes capital facilities funding for affected public infrastructure and provides for major improvements to public facilities, including major improvements to City's water system. (Objectives U-1, U-2, U-3, U-5, U-6, P-8 and EV-3; Policies U-2.1 through U-2.3, U-3.1, U-5.1, U-5.3, U-6.1, U-6.4, U-6.6, P-8.1, P-8.2, T-3.3, T-5, T-6, T-26, T-27, T-32, EV-3.1.1, 3.1.2, and 3.1.4)
- f. Employs creative solutions to water and traffic issues:**
Employs creative solutions to issues of water conservation and other natural resources, and to traffic demand management. (Objectives U-2 & EV-1, Policies U2.6.3, T-2.2.5, T-2.3.2.1, T-5.1)
- g. Provides an appropriate mix and density of desirable uses:**
Provides an appropriate mix of desirable residential and commercial uses and creates a community that maintains and enhances Issaquah's quality of life. (Objectives L-4, H-1, EV-2, EV-2 & EV-3; Policies L-1.2, L-1.4, L-1.5, H-1.6)

E. The Rowley Center and Hyla Crossing properties are located within an Urban Growth Area, are appropriate for urban development pursuant to the Growth Management Act and the City's adopted Comprehensive Plan, and the City should provide urban services to the Property.

F. In cooperation with the Master Developer, the City has planned for appropriate master-planned urban land uses, required infrastructure, and community improvements, consistent with the City's Comprehensive Plan.

G. The Master Developer shall, after the date of this Agreement, be eligible to apply to the City and receive implementing permits and approvals for the urban uses set forth herein for the Property.

H. There are also approximately 8 acres of additional land, located adjacent to the Property, that the Master Developer may wish to develop consistent with the Project (defined below) in accordance with this Agreement and the Growth Management Act, RCW ch. 36.70A. Such additional lands are defined herein as the “Rowley Expansion Areas.” The Rowley Expansion Areas are illustrated in **Figure 3**. The Master Developer does not presently own or control the Rowley Expansion Areas. The City is willing to permit the Rowley Expansion Areas to be developed consistent with the Project.

I. The Parties intend that neither shall unreasonably withhold requests for information, approvals or consents provided for in this Agreement. The Parties intend that they shall take further actions and execute further documents, either jointly or within their respective powers and authority, necessary or appropriate to implement the intent of this Agreement. The Parties intend to work to achieve the mutually agreeable goals as set forth in this Agreement, subject to the City’s independent exercise of judgment.

J. This Agreement is based upon the City’s police power, contracting power and other authority, including those provisions codified as RCW 36.70B.170 through 36.70B.210, and general law. Contemporaneous with its approval of this Agreement, the City Council is adopting an ordinance applying the UV zoning classification to the Rowley Property and through this Agreement is establishing development standards for subsequent permits and approvals consistent therewith. Actual construction of the Project will require issuance of subsequent City permits, which will be issued in accordance with the standards and procedures in this Agreement, as well as other agency permits.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, as well as other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Master Developer hereby agree as follows:

AGREEMENTS

1.0 Rowley Redevelopment Project Description and Definition

1.1 Current Comprehensive Plan and Zoning Designations

The City has designated the Rowley Property “Urban Village” in its 2010 Comprehensive Plan, as amended. The City’s Comprehensive Plan provides for implementation of an Urban Village plan designation through rezoning to the Urban Village (UV) Zone in conjunction with adoption of a development agreement, i.e., this Agreement. The current zoning for this Project is Intensive Commercial, Professional Office and Retail and will change to Urban Village with the adoption of this Development Agreement.

1.2 Purpose of Urban Village Zoning District

As set forth in the City’s Land Use Code, IMC § 18.06.120, the purpose of the Urban Village (UV) zoning district is “to encourage innovative uses, sites and comprehensive planning of large (15 acres or more) land parcels. Master planning and development of larger parcels provides the opportunity for reasonably priced housing, enhanced public

services and concurrency, infrastructure solutions and improvements, and allows creative land development through clustering, enhancement of wetlands and other natural areas, integration of recreational facilities and phasing of infrastructure.”

1.3 Definition of Rowley Project (Project)

The Rowley Properties Urban Village to be developed on the Rowley Center and Hyla Crossing properties in accordance with the terms and conditions of this Agreement is called “the Rowley Project”, or “Project”, and includes:

1.3.1 Rowley Center and Hyla Crossing Properties

As used in this Agreement, the term “Project” means the uses, densities, maximum numbers of dwelling units, maximum amount of commercial, industrial, institutional and retail square footage, amount of open space and recreational areas, and other uses and appurtenances, set forth in this Agreement for the properties located east of SR900 (Rowley Center) and the properties previously covered by the Hyla Crossing Master Site Plan (Resolution 98-10). These areas are illustrated in Main Body **Figure 1** and described in Main Body **Figure 2**.

1.3.2 Rowley Expansion Area

The term “Project” also means and includes any future development in accordance with this Agreement on any of the Rowley Expansion Areas, properties not controlled by the Master Developer at the time of the execution of this Agreement. Uses, densities, maximum numbers of dwelling units, maximum amount of commercial and retail square footage, amount of open space and recreational areas, and other uses and appurtenances applicable to any of the Rowley Expansion Areas, are established in this Agreement consistent with those for the remainder of the Rowley Project. Rowley potential Expansion Areas are shown in **Figure 3** and further defined in Section 7 of this Agreement. The Development Agreement applies to Expansion Parcels only if/when they are brought under the provisions of this Agreement consistent with Section 7.

2.0 Restrictions on Development

The Project, conceptually envisioned as shown on **Figure 4** (“Project Boundary”), will be developed under the jurisdiction of the City pursuant to the terms and conditions of this Agreement. The Owners and Master Developers, Rowley Properties, Incorporated (RPI), agree to subject the Property to the terms and conditions of this Agreement. The City and the Master Developer hereby establish the elements, development standards, mitigation measures, and other conditions of development for the Project (collectively, the “Development Standards”). Construction of the Project elements is subject to, and may be limited by, conditions of adequate water supply in accordance with Appendix I (Utilities) and conditions of adequate transportation facilities in accordance with Appendix Q (Master Transportation Financing Agreement). As set forth more fully in such appendices (which shall control in case of conflict with this Section 2), Project construction may be limited as follows: If at the time of application for a building permit for a building in the Rowley Project, the Master Developer is not then in substantial compliance with the terms and conditions of Appendix I (Utilities) and/or Appendix Q (Master

Transportation Financing Agreement), and if the occupancy of that building would cause the Project to exceed the permissible limits of a development phase under Appendix I (Utilities) or Appendix Q (Master Transportation Financing Agreement), then the City will not accept such application. However, in that event the City will nevertheless process and issue decisions on applications for Implementing Approvals for the Project (such as preliminary and final plat applications and site development permit applications).

3.0 Goals

The Goals set forth in Appendix A are the policy guide and the foundation that have been used to develop the design guidelines and development standards for the Rowley Project. As set forth in Appendix O (Permitting), both the Goals and the Design Guidelines set forth in Appendices A & B shall also be used in the evaluation of any future proposed modifications to the Project not presently authorized herein.

4.0 Urban Village Design Guidelines

The design guidelines set forth in Appendix B (Design Guidelines) are hereby adopted and shall govern and control all development in the Project, unless and until modified in accordance with Appendix O (Permitting) and unless exempted through the provisions of Appendix M (Interim/Transition uses).

5.0 Project Elements

The Project has been master planned for a mix of land uses in an urban village setting that fosters redevelopment of the current properties and is consistent with the vision of the Cascade Agenda. The Project will be an urban, pedestrian-oriented village providing a variety of employment and shopping opportunities balanced with distinctive housing types, styles, and densities with a cohesive and unified overall community identity. The Project will have an integrated circulation system of streets, sidewalks and trails that link its various development areas and serve vehicles, cyclists, and pedestrians. Unlike other Villages in Issaquah, the Project will consist of the redevelopment of existing businesses and land uses, a limited phasing plan (e.g. Utilities, Housing, MTF), and interim/transitional guidelines (Appendix M) will be included in this Agreement.

5.1 Acreage Chart

The Project acres reflected in the following chart are estimates based on a geographic information system and are subject to correction following more detailed survey:

Sub Area	Acreage
I. VILLAGE SUBAREAS (Neighborhoods)	
A. Hyla Crossing	59
B. Rowley Center	19
Total	78

Sub Area		Acreage
II. POTENTIAL EXPANSION AREAS (Section 7.0)		
A. 2024069078 (Burger King)	1705 NW Gilman	0.8
B. 7450900420 (Honda Kubota)	1745 NW Mall	0.9
C. 2024069085 (Highmark Medical Cntr)	1740 NW Maple	2.4
D. 7450900130 (Midas)	1665 NW Mall	0.9
E. 202406 (Shell)	1605 NW Gilman	0.8
F. 745090-0110 (Autoworks)	1590 NW Mall	0.5
G. 745090-0080 (Iss Glass)	1430 NW Mall	0.7
H. 745090-0040 (Kelly Moore)	1320 NW Mall	1.0
Total		8.0
III. TOTAL		86 acres

5.2 Required Project Elements

The following elements are required to be incorporated as part of the development of the Rowley Project:

5.2.1 Tibbetts Creek Restoration (Appendix J, Exhibits 1-6)

The Master Developer will improve the portion of Tibbetts Creek as it flows through the Project by:

- Replanting buffers;
- Adding land to buffers to generally provide 100' creek buffer (average width) through the Project;
- Constructing a trail within and near the buffer to allow the public an intimate relationship with this natural amenity; and,
- Partner with the City and/or others to obtain off-site property to relocate the creek to improve fish habitat and provide wider buffers.

5.2.3 297 Reservoir (Appendix I, Exhibit I-3)

To reach Project Buildout, the Master Developer shall provide a new 297-zone water reservoir at its cost as described in Appendix I (Utilities). The reservoir will not only benefit the Project, but will offer additional standby storage capacity for other properties located in this water zone.

5.2.4 Lake Sammamish Stormwater Pipe (Appendix I)

The stormwater improvements constructed with this Project will improve the quality of the urban runoff as all drainage from surfaces in contact with motorized vehicles will be treated before it is released off site. The pump station and discharge pipe to Lake Sammamish will be sized to provide benefit for non-Project properties.

5.2.5 Sociable Public Realm

A number of elements have been included in this Agreement to ensure the Neighborhoods will be places people will want to inhabit. Although not required initially, the following improvements will add value, not only to the Project, but to the surrounding community:

- Rowley Center neighborhood plaza (urban-style Community Space) (Appendix D, Community Space);

- Hyla Crossing Neighborhood Park (Appendix D, Community Space);
- Completion of Tibbetts Creek Trail and non-motorized connection to Newport (Appendix D, Community Space); and,
- Street Character (i.e. non-vehicular improvements, vehicular speed, scaled for human enjoyment) (Appendix E, Circulation Facilities).

5.2.6 Workforce Housing (Appendix K)

As a fundamental part of a housing initiative for the City’s valley floor, the Master Developer will work with the City or third party specializing in affordable housing to provide at least 100 Workforce Housing units to meet the needs of lower income residents.

5.2.7 Transportation Improvements

Through the provision of trails, new pedestrian improvements and streets within the Project (Appendix E Master Circulation Plan), coupled with the required improvements and contributions listed in the Master Transportation Financing Agreement (Appendix Q), the Project will improve mobility within this portion of the City.

5.2.8 EIS Mitigations (Appendix S)

The environmental mitigations identified in the Environmental Impact Statement will ensure the Project does not result in a significant, adverse environmental impact on the community or land. The Master Developer shall provide mitigations as required in Appendix S (EIS Mitigation).

6.0 Land Use Development Standards; Incorporation of Appendices

The land uses and density standards permitted for development on the Rowley Property shall be those set forth in Appendix C (Land Use). Development Standards for other elements of the Project and Approved Rowley Expansion Areas are set forth in the various Appendices A through S, inclusive, as listed at the end of the Table of Contents hereto.

7.0 Expansion Areas

A limited number of properties not *owned or* controlled by the Master Developer have been included in this Agreement as “*Potential* Expansion Areas” and illustrated in **Figure 3**. Upon meeting certain conditions, described hereafter, any or all of the Rowley Expansion Areas may be developed from time to time during the Buildout Period with land uses and densities, design guidelines and development standards consistent with the Project. Any Rowley Expansion Area, whether owned by the Master Developer or not, that meets those conditions is termed an “Approved Rowley Expansion Area” herein. A Rowley Expansion Area shall be deemed an Approved Rowley Expansion Area after it meets all of the following conditions of this Section 7.0; and, complies with all of such conditions of this Agreement. The City shall confirm whether an Expansion Area complies with these criteria in accordance with the procedures identified in Appendix O (Permitting).

7.1 Notice by Master Developer

The Master Developer shall provide written notice to the City of its intention to bring the potential Expansion Area into the Development Agreement.

7.2 Environmental Review

Completion of any additional environmental analysis, as determined by the Designated Official, beyond that covered in the 2010/2011 Planned Action EIS for the development proposed for the Project, as required by the State Environmental Policy Act (SEPA), its implementing regulations, or other applicable laws and ordinances; and, the project-level SEPA decision issued for the stormwater facilities.

7.3 Comprehensive Plan Amendment

Amendment of the City's Comprehensive Plan, as necessary, to designate the Rowley Expansion Area in question to Urban Village (UV) zoning, or any successor comprehensive plan designation that recognizes and plans for development consistent with this Agreement.

7.4 UV Rezone

As necessary, reclassification (rezoning) of the expansion area(s) in question to the City's Urban Village (UV) zoning district, or any successor zoning designation that permits development consistent with this Agreement.

8.0 Allowable Development

8.1 Mix of Allowable Development

The allowable development of the Project (including development of any Rowley Expansion Areas) shall not exceed 4,435,100 gross square feet of total occupiable space as permitted in Appendix C (Land Use), unless otherwise provided for in this Section 8. Net Square Footage shall be utilized by the City to calculate and track development entitlement. Potential limitations to the allowable development have been included in Appendix D (Community Spaces), Appendix I (Utilities), Appendix J (Critical Areas), Appendix K (Housing), Appendix Q (MTFA) and Appendix S (SEPA).

8.2 Public Service and Quasi-Public Uses Not Counted Toward Maximum

The square footage of any Public and Quasi-Public Services uses developed in the Rowley Project shall not be counted against the Allowable Development, so long as they do not create an unanticipated impact on peak-hour traffic or peak water consumption. Public Services and Quasi-Public uses are defined and further regulated in Appendix C (Land Use).

8.3 Accessory Residential and Live/Work Not Counted Toward Maximum

Accessory Residential and Live/Work units are small-scale land uses that provide a diversity of spaces often not found in big, master-planned development projects. As these spaces often provide affordable housing or work spaces for the community, the City will encourage the Master Developer to provide these spaces by not counting them toward the overall Allowable Development.

8.4 No Increase in Allowable Development if Rowley Expands

Addition of an Approved Rowley Expansion Area to the Rowley Project shall not result in any increase in the allowable development of the Rowley Project. While the

maximum number of residential units and maximum Gross Square Feet of commercial and retail uses established in Subsection 8.1 (“Mix of Allowable Development”) shall remain unchanged by such additional area, the Master Developer shall be permitted to allocate the Allowable Development throughout the entire Rowley Project, and as enlarged by any Approved Rowley Expansion Area.

9.0 Affordable Housing

Affordable housing requirements applicable to the Rowley Project are set forth in Appendix K (Housing).

10.0 Surface and Ground Water

The stormwater and ground water standards applicable to the Rowley Project are set forth in Appendix I (Utilities).

11.0 Critical Area Standards

The Critical Area regulations, boundaries, and uses allowed in Critical Areas within the Rowley Project are set forth in Appendix J (Critical Areas).

12.0 Rowley Water Service

Water service shall be provided to the Rowley Project in accordance with Appendix I (Utilities). The Master Developer shall provide water facilities (e.g. pipes, reservoir, meters, etc.) at its cost.

13.0 Rowley Sewer Service

The City shall provide sanitary sewer service to the Rowley Project sufficient for the Allowable Development. Sanitary sewer service shall be provided to the Rowley Project in accordance with Appendix I (Utilities). The Master Developer shall provide at its cost sanitary sewer facilities to serve the Rowley Project consistent with Appendix I (Utilities).

14.0 Schools

The Master Developer shall provide mitigation of the impacts of the Rowley Project on public schools in accordance with fees collected by the City consistent with other non-village locations in the City; or, as otherwise approved by the Master Developer and the Issaquah School District.

15.0 Police Services

The Master Developer’s obligations for facilities necessary to support police services are set forth in Appendix P (Capital Facilities).

16.0 Fire Protection Services

The Master Developer’s obligations for facilities necessary to support fire protection services are set forth in Appendix P (Capital Facilities).

17.0 Adequacy of Facilities

The Master Developer’s compliance with the Development Standards and performance of its obligations contained in this Agreement, including but not limited to the transportation and utilities described in Appendices Q (Master Transportation Financing Agreement) and I (Utilities), respectively, shall constitute the financing and provision of adequate and sufficient

public facilities and services for the Project, and such performance satisfies all applicable concurrency and level of service requirements of the City with respect to all components of the Allowable Development.

18.0 Additional Voluntary Mitigation

This Agreement, including the obligations to pay fees and perform mitigation, is undertaken voluntarily by the Master Developer. The Master Developer acknowledges that its obligations in this Agreement, including all appendices, for mitigations and fees are reasonably related to and are a direct result of the impacts from the Project. The parties have spent considerable time and effort to calculate the impacts. The Master Developer is satisfied that the methodologies used and the results obtained are correct. To the extent that the mitigations and fees set forth in this Agreement are deemed to be in excess of what could be required of the Master Developer, the Master Developer acknowledges and agrees that, pursuant to WAC 197-11-660(1)(d), it is agreeing to additional voluntary mitigation. The Master Developer agrees that the City is justified in relying upon the promise to perform mitigations and pay the fees agreed to in this Agreement. The Master Developer waives and disclaims for itself and its successors and assigns any right or claim for refund or other modification of the fees and mitigation set forth herein, whether based upon constitutional or statutory claims whether existing now or arising in the future.

19.0 Financing Plan

19.1 Capital Facilities Financing

The City and the Master Developer set forth in Appendix P (Capital Facilities) capital facilities financing requirements for parks, police, fire protection, schools, and general government purposes, including operational equipment.

19.2 Partnering

The Parties shall cooperate in financing partnerships (e.g. P3 financing, 63-20 tax financing, etc.), if needed and if agreed upon by the City, to fund necessary infrastructure and facilities resulting from the Project.

20.0 Environmental Mitigation and Project Requirements

The Master Developer agrees to implement the environmental mitigating measures for the Project set forth in the 2011 final environmental impact statement (EIS), included in total in Appendix S (EIS Mitigation), for the Project, and to implement the obligations of the Master Developer created in this Agreement.

21.0 Flexibility and Modifications of Rowley Project Elements, Development Standards, and Other Mitigations by the City

21.1 Flexibility Objectives

The Project described in this Agreement, including the exhibits, attachments, figures and appendices, provides the desired initial definition and certainty of the Project concept. However, the parties acknowledge modifications to the Project will occur during the Buildout Period. Therefore, Flexibility Objectives have been incorporated into this

Agreement, including: incorporating new information; responding to changing community and market needs; encouraging creativity and innovation; encouraging reasonably priced housing; and encouraging modifications that provide comparable benefit or functional equivalence with no significant reduction of public benefits, environmental protection, or increased material cost to the Rowley Project (collectively “Flexibility Objectives”).

21.2 Modifications to Rowley Project Permitted

The criteria and conditions for review and approval of modifications to this Agreement, its exhibits and appendices, and to the Project, are described and defined in Appendix O (Permitting). The Project, including the Development Standards for the Project, may be modified pursuant to the process and standards established in Appendices O & B (Permitting and Design Guidelines, respectively). Nothing in this Agreement authorizes any modification of state-imposed mandatory concurrency requirements under the Growth Management Act, as amended.

21.3 Interim/Transitional Uses

The criteria for review and approval of qualifying land use applications may be modified at the discretion of the Master Developer under the provisions of Appendix M (Interim/Transition Uses). Unless otherwise approved by the Designated Official, the following appendices or portions of appendices shall not apply to Interim or Transitional uses:

- A. Appendix B (Design Guidelines)
- B. Appendix E (Circulation)
- C. Appendix F Section 9 (Parking)
- D. Appendix G (Landscaping)

22.0 City Processing and Review

22.1 City Review Procedures and Standards

The City’s application and review processes for the Rowley Implementing Approvals are set forth in Appendix O (Permitting).

22.2 SEPA Compliance

22.2.1 Prior SEPA Documents

The parties acknowledge the urban development within the Project area has been addressed and analyzed in prior environmental documents, including but not limited to environmental impact documents:

- Hyla Crossing and Rowley Center EIS
- Tibbetts Greenway EIS
- City Stormwater Improvements (SEP11-00005)

22.2.2 Rowley Project EIS

The parties intend that the 2010/2011 EIS analyzing the impacts of the Project shall constitute compliance to the fullest extent possible under SEPA for all

Implementing Approvals and requested modifications under Section 21 (Flexibility and Modifications of Project Elements, etc.) and Appendix O (Permitting) during the Buildout Period. The project has been planned and approved as a Planned Action. Prior EIS's are incorporated.

22.2.3 Further SEPA Review Limited

Since this Agreement sets forth the mitigations and other Project Regulations to be applied during the Buildout Period to achieve full SEPA compliance, the City may, pursuant to the procedures and standards set forth in SEPA, RCW ch. 43.21C., the SEPA Rules, WAC ch.197-11 as now exists or as are hereafter amended, and Appendix R (SEPA), require a supplemental EIS, EIS addendum, DNS or MDNS requiring mitigation measures beyond those in this Agreement, only to the extent:

22.2.3.1

An Implementing Approval or requested modification exceeds the Project Envelope (as defined in Appendix R, SEPA) and governing Development Standards, or

22.2.3.2

the City concludes, pursuant to the SEPA Rules, WAC197-11-600(3)(b), that substantial changes have been made to the Project so that it is likely to have significant adverse impacts not previously analyzed in a SEPA environmental document; or

22.2.3.3

the City concludes, pursuant to the SEPA Rules, WAC 197-11-600(3)(b), that there is new information indicating probable significant adverse environmental impacts of the Project not previously analyzed in a SEPA environmental document.

22.2.3.4

or as otherwise required by law.

23.0 Vesting of Development Standards and Mitigation

All development within the Project shall be governed by the Development Standards in this Agreement and the applicable provisions of the Issaquah Municipal Code in effect as of the date of this Agreement. All development within the Project shall be implemented through plats, short plats, site development permits, building permits and other permits and approvals (“Implementing Approvals”) issued by the City. A Buildout Period of thirty (30) years following Development Agreement approval (first implementing Building Permit, or 3 years whichever comes first) is established for the development and construction of uses for the Project, as authorized in RCW36.70B.170(3)(i). In accordance with RCW 36.70B.180, during the Buildout Period the City shall not modify or impose new or additional Development Standards except as set forth in this Agreement, provided, however, that the Project elements and

other Development Standards may be modified during the Buildout Period in accordance with the procedures established in Appendix O (Permitting), and Section 24 of this Agreement (Other Development Standards). To the extent this Agreement does not establish Development Standards, process, procedures, or similar elements covering a certain subject, element or condition, then the Project shall be governed by the City codes and City Council-adopted standards in effect upon the date of this Agreement, except as follows:

23.1 During Buildout Period

During the term hereof aside from the provisions and of Appendix O (Permitting), the Development Standards may only be modified as follows:

23.1.1 Serious Threat

The City Council may modify one or more Development Standards during the Buildout Period to the extent required to avoid a serious threat to the public health or safety. Any serious threat must be believed to be imminent and permanent.

23.1.2 Updated Uniform Codes Apply

Notwithstanding the foregoing, the International Building Code, International Fire Code, and other construction codes in effect in the State of Washington, and as adopted by the City of Issaquah, on the date of filing a complete building permit application or other construction application for a building in the Project, shall apply, except that no changes to such codes taking effect after the date of this Agreement shall require redesign or modification of then-existing Project utilities, facilities or other infrastructure that were installed in accordance with this Agreement unless redesign or modification are required to avoid a serious threat to the public health or safety.

23.1.3 Disputes Regarding Emergencies

reserved

23.1.4 Resolution of Conflicts Between City Standards and Rowley Goals, Guidelines, and Standards

If a City standard adopted by ordinance is applied to the Project because this Agreement has not established an applicable Development Standard, and if such City standard conflicts with an adopted Rowley Planning Goal or Urban Design Guideline, or other Rowley Project Development Standards, then, if not prohibited by state or federal law, the City shall propose a comparable Development Standard in lieu of the City standard that responds to and integrates or consolidates the City standard with the conflicting Rowley Planning Goal, Urban Design Guideline, or other Rowley Project Development Standard, unless modification of the City standard would compromise public health or safety. In that event, the Master Developer or relevant Applicant and the Designated Official shall work together and seek to resolve through consensus any difference of opinion they may have regarding the Designated Official's proposal.

23.1.5 Project Examination

By the last business day in June of 2018, 2025 2032, and 2039, the Parties shall mutually select a consultant to perform an evaluation of the success of the Development Agreement. The evaluation will be presented to the Parties prior to the end of each identified calendar year and will include, at a minimum:

- Whether any identified public concerns (e.g. views, critical area issues, consistency with Design Guidelines or Project vision, traffic, traffic payments (MTFA) and expenditures, parking, or pedestrian and bicycle mobility) deserves attention or considerations;
- What obstacles, opportunities and/or constraints might exist for the Master Developer and /or the City that were unexpected when the Agreement was written;
- Is there consistency with the Planned Action Ordinance (Appendix R);
- Have the Parties evolved the vision for SR900 through this area; and,
- Has the Partnership between the Parties led to innovation.
- Commitment to publish notice of the review in the local newspaper.

The costs of these evaluations shall be equally shared by the Parties and is not intended to exceed \$10,000 (as adjusted annually based on Consumer Price Index). The Designated Official will keep track of comments and concerns raised between reviews and provide that list for consideration in the following review.

23.2 Architectural Review Committee

The Master Developer's Declaration must establish an Architectural Review Committee (ARC) before the City shall approve the first implementing permit for the Project. Provisions regarding the composition and procedures of the ARC are outlined in Appendix O (Permitting), and such provisions must be substantially included in the Declaration. The ARC will be responsible, among other things, for reviewing those applications for Implementing Approvals specified in Appendix O (Permitting) as subject to ARC review, before any such application is submitted for City review and processing. The City may refuse to process any such application that has not received prior written approval by the ARC. The ARC must adopt written architectural standards, guidelines, and regulations before the first application for a building permit or site development permit in the Project is filed with the City. Such standards, guidelines, and regulations must be consistent with this Agreement. The ARC shall transmit its proposed architectural standards, guidelines, and regulations to the City Designated Official for review and comment at least 90 days before ARC adoption. The Designated Official shall transmit his/her comments to the ARC within 60 days after receiving the ARC's proposal. The Master Developer shall deliver three sets of the adopted ARC standards, guidelines, and regulations to the Designated Official immediately after their adoption. Such sets shall be used for reference and informational purposes only and shall not be subject to any further City review or approval.

23.3 After Buildout Period

The Development Standards shall continue to apply to all applications for Implementing Approvals submitted after expiration of the Buildout Period, except either party may

terminate this Agreement, and the zoning and development regulations may be modified, as provided in Section 28.13 (Term).

23.4 Application and Processing Fees

The application and processing fees for all Implementing Approvals shall be established under Appendix O (Permitting).

23.5 Replacement Regulations

During and after the Buildout Period, the Master Developer, as an alternative to using one or more of the Development Standards for particular subject matters specified in this Agreement, may request City approval to use new code provisions or generally-applicable standards for that subject adopted after the execution of this Agreement, pursuant to the procedures set forth in Appendix O (Permitting). After the Buildout Period, new standards also may be adopted as provided in Section 28.13 (Term).

24.0 Other Development Standards

The City and Master Developer acknowledge that the Development Standards may be revised, or new standards adopted, by mutual agreement pursuant to Appendix O (Permitting). For any new Development Standards that are not adopted in this Agreement, new Development Standards may be proposed by the Master Developer or the City, tailored as appropriate to the Project, and processed pursuant to Appendix O (Permitting). Both parties need to agree on the proposal to include new non-life/safety standards. However, the Master Developer shall also comply with any applicable Development Standards imposed by state or federal law and their implementing regulations.

25.0 Declaration of CC&Rs; Master Association and Architectural Review Committee

This Section 25 is applicable only if the Master Developer sells or transfers fee title to all or a portion of the property covered by the terms of this Agreement.

25.1 Master Developer’s Declaration of Covenants

Prior to first implementing permit for the Project, the Master Developer shall file a Declaration of Covenants, Conditions, and Restrictions (“Declaration”) for recording against the Property in the King County Division of Records and Elections. The Declaration shall be consistent with the terms and conditions of this Agreement, shall govern and control development of the Rowley Project, and shall by its terms be subject to amendment during the Buildout Period only by the declarant thereunder (i.e., the Master Developer) or a Master Developer Transferee.

25.2 Master Association

No later than the first sale of any property within the Project, the Master Developer shall establish an association for the Project as a nonprofit corporation or similar legal entity composed of all property owners within the Project. The Declaration filed by the Master Developer at the time of the first sale of any portion of the Property shall include appropriate provisions for the ongoing management of the association, including but not limited to provisions for its funding of the Architectural Review Committee after the initial development period established by the Declaration. In order that the Designated

Official may communicate efficiently with this association, it shall, from time to time, designate a single contact person who is a member of the association. Nothing herein shall preclude Master Developer from managing the Association or from acting as the designated contact.

26.0 Joint Transportation Improvements and Phasing

26.1 Phasing of Road Improvements in Rowley Project

The phasing of road improvements for the Project is set forth in the Master Transportation Financing Agreement (Appendix Q).

26.2 Road Standards for Rowley Project

The road standards applicable to the Project are set forth in Appendix E (Circulation). Any modification of such standards for roads within the Project shall be determined by the City pursuant to the procedures in Appendix O (Permitting).

26.3 Master Transportation Financing Agreement

The parties hereby adopt and approve the Master Transportation Financing Agreement (MTFA), which is set forth as Appendix Q. The MTFA includes a description of major transportation improvements and contains provisions consistent with this Agreement for offsets and credits in favor of the Master Developer for road improvements undertaken by the Master Developer that exceed the impacts of the Project. The MTFA will recognize the existing trip reservation.

26.4 Mitigation of Traffic Impacts

The Rowley Project DEIS issued by the City in 2011 and the FEIS in 2011 have studied in reasonable detail the projected adverse impacts of the Project on affected transportation facilities throughout the region, and the MTFA (Appendix Q), agreed to by the parties, represents reasonable mitigation of such adverse impacts. The MTFA outlines commitments made by the City and the Master Developer to resolve transportation problems caused by development of the Rowley Project.

27.0 Public-Private Partnership for Creation of Rowley Project

The Master Developer and the City (collectively the “Parties”) recognize that an urban village community like the Project cannot be created as a successful and livable mixed-use project without long-term cooperation and commitment to the vision.

27.1 Master Developer’s Participation

The Parties recognize and agree that the Project must have the continuing active participation of an overall Master Developer in order to ensure that the various Development Parcels of the Project are ultimately developed into a harmonious community, rather than as a series of disconnected development enclaves. Accordingly, this Agreement, in Subsection 28.2, contains provisions for the continuing presence and participation of a Master Developer for the Project throughout the Buildout Period, even though the parties recognize that individual Development Parcels could be sold to and

developed by a number of Parcel Builders different from the Master Developer. By way of example only, the duties of the Master Developer include:

27.1.1 Assignment of Uses

The assignment of land uses to various Development Parcels (subject to the City’s approval);

27.1.2 Distribution of GSF

The distribution of residential units and commercial and retail Gross Square Footage among Development Parcels;

27.1.3 Determination of Suitable Neighboring Uses

The determination of the suitability with adjacent land uses (subject to the City’s approval);

27.1.4 Impervious Surface Limitations

The establishment of impervious surface limitations for Development Parcels (subject to the terms and conditions of Appendix I, Utilities) and applicable City regulations; and,

27.1.5 Implementing Goals and Design Guidelines

Taking action and providing guidance to Parcel Builders that is consistent with and that implements the spirit of Appendix A (Goals) and Appendix B (Design Guidelines); provided, however, that the duties and obligations of the Parcel Builders established in this Agreement shall not be deemed assumed by or delegated to the Master Developer by the foregoing provision.

27.2 City’s Continuing Involvement in Rowley Development

The City recognizes that it has an important continuing role to play in the ongoing successful development of the Project, and not merely in the initial establishment of Development Standards through this Agreement. As set forth more fully in Appendix O (Permitting), the City’s Designated Official will be involved in the review of Implementing Approvals for the Project, and the Urban Village Development Commission will review new categories of Urban Village Design Guidelines or Development Standards and certain applications for Implementing Approvals for the Project. The Designated Official shall work closely with both the Master Developer and the Parcel Builders in order that the Project be a well-designed and well-planned urban village with recreational, pedestrian, and social amenities that make it an attractive asset to the Issaquah community.

28.0 General Provisions

28.1 Governing Law

This Agreement shall be governed by and interpreted in accordance with the laws of the State of Washington.

28.2 Agreement Binding on Successors; Respective Obligations of Master Developer and Parcel Builders; Release of Master Developer’s Liability upon Transfer to Master Developer Transferee

28.2.1 Binding Nature of Agreement; Master Developer’s Non-Delegable Obligations

This Agreement shall be binding upon and shall inure to the benefit of the heirs, successors and assigns of the Owners and the Master Developer, and upon the City, except as limited and conditioned in this Subsection 28.2.

28.2.1.1

The Master Developer general duties and obligations under this Agreement as Master Developer of the Project are not intended to be delegated to Parcel Builders unless a particular duty or obligation, specifically and directly related to the Parcel in question, is expressly imposed by the City as a term or condition of an Implementing Approval for that Parcel.

28.2.1.2

It is the intent of this Agreement that this Agreement and the Development Standards and Design Guidelines adopted and incorporated herein shall continue to apply to a Development Parcel in the Project or an Approved Rowley Expansion Area after its Transfer to a Parcel Builder. It is further the intent of this Agreement that the following overall obligations and duties herein of the Master Developer to construct and develop infrastructure and amenities applicable to the Project as a whole shall not, without consent from the Designated Official, be assigned or delegated to Parcel Builders but shall remain the obligation of the Master Developer even after Transfer of a Development Parcel to a Parcel Builder.

28.2.1.3

The City has authority to require the Master Developer to post bonds or other acceptable security for performance and maintenance obligations directly related to the Master Developer’s obligations, both under this Agreement and through plat or other Implementing Approvals.

28.2.2 Master Developer Transferee

The parties acknowledge that development of the Project may involve Transfer of all or substantially all of the Master Developer’s then-remaining interest and estate in the Property and the Project to a Master Developer Transferee that will thereafter act as the Master Developer of the Rowley Project pursuant to this Agreement. The provisions of this Section 28.2 are intended to apply to such a Transfer, and to all such subsequent Transfers by that successor Master Developer to another successor Master Developer.

28.2.2.1

The Master Developer shall have the right to Transfer its respective interest, rights, and obligations under this Agreement or in the Project to a Master Developer Transferee. Consent by the City shall not be required for any such Transfer.

28.2.2.2

Upon a Transfer under this Section 28.2.2, the Master Developer Transferee shall be entitled to all interests and rights and shall be subject to all obligations under this Agreement, but the Master Developer shall not be released of liability unless the conditions of Section 28.2.3 (Release of Liability) are met.

28.2.2.3

The provisions afforded through Section 21.3 of this Agreement and Appendix M (Interim/Transition Uses) shall sunset with the Transfer of Master Developer rights and obligations.

28.2.3 Release of Liability

The Master Developer (but no Parcel Builder, as a successor or assign of the Master Developer) shall be automatically released of all liabilities and obligations under this Agreement if the conditions of both Sections 28.2.3.1 and 28.2.3.2 are met, if one of the conditions of Section 28.2.3.3 is met, and if such conditions are confirmed by the City as an Authorized Modification pursuant to Appendix O (Permitting):

28.2.3.1

The Master Developer has provided notice to the City of the proposed assignment;

28.2.3.2

The Master Developer Transferee has assumed in writing all obligations and liability therefor under this Agreement, and under any separate agreements entered into with the Designated Official, for payment of services to implement this Agreement.

28.2.3.3

one of the following exists:

- A. the Master Developer retains a fifty percent (50%) or more equitable interest in the entity constituting the Master Developer Transferee, and the Master Developer is the managing entity or actively involved in development of the Rowley Project; or
- B. the Master Developer Transferee has provided the City with satisfactory evidence of a financial net worth that equals or exceeds

at least twice the amount of outstanding financial obligations, at the time of the assignment, allocable to the portion of the Property proposed for assignment; or

- C. substantially all of the on-site and off-site Master Developer mitigations (as contrasted with Parcel Builder mitigations) directly attributable to the Master Developer Transferee's portion of the Rowley Property have been completed or adequate security therefor has been provided in a form acceptable to the City (including the bonding and security which the City will require as part of plat approval or other Implementing Approvals); or
- D. the City consents, which consent shall not be unreasonably withheld.

28.2.3.4

If the conditions for release under this Section 28.2.3 are met, then from and after the date of Transfer, the Master Developer shall have no further liability or obligation under this Agreement, and the Master Developer Transferee shall exercise the rights and perform the obligations of the Master Developer under this Agreement for the portion of the Rowley Project acquired by the Master Developer Transferee, subject to the following:

- A. If after release of liability a default occurs relating to the Transferred portion of the Project, such default shall not constitute a default by the released party nor be a default as to any other portion of the Project not subject to the defaulted obligation.
- B. Notwithstanding any other provision hereof, the Master Developer or any Master Developer Transferee whose interest has been transferred through foreclosure or deed in lieu thereof shall be released of all liability, from and after the effective date of transfer through foreclosure or deed in lieu thereof.

28.2.4 Recording

A memorandum of this Agreement shall be recorded against the Rowley Project as a covenant running with the land and shall be binding on the Master Developer and Owners, their heirs, successors and assigns.

28.3 Interpretation; Severability

28.3.1 Interpretation

The parties intend this Agreement to be interpreted to the full extent authorized by law as an exercise of the City's authority to enter development agreements pursuant to RCW 36.70B.170 *et seq.*, and this Agreement shall be construed to exclude from the scope of this Agreement and to reserve to the City, only that

police power authority which is prohibited by law from being subject to a mutual agreement with consideration. If a Rowley Development Standard conflicts with an otherwise applicable provision of the Issaquah Municipal Code, the Rowley Development Standard shall control.

28.3.2 Severability

If any provisions of this Agreement are determined to be unenforceable or invalid in a final decree or judgment by a court of law, then all of the following shall apply:

28.3.2.1

If the final decree or judgment is pursuant to a claim or cause of action brought by the Master Developer or a Master Developer Transferee, then upon entry of the final decree or judgment (or, in case of an appeal to a higher court, upon entry of the appellate court mandate), this Agreement shall be deemed void and of no further force or effect.

28.3.2.2

If the final decree or judgment is pursuant to a claim or cause of action brought by a person or entity that is neither the City, the Master Developer, or a Master Developer Transferee, then the remainder of this Agreement not decreed or adjudged unenforceable or invalid shall remain unaffected and in full force and effect. In that event, this Agreement shall thereafter be modified, as provided immediately hereafter, to implement the intent of the parties to the maximum extent allowable under law. The parties shall diligently seek to agree to modify the Agreement consistent with the final court determination, and no party shall undertake any actions inconsistent with the intent of this Agreement until the modification to this Agreement has been completed. If the parties do not mutually agree to modifications within forty-five (45) days after the final court determination, then either party may initiate the dispute resolution proceedings in Section 28.18 (Dispute Resolution Process) for determination of the modifications that will implement the intent of this Agreement and the final court decision.

28.4 Authority

Each party respectively represents and warrants that it has the power and authority, and is duly authorized, to enter in this Agreement on the terms and conditions herein stated, and to deliver and perform its obligations under this Agreement.

28.5 Amendment

The Project and its Development Standards may be modified as provided in Section 21 (Flexibility and Modifications of Rowley Project Elements, etc.), Appendix O (Permitting) and other provisions of this Agreement. Except for Major Modifications as determined under Appendix O (Permitting), other modifications of the Development Standards as established in Appendix O (Permitting) shall not require execution of any

specific written amendment to this Agreement. Except for modifications pursuant to Appendix O (Permitting), this Agreement shall not otherwise be modified or amended without the express written approval of the City and the Master Developer, or the Master Developer Transferee.

28.6 Figures, Attachments and Appendices Incorporated

Figures 1 through 4, Attachment 1, Attachment 2, and Appendices A through S are incorporated herein by this reference as if fully set forth.

28.7 Headings

The headings in this Agreement are inserted for reference only and shall not be construed to expand, limit or otherwise modify the terms and conditions of this Agreement.

28.8 Time of the Essence

Time is of the essence of this Agreement and of every provision hereof. Unless otherwise set forth in this Agreement, the reference to “days” shall mean calendar days. If any time for action occurs on a weekend or legal holiday in the State of Washington, then the time period shall be extended automatically to the next business day.

28.9 Entire Agreement

This Agreement represents the entire agreement of the Parties with respect to the subject matter hereof. There are no other agreements, oral or written, except as expressly set forth herein.

28.10 Dispute Resolution

If any dispute arises between the parties relating to this Agreement (except disputes covered by Section 28.18, Dispute Resolution Process, which shall be governed by that section rather than this Section 28.10), then the parties shall meet in order to seek to resolve the dispute in good faith, within ten (10) days after a party’s request for such a meeting. The City shall send the Designated Official and persons with information relating to the dispute, and the Master Developer shall send an owner’s representative and any consultant or other person with technical information or expertise related to the dispute. No party shall give a notice of default to the other before such meeting occurs, or if the parties fail to meet within the required seven-day period, until after the expiration of that seven-day period.

28.11 Default and Remedies

28.11.1 Cures Taking More Than Thirty Days

No party shall be in default under this Agreement unless it has failed to perform as required under this Agreement for a period of thirty (30) days after written notice of default from any other party. Each notice of default shall specify the nature of the alleged default and the manner in which the default may be cured satisfactorily. If the nature of the alleged default is such that it cannot be reasonably cured within the thirty (30) day period, then commencement of the

cure within such time period and the diligent prosecution to completion of the cure shall be deemed a cure.

28.11.2 Rights of Non-Defaulting Party

A party not in default under this Agreement shall have all rights and remedies provided by law or equity, including without limitation damages, specific performance, or writs to compel performance or require action consistent with this Agreement.

28.11.3 Attorneys' Fees

In any judicial action to enforce or determine a party's rights under this Agreement, the prevailing party (or the substantially prevailing party, if no one party prevails entirely) shall be entitled to reasonable attorneys' fees and costs, including fees and costs incurred in the appeal of any ruling of a lower court.

28.12 Relief Against Defaulting Party or Portion of Rowley Project

In recognition of the anticipated transfers by the Master Developer of parcels of the Rowley Center and Hyla Crossing properties to Parcel Builders, remedies under this Agreement shall be tailored to the Rowley Project or parties as provided below in this Section 28.12.

28.12.1 Relief Limited to Affected Parcel

After the transfer of portions of the Rowley Project for which the release of liability provisions apply under Section 28.2.3 (Release of Liability), any claimed default shall relate as specifically as possible to the portion or Parcel of the Project involved, and any remedy against any party shall be limited to the extent possible to the owners of such portion or Parcel of the Rowley Project.

28.12.2 Relief Limited to Affected Owner

To the extent possible, the City shall seek only those remedies which do not adversely affect the rights, duties or obligations of any other nondefaulting owner of portions of the Rowley Project under this Agreement, and shall seek to utilize the severability provisions set forth in this Agreement.

28.12.3 No City Liability if Acting in Good Faith

The City shall have no liability to any person or party for any damages, costs or attorneys fees under this Section 28.12 so long as the City exercises reasonable and good faith judgment in seeking remedies against appropriate parties or portions of the Project.

28.12.4 Other Provisions Not Affected

Nothing in this Section 28.12 modifies the liability or release thereof for the Master Developer as provided in Section 28.2.3 (Release of Liability) or releases the Master Developer's joint and several liability to the extent established in Appendix I (Utilities), Appendix Q (Master Transportation Financing Agreement), or Appendix P (Capital Facilities).

28.13 Term

The term of this Agreement shall continue at a minimum through the Buildout Period (Section 23), and shall continue after the Buildout Period unless and until either the City or the Master Developer (or successor owners which own at least fifty-one percent (51%), excluding all City-owned land, within the Rowley Project) gives notice of termination.

28.13.1 Procedures for City's Notice of Termination Following Buildout Period

The City's notice of termination shall use the same notice procedures that would apply to a zoning classification (rezone) of the Project at the time of the proposed termination.

28.13.2 Distribution of City's Notice

The City shall mail notice to the Master Developer under Section 28.16 (Notice) and to any business or homeowner association or community groups which the City in its sole discretion determines should receive notice, but the failure to provide notice pursuant to this sentence shall not affect the validity of the City's termination notice using rezone procedures nor subject the City to any liability.

28.13.3 Master Developer's Notice to the City

Notice by the Master Developer (or successors) shall be delivered to the City as provided in Section 28.16 (Notice) of this Agreement.

28.13.4 City Procedures After Termination

No sooner than six (6) months after the notice of termination, the City shall hold public hearings and shall adopt zoning and related development standards for the Rowley Property, or portions thereof as determined appropriate by the City. Upon such adoption, this Agreement shall terminate and thereafter the Rowley Property shall be governed by the adopted City zoning and related development regulations. Should a zoning change be necessary or desired following Termination of this Agreement, the properties will either revert to their pre-Development Agreement zone; or, an alternative compatible zone will be chosen by the City.

28.14 No Third-Party Beneficiary

This Agreement is made and entered into for the sole protection and benefit of the parties hereto and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

28.15 Interpretation

This Agreement has been reviewed and revised by legal counsel for both parties, and no presumption or rule construing ambiguity against the drafter of the document shall apply to the interpretation or enforcement of this Agreement. Nothing herein shall be construed as a waiver of the City's constitutional and statutory powers. Nothing herein shall be

construed or implied that the City is contracting away its constitutional and statutory powers, except as otherwise authorized by law.

28.16 Notice

All communications, notices, and demands of any kind that a party under this Agreement requires or desires to give to any other party shall be in writing and either (i) delivered personally, (ii) sent by facsimile transmission with an additional copy mailed first class, or (iii) deposited in the U.S. mail, certified mail postage prepaid, return receipt requested, and addressed as follows:

If to the City: City of Issaquah
130 East Sunset Way
P. O. Box 1307
Issaquah, Washington 98027
Attn: Mayor’s Office

with copy to: Ogden Murphy & Wallace
2100 Westlake Center Tower
1601 Fifth Avenue
Seattle, Washington 98101
Attn: Wayne D. Tanaka

If to the Master Developer:

Rowley Properties
1595 NW Gilman Blvd, Suite 1
Issaquah, WA 98027
Attn: Kari Magill

with a copy to: Karr Tuttle Campbell
1201 Third Avenue, Suite 2900
Seattle, Washington 98101
Attn: Gary Huff

Notice by hand delivery or facsimile shall be effective upon receipt. If deposited in the mail, notice shall be deemed delivered forty-eight (48) hours after deposited. Any party at any time by notice to the other party may designate a different address or person to which such notice or communication shall be given.

28.17 Delays

If either party is delayed in the performance of its obligations under this Agreement due to Force Majeure, then performance of those obligations shall be excused for the period of delay.

28.18 Dispute Resolution Process

28.18.1 Matters Covered by Dispute Resolution Process

This Section 28.18 shall govern any disagreements between the Parties over the following:

28.18.1.1

reserved.

28.18.1.2

disputes over modification of this Agreement after a court determination of invalidity under Subsection 28.3.2 (Severability).

28.18.2 Process for Dispute Resolution

If any dispute covered by this Section 28.18 arises, then the parties shall meet in good faith to settle the dispute within ten (10) days after either party requests such a meeting, or within forty-five (45) days after a court ruling under Subsection 28.3.2 (Severability). If the parties are unable to settle the dispute at that meeting, then the parties shall settle the matter by arbitration, made by a single arbitrator, and judgment on the award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

28.18.3 Selection of Arbitrator

The parties during the settlement meeting will seek to agree upon a single arbitrator, if the parties do not voluntarily settle the dispute at the meeting. If the parties cannot agree on a single arbitrator, then the arbitration will be referred to the mediation services provided by the land use and environmental law section of the King County Bar Association, but if it is not in existence or not able to hear the matter, then either the City or the Master Developer may apply to the Washington Superior Court for appointment of a single arbitrator pursuant to RCW7.04.050.

28.18.4 Costs and Procedures for Arbitration

The arbitrator shall establish the procedures and allow presentation of written and oral information, but shall render its final decision within thirty (30) days after the matter is referred to arbitration. The parties shall pay equally the cost of the arbitration, but each party shall pay its own attorney's fees.

28.18.5 Arbitrator's Decision in Writing

The arbitrator's decision shall be in writing and specifically find, as applicable:

28.18.5.1

reserved.

28.8.5.2

reserved.

28.18.5.3

what modifications implement the parties' intent consistent with the court invalidation decision under Subsection 28.4.2 (Severability).

28.18.6 Dispute Resolution Process as Exclusive Remedy

Dispute resolution on the subjects covered by this Section 28.18 is the exclusive remedy of the parties, and the City shall have no liability for damages if dispute resolution is complied with under this Section 28.18.

28.19 Indemnification

28.19.1 General Indemnity

Except as otherwise specifically provided elsewhere in this Agreement and any exhibits hereto, each party shall protect, defend, indemnify and hold harmless the other party and their officers, agents, and employees, or any of them, from and against any and all claims, actions, suits liability, loss, costs, expenses, and damages of any nature whatsoever, which are caused by or result from any negligent act or omission of the party's own officers, agents, and employees in performing services pursuant to this agreement. In the event that any suit based upon such a claim, action, loss, or damage is brought against a party, the party whose negligent action or omissions gave rise to the claim shall defend the other party at the indemnifying party's sole cost and expense; and if final judgment be rendered against the other party and its officers, agents, and employees or jointly the parties and their respective officers, agents, and employees, the parties whose actions or omissions gave rise to the claim shall satisfy the same; provided that, in the event of concurrent negligence, each party shall indemnify and hold the other parties harmless only to the extent of that party's negligence. The indemnification to the City hereunder shall be for the benefit of the City as an entity, and not for members of the general public.

28.19.2 Additional Indemnity

Without limitation of the foregoing provisions of Subsection 28.19.1, if any person brings suit or seeks recovery of any monies paid by that person pursuant to this Agreement, then the Master Developer agrees to indemnify, defend and hold the City harmless from any judgment and shall pay for the City's (and its officers, agents, employees and contractors) costs of suit, pre- or post-judgment interest, consequential damages and reasonable attorneys' fees, expert witness fees, staff time, consultants fees and all other directly related out-of-pocket expenses and reimbursement of any monies paid pursuant to this Agreement. Notwithstanding the preceding sentence, if the basis of the person's claim or cause of action is the City's negligence, intentional misconduct or breach of this Agreement, then the City shall indemnify the Master Developer to the same extent and for the same costs as specified in the preceding sentence. References to the City and the Master Developer include their respective officers, agents, and employees. In the event of concurrent negligence, including RCW 4.24.115, each party shall indemnify and hold the other harmless only to the extent of that party's negligence. The indemnifying party shall have the option but not obligation to defend the indemnified party in any such suit, but if the indemnifying party elects not to defend, then it shall reimburse the indemnified

party on a monthly basis for the costs described in this section. Notwithstanding any other provision in this Agreement, to the extent a court of competent jurisdiction determines that the City is precluded from collecting any fees, costs, or other monies under this Agreement, then the City shall be under no further obligation to pay said precluded sums to the Master Developer. It is further specifically and expressly understood that the indemnification provided herein constitutes each party's waiver of immunity, as between themselves, under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this Subsection 28.19 shall survive the expiration or termination of this Agreement.

29.0 Definitions

See Attachment 1.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed, effective on the day and year set forth on the first page hereof.

CITY:

CITY OF ISSAQUAH,
a Washington municipal corporation

By 
Ava Frisinger
Its Mayor

Date: 2-1-12

Approved as to Form:


Wayne Tanaka, City Attorney 2/1/12

Rowley:

Rowley Properties, Inc.,
a Washington limited partnership

By 
Kari Magill
Its CEO

Date: 2/1/2012

Attachment 1 Definitions

Definitions apply to capitalized terms found in this Development Agreement with the following exceptions:

1. Additional defined terms are located in the Master Drainage Plan (Section 6, Appendix I);
2. Specific definitions related to Appendix L (Signs) only are located within that Appendix L; and,
3. No defined term is intended to surplant terms defined in other applicable codes (e.g. IBC, IFC, etc.)

Defined Term	Definition
1. Administrative Approval	Approval authority granted to the Designated Official through the provisions of this Agreement.
2. Administrative Modification	Process to revise or alter components of the Development Agreement by the Designated Official pursuant to Appendix O (Permitting).
3. Aerial Zone	The area above a sidewalk that is at least eight feet vertically above the sidewalk surface.
4. Agreement	The development agreement for the Rowley Project entered into by the parties herein, together with its Figures and Appendices.
5. Allee	A formal landscape design consisting of two rows of evenly planted trees lining both sides of a walkway or roadway.
6. Allowable Development	The overall amount of square footage approved for the Rowley Project through this Agreement, as specified in <u>Section 8.0</u> of the Main Body. Allowable development includes pre-Agreement uses and Implementing Approvals from this Agreement.
7. Applicant	The Master Developer (or its assignee) as the submitter of an application to the City to receive approval through the provisions of this Agreement.
8. Arbor	A garden feature forming a shaded walkway, passageway or sitting area, of vertical posts or pillars that typically support cross-beams and a sturdy open lattice, often upon which woody vines are trained.
9. Bicycle Parking Space	A permanently-installed structure designed for parking and securing a bicycle without obstructing sidewalks or walkways, often using a bicycle rack.
10. Bike Rail	An element provided as part of a stairway to allow bicyclists to roll their bicycles up and down. These elements are also referred to as bike channels, bike ramps, bike stair and bike gutter.
11. Boardwalk	An at-grade or slightly elevated pathway for pedestrians, typically constructed of wood though it can be comprised of synthetic wood or metal grates. Boardwalks are often constructed along or through beaches, wetlands or other natural environments.
12. Boardwalk, SR900	Existing offsite Boardwalk owned by the Washington State Department of Transportation.
13. Border	A planting area adjacent to the Trail Tread. This area provides and ensures a vegetated transition area within the circulation

	Corridor. Borders may overlap with landscape buffers or building setback areas. Both natural and introduced landscape plantings may be used to fulfill Border requirements.
14. Building	Any structure used or intended for supporting or sheltering any use or occupancy.
15. Building Base	That portion of the building which extends directly from the ground plane, also referred to as podium.
16. Buildout Period	The thirty (30) year period following recording of the first implementing building permit or 3 years following signing of this Agreement, whichever occurs first.
17. Cascade Agenda	A movement led by Forterra (formerly the Cascade Land Conservancy) to build complete, compact and connected communities in order to conserve natural areas, rural farm areas, and make our cities and towns great places to live, work and raise families.
18. Care facility	Any type of group program for children or adults. May be for-profit or not-for-profit.
19. Cargotecture	A term coined to describe any structure built partially or entirely from recycled cargo containers.
20. Central Issaquah Plan Consistency	The Goals and vision established in the Development Agreement are consistent with and help implement the draft Guiding Principles established for the Central Issaquah Plan: <ul style="list-style-type: none"> ▪ Protect the Natural Environment ▪ Add Housing ▪ Create a Sense of Community ▪ Improve Mobility ▪ Surround Central Issaquah with Green Spaces ▪ Enhance Economic Vitality ▪ Innovate
21. City	The City of Issaquah, an Optional Municipal Code City
22. Commercial	Use of a property to include an occupation, employment, or enterprise that is carried by the owner, lessee or licensee. Commercial uses are listed in <u>Section 3.2.4</u> of Appendix C (Land Use).
23. Community Gardens	A plot of land gardened by a group of people to produce fruit, vegetables, flowers, chickens, etc., typically on individual garden allotments within the larger plot of land. The inclusion of Community Gardens is at the discretion of the Master Developer in order to respond to market and/or recreational amenity needs.
24. Community Space	The umbrella term within the Project designated for lands containing resource protection, recreation or public amenity such as active or passive parks, plazas, trails, informal gathering areas, community gardens, and other like facilities and areas. Some Community Spaces are required, others are encouraged. Designated Community Spaces are created by the Master

- Developer and can be comprised of both pervious and non-pervious surfaces and are designed with hardscape and/or landscaping.
25. Complete Community
Means communities that meet people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, housing, and community infrastructure including housing, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided.
 26. Comprehensive Monitoring Plan
The plan for monitoring stormwater quantity and quality described in the Master Drainage Plan.
 27. Corporate Housing
A furnished apartment, condo or house rented on a temporary basis to individuals, military personnel or corporations as an alternative to a traditional hotel or an extended hotel stay.
 28. Corridor
An area that includes the length and width of a circulation facility such as a street or trail. The Corridor includes, but is not limited to, Trail Tread, sidewalks, travel lanes, on-street parking areas and required landscape.
 29. Critical Area
Protected areas within the Project pursuant to Appendix J (Critical Areas).
 30. Crosswalk
A portion of a roadway where pedestrians are encouraged to cross the street; can be marked or unmarked.
 31. Crosswalk, Raised
A crosswalk that is at a higher elevation than the adjacent street grade to enhance the visibility of a pedestrian route. Raised Crosswalks are only allowed as Pedestrian Tables.
 32. Cultural Facility
A public or community gathering place or area such as a community center, theatre, amphitheatre or sculpture garden.
 33. Dark Skies
A movement to preserve and protect the nighttime environment and our heritage of dark skies through environmentally responsible outdoor lighting.
 34. Deciduous Tree
Woody plants with a minimum mature height generally greater than 15 feet which go dormant in winter and shed their foliage.
 35. Declaration
The Declaration of covenants, conditions and restrictions (CC&Rs) filed for recording by the Master Developer at the time of the first implementing permit for the Project.
 36. Designated Official
The person appointed by the Mayor, empowered, authorized and charged with the duty to administer, interpret, process and approve plans and permits as required by this Agreement. The person will meet the general qualifications listed in Attachment 2.
 37. Development Standards
Collectively, the Project elements, standards, mitigation measures and other requirements and conditions of development as set forth in this Agreement. The term also includes, but is not limited to, all standards, elements and items included in the definition of

	Development Standards set forth in RCW 36.70.B.170(3), part of the State statute authorizing agreements such as this Agreement.
38. Development Fee	The fees collected by the City to partially fund public facilities to accommodate new growth as empowered through the Growth Management Act (RCW 36.70A) and RCW 82.02.050 through RCW 82.02.100
39. District	Equivalent to a Neighborhood, as used in this Agreement, for the purposes of Parking as further described in Appendix F (Parking).
40. Dog-leg	Something containing a sharp bend.
41. Dripline	The area located under the outermost reach of a tree's limbs.
42. Drought Tolerant Plants	Plants that, once established, can survive with little or no water other than from rainfall or natural runoff.
43. Dwelling Unit	A room or suite of rooms in a building. The Dwelling Unit is designed for and not occupied by more than one (1) single household doing its own cooking therein, having not more than one (1) kitchen facility, and including facilities for living, sleeping and sanitation. Where an Accessory Dwelling Unit (ADU) is present, there may be a separate kitchen facility for the ADU.
44. Dwelling Unit, Accessory	A Dwelling Unit built accessory to another use.
45. Eastside Fire & Rescue (EF&R)	The regional organization that provides fire and emergency services to the City of Issaquah.
46. Equivalent Residential Unit (ERU)	A unit of measure used to define the projected water consumption and sewer capacity based on average consumption. For the purposes of this Agreement, 1 ERU is 1 single-family residence or 1,200 sf of non-residential use. A multi-family residence is equal to 0.67 ERUs.
47. Evergreen Tree	Woody plants with a minimum mature height generally greater than 15 feet which retain at least one year's foliage during their winter dormant period.
48. Expansion Areas	The approximately eight (8) acres of land presently not controlled by the Master Developer, some or all of which may be approved for development under the provisions of this Agreement consistent with the procedures provided in <u>Section 7</u> (Expansion Areas). The potential Expansion Areas are illustrated in Figure 3 .
49. Finish Grade	The land surface elevation adjacent to a building after final alterations are completed. The finished grade will not exceed 10 feet over the elevation of the adjacent lowest bounding roadway.
50. Flex Space	Commercial property that is flexible enough in its design to allow for a variety of office, retail, service and/or Industrial uses.
51. Flexibility Objectives	The reasons for modifying various Project elements or other Development Standards, as further described in <u>Section 21</u> of the Main Body and Appendix O (Permitting), in order to incorporate

- new information, respond to changing community and market needs, encourage reasonably-priced housing; and, to encourage modifications that provide increased creativity and innovation while ensuring comparable benefit or functional equivalence.
52. Force Majeure
Extraordinary natural elements or conditions, such as war, riots, labor disputes, or other causes beyond the reasonable control of the obligated party.
 53. Green Wall
A wall, or portion of a wall, that has support structures (e.g. wires, grids, trellises, etc.) or plant medium (e.g. soil pockets, growing mats, etc.) such that plants can climb up, trail down, or grow out of the wall resulting in a wall or wall section that is predominantly verdant.
 54. Gross Square Feet or Area
see Square Feet, Gross
 55. Groundcover
Low evergreen plantings used in masses. Rocks, pebbles, mulch, sand and similar natural materials may be used as groundcover accents.
 56. Herbicide
Any substance toxic to plants and used to destroy unwanted vegetation.
 57. High Capacity Transit
Public transit that makes fewer stops, travels at high speeds, has more frequent service and carries more people than local service transit such as typical bus lines.
 58. High-Rise Structure
High-Rise Structures are typically ten (10) or more Stories in height measured from Finished Grade. Under certain provisions, High-Rise Structures may be twelve (12) Stories, or 150 feet.
 59. Home Occupation
A business carried on as a secondary, incidental or accessory use by the permanent resident(s) of the Dwelling Unit for gain or support.
 60. Hydrozone
A grouping of plant species used in a landscape area which have similar irrigation needs.
 61. Hyla Crossing
The Project Neighborhood located west of SR900, consisting of approximately 59 acres, and illustrated in **Figure 1** of the Main Body.
 62. Implementing Approvals
Land use approvals or permits issued by the City following the execution of this Agreement which implement or otherwise are consistent with this Agreement, including but not limited to: plats, site plans, utility permits and construction permits.
 63. Industrial
Use of a property involving heavy and light manufacturing, research and development, factory-office and factory-warehousing activities.
 64. Industrial, Light
Industrial activities where research, processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building. These uses are absent heavy machinery, cranes, welding and large volumes of hazardous materials.

65. Informal Gathering Areas
Areas designed to encourage pedestrian-oriented, small-scale social interaction in an urban setting. They vary in size and function depending on adjacent uses, and may include street furniture, focal points and human-scaled elements which emphasize its prime function as a place for people. The inclusion of Informal Gathering Areas are at the discretion of the Master Developer in order to respond to market and/or recreational amenity needs created with the construction of a building.
66. Landscape
The presence of plant material, including lawn, groundcover, trees and/or shrubs. Landscape may also include decorative outdoor elements such as rock, wood and other natural materials, pools, benches, fountains, sculptures, artwork, lighting and decorative paving surfaces.
67. Landscape Coverage
The point when trees and shrubs and living groundcover have matured and filled in so the planting space appears full, not sparsely planted, and meets the required planting standard or intent of the landscape guideline.
68. Livable Community
A community's capacity to provide affordable and accessible housing, transportation, and other services to specifically meet people's needs.
69. Live/Work Unit
A structure or portion of a structure meets all of the following: 1) that combines a retail, commercial or manufacturing activity with a residential living space for the owner or an employee; 2) where the resident owner is an employee of the on-site business; 3) where the business conducted receives a valid business license.
70. Local Improvement District
A special assessment district in which impacts will specially benefit primarily the property owners in the District.
71. Low Impact Development (LID)
An approach to land development that uses land planning and design practices and technologies to simultaneously conserve and protect natural resource systems and reduce infrastructure costs. LID allows land to be developed in a cost-effective manner that helps mitigate environmental impacts.
72. Low-Rise Structure
Buildings that are up to five (5) Stories in height.
73. Master Association
The Owners' Association responsible for maintaining community assets within the Project. (Until the Master Developer sells or transfers fee title as provided in [Section 25](#) of this Agreement, the Master Association shall be the Master Developer.)
74. Master Developer
Rowley Properties, Incorporated, or the responsible ownership party of the Project, or any Master Developer Transferee.
75. Master Developer Transferee
A person or entity other than the Master Developer acquiring an interest or estate (except for security purposes only) in all or substantially all of the Project or the Rowley Expansion Areas, including the then-undeveloped portions thereof, and including transfer of all interests through foreclosure (judicial or nonjudicial) or by deed in lieu of foreclosure. Master Developer

Transferee is also any successive person or entity similarly acquiring such an interest or estate from a previous Master Developer Transferee.

- 76. Master Circulation Plan
The Plan in Appendix E (Circulation) used to guide decisions for road and trail placement and connections.
- 77. Master Drainage Plan
The Plan in Appendix I (Utilities) used to guide stormwater improvements necessary to meet the requirements of this Agreement.
- 78. Master Street Tree Plan
The Plan in Appendix E (Circulation) used to guide decisions for street tree selection.
- 79. Mid-Rise Structure
These buildings are between five (5) and a maximum of nine (9) Stories.
- 80. Mixed Use
Use of a property to include a structure or structures that contain more than one use with a variety of complimentary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form. The mix of uses could be either vertically or horizontally integrated.
- 81. Motorized Vehicles
Cars, buses, vans, trucks, motorcycles, scooters and other similar types of transportation powered by an internal combustion engine.
- 82. Mulch
Composted organic material such as bark, sawdust, wood shavings, etc. used in landscape areas for moisture retention, aesthetics, weed suppression or soil insulation.
- 83. Multi-family Residential
More than two Dwelling Units per building.
- 84. Native Vegetation
Non-weedy plant species indigenous to the greater Issaquah area or that could have been naturally expected to occur in the Project.
- 85. Neighborhood
An area defined by topography, sensitive area, land use, activity, significant streets, and/or other features that are distinguishable from adjacent areas. Neighborhoods may consist of any land use or combination of land uses (e.g. residential, commercial, mixed use, etc.). For this Agreement, there are two neighborhoods: Hyla Crossing and Rowley Center.
- 86. Neighborhood Park
The basic unit of the Community Space system, and serves a social and recreational purpose. The service area is one-fourth to one-half a mile, uninterrupted by major roads or other physical barriers.
- 87. Net Square Footage
See Square Feet, Net
- 88. Open Space
Areas not encumbered by development or development-serving improvements (e.g. parking lots, roadways, etc.). Open Spaces are a positive ingredient of the urban composition and are designated or reserved for public or private use and enjoyment.
- 89. Parcel Builder
An owner of all or a portion of a development parcel in the Project that is governed by the provisions of this Agreement.

90. Park Once District
A place where people are encouraged to park in one place and then make stops on foot rather than driving from one destination to another within the district, as you would with a car-oriented area.
91. Parking Deck
A covered, single level of parking where the roof is a substantial structure for uses such as a solar array, parking, green roof, park, or shade structure.
92. Parking Held in Reserve
A development area which is designated for future parking needs but is currently landscaped and/or contains impervious surface. For site and storm drainage calculations, it is considered impervious.
93. Parking Lot or Surface Parking
An area not within or under a building and/or not covered by a deck, where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking. Parking Lots include stalls, drive aisles and maneuvering space. Parking lots do not include on-street parking or areas where only parallel parking exists.
94. Parking, On Street
Parking within rights-of-way or between curbs of private streets and which has parallel parking, angled parking, or head-in parking. On-street, parallel parking is typically 20 feet in length.
95. Parking, Structure
A structure where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking. The structure may be free standing or incorporated into another building and may have some occupied uses contained within the structure.
96. Parties
Collectively the City of Issaquah and the Master Developer.
97. Path
A pedestrian route that is not regulated to a minimum standard as it is not necessary to create a Pedestrian Friendly community. Examples of paths would include: a less direct route, a redundant or duplicative corridor, and a walk serving two or fewer residential units. A path is covered by Best Practices, Design Guidelines and safety.
98. Pedestrian Friendly
A term to describe designs that because of scale, character, materials, accessibility, and/or other elements that encourage walking as a primary mode of transportation. Pedestrian-Friendly routes are safe, direct, easy to use and connected. Also known as “pedestrian oriented”.
99. Pedestrian Table
A traffic calming device designed as a long speed hump with a flat section in the middle. Pedestrian Tables are generally long enough for the entire wheelbase of a fire truck to rest on top and differ from speed tables in that they double as a Raised Crosswalk.
100. Pedestrian Zone
The area from the surface of a sidewalk vertically to eight feet (8’) above the sidewalk surface.
101. Plaza
An element of public realm that is an outdoor, open gathering place that is designed for multi-functional public access. The

- Plaza may contain a variety of design treatments, including both soft and hard surfaces, though typically more hardscape, and is partially or completely surrounded by buildings and/or streets. The inclusion of Plazas is at the discretion of the Master Developer in order to respond to market and/or recreational amenity needs created with the construction of a building.
102. Pocket Park
The term “Pocket Park” was coined in the 1960s, when small areas within highly concentrated urban neighborhoods were transformed into Pocket Parks devoted to recreation and green space uses. Pocket Parks may be located in commercial or residential neighborhoods, can fulfill a wide variety of purposes, and can serve people of various age groups and abilities. They can be developed for active or passive recreational use including low-impact activities that are potentially compatible for locations adjacent to critical areas. They vary in configuration depending on the surrounding land uses and the activities the Pocket Park supports. The inclusion of Pocket Parks are at the discretion of the Master Developer in order to respond to market and/or recreational amenity needs created with the construction of a building.
103. Pop Up
A pop-up involves opening a short-term business, often in an empty retail or other space as a temporary use. These shops, while typically small and temporary, can build up interest and generate activity for an area.
104. Project
The Project area and entitled development, as conceptually illustrated in **Figure 1**, and as further defined in Appendix C, and as authorized pursuant to the pre-approved uses, densities and Development Standards established in this Agreement. Also meaning two neighborhoods within one Project for the purposes of this Development Agreement.
105. Property Line
The line denoting the limits of legal ownership of property.
106. Property Owner
The legal owner or owners of the property.
107. Public
Use of property to include for the purpose of this Agreement, Public Uses as listed in Section 3.2.3 of Appendix C (Land Use). In addition, Public is used throughout the Agreement to express the perception of who may or may not use Community Spaces and Circulation Facilities and not to designate ownership.
108. Public Space or Public Realm
Publicly- or privately-owned areas available to most people for a majority of the time such as Circulation facilities and Community Spaces. Privately-owned public spaces may have restrictions of use for specific times at the discretion of the owner.
109. Quasi-Public
Use of property to include for the purpose of this Agreement, Quasi-Public Uses are listed in Section 3.2.3 of Appendix C (Land Use).
110. Residential
For the purposes of this Agreement, Residential uses are listed in Section 3.2.1 of Appendix C (Land Use)

111. Retail Use of property to include businesses selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. For the purpose of this Agreement, Retail uses are a subset of Commercial Uses, as described in Section 3.2.4 of Appendix C (Land Use).
112. Right-of-Way Land, property, or property interest (e.g., easements) usually in a strip acquired for or devoted to transportation, utility or other special use.
113. Root barrier Physical barriers that redirect tree roots downward thus minimizing surface rooting which can damage foundations, sidewalks, paving and other hard surfaces.
114. Rowley Center The Project Neighborhood located east of SR900, consisting of approximately 19 acres, and illustrated in **Figure 1**.
115. Setback The distance between the nearest part of the applicable building, structure or sign and the property line; or, the building and the back edge of circulation improvements adjacent to the property.
116. Shared Surface A circulation corridor that is shared by vehicular and non-vehicular users such as cars and pedestrians. Surface materials and signage must be provided that communicate the shared nature of the facility.
117. Sidewalk A paved, hard-surfaced pedestrian way, parallel to, separate from, and typically located on both sides of a vehicular route.
118. Significant Tree Any tree of at least 30 feet in height, or 6 inches in trunk caliper at 4½ feet above the surface of the ground.
119. Sociable Public Realm Comprised of many things and promotes social interaction and a sense of community. If done well, it brings inhabitants together and contributes to a more democratic way of life and encourages all to linger, share observations and perspectives, and thereby humanizes our urban areas. It takes into account the entire composition of the Public Space and may include trees, walks, street furniture, signs, landscape, plazas, parks and buildings as well as façade elements such as the street wall, porches, stoops and balconies.
120. Square Feet, Gross The number or square feet of total floor area bounded by the inside surface of the exterior walls of a structure as measured at the floor line, excluding parking and mechanical floors or areas, and outside balconies.
121. Square Feet, Net The building or unit floor space that may be utilized for the permitted use. The calculation typically excludes common areas and spaces devoted to heating, structured parking, cooling and other building mechanical equipment. For the purpose of tracking Allowable Development, Net Square Feet will be utilized by the City and will be 85% of the Gross Floor Area provided in Land Use applications.

122. Story, Building	That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor or ceiling above.
123. Street	A public or private way within the Project open to general public use including thoroughfares designated by City Ordinance, or as identified in Appendix E (Circulation) of this Agreement, excluding alleys and driveways
124. Streetwall	That portion of the building base which is directly adjacent to the street right of way and provides a sense of enclosure to Public Space. Where a building is not present, the Streetwall may be established by other architectural or vertical landscape elements.
125. Structure	Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.
126. Suburban	A predominantly low-density area located immediately outside of and physically and socioeconomically associated with an urban area or a city.
127. Tibbetts Creek Greenway	A comprehensive plan prepared in cooperation with King County, the City of Issaquah and the Master Developer to improve fish and wildlife habitat along approximately three miles of Tibbetts Creek, while solving flooding problems and providing opportunities for enhancement to the Creek corridor.
128. Tibbetts Meadow	The name of the required Neighborhood Park in Hyla Crossing.
129. Tibbetts Trail	The public trail built adjacent to Tibbetts Creek, including outlooks and pedestrian-and bicycle-only bridged connections.
130. Trail	Hard- or soft-surfaced pedestrian ways, separate from vehicular routes, but which are necessary to create a connected, direct, easy to use pedestrian friendly community.
131. Transfer	The sale, assignment, or other conveyance or transfer (including but not limited to transfer via judicial or non-judicial foreclosure or via probate or intestacy) of one or more undeveloped or partially-developed parcels, rights or obligations, created by this Agreement to persons or entities other than the Master Developer.
132. Tread	The surface upon which trail users are intended to travel. Tread does not include Borders or other elements that are not intended to be directly traveled on.
133. Trellis	A vertical architectural feature, either free standing or connected to another structure, that is often utilized to support climbing plants.
134. Urban	A highly developed area that includes, or is appurtenant to, a central city or place, and contains a variety of industrial, commercial, residential and cultural uses.
135. Urban Village Design Guidelines	Also referred to as “Design Guidelines” and are contained in Appendix B.

- 136. Water-wise
Plantings and irrigation practices that conserve water usage and help protect the aquifer and natural surface waters.
- 137. Wayfinding
The techniques used to find one's way often including the use of signage and other graphic communication as well as intuitive site planning and visual markers and cues.
- 138. WSDOT
State Department of Transportation, adjacent owners of SR900 and I-90 rights-of-way.

Attachment 2 Designated Official

Key Responsibilities

- Provide leadership for City staff and consultants
- Provide creativity and dependability to Land Use Planning and Permitting of entitled development
- Foster positive relationship with Master Developer and Issaquah Community

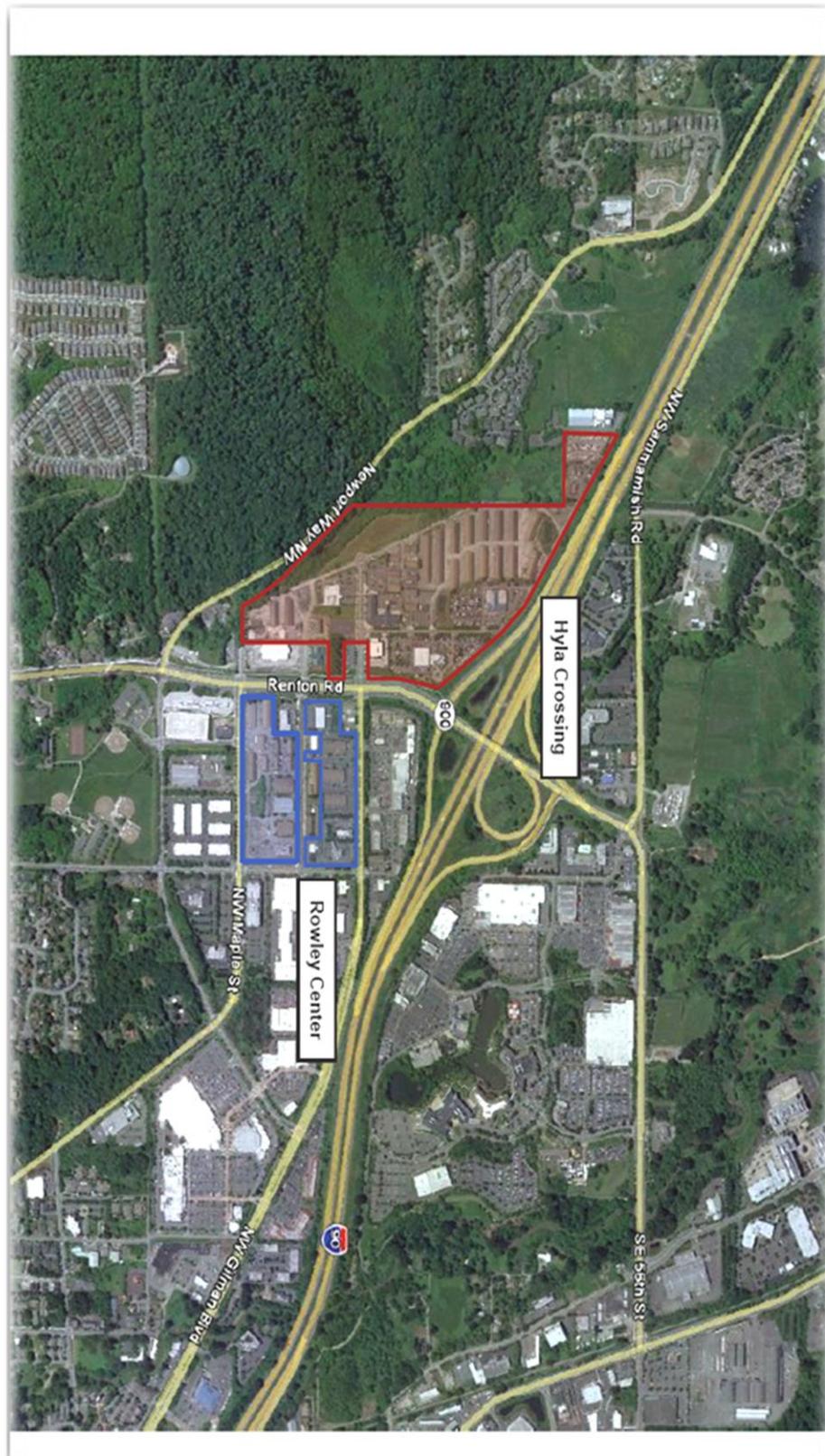
Desired Qualifications

- Bachelor's degree in Urban Planning, Economic Development, Public Administration or their equivalent, with a preference for a candidate with a related Master's Degree as well
- A minimum of 5 years experience in complicated development permitting
- Experience conducting public hearings and making presentations publicly
- Solid understanding of local and state regulations

Values

- Trust of Mayor's Office, Community and City Council
- Believes value comes from the Public/Private Partnership
- Believes in win-win opportunities

Figure 1 Rowley Property (Rowley Center & Hyla Crossing properties)



NORTH
→

Figure 2 – Legal Description of Hyla Crossing and Rowley Center

Hyla Crossing

Hyla Crossing Legal Description:

PARCEL A:

LOT C, CITY OF ISSAQUAH LOT LINE ADJUSTMENT NO. 90-13, RECORDED JUNE 3, 1991 UNDER RECORDING NO. 9106030554, IN KING COUNTY, WASHINGTON. TOGETHER WITH THAT PORTION OF VACATED 18TH AVENUE NORTHWEST WHICH WOULD ATTACH BY OPERATION OF LAW AS VACATED BY CITY OF ISSAQUAH ORDINANCE NO. 2312 RECORDED APRIL 12, 2002 UNDER RECORDING NO. 20020412003055 AND RECORDED AUGUST 19, 2003 UNDER RECORDING NO. 20030819003426.

PARCEL B:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 20 AND THE NORTHEAST QUARTER OF SECTION 29, ALL IN TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON,

DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 20, 1883.85 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 4.98 FEET; THENCE SOUTH 71°00'00" WEST A DISTANCE OF 162.22 FEET; THENCE NORTH 20°14'30" WEST A DISTANCE OF 365.85 FEET, MORE OR LESS, TO THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY OF SOUTHEAST 63RD STREET; THENCE NORTH 89°53'48" EAST ALONG SAID WESTERLY EXTENSION 279.96 FEET; THENCE SOUTH 285.96 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. TOGETHER WITH THAT PORTION OF VACATED 18TH AVENUE NORTHWEST WHICH WOULD ATTACH BY OPERATION OF LAW AS VACATED BY CITY OF ISSAQUAH ORDINANCE NO. 2312 RECORDED APRIL 12, 2002 UNDER RECORDING NO. 20020412003055 AND RECORDED AUGUST 19, 2003 UNDER RECORDING NO. 20030819003426.

PARCEL C:

LOTS 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, AND 45 OF ROWLEY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 130 OF PLATS, AT PAGES 4 THROUGH 7, RECORDS OF KING COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF VACATED 18TH AVENUE NORTHWEST WHICH WOULD ATTACH BY OPERATION OF LAW AS VACATED BY CITY OF ISSAQUAH ORDINANCE NO. 2312 RECORDED APRIL 12, 2002 UNDER RECORDING NO. 20020412003055 AND RECORDED AUGUST 19, 2003 UNDER RECORDING NO. 20030819003426.

PARCEL D:

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 AND TRACTS B AND C, Hyla, A BINDING SITE PLAN, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 223 OF PLATS, PAGES 29 THROUGH 32, AND AMENDMENT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 225 OF PLATS, PAGES 70 THROUGH 73, IN KING COUNTY, WASHINGTON. TOGETHER WITH THAT PORTION OF VACATED 18TH AVENUE NORTHWEST WHICH WOULD ATTACH BY OPERATION OF LAW AS VACATED BY CITY OF ISSAQUAH ORDINANCE NO. 2312 RECORDED APRIL 12, 2002 UNDER RECORDING NO. 20020412003055 AND RECORDED AUGUST 19, 2003 UNDER RECORDING NO. 20030819003426.

PARCEL E:

LOTS 2, 3 AND 4, CITY OF ISSAQUAH SHORT PLAT NUMBER SP-76-07 RECORDED UNDER RECORDING NUMBER 7710270770 IN KING COUNTY, WASHINGTON. TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 20; THENCE N 0°53'56" E ALONG THE TRUE NORTH-SOUTH CENTERLINE OF SAID SECTION AND ALONG THE WEST LINE OF SAID SW 1/4 A DISTANCE OF 2009.69 FEET TO THE SOUTH LINE OF CITY OF ISSAQUAH SHORT PLAT SP-76-07 AS FILED UNDER KING COUNTY RECORDING NUMBER 7710270770 AND THE TRUE POINT OF BEGINNING; 434.97 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF SAID SHORT PLAT; THENCE S 01°08'48" W 14.15 FEET; THENCE S 87°41'16" E 0°53'56" E 16.50 FEET TO THE TRUE POINT OF BEGINNING.

(ALSO KNOWN AS UNRECORDED KING COUNTY BOUNDARY LINE ADJUSTMENT NO. 85-06)

Rowley Center

DESCRIPTION:

PARCEL 1:

LOTS 1, 2, 10, 14 THROUGH 20 AND 26 THROUGH 32, INCLUSIVE, ROWLEY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 130 OF PLATS, PAGES 4 THROUGH 7, IN KING COUNTY, WASHINGTON.

EXCEPT THEREFROM THAT PORTION OF LOT 1 CONVEYED TO THE CITY OF ISSAQUAH, A MUNICIPAL CORPORATION, BY DEED RECORDED JULY 1, 1994 UNDER RECORDING NO. 9407011458.

ALSO EXCEPT THEREFROM THAT PORTION OF LOT 26 CONVEYED TO THE CITY OF ISSAQUAH, A MUNICIPAL CORPORATION, BY DEED RECORDED JULY 1, 1994 UNDER RECORDING NO. 9407011464.

ALSO EXCEPT THEREFROM THAT PORTION OF LOT 27 CONVEYED TO THE CITY OF ISSAQUAH, A MUNICIPAL CORPORATION, BY DEED RECORDED JULY 1, 1994 UNDER RECORDING NO. 9407011465.

ALSO EXCEPT THEREFROM THAT PORTION OF LOT 28 CONVEYED TO THE CITY OF ISSAQUAH, A MUNICIPAL CORPORATION, BY DEED RECORDED JULY 1, 1994 UNDER RECORDING NO. 9407011466.

ALSO EXCEPT THEREFROM THAT PORTION OF LOT 29 CONVEYED TO THE CITY OF ISSAQUAH, A MUNICIPAL CORPORATION, BY DEED RECORDED JULY 1, 1994 UNDER RECORDING NO. 9407011467.

ALSO EXCEPT THEREFROM THAT PORTION OF LOT 30 CONVEYED TO THE CITY OF ISSAQUAH, A MUNICIPAL CORPORATION, BY DEED RECORDED JULY 1, 1994 UNDER RECORDING NO. 9407011468.

ALSO EXCEPT THEREFROM THAT PORTION OF LOT 31 CONVEYED TO THE CITY OF ISSAQUAH, A MUNICIPAL CORPORATION, BY DEED RECORDED JULY 1, 1994 UNDER RECORDING NO. 9407011469.

PARCEL 2:

LOT 12 OF ROWLEY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 130 OF PLATS, PAGES 4 THROUGH 7, IN KING COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20 AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, ALL IN TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF SR 900 AND THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 29; THENCE SOUTH 2 26' 45 WEST ALONG SAID CENTERLINE 130.04 FEET;
THENCE SOUTH 89 00' 45 EAST, A DISTANCE OF 100.03 FEET TO THE EASTERLY MARGIN OF SR 900 AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 2 26' 45 EAST ALONG THE EASTERLY MARGIN OF SR 900, A DISTANCE OF 40.49 FEET;

THENCE SOUTH 89 00' 45 EAST, A DISTANCE OF 200.00 FEET;

THENCE SOUTH 2 26' 45 WEST, A DISTANCE OF 40.49 FEET;

THENCE NORTH 89 00' 45 WEST, A DISTANCE OF 200.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

LOTS A AND B OF CITY OF ISSAQUAH BOUNDARY LINE ADJUSTMENT/COMBINATION NO. PLN 01-00027, ISSAQUAH, WASHINGTON, RECORDED OCTOBER 2, 2001 UNDER RECORDING NO. 20011002900006, IN KING COUNTY, WASHINGTON.

PARCEL 4:

LOTS 1, 2 AND 3 OF CITY OF ISSAQUAH SHORT PLAT NUMBER SP-75-4 (REVISED), ACCORDING TO SHORT PLAT RECORDED MAY 1, 1978 UNDER RECORDING NUMBER 7805011129, IN KING COUNTY, WASHINGTON.

PARCEL 5:

LOT 4 OF CITY OF ISSAQUAH SHORT PLAT NUMBER SP-75-4 (REVISED), ACCORDING TO THE SHORT PLAT RECORDED MAY 1, 1978 UNDER RECORDING NUMBER 7805011129, IN KING COUNTY, WASHINGTON.

EXCEPT THEREFROM THAT PORTION CONVEYED TO THE CITY OF ISSAQUAH, A MUNICIPAL CORPORATION, BY QUIT CLAIM DEED RECORDED APRIL 15, 1995 UNDER RECORDING NO. 8504150736.

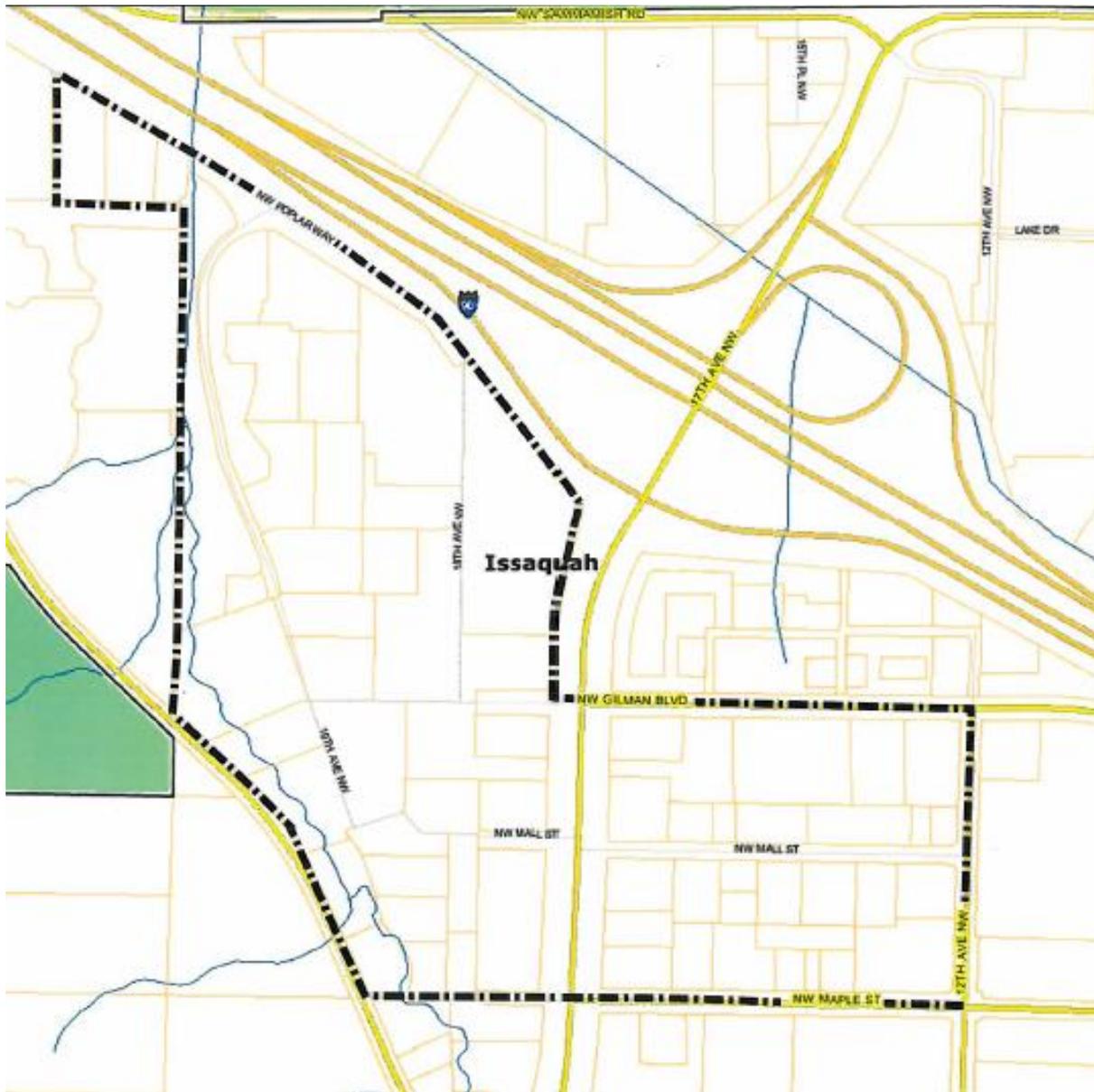
TOGETHER WITH THE WESTERLY 10 FEET OF A PORTION OF 212TH AVENUE S.E. AS DESCRIBED IN QUIT CLAIM DEED FROM THE STATE OF WASHINGTON, RECORDED SEPTEMBER 10, 1979 UNDER RECORDING NO. 7909101108.

APN: 745090-0010-09, 745090-0020-07, 745090-0100-00, 745090-0140-02, 745090-0150-09, 745090-0160-07, 745090-0170-05, 745090-0180-03, 745090-0190-01, 745090-0200-09, 745090-0260-06, 745090-0270-04, 745090-0280-02, 745090-0290-00, 745090-0300-08, 745090-0310-06, 745090-0320-04, 745090-0120-06, 745090-0230-03, 745090-0210-07, 202406-9021-08, 202406-9100-02, 202406-9105-07, 202406-9106-06

Figure 3 – Potential Expansion Parcels



Figure 4 Project Boundary



APPENDIX A – Goals

Section 1.0 Introduction, Challenges and Opportunities

Section 2.0 Rowley Properties Project Goals

- 2.1 Create Vibrant, Mixed-Use Neighborhoods
- 2.2 Provide a Flexible Framework for Redevelopment
- 2.3 Construct a Complete Circulation and Mobility system that is Pedestrian Friendly
- 2.4 Build Neighborly Buildings that Engage the Street
- 2.5 Create a Sociable Public Realm
- 2.6 Design for Transit
- 2.7 Improve Sustainability Performance over Time
- 2.8 Build with Nature
- 2.9 Flexible, Fair, Efficient Permitting
- 2.10 Grow a Collaborative Partnership

1.0 Introduction, Challenges and Opportunities

The Rowley Center and Hyla Crossing redevelopments are envisioned to be medium to high-density infill and mixed-use. The redevelopment of this property supports Issaquah’s economic and sustainability goals and its status as a Cascade Agenda City by striving to be complete, compact and connected. Taller, compact building forms that engage the street; and a generous public realm will offer an alternative, more urban lifestyle than what currently exists in Issaquah. This Development Agreement also brings forward strategies that will help make this a uniquely livable neighborhood in the Central Cascade foothills, with proximity to a wide variety of recreational amenities.

Challenge

Despite rapid residential growth, the City of Issaquah has limited housing options for people who would prefer not to, or cannot rely on a personal vehicle. Services and employment areas placed at a distance from housing has resulted in demand for automobile transportation capacity exceeding available supply, causing congestion. Streets and intersections become unpleasant for walking, distances between uses are increased and capital investments may not be applied to those areas that would have the greatest positive impact on an improved public experience. Furthermore, new solutions are available that rely on a different set of principles, and introduce options for people both in lifestyle and transportation choices. The level of density proposed for these two neighborhoods not only supports the vitality of street life, but it also reduces reliance on driving to complete daily chores.

The Master Developer is partnering with the City to reframe the question of how we want to grow by re-evaluating our goals and providing new tools to achieve those goals. Rowley Center and Hyla Crossing, must balance the shared vision with the requirements and costs of private investment, meeting the realities of today’s market while creating a pathway to the preferred future.

Opportunities

Our opportunity is to create an innovative and adaptable community where traditional suburbanism is transformed into sustainable, livable, and walkable urbanism and embraces Issaquah's natural context.

Residents of more compact communities are more likely to be able to walk to shops and services and thus may live with just one car. Vehicle ownership falls as density increases, reaching an average of just one car per household when density climbs. People can and will make other choices if these choices are made easy and when appropriate design and services are there to support them. An intelligent and flexible approach to parking, is one key to the puzzle, allowing for a more complex and compact urban form, the ability to invest more dollars in a vital public realm and alternative choices. The solution also involves prioritizing urban design over utilities. The utilities and infrastructure must function, but often there are many solutions, some of which better serve the pedestrian, bicyclist, and the urban environment than others. Selecting those that support a lively, pedestrian oriented and bicycle friendly environment will contribute to achieving the Project vision.

Achieving the vision of this Project will offer enhanced public realm, and new street infrastructure that prioritizes local traffic and non-motorized modes. Examples of expected benefits follow:

- Long term capital investments in local community spaces and parks
- Increased network capacity by adding new streets, alleys and trails
- Opportunities for long term, comprehensive investments in renewable energy use
- Mixed-use neighborhoods with complementary uses that can adapt to market conditions over time
- Support for local economy through taxes and increased employment
- Reduced Vehicles Miles traveled by residents and employees
- Enhanced public health through the promotion of walking and cycling
- Reduced costs associated with living in Issaquah by adding to housing choice, and reducing associated transportation costs
- Build with nature by drawing the natural context into the public realm where possible and visually connecting to the surrounding natural features where it is not

2.0 Rowley Properties Project Goals

Purpose and Intent:

The purpose of the Project Goals is to:

- a. Establish a common vision for the long-term form and character of the Project.
- b. Create a framework for the guidelines and standards in subsequent Appendices.
- c. Recognize that this is a redevelopment of existing structures and uses, and guide implementation in incremental steps over the Build-out period of the Development Agreement.
- d. Allow flexibility to adapt to changing market needs and implement changing community priorities over the span of a multi-decade Development Agreement.
- e. Serve as one of the tools for project-level reviews.

2.1 Create Vibrant, Mixed-Use Neighborhoods

The challenge of this Project is to build incrementally in a compact, connected manner that will create a robust livable environment adjacent to both SR900 and I-90, existing and future regional transportation investments and employment centers.

Goals

- 2.1.1 Provide a range of commercial uses compatible with multifamily residential housing that support everyday life; rather than a single purpose shopping or employment destination.*
- 2.1.2 Provide uses that allow daily needs to be met onsite to reduce the need for trips with a personal automobile; such as grocery, child care or other institutional uses*
- 2.1.3 Provide an enhanced public realm, with uniquely designed community spaces that will serve each neighborhood*
- 2.1.4 Provide buildings that create a lively, pedestrian-oriented public realm, both through the design of the building and the ground floor uses it accommodates.*
- 2.1.5 Find creative opportunities for enhanced land use efficiencies including, stormwater treatment in parking strips, public art that helps educate, or shared street environments that can minimize paving.*

2.2 Provide a Flexible Framework for Redevelopment

Both Hyla Crossing and Rowley Center are currently occupied with existing buildings and viable businesses. They must support an atmosphere of change, investment, and dynamism. The following address key points that will ensure the redevelopment becomes a reality.

Goals

- 2.2.1 Support an Incremental Approach to Development Sites.*

The Development Agreement includes provisions for interim steps to encourage moving and expansion of existing business, and the evolution of new higher and best use forms of development. It is particularly important to provide innovative strategies to shift to a more efficient land use pattern including compact, structured parking. Achieving structured parking at quasi-urban standards (less parking than typical suburban standards) will be necessary in order to achieve the densities and urban scale on the site. The approach to parking will evolve as the nature of the development and the market shifts.

Accommodating and planning for internal parking should be recognized as one of the single greatest factors in economic feasibility of redevelopment; it also significantly increases costs. This has implications in terms of development

economics (sales and lease rates must support the much higher costs of structured parking) and land availability (larger sites will be needed in order to configure efficient parking structures). In the short to mid-term it is unlikely that structured parking will be achievable for each development project but may be achieved incrementally, making use of shared, and satellite parking strategies in each District. Phasing of this redevelopment will require a flexible, thoughtful approach to achieving structured parking, moving incrementally as bank financing and the market allows, as well as sharing costs and use of structured parking between buildings.

2.2.2 Support site re-activation and creative temporary uses.

Creative ways to activate the existing buildings and spaces on the site will begin to shift the perception of the Project. Investments in activation of existing structures, and improvements to the re-use of lands already in development for the short term will be key components to achieving the long-term redevelopment goals. These uses create the needed capital and revenue to finance each phase of the re-development. This might also include temporary buildings, kiosks and markets to revitalize underutilized areas and encourage place making.

2.2.3 Encourage adaptable building forms that can accommodate and transition to different uses over time.

Support local economic development by providing leasable space in a range of scales with adaptable building forms, from small incubators spaces up to large-scale office buildings. This long-term thinking will also support an incremental strategy. For example, even if they may not be able to accommodate full ground floor activation when they are first completed, buildings can plan to be adapted to different uses as the market shifts or opportunities arise. Often the best solution is to keep it simple, with simple facades and design treatments. Development Standards should accommodate this kind of future flexibility and encourage the development of adaptable building types with higher quality spaces (not concrete tilt-up, or single purposed buildings).

2.2.4 Minimize construction impacts to occupied, nearby properties, existing tenants and customers, and seek to implement measures to reduce the duration and severity of the impacts.

2.3 Construct a Complete Circulation and Mobility System that is Pedestrian Friendly

Rowley Center and Hyla Crossing are centrally located in Issaquah’s commercial corridor served by regional arterials, SR900 and I-90. The redevelopment proposes to introduce new street infrastructure, with a focus on local vehicular and pedestrian/bicycle access to better serve inter- and intra-neighborhood movements, and limiting pass-through traffic within the Project. Local access streets and pedestrian only corridors at walkable intervals will help complete Issaquah street grid and enhance spaces to further

create a public realm. Streets will be designed to certain functionality criteria for vehicular circulation but also provide for various levels of pedestrian and bicycle activity. They also allow for the opportunity to integrate infrastructure for storm water and utilities and create ambiance through lighting, signage, and street level amenity. The street is not only a place for movement of vehicles, bicycles, and pedestrians, but a linear room that has a character established by the smart combination of functional aspects (vehicular and pedestrians), the enclosure of the buildings facing the street, and the design treatments (green, furniture, signage, lighting).

Goals

- 2.3.1 *Design a network of safe, accessible, direct and comfortable streets and urban trails that are an integral part of each neighborhood's sociable public realm.*
- 2.3.2 *Improve the number and convenience of pedestrian and bicycle routes to encourage non-motorized travel between land uses, reduce barriers between sites and support a district-wide "park once" strategy.*
- 2.3.3 *Organize the site with blocks at a size conducive to walking, and divide the existing "super blocks."*
- 2.3.4 *Design complete streets that accommodate automobiles while prioritizing pedestrian and bicycle use. Streets should feature narrow travel lanes, consolidated curb cuts, slower traffic speeds, on-street parking and pedestrian crossings provided at convenient and safe intervals.*
- 2.3.5 *Design some narrower street alternatives that invite bikes, pedestrian and very slow moving vehicles to share the use of the Circulation Facilities.*
- 2.3.6 *Ensure that the Project is well linked to adjacent external blocks, and those linkages improve pedestrian and bicycle circulation.*
- 2.3.7 *Provide innovative strategies to reduce the amount of surface parking, with strategies for both transportation demand management, and efficient management of parking supply such as district-wide shared parking.*
- 2.3.8 *Address the four- season climate through appropriate design of facilities for pedestrians.*

2.4 Build Neighborly Buildings That Engage the Street

All buildings on the site should contribute to a strong sense of community. Buildings should form a cohesive, balanced neighborhood organized at the human scale. Facades, particularly at the ground level are a significant factor in providing the pedestrian-friendly interface between public and private domain and will define and create the quality of the outdoor space. The on-going design of these neighborhoods should provide residents with the clear sense of being "in this place," including street-end vistas of treed

hillsides, peak-a-boo views from the street level or public access to elevated amenity spaces.

Large individual developments should be designed to have smaller facades, with multiple entrances, and interest along the street. To address long-term sustainability, buildings should be adaptable to many uses, through the application of high ceilings, simple forms, and high quality and durable materials.

Goals

- 2.4.1 *Provide a consistent development pattern with strong street edge definition with entrances to buildings directly accessible from the street, sidewalk or other pedestrian facility.*
- 2.4.2 *Vary the scale of spaces and buildings for visual and functional variety, and allow sunlight to penetrate to the street level between low-, mid- and high-rise buildings.*
- 2.4.3 *Provide a set of cohesive buildings with rich detailing and high quality materials to enhance the pedestrian realm.*
- 2.4.4 *Place taller portions of buildings to enhance both internal and external views, including to the surrounding hillsides.*
- 2.4.5 *Introduce new building forms that use site design and screening to diminish the presence of both surface and structured parking.*
- 2.4.6 *Present an attractive appearance along the high visibility area at the I-90 corridor edge.*
- 2.4.7 *Design building forms that include landscape and informal gathering areas at the street level to enliven and soften the public realm.*

2.5 Create a Sociable Public Realm

Both Rowley Center and Hyla Crossing will contain a variety of small to large community spaces and pedestrian pathways. Amenities will be incorporated into both site and building design for a livable neighborhood.

Great neighborhoods result from the combination of private development and public spaces (streets, sidewalks, parks, plazas, pedestrian paths etc.). For Rowley Center and Hyla Crossing, the Master Developer will craft a Public Realm to activate each neighborhood to generate and support life between buildings. These spaces will include sidewalk accessible community spaces, as well as two activated parks for area residents and employees. Compact site design will provide an opportunity for play, relaxation, and interaction within the neighborhood's built environment. Improved streetscapes are key to the identity of the area, and will include landscaped attributes, trees and common

gardens to ensure a verdant appearance to the re-development, and improve upon the existing site conditions.

These neighborhoods will accommodate recreation on site through the provision of two uniquely designed parks. The first will be located at the terminus of Gilman Boulevard. This park space will be improved and available to the public, and will bring residents and visitors into contact with the Tibbetts Greenway. The second will be located in Rowley Center as one or more multi-functional urban plaza(s). The placement of these parks will provide focus to the neighborhoods and are important for the future neighborhood identity.

Goals

- 2.5.1 *Promote a sense of arrival and welcome, and invite residents, employees and visitors to explore public space within the neighborhoods.*
- 2.5.2 *Coordinate streetscapes, and the design of community spaces with building design for a rich environment supportive of social interaction.*
- 2.5.3 *Encourage creative ways to animate the street, and provide for some temporary building forms, such as kiosk and smaller interventions to set the tone, and contribute to neighborhood vitality.*
- 2.5.4 *Provide significant multi-functioning gathering spaces to focus energy into the interior of each neighborhood to engage residents, and employees.*
- 2.5.5 *Provide a range of publically accessible and informal spaces at the small scale throughout the Rowley Center and Hyla Crossing neighborhoods.*
- 2.5.6 *Incorporate recreational opportunities that are appropriate scaled and selected for the users.*
- 2.5.7 *Include elements that respect, respond to, and convey the City's and the Property's heritage and history.*
- 2.5.8 *Balance the need for social interaction with the equally important need for privacy.*
- 2.5.9 *Design and site activities such as services, loading, trash collection, and parking to minimize their impact on the public realm.*
- 2.5.10 *Provide exterior pedestrian-scale lighting that enhances the comfort and use of Community Spaces and Circulation facilities and provides a sense of safety.*

2.6 Design for Transit

Hyla Crossing and Rowley Center are located within a 1/2 mile walking distance of the existing Sound Transit Park and Ride and adjacent to major regional routes of SR900 and I-90. The Project recognizes and encourages a transit friendly design as well as encourages planning that will support future, yet to be determined High Capacity Transit options, such as regional light rail or bus rapid transit initiated through Sound Transit's future planning process.

A "Transit Friendly" neighborhood not only provides a compact, walkable urban form, but it also coordinates and applies a responsive transportation "demand" management program. This means application of strategies that encourage the use of transit, or other alternatives such as employee supported carpools. In the proposed redevelopment the Master Developer must partner with the City to consider these options as one ingredient to achieve the re-development goals.

The parties recognize that in 2011, the City of Issaquah does not yet have premium transit service, nor the walkable dense neighborhoods required to support it. For this reason, the Development Agreement includes the flexibility to adapt, encouraging the appropriate placement of "transit-friendly" uses as the opportunity arises.

Goals

- 2.6.1 *Maximize public benefit of existing and future transit facilities by designing for pedestrians as first priority.*
- 2.6.2 *Introduce land uses with sufficient intensities to encourage the future provision of premium transit service, and encourage both density and design choices that support a reduced reliance on the personal automobile.*
- 2.6.3 *Improve destination accessibility with new streets and pedestrian connections to the Sound Transit Park and Ride.*
- 2.6.4 *Provide an adaptable framework for suitable placement of future transit friendly uses such as employment, or shopping areas and/or support for demographics such as specialized housing.*
- 2.6.5 *Facilitate transit use through education, on-line tools, and information distribution.*

2.7 Improve Sustainability Performance over Time

Both the City and the Master Developer recognize the mutual benefit from investing in the long-term health of the environment and the community. The Development Agreement includes a sustainability process designed to find synergies between the economic, environmental and social concerns on the site. How sustainability is ultimately addressed will transform as the site redevelops, with flexible and innovative strategies that are context specific and are re-considered every five years.

The Development Agreement will make use of the 10 One Planet Community Principles (Appendix H) to provide a framework for the Sustainability Plan. A One Planet Community is a development that incorporates the goals and processes to achieve highly energy efficient building design, sustainable site planning, and infrastructure. Rowley Properties Sustainability Plan will include operations and maintenance of existing structures, tenant education, responsible purchasing, public art, native plantings and natural drainage practices, material choices, renewable energies and the application of more efficient “green” building practices.

Goals

- 2.7.1 *Incorporate the ability for sustainable techniques and methods to change in recognition of its dynamic and rapidly evolving nature.*
- 2.7.2 *Include sustainable elements in each project.*
- 2.7.3 *Support the City in the achievement of Comprehensive Plan Goal L8 to reduce Carbon Emissions.*
- 2.7.4 *Work within the One Planet Living Framework to make it as easy, attractive and affordable for people to live in a more environmentally friendly way.*
- 2.7.5 *Promote sustainability through the wise and efficient use of resources, including the consumption of land and non-renewable resources.*
- 2.7.6 *Provide housing for a diversity of income and social groups.*
- 2.7.7 *Increase density within the identified urban growth area to optimize existing City investments in infrastructure.*
- 2.7.8 *Design facilities and elements to be shared so that each project, residence, or employer doesn't have to replicate them, such as parking, parks, guest rooms, cars, etc.*

2.8 Build with Nature

The Hyla Crossing neighborhood abuts the Tibbetts Creek Greenway. The Project should balance its location on the edge of the natural environment while developing other portions of the site in an urban manner to take advantage of both Sustainability Goals (2.7) and Design for Transit (2.6). The Tibbetts Greenway provides opportunity for immediate contact, while appropriate design limits human access to sensitive areas.

The unique surroundings of Tibbetts Creek, Cougar Mountain and other hills bring forward a project with a unique sense of place, both at present and historically.

Goals

- 2.8.1 *Invite nature into and throughout the site, either visually or physically.*
- 2.8.2 *Respect and respond to the site's natural character, such as its high water table.*
- 2.8.3 *Celebrate the Tibbetts Greenway and provide on-site access for interaction, learning, and play.*
- 2.8.4 *Balance the protection and enhancement of critical areas with the realities of this as a previously developed site.*
- 2.8.5 *For orientation and context, provide peek a boo views, and visual connections to surrounding hillsides, Tibbetts Creek, and other surrounding natural areas.*
- 2.8.6 *Develop access to nearby natural assets and recreational opportunities such as providing a trail connection to Cougar Mountain.*
- 2.8.7 *Where the project is adjacent to natural areas, incorporate native plants to provide micro habitats conducive to wildlife habitats.*
- 2.8.8 *Incorporate environmental stewardship and education into site planning and building design.*

2.9 Flexible, Fair, Efficient Permitting

The Development Agreement will establish a constraints envelope as well as a Project vision that allows both the Master Developer and the City to have predictability and flexibility. Flexibility encourages market leadership while a defined vision ensures the objectives are maintained. A rapid response can accommodate taking advantage of opportunities as they arise and doing it in a foreseeable manner.

Goals

- 2.9.1 *Establish an integrated multi-disciplinary team to work on permits and implementation.*
- 2.9.2 *Adopt a streamlined, simple, effective, efficient permitting process that encourages smart, creative, and innovative solutions.*
- 2.9.3 *Create a framework that balances flexibility with predictability.*
- 2.9.4 *Incorporate new technologies as they develop and can flexibly respond to new information.*

2.10 Grow a Collaborative Partnership

A shared vision for community development will require aggressive leadership by the Master Developer and the City; and, will depend on cooperation by other public agencies. As each entity makes investments, each will seize opportunities and experience risk to pursue creative designs not fully proven in the suburban marketplace. For private entities to assume this level of market leadership, it is critical that a level of certainty is maintained along with a high degree of market responsiveness. Public sector cooperation can realize even greater public benefits. Furthermore the regulatory environment of our City can create a proactive opportunity for public-private efforts to attract employers. In addition, public-private partnerships between the Master Developer and City can greatly enhance work with County and State agencies.

Goals

- 2.10.1 *Partner to allow future interests to adapt and harness better solutions than could be initially imagined.*
- 2.10.2 *Fairly apportion economic responsibilities.*
- 2.10.3 *Work together to balance jobs creation with a quality of life that sets the standard for long-term sustainability.*
- 2.10.4 *Where appropriate and/or possible, jointly develop utilities and resources, or build facilities that address area-wide needs while allowing the builder to recoup costs beyond their own needs.*
- 2.10.5 *Create incentives to encourage housing on the Valley floor.*
- 2.10.6 *Partner with the City to address the character of existing rights of way at Gilman Boulevard, 12th Ave, Mall Street and Maple Street to ensure that the Project is well linked to adjacent blocks.*
- 2.10.7 *Share information and explore the best and most effective methods of implementing the City's and Master Developer's vision for sustainability.*
- 2.10.8 *Foster positive partnerships with WSDOT, METRO, Sound Transit, and King County on issues of mutual interest such as:*
 - *Pedestrian Circulation, crossings, and traffic calming*
 - *Utility Crossings*
 - *On-going maintenance activities*
 - *Sustainability*
- 2.10.9 *Grow a partnership that encourages ideas and solutions that are collaborative, efficient, smart, creative, proven, effective and innovative.*

Appendix B – Design Guidelines

Section 1.0 Introduction	Page 2
Section 2.0 Site Design.....	Page 4
Section 3.0 Building	Page 10
Section 4.0 Circulation	Page 22
Section 5.0 Community Space	Page 35
Section 6.0 Parking.....	Page 52
Section 7.0 Landscape.....	Page 60
Section 8.0 Signs.....	Page 68
Section 9.0 Lighting	Page 76



1.0 Introduction

This Development Agreement is comprised of several pieces: Goals which describe the grand intentions of the Project’s vision and Standards which often prescriptively direct the implementation of the vision. In between the Goals and Standards, rests the Design Guidelines. The purpose of the Design Guidelines is to tie the many ideas and requirements together with guidelines that direct actions, rather than require them, in the form of performance standards.

The Design Guidelines recognize the incremental nature of achieving the vision and the need for flexibility, innovation, and adaptability while ensuring the vision is maintained throughout the Project, its build-out, and market cycles. To do this the Design Guidelines focus on the spaces we share, and the shared responsibility to streets, Neighborhoods, and the community. The intent is to create a complete, compact, and connected Project that is livable, vibrant, and Pedestrian Friendly, and in which people can play, relax, and interact. A successful Project will be filled with thriving uses which generate a sense of belonging and community by mixing uses, activities, people of all ages and cultures, while respecting the need for individual privacy.

Starting with existing developed land will be a challenge, both due to the existing development pattern and the need to redevelop incrementally. In transforming suburban to urban, the Project seeks to alter our relationship with the car so that over time these Neighborhoods will evolve into places that are people-oriented and which people want to use. This requires progressive

techniques and strategies, efficient and creative use of the land, market responsiveness, evolving sustainability approaches, and incentives and flexibility to catalyze the project. There will also need to be elements of art, whimsy, surprise, and delight.

The City and Master Developer will use the Design Guidelines, as well as the balance of the Development Agreement, to prepare and review land use and construction permits. Specifically, the Design Guidelines propose and describe ways of implementing the vision, sometimes with specific examples. However, there are likely to be design solutions that have not been anticipated by these guidelines. This is welcomed as long as the proposed design fulfills the intent of the Project vision and Design Guidelines. In other words, the vision is fixed, but the method for implementing the vision may vary in response to many different needs as the community and these new Neighborhoods evolve over time.

In addition, the Master Developer will use architectural standards to further define the implementation and design of each Neighborhood. These will contain detailed standards that spring from the Development Agreement, and cover aspects such as color, materials, and architectural style.



2.0 Site Design

To achieve the vibrant, mixed use Neighborhoods which are Pedestrian Friendly and have a Sociable Public Realm, requires thoughtful urban design decisions as each part of the Project is redeveloped. Decisions cannot be made based only on functionality, but must also consider how to make the Project memorable, identifiable, livable, and comprehensible. Sometimes this will involve small steps to introduce new activities into existing buildings or in new temporary facilities, other times it will require reconstruction of entire sites. And with each step, shaping and moving toward the ultimate vision for the Project will be necessary. The Site Design guidelines address actions that apply throughout the Project and to all of the Design Guidelines sections which follow.

2.1 General Site Guidelines

- 2.1.1. Incrementally build toward the Project Vision.
- 2.1.2. Prioritize pedestrians and bicycles over motorized transportation when making decisions, but also ensure that the site functions well.
- 2.1.3. Public Spaces should provide safe and attractive designs, where the whole composition of streets, trees, lighting, street furniture, walks, landscape areas, building massing and detailing define a place for employees, residents, and visitors to stroll, meet, play, and socialize.
- 2.1.4. Design the Project to generate a sense of belonging, community, and interest by mixing uses, activities, people of all ages, while respecting privacy.
- 2.1.5. Design the Project to be intuitively comprehensible so people can easily orient themselves, understand how to move to and through it, where they are, and how to use it.
- 2.1.6. Incorporate elements that make the Project memorable and identifiable.
- 2.1.7. Promote unique design features and a sense of arrival in each Neighborhood to establish distinct boundaries that are recognizable to the community. For example, do not obscure the Project with mature or invasive landscape from SR900 and I-90.



The placement of buildings, sidewalks, landscape, etc will shape Public Space that is comfortable for pedestrians.



The ground level activities and design of Sociable Public Realm, provides opportunities for vitality through retail or café uses, weather protection, landscape (even in pots), etc. The area dedicated to this does not have to be large to create a vibrant space.



Street furniture will be provided in places and ways that are comfortable and useful to people who will use it. This bench is framed by a trellis and trees, which create a protected spot.



Café seating extends into the sidewalk while maintaining sufficient room for pedestrians to pass.



Urban buildings which form a strong streetwall, frame Public Space and create a Sociable Public Realm.



An interior space provides semi-public area that can be transformed in response to the seasons.



Find opportunities for whimsy, art and magic, such as this sculpture.

- 2.1.8. Design a Livable Project that will attract residential uses.
- 2.1.9. Provide opportunities to energize and activate areas as the Project incrementally redevelops, such as kiosks, temporary uses, pop-ups, markets, art installations, and adaptation or re-use of existing buildings. One opportunity is to locate these temporary uses, such as carts or kiosks, to activate Circulation facilities adjacent to parking facilities.
- 2.1.10. Employ universal design, creating a Project usable by and useful to the widest possible range of people.
- 2.1.11. Design Public Space for year-round outdoor activity. At a minimum this should mean generally continuous (50-75% depending on the level of pedestrian activity and building's use) weather protection along retail streets. Gazebos or pavilions could be incorporated into Community Spaces. Consider using materials that allow light to penetrate the weather protection.
- 2.1.12. Incorporate art, whimsy, surprise, and delight throughout the Neighborhoods.



Artwork located to enhance an axial view.



2.1.13. Consider axial views, vistas, and the elements that terminate them. Terminate views and vistas with buildings, Community Spaces, axial nodes, focal points, art, or natural features which are selected to orient and entice people. Avoid service, loading, waste collection, garages, utilities, mechanical and electrical equipment, and such uses at view termini.



By framing mountain views, some communities have used their setting to create memorable, identifiable spaces, where people can easily orient themselves. Views are accessible from many locations.

2.1.14. Use Issaquah’s natural context to create a sense of place, connect to local context, and provide orientation including street-end vistas of treed hillsides and peak-a-boo views from the street level. Visually borrow landscaped views to connect people to the natural areas surrounding the site.



2.1.15. Design the site in response to existing features and context, such as internal and external views, solar orientation and exposure as well as existing and anticipated Public Spaces with the intent of creating a Sociable Public Realm.

2.1.16. Respect the nature of the site, such as its high water table and adjacent creek.

2.1.17. Provide site amenities and street furniture in Public Spaces to support its uses and create a public living room. To that end, site amenities and street furniture should be attractive and comfortable, and contribute to the character of the Neighborhood. Amenities can include benches, pet pickup stations, bike racks, art, bollards, drinking fountains, transit or bus shelters, overlooks, informational and directional signage, interpretive kiosks, waste receptacles, directories. Amenities should be easily accessible to pedestrians and not impinge on the pedestrian routes.

2.1.18. Use special and varied paving materials to create visual interest and highlight areas of importance. This might be at key locations in Community Spaces, Circulation facility intersections, important pedestrian crossings of vehicular routes.

2.1.19. Design and placement of above-ground facilities, such as buildings, walkways, significant plant materials, etc, should take priority over the convenient location of utilities.

2.1.20. Incorporate surficial and above-ground utilities, mechanical and electrical equipment into buildings or facilities to eliminate their visual impact. Where utilities cannot be incorporated into buildings or facilities, place them underground. If they cannot be in buildings or underground, site and screen them to minimize their presence, preferably located along alleys. Screening should be architectural, or possibly landscape, depending on the size and location of the utility.



This rain garden for a parking lot has a concrete structure and metal frame to screen and continue the streetwall adjacent to the lot.

2.1.21.

Take advantage of opportunities to have multiple uses in certain areas, or multi-functionality. In some cases this diminishes the presence of less desirable uses; in all instances, this uses the land more efficiently. In other words, all land is used thoughtfully and purposefully. For instance: raised planters and walls can be used for seating, planter strips may accommodate bioswales, raised utility vaults can be an opportunity for a playscape, a Eastside Fire and Rescue (EF&R) staging area can be used for recreation or informal gathering the balance of the time, EF&R turnarounds can be integrated into plaza/trail/road configuration, parking lots and garages can be used as off-peak markets, low volume driving surface can be shared with pedestrians and bicyclists, nature trails and utility corridors can be combined, art that is also a stormwater management device, play elements that also educate, swales or pavers that manage stormwater and create Community Space opportunity, utility and infrastructure cabinets can be surfaced with art, information, and maps.



This stormwater catchment system is built into the landscape as a feature to make the stormwater an interactive, creative element.



This is an example of using something that is ignored and which has been repurposed to provide information and interest to pedestrians.

A lot that is used for parking during the week can be a food court on the weekends.



2.1.22. Encourage private Circulation Facilities and Community Spaces to use the techniques of the Right-of-Way Use Standards and Guidelines in Appendix E (Circulation), Section 7.0 to improve and enhance Public Space and Pedestrian Friendliness. A good walking environment is a key aspect of a strong pedestrian system. In particular, providing services and uses on or above pedestrian facilities gives them a stronger sense of life and vitality.

2.1.23. Consider impacts to wildlife in the siting and design of facilities. For instance, lighting should not spill in to natural habitat areas such as Tibbetts Creek and waste enclosures and receptacles should be designed to discourage wildlife access.



This building is an example of balconies extending over the sidewalk to create a more varied façade.



3.0 Building

To create the vibrant, compact Neighborhoods envisioned by the Project, buildings should be designed to frame and engage the Circulation Facilities and Community Spaces, creating a Pedestrian Friendly and successful Sociable Public Realm. Buildings will contribute to a livable environment that attracts businesses and in particular residences to the valley floor. In areas where mixed uses are provided, they may be provided vertically (e.g. ground floor retail with commercial or residential above) or horizontally with buildings housing different uses located in close proximity. As a redevelopment, existing buildings may be reused, adapted, or remodeled in the process of rejuvenating the Project, prior to full rebuilding. Building styles, materials, colors, and heights will be varied; all but heights are controlled by the Architectural Review Committee.

3.1 General Building Guidelines



Variations in setback materials and architectural styles have been combined to add interest for the pedestrian and break up building form.



Interior courtyards can provide Community Space and tie buildings together.



Buildings should have identifiable entrances with weather protection provided. One way is by inseting the entrance rather than adding a canopy or awning.

- 3.1.1 Vary the character and height of buildings for visual appeal and functional interest.
- 3.1.2 Design buildings to flexibly accommodate many uses so they may evolve over time.
- 3.1.3 All buildings should be designed with detail and interest with the purpose of creating an interesting and varied environment. Blank walls should be avoided, especially where pedestrians and Circulation facilities are in proximity to them. If windows and doors are not present, articulation or other techniques should be used. These could include additional building elements such as piers, modulation, and detailing; combinations of materials and textures as well as their detailing; applied elements such as art and trellises. Generally buildings will have no “back side.”
- 3.1.4 To provide sunlight at street level, thoughtfully locate building height. Particular attention should be given where building height would shade a required Community Space, between 10am and 3pm. Also, carefully shape heights on the southside of streets to maximize sunlight on the sidewalk.

3.1.5 Thoughtfully design building corners when they are visible. Corners at key intersections should be given special design attention. This may mean added detail, design, and building form, or conversely cutting away the corner for a special entry, gathering spot, café seating, sidewalk vending, art, or a signature fountain.



Another way to give prominence to street corners is to remove or stepback a portion of the building, creating a special entrance or gathering space.



Long façades, such as this one, can be treated so they are pedestrian scaled. This one has articulation and modulation.



Highly visible building corners, should be given extra design attention, such as adding an element that extends into the street space.



Corner treatments can also be used with residential buildings.

- 3.1.6 Long façades require extra attention. This may necessitate modulation of the street wall, changes in character, materials, or height, and/or designing the façade as if it is composed of several buildings.
- 3.1.7 When parking facilities are located behind buildings, provide walkways or access to the facilities. Walkways may be shared.
- 3.1.8 Private and semi-private spaces, such as terraces and balconies are encouraged for residences.

3.2 Building Height Guidelines

- 3.2.1 In siting tall buildings, consider their presence from SR900 and I-90.
- 3.2.2 For hi-rise buildings, floors above the mid-rise level should be horizontally separated by 110 ft. Consider both internal and external views and solar access when locating taller buildings.



The lower corner portion and arcade create a comfortable pedestrian environment and screen the building height even though the tall portion of the building is right at the sidewalk.



Design treatment on the lower floors and the location of massing enhance the pedestrian environment. This minimizes the presence of the tall portion of the building. Under building parking is accessed off the alley.



The space between the taller portions of this building complex have been designed to create a gap, which allows light in and views, though the towers in the Project would have greater separation. Note structured parking has been located so it is not visible.

- 3.2.3 With high-rise and possibly mid-rise buildings, design buildings to support a comfortable and Pedestrian-Friendly environment. For instance, consider reducing the height of portions of the building adjacent to pedestrian Circulation facilities. Another example uses building stepbacks to create the perception that buildings are human scaled, and would indicate buildings framing a pedestrian environment are three to four stories tall, with at least some taller portions stepped back, decreasing their presence.



In this building, height has been placed away from the corner to minimize its presence to the pedestrian.

3.3 Ground Level Guidelines



The design of buildings provides opportunities for vitality through retail or café uses and weather protection. Make these settings pedestrian scaled, intimate, and inviting.

- 3.3.1 Provide a continuous street wall balanced with the need for variations in scale, plane, materials, character as well as opportunities for gathering, greenery, and light.
- 3.3.2 Incorporate informal gathering areas and opportunities for social interaction.
- 3.3.3 Buildings are encouraged to encroach into and engage with the “sidewalk zone” to bring visual interest, variation, and intimacy to the streetscape, while maintaining the pedestrian through route.
- 3.3.4 The ground floor should have active, visible uses (e.g. retail) or other visible uses that engage the pedestrian (e.g. residences, meeting rooms, lobbies, live/work). In some cases, buildings may be initially constructed without the active uses present, but should be designed so they may be modified to incorporate them when the uses can be supported.
- 3.3.5 Pedestrian access to primary building entrances should be close to and visible from Circulation facilities that include a pedestrian component such as a sidewalk or trail. Primary building entrances may not be from certain types of secondary or non-pedestrian oriented Circulation facilities or Parking Lots. Each primary building entrance should be attractive and have weather protection and highlight the presence of the entrance to pedestrians through the use of architectural treatments such as changes in the streetwall and lighting. Primary pedestrian entrances should be visually more prominent than parking facility entrances.
- 3.3.6 Design buildings to form the container of Public Spaces and the Sociable Public Realm; establish an active, interesting, and Pedestrian Friendly streetscape; and create an urban environment. Elements include:
 - a. Windows facing Circulation facilities. For retail uses, large street level windows that allow pedestrians to see activity within shops.
 - b. Numerous, rather than consolidated entrances as well as use of “main street modules,” i.e. regular use of individual entrances to businesses and residences, reinforced with repeated architectural elements such as windows, weather protection, piers, and other architectural elements.
 - c. If there are gates or fences, use an open design to allow social interaction.

- d. For residential uses, provide ground-related residential when possible to improve the experience for pedestrians and offer the opportunity for semi-private space to the residence. Balance the need for activity adjacent to Public Space and “eyes on the street” with a sense of privacy. This might include stoops, private or common gardens or courtyards, elevated first floor units. Delineate semi-public and semi-private space from public areas with railings or fences 3 ft tall (unless fall protection is required), planters, overhead elements, etc.



In both these examples, the ground level units have access directly to the sidewalk which can be advantageous to both the pedestrian and the resident. The building on the right has the residences closer to the sidewalk than the one on the left, but they each have landscape to soften the street and enhance the residential privacy. Each building has used a series of landscape and architectural elements as multi-dimensional layers to transition from public to semi-public to private.

Weather protection is important along mixed use and retail streets as they make window shopping, eating and just simply walking much more inviting.



Weather protection can be provided by something that extends off of the building or can be built into it such as this arcade. The arcade and planter beds serve to make the scale of the building more comfortable to the pedestrian.

- 3.3.7 Weather protection associated with buildings should be a minimum of 8 ft above the sidewalk with protection that extends at least 6 ft over the sidewalk, and up to protection 12 ft above the sidewalk which extends at least 8 ft over the sidewalk. For heights in between 8 ft and 12 ft above the sidewalk, the minimum extension over the sidewalk would be extrapolated between 6 ft and 8 ft of extension. The location of street trees and the edge of the driving surface may require adjustments to these dimensions. But in all cases, the height and depth of the weather protection should prioritize providing protection to the pedestrian over architectural enhancement. Weather protection can be awnings, canopies, building overhangs, etc.

Weather protection in this example, encourages outdoor seating and identifies the location of the business entrance.



The entry is clearly marked by weather protection that invites you in, though weather protection needs to be provided at a height that is functional for the direction it faces. (Southern and western sides of the building tend to get driving rain.)

3.4 Building Setback Guidelines

Building Setback Guidelines apply only to setbacks from Circulation facilities, not to side and rear interior setbacks.

- 3.4.1 Provide a building setback only when they will be useful and meaningful to both the adjacent building and the Public Space. Avoid buffering uses or needlessly and inefficiently using land.
- 3.4.2 For commercial or retail uses, only provide setbacks if the adjacent uses are likely to use them. For instance a restaurant or café may use the area for outdoor seating, a shop for retail displays, or office buildings could use the setback for an entry court, seating, fountain, or retail kiosks. Size the setback for the likely need and level of activity. If buildings are setback, use elements that maintain a strong connection to the street and support a Pedestrian Friendly environment.



Though this commercial building is set fairly far back from the sidewalk, the entire area is well used for the benefit of both pedestrians and plaza users: A café has ample outdoor seating, a kiosk offers a visible small business location, greenery and water engage the pedestrian and one's senses, softening the building's



Even a small setback can create an opportunity for seating or gathering, while maintaining a good streetwall.

- 3.4.3 For residential uses, provide an adequate setback to offer privacy and individual outdoor space for ground floor units.



This configuration can provide a stoop for the use of upper floor residents, while the ground floor residences have a small terrace for their use.



The different layers provided (trees, lawn, shrubs, stairs) provide a transition that benefits both the pedestrian and the resident, though Local Streets will have trees and plantings between the curb and road.



This setback is formal and yet conveys it is residential. The location of the entry is clear. Residents can use both the stairs and terraces for outdoor activities.



This residential setback is softer and less formal. Low open fences are backed by taller, soft plantings that provide privacy for the residents without compromising the pedestrian experience.

3.5 Rooftop Guidelines



Courtyards are a type of Community Space that can be particularly beneficial to residences when they are wrapped with buildings or on top of structured parking. A courtyard on top of parking allows light and air to the units while also providing useable space for the residents.

- 3.5.1 Encourage the use of rooftops as active amenities, such as for community gardens, recreation, and useable courtyards.



Rooftops can be actively used, such as for Community Gardens.

3.5.2 Where active uses cannot be placed on rooftops, use them for passive activities, such as green roofs to partially address stormwater, solar panels, art and/or design to make them visually interesting, as well as a means to allow access to light and air for adjacent occupied space.

3.5.3 Whether actively or passively used, rooftops that can or will be seen, should be designed to be attractive. Utilities, infrastructure housing, HVAC, etc. should be screened with architecturally compatible elements from all reasonably visible vantage points.

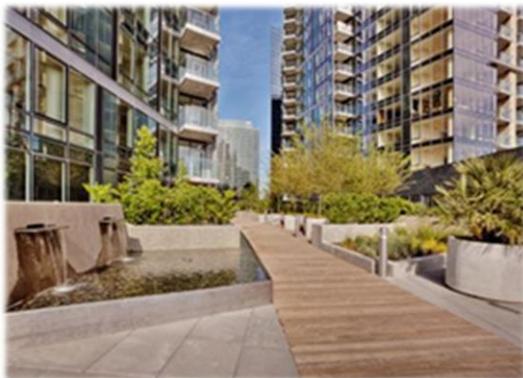
3.5.4 Consider making some rooftops accessible to the public.



Passive uses on rooftops, such as Green Roofs improve both the views from above and help with stormwater flows.



There are a variety of ways to use rooftops including as through routes between buildings and by locating activities there.



Rooftops can also provide intimate gathering areas and cozy Community Spaces.

3.6 Service, Loading, Waste Enclosure Guidelines

- 3.6.1 Share and consolidate service and loading areas among users or needs, wherever practical. Locate on alleys when possible. Likewise, use on-street loading when possible to meet some or all of a use's loading and service needs.
- 3.6.2 Place service, loading, and waste enclosures within buildings or lidded over with courtyards. When this is not possible, applicants are encouraged to roof them to reduce their presence from above and reduce wildlife access.
- 3.6.3 Service, loading, and waste enclosures should not be located on the same face of a building as residential uses, if possible.
- 3.6.4 Minimize the presence of service, loading, and waste enclosures to the pedestrian, Public Spaces, and adjacent occupied uses. For instance, locate them where they are less visible (e.g. away from building corners), minimize number and width, place them on alleys, recess their entrances, screen them with walls and landscape, incorporate art into the design of portions near the pedestrian environment, provide architectural treatments.
- 3.6.5 Use solid, visually interesting walls to enclose and screen these facilities.
- 3.6.6 Screening for service, loading, and waste enclosures should take into account whether visual, aural, odiferous, or other impacts need to be lessened.
- 3.6.7 Site these facilities so trucks do not block pedestrian or vehicular traffic on-site or in adjacent Circulation facilities.



This service area has been set back from the sidewalk which minimizes its presence until the pedestrian is adjacent to it and allows trucks to be fully out of the sidewalk while accessing the area. Also the use of artful gates improves their appearance.



Thoughtful use of simple materials and landscape can diminish one's awareness of the purpose behind the fence.



Attention to the placement of utilities, vaults, equipment, etc. means their presence may be reduced both for the pedestrian and the building's occupants.



4.0 Circulation

Circulation not only provides for the local movement and connectivity of pedestrians, bicycles, and vehicles, but it also has a significant role in establishing the character of the Social Public Realm and forming the structure of vibrant Neighborhoods. In addition, Circulation is one of the primary ways people experience the Project. The design of each piece of the system contributes to prioritizing pedestrians and bicycles over vehicles while providing adequate functionality for vehicular needs. Circulation design creates comfortable, safe, and interesting spaces for all, including the young and old, able-bodied and disabled. As the network of Circulation facilities is completed, it will improve mobility including access to nearby transit and complete the street grid in this part of the City. Circulation often functions not only as the venue for moving through the Project, but also as a linear room for informal gathering and social interaction. Urban elements, such as lighting, street furniture, landscape, and signage, create an ambiance that encourages these various uses. Infrastructure and utilities should be incorporated in a manner to minimize their impact or contribute to the urban design goals, rather than driving the design, dominating the Sociable Public Realm, or detracting from Pedestrian Friendliness. The following Guidelines cover a continuum of facilities ranging from all pedestrian to all vehicular, and make no distinction between public and private facilities. The Guidelines should be used to support the standards found in Appendix E (Circulation).

4.1 General Circulation Guidelines

- 4.1.1. Select the Circulation facility based on the desired character, type and scale of adjacent uses, context in which the facility will be located, the type of pedestrian and bicycle access necessary, the need for vehicular access (ADT), if any.
- 4.1.2. Design Circulation to prioritize local movement over pass-through regional vehicular traffic.
- 4.1.3. Prioritize Sociable Public Realm and Pedestrian Friendliness over motorized transportation and traffic volumes, while ensuring there is vehicular functionality.
- 4.1.4. Collaborate with the City and other jurisdictions to improve Pedestrian Friendliness by creating or improving intersections with pedestrian elements on bounding streets. This might include signalized intersections, medians in unneeded turn lanes or lane width, pedestrian refuges, signal timing, etc.
- 4.1.5. Provide pedestrian and bicycle connections with adjacent properties, such as a bridge over Tibbetts Creek. Bridges should be designed to complement the character of the area they cross.
- 4.1.6. Provide components of connections to natural assets such as Cougar Mountain Wildland Park and Tibbetts Valley Park.
- 4.1.7. Incrementally construct a fine grained, interconnected, legible Circulation network that serves pedestrians, bicyclists, and vehicles, but is not monotonous. The new Circulation network should relate to existing Project and City streets and grid, by extending and completing it. If dead-end vehicular configurations are used, continue pedestrian and bicycle facilities to create an interconnected system. Use tools such as off-set intersections and “dog leg” roads to make the Circulation system interesting, while avoiding confusion. Target block length should be 300 ft and maximum block length should be 500 ft. Where block length exceeds 300 ft, provide additional pedestrian Circulation facilities to facilitate pedestrian direct access and connectivity.
- 4.1.8. Provide vehicular routes with a minimum of paving and adequate functionality.
- 4.1.9. Design Circulation facilities to minimize automobile speeds.
- 4.1.10. Provide Circulation facilities to support and ease connections to transit facilities.
- 4.1.11. Minimize the number and width, without compromising functionality, of driveways especially into parking facilities.
- 4.1.12. Design public and private Circulation so there is no perceived distinction between them.
- 4.1.13. Create Circulation facilities that feel active and interesting even without adjacent retail.



Design streets to assist both drivers and pedestrians to understand how to use them. For instance, the use of detailed materials highlights the location of the pedestrian crossing to the driver.

- 4.1.14. Pedestrian access to primary building entrances should be directly from Circulation facilities that include a pedestrian component such as a sidewalk or trail. Primary building entrances may not be accessed from Alleys, Secondary Walks, Critical Area Trails, or Paths, though secondary pedestrian entrances may be located on them.
- 4.1.15. Provide wider sidewalks and pedestrian facilities where there is or is likely to be more activity, such as adjacent to retail, restaurants, gathering spaces.
- 4.1.16. Where Urban Trails or Multi-Use Trails cross vehicular routes, continue special paving across the vehicular route to highlight the intersection for drivers.
- 4.1.17. Size planter strips and tree wells to accommodate the mature size of the tree or the uses there, such as rain gardens or café seating.
- 4.1.18. Incorporate traffic calming measures such as changes in paving, narrowing or strategic necking down of roads, pedestrian tables, etc. Selected traffic calming measures should minimally impact emergency and possible transit vehicle use of the Circulation facilities through placement and design.



Design techniques can influence behavior such as in this example. Textured materials, bollards, and necking down of the street help the driver to intuitively understand that this place is not a typical street and they need to slow down. The planter strip is a rain garden, getting multiple uses in each area. This is an example of design techniques that intuitively influence behavior.



Even small spaces can provide opportunities for a variety of activities. This area accommodates pedestrian functions and anticipates that a café might locate here and offers space for outdoor seating. Bike uses are placed nearby but set slightly apart so the space does not feel crowded. Space in front of buildings should be large enough for the uses existing or possible uses while not being so large as to lose their vibrancy.

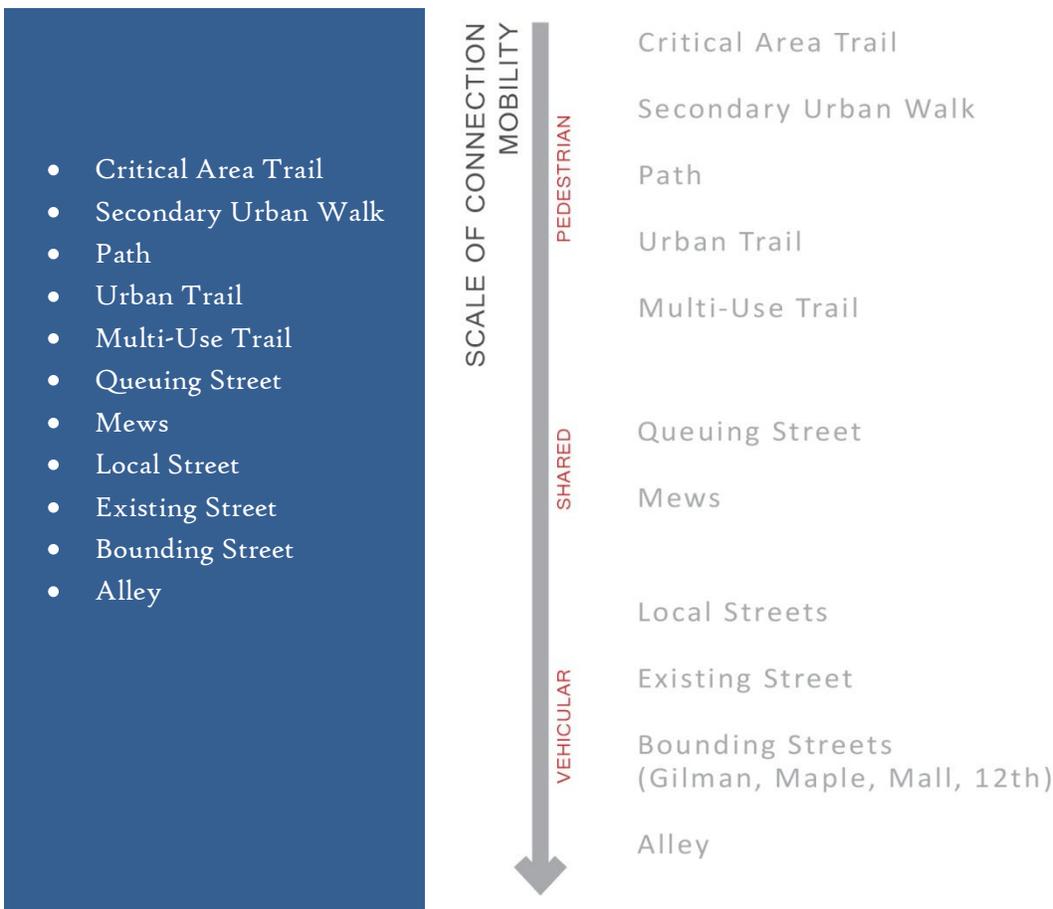
- 4.1.19. The function of the Circulation facilities should be readily apparent to the user through its appearance, design, and other non-verbal tools. Signal transitions to drivers when they are entering a shared or pedestrian priority space. For instance, changes in materials (type, color, texture) to draw driver's attention to pedestrian crossings, narrow travel lanes where driver's need to slow down, vertical or horizontal treatments, more detailed materials or art at important pedestrian intersections.
- 4.1.20. Pedestrian routes should be continuous and have continuity, and consistent with the Circulation facility type and site location. For instance, curb ramps should be in line with the route of pedestrian travel, pedestrians shouldn't have to randomly switch sides of the road.
- 4.1.21. Incrementally create a comprehensible, safe, and continuous bicycle circulation system. However every vehicular Circulation facility will not have dedicated, segregated bicycle facilities.

- 4.1.22. Provide bike rails where bicyclists will reasonably need to include stairs in their bike route.
- 4.1.23. Design a circulation system that accommodates the different types of bicycle users: recreational, commuter, family, and transportation for daily, local needs.
- 4.1.24. Minimize the presence of drive through facilities as well as their impact on pedestrians and bicyclists.
- 4.1.25. Use landscape to communicate the importance and relationship of Circulation facilities.
- 4.1.26. Adjacent Circulation facility improvements should be timed to coordinate with building construction.

4.2 Specific Circulation Guidelines

The following Guidelines are organized by facility. They include a variety of pedestrian oriented and practical tools to respond the various intensities of use and context in which a Circulation facility should be used. Guidelines identify performance standards as related to neighborhood character and context. Standards for each regulated facility are located in Appendix E (Circulation).

The following Guidelines generally move from pedestrian to more vehicular facilities.



4.2.1 Critical Area Trail Guidelines

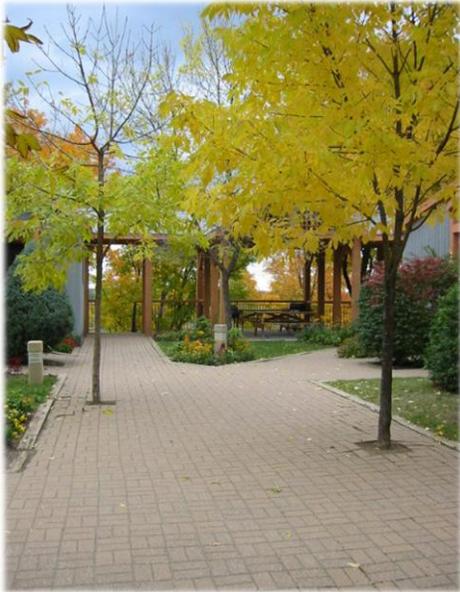


Critical Area Trails are non-motorized trails used in Critical Area Buffers and provide connectivity, recreational, educational opportunities. The tread anticipates a trail that will have a high level of pedestrian use, but it is too narrow for bicycle use. The primarily soft surface trail or boardwalk offers controlled access to critical areas. Fences are provided along the edge of the trail to contain human and pet activities to the Tread area. In addition overlooks and similar gathering spots may be provided to accommodate views into the critical areas and other unique opportunities.

Critical area trails give people important access to nature and sensitive areas. Fencing is important so people and pets know where they can and cannot go.

4.2.2 Secondary Urban Walks Guidelines

Secondary Urban Walks are required pedestrian routes, designed like sidewalks, but not associated with a vehicular facility such as a street. See Urban Trail and Local Street sidewalk Guidelines.



The straight route in this image might be a Secondary Walk while the one branching off might be a Path. The activities they connect differentiate their use, not their design.



This route could be either a Secondary Walk or a Path, but in either case, the design is for comfortable, direct, safe pedestrian access and/or connectivity.

4.2.3 Path Guidelines

Paths are unregulated facilities, and use just the guidelines located throughout this Appendix regarding pedestrian facilities as well as best practices. It is not intended that Paths are distinguishable from regulated Trails in terms of their appearance, but only that there are not standards which apply to them as they are redundant and optional routes, provided at the Master Developer's discretion.

4.2.4 Urban Trail Guidelines

Urban Trails are non-motorized corridors for pedestrians and possibly bicyclists that serve many purposes including:

- connectivity between other vehicular or non-vehicular corridors
- reducing block length and increasing block permeability
- opportunity for a range of outdoor spaces

Unique in character, with informal plantings, furnishings and a variety of paving materials, the Urban Trail provides an intimate linkage that is pedestrian in scale. They may be used with retail, commercial, or residential uses. In these various settings Urban Trail corridors can provide public shared space, semi-private or private spaces associated with residences, act as mini-parks that will allow for informal gathering, etc. In any setting, the Urban Trail must however contain legible and direct through-route along the corridor length.

Urban trails have a hard surface paving which may be either pervious or impervious, but which contributes to its urban character. Tread width varies depending on adjacent uses, user demand, topography, and site design. The corridor may also be widened where it is appropriate to incorporate a gathering space, outdoor dining area, corridor character, or similar uses.

A minimum Border width is required for Urban Trails but it may be increased beyond the minimum width in response to the adjacent uses. For instance a wider, more verdant border may be appropriate in a residential setting while a narrower hardscape border may be more appropriate in a commercial setting. In any case, the border usually includes regularly spaced trees. Borders may include, but are not limited to, planters, fountains, sculpture or other art forms, seat ledges, benches, and other elements and amenities. At the edge of the Urban Trail Border, designs should use elements such as hedges, raised patios, or dense plantings to delineate individual spaces. Selected paving and border design should integrate natural drainage practices to infiltrate or detain stormwater where feasible through the use of swales, rain gardens, stormwater planters, permeable textures, or other design options. Street trees may be placed in the Border or as an Allée within the corridor.



A trail may be used as both a non-vehicular route and the transition between natural and urbanized areas.

Images apply to Multi-use & Urban Trails



These trails can be built at the minimum width or widened to both allow for wider pedestrian and bicycle routes as well as adjacent uses such as seating and lights. Here, lights do an excellent job of defining the change in use.



In this location, changes in paving color and trees identify the non-vehicular through route as distinct from the outdoor areas, potentially reserved for adjacent uses.



Landscape and trees can be integrated to provide a transition from the trail to the adjacent semi-private spaces associated with the building.

4.2.5 Multi-Use Trail Guidelines

The Multi-Use Trail is a shared use corridor accommodating a mix of pedestrians and bicycles, with the occasional vehicular use. A Multi-Use Trail is primarily for pedestrians and bicycles, but its width allows emergency vehicles to, when necessary, use the Multi-Use Trail to enter or exit other streets and vehicular corridors. For other vehicular users, these adjacent streets dead end at the Multi-Use Trail. Generally, Multi-Use Trails are shared by pedestrians and bicyclists, but in some instances, it may be appropriate to construct them with the bicycle portion of the trail as a separate facility.

The Multi-Use Trail may be paved with a variety of materials, but any one selected must communicate the predominately pedestrian and bicycle use of the corridor. The paving may be porous or impervious. Also the surface selected should encourage both bicyclists and drivers to move slowly along the corridor, preferably at no more than 15 mph. This can be accomplished through textured paving or other treatments that separate users, as long as the full width is always available for emergency vehicle use.

Borders should respond to adjacent land uses and existing or proposed landscape. One possible location for using the Multi-Use Trail might be a portion of 19th Ave NW where it is currently located. The trail could provide a distinctive edge and transition between “natural” and “developed.” On the Tibbetts Creek side of the trail, landscape should restore and enhance the critical area. In other locations, the Border should integrate natural drainage practices where feasible through the use of swales, rain gardens, or other design options.

The distinction between Urban Trails and Multi-Use Trails is slight with differences such as width and whether emergency services, such as a fire truck, might need to use the facility to exit a street.

Images apply to Urban & Multi-use Trails



Residential buildings face onto a linear park that provides pedestrian, bicycle, and potentially fire, with access to the fronts of the buildings.



Subtle paving and color changes, in combination with street lights and trees, define the various activity areas.



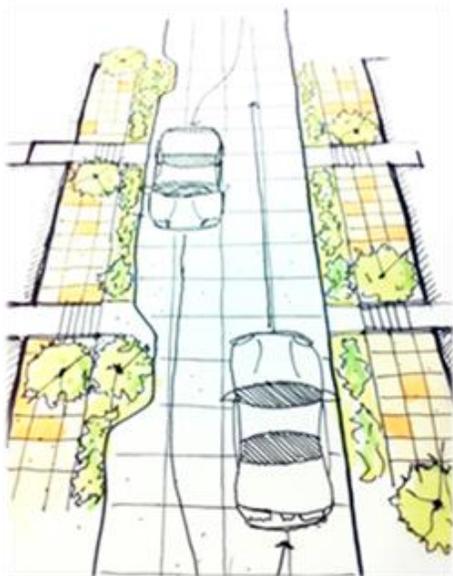
This example illustrates how a trail might control vehicular access when a Circulation facility switches from one type to another. Or allow for Multi-Use trails, allowing fire trucks to exit a deadend street while other traffic would not continue onto the trail.

4.2.6 Queuing Street Guidelines

The Queuing Street is a shared use corridor accommodating a mix of pedestrians and bicycles, plus low volume vehicular use. It has up to 1500 Average Daily Trips, or ADT.

A Queuing Street is a shared use surface, mixing non-motorized users with a low volume of vehicles. A Queuing Street is punctuated with an occasional widening to accommodate two vehicles passing each other or the opportunity for a fire truck to stage an emergency response on or in the vicinity of the street. These widenings may be designed as informal gathering areas, recreation, or intersections with other non-vehicular corridors, which however do not interfere with the vehicular purposes described above.

The Queuing Street may be paved with a variety of materials, but any one selected must communicate the pedestrian and bicycle priority use of the corridor. The paving may be porous or impervious. Also the selected surface as well as bends and undulations should encourage both bicyclists and drivers to move slowly along the corridor, preferably at no more than 15 mph. This can be accomplished through textured paving or other treatments that separate users, as long as the full width is always available for vehicular uses described above. Borders should respond to adjacent land uses and existing or proposed landscape. No parking is provided with a Queuing Street. Where a Queuing Street abuts a Community Space, the pedestrian areas and Borders may be integrated into the Community Space for a unique pedestrian environment.



Queuing Streets are narrow shared spaces with a low volume of vehicular traffic. The widened portion could accommodate loading, staging for fire trucks, or passing vehicles. The design should feel intimate, urging drivers to intuitively slow down. Without obstructing its potential uses, the widening might have a basketball hoop or surface activities that are used the balance of the time.

4.2.7 Mews Guidelines

Mews are lower volume streets, selected for their narrow, intimate character. They have up to 5,000 Average Daily Trips, or ADT, which may be increased depending on the distinction between pedestrians and vehicles areas.

Mews feature a continuous surface throughout the paved portion of the corridor section, thus pedestrians and vehicles zones are defined by changes in paving material, color, and/or texture as well as the use of vertical elements such as bollards or raised planters, rather than the use of vertical curbs. Flush curbs may be used, however. To create the character and convey the pedestrian priority of the space, Mews are constructed in mostly concrete or other non-asphalt paving. Asphalt may be sparingly used but not in association with the pedestrian portion of the mews. Materials may include pervious or porous materials. Mews may have parallel parking on one or both sides of the travel lanes. Sidewalks have a minimum width which may be increased to accommodate raised planters, informal gathering spaces, outdoor dining areas and similar activities. Bicycles are integrated into the travel lanes due to the low volume and speed of vehicles. Other than the use of raised planters, landscape is located in borders adjacent to the paving, to maintain the narrow width, while softening and framing the Mews. The Borders will include regularly spaced Street Trees. Where a Mews abuts a Community Space, the pedestrian areas and Borders may be integrated into the Community Space for a unique pedestrian environment.



Mews feel narrow and intimate. Pedestrians have designated walking areas but the slow traffic speeds allow people to cross the Mews at will. Bollards, raised planters, trees plus changes in paving materials, colors, patterns, textures can define the different use zones. (Angled parking and on-way traffic are not currently allowed.)

4.2.8 Local Street Guidelines



Sidewalks with Local Streets are a minimum of 6 ft wide but may be wider adjacent to retail or café uses to allow them to spill into the sidewalk area.



Sidewalks along Local Streets are usually framed by buildings and street trees though opportunities for landscape, art, and gathering spots are encouraged. Tree wells should be sized for mature trees.



This is an example of a Local Street sidewalk in a residential area. The paired trees frame the sidewalk while providing privacy for adjacent residents.

Local Streets accommodate the highest vehicular volumes within the Project and have the most traditional street character. It has up to 12,000 Average Daily Trips, or ADT, as they include, two travel lanes, and on either side of which are sidewalks, planting strips, parallel parking, and possibly bicycle lanes. Local streets are designed to be a part of an interconnected and comprehensible circulation network, providing connectivity for pedestrians, bicycles, and vehicles. Lower volume or non-vehicular facilities may connect to Local Streets.

Sidewalks have a minimum width which may be increased in response to adjacent uses such as more intense pedestrian activity, informal gathering spaces, outdoor dining areas, and similar activities. The planting strip also has a minimum width; the width may increase in response to a variety of uses that may be located in this zone; for instance, rain gardens, more intense pedestrian activities, and outdoor uses spilling from adjacent buildings. Tree wells should be used where a more urban character is appropriate and grates may be necessary where more intense uses are located. When tree wells are used, it may be appropriate to provide special paving or hardscape between tree wells to differentiate the pedestrian route.

Local Streets are an essential part of the bicycle network within the Project. Bicycles will either be integrated into the travel lanes or be separated in bike lanes. This will be determined based on the Master Circulation Plan as well as factors such as vehicular traffic volumes and speeds, the types of vehicles likely to use the street, existing or anticipated bike lanes or trails to ensure clarity and continuity of bicycle circulation.

Travel lane width responds to the types of vehicles using the street and adjacent uses.



A Local Street with bike lanes adjacent to the on-street parking.

4.2.9 Existing Street Guidelines

Existing streets within the Project boundaries which have been upgraded (i.e. Gilman Boulevard and 18th Avenue) are not anticipated to be rebuilt. However, there may be opportunities to restripe or adjust these streets to incorporate elements that implement the Project vision, such as striping for on-street parking and/or bike lanes, wider sidewalks in response to adjacent uses, providing street trees.

4.2.10 Bounding Street Guidelines

Bounding streets, i.e. those streets adjacent to and/or outside of the Project boundaries, are not within the purview of this Development Agreement. The partnership anticipated by the Development Agreement's Goals may identify opportunities to collaborate on modifying these facilities. Implementation of the Development Agreement may change the function and appearance of the Bounding Streets which are: Gilman Boulevard, Mall Street, Maple Street, 12th Avenue, SR900. With new or improved Circulation facilities dividing up the existing super blocks e.g. 13th and 14th Avenues, intersections will be created. These provide opportunities to both improve pedestrian circulation and the ability of blocks to implement the vision. Without intermediary driveways, Project block frontages can become active and engage with these Bounding streets. Intersections may need to be signalized and can thus focus pedestrian movements across busy roadways. Also, without intermediary driveways, Bounding Street turn lanes may no longer be needed and can be repurposed as medians and refuges for pedestrians crossing the Bounding Streets. In cooperation with the City, the Project may also choose to modify their edge of the Bounding Street to provide on-street parking.



Where center turn lanes are no longer needed, medians may be introduced. They give pedestrians refuge while crossing a wide road and have the effect of making the street seem smaller and slowing traffic. Where exterior lanes are not needed, on-street parking can be introduced, slowing traffic.

4.2.11 Alley Guidelines

Alleys are predominately vehicular corridors located behind residential, commercial, or retail uses, and can serve multiple purposes.

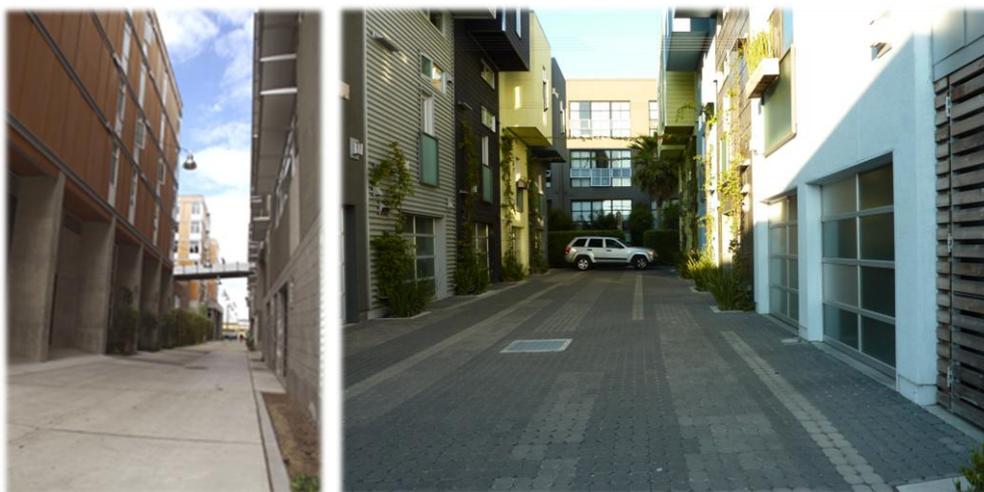
- provide vehicular access to service facilities and parking
- reduce the number of driveway entrances on the street thereby increasing the number of on-street parking spaces
- enhance the streetscape by eliminating driveways and increasing the amount of landscape area
- provide the primary vehicular access to the parcels served by the alley
- on occasion, provide loading space for adjacent uses where other service areas are not available, as long as through traffic is maintained.

Due to the vehicular nature of the alley as well as the lack of pedestrian facilities, main building entries may not be located on alleys, though secondary entrances for ease of access are allowed. It has no Average Daily Trips limit, or ADT, as it is not primary access.

The edge of the alley paving has no curb and no parking is permitted within the alley, though this may be modified when storm drainage curbs are useful or additional parking may be appropriate. The alley may also be widened adjacent to and to facilitate placing services such as loading, and waste enclosures on it.

Alley grades of up to twelve percent (12%) are permitted where the alley provides emergency and waste collection services (though at specific waste collection service locations, flatter areas are necessary); where the alley is not used for these purposes, alley grades may be up to 15%. All alleys must have an inverted crown section unless approved by the Designated Official.

Generally buildings are setback from alleys to provide landscape and ensure vehicular turning movements can be accommodated. The appropriate setback will be determined based on the adjacent land use, the size of delivery and/or service vehicles likely to use the alley, the anticipated times and frequency of use of the alley, the desired character of the alley, and sightlines for vehicles entering or exiting garages, service, and/or loading facilities. Overall the alley should be clean, neat, and attractive.



Alleys are not designed for pedestrian uses though some pedestrians may choose to use them. They provide access to services, loading, waste enclosures, and parking. Parking may even be in individual garages, as is shown in the right-hand image where someone is backing out of their private individual garage. Alleys may be lit by lights provided just for them, such as the catenary lights shown in the left-hand image, or from the lights associated with adjacent buildings.



5.0 Community Spaces

The Community Space in a compact community serves many functions: it is an outdoor room where social interaction creates a sense of belonging, provides variety in the built environment, and employees and residents can get outside even if their building does not have its own outdoor space. Community Space is a cornerstone of Neighborhood character, the center of its community activities, and assists in orientation. Its design should be Pedestrian Friendly, create meaningful Public Space and Sociable Public Realm, which invites use. Adjacent buildings should engage with the space, to ensure it is vibrant and lively.

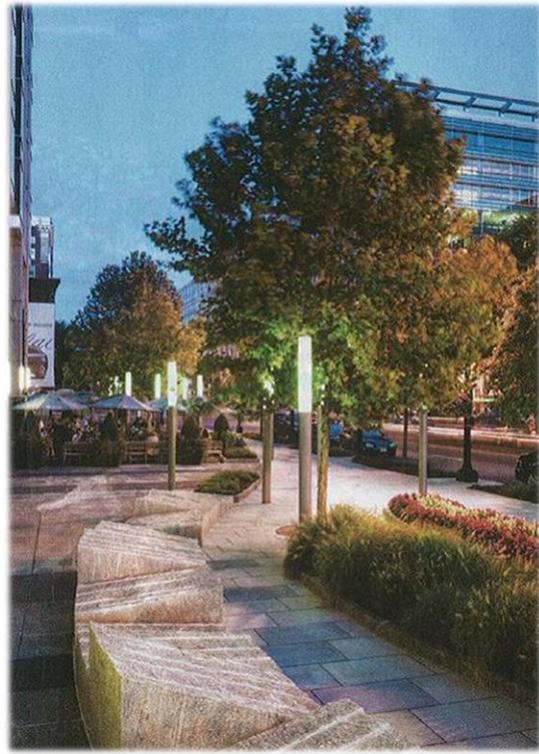
Appendix D (Community Spaces) creates two types: required and encouraged. Each Neighborhood will have a required Community Space, triggered by a certain amount of development, while encouraged Community Spaces will be constructed incrementally in response to the activities needed. The required Community Spaces in particular need to be multi-functional, optimizing the benefits and activities for all members and users of the Neighborhood. The following Guidelines should be used to support the standards found in Appendix D (Community Spaces).

5.1 General Guidelines

- 5.1.1 Each neighborhood should have a memorable and inviting Community Space that captures its character and focuses energy in a central location. Make it easy for people to navigate to them, design them to be Pedestrian Friendly, and an integral part of the Sociable Public Realm.
- 5.1.2 Design spaces to be multi-functional and make the most of every square foot. Accommodate flexible programming and activities.
- 5.1.3 Frame Community Spaces by placing a building or strong edge on at least one side, preferably more. Where they cannot be framed by buildings, provide an active use, architectural elements, or possibly landscape to create an appropriate sense of enclosure.



Community Spaces, such as this interior courtyard, may be semi-private spaces, suitable for quiet and reflection.



An informal gathering area combining lights, landscape, textures, and lighting to create an urban feel, yet provide a connection to nature.

- 5.1.4 When Circulation facilities are adjacent, consider if the Circulation facility and Community Space should be distinct or integrated. Circulation facilities may expand or supplement the Community Space through the selection and placement of paving, street trees, lighting, art, etc.
- 5.1.5 Minimize the number of edges with adjacent Circulation facilities that include vehicular components.
- 5.1.6 Locate required Community Spaces away from surface parking lots. Encouraged Community Spaces will be located away from surface parking when possible; if they are adjacent, provide screening as appropriate to the setting.



Landscape can be used to separate pedestrian corridors from reserved seating, while also creating a more interesting and pedestrian scaled environment in which to walk.



Community Space, such as this courtyard, should be designed to be inviting and comfortable to people.



This landscape and step combination makes it appear that nature is creeping into the built environment.



Changes in grade can help to define public from reserved seating, while providing both with good solar exposure.

- 5.1.7 Consider solar orientation in locating and designing Community Spaces. Incorporate the opportunity for both sun and shade.
- 5.1.8 Ensure that the scale is appropriate to the Community Space’s function and adjacent uses. They should not feel empty, barren, or too big when not in use.
- 5.1.9 Provide places where people can be outdoors. In Hyla Crossing, provide opportunities for people to connect with nature.
- 5.1.10 Create spaces that appeal to the senses: the sound of water, the smell of plants, the heat of fire. Sensory experiences may vary with the season, with water being present in the summer and a fire lit in the winter.



Look for opportunities to engage the senses so amenities are not just visual, such as a water feature or a wall of water.



- 5.1.11 Include both hardscape with softscape, with consideration of the uses, activities, and variety of other Community Spaces nearby. Provide unique and fun experiences such as fountains, sculptures, and/or other artwork. Consider spaces that can accommodate special events, and other spaces that are more intimate. The range in a Neighborhood should include active and passive, small and large, reflective and recreational, trails for moving along and spaces for lingering.
- 5.1.12 Use landscape, lighting, architectural elements, natural or natural looking materials, and/or amenities to structure and define Community Spaces as well as make them comfortable, functional, and provide a sense of safety. In addition to the amenities discussed elsewhere in this Appendix and Appendix D (Community Spaces), provide water and electrical outlets to facilitate use for a variety of events and users. Locate Community Spaces where they will be visible from adjacent units or occupied spaces to ensure safety.



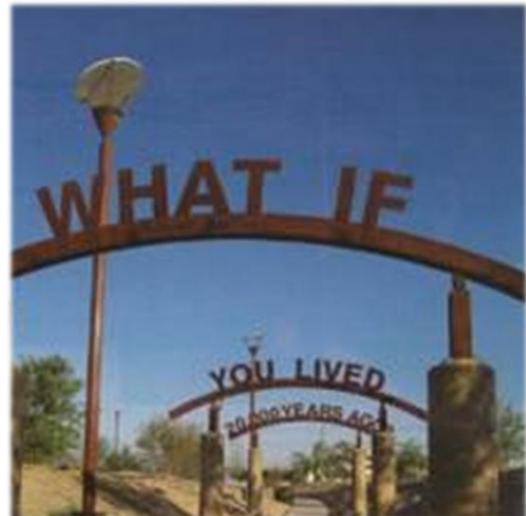
Provide areas of whimsy, surprise and delight throughout the site, such as these frogs.



Different paving materials can add interest to a space such as a plaza.



This is one way to transition from the natural to where hardscape meets the edge of nature. Using a more abrupt transition can be interesting and heighten the contrast.



Art can be added to provide pleasure and enjoyment.

- 5.1.13 Make some portion of the Community Spaces in each Neighborhood usable year round. For outdoor spaces, this may be a pergola or gazebo, and/or provide indoor spaces.
- 5.1.14 Consider design elements that extend a Community Spaces' hours of use, such as lighting and weather protection.
- 5.1.15 Provide a variety of seating opportunities, especially in larger Community Spaces. This should include moveable and fixed seating as well as seat walls, steps, boulders, and other multi-use objects.



A variety of seating options should be provided to allow Community Spaces to be used in many ways. For instance this example has seating both on walls and in moveable chairs.



Community Spaces can be good sites for introducing fire and/or water elements, supporting year round as well as evening use by residents.



Weather protection can be provided in some Community Spaces. This may come from freestanding structures, such as this pavilion which can also be used after dark, or less formal options such as a pergola.

- 5.1.16 A portion of required Community spaces may be reserved seating for restaurants, cafés, espresso stands, etc. Ensure there remain clear, direct pedestrian routes at least 5 to 8 ft wide, depending on the level of pedestrian activity, the destinations, and scale of the Community Space.
- 5.1.17 Consider incorporating temporary or small permanent structures such as kiosks, food trucks, vendor carts, concessions.



Other Community Spaces house active gathering spaces which may support adjacent businesses. Landscape can be accommodated by pots, planting beds, and/or trees.



Some Community Spaces may have vendor carts to provide services in addition to or in the absence of adjacent uses.



Businesses can be tucked into small spaces, and add vitality to a Community Space.



Long term, or on an interim basis, uses such as these food vendors, can appear when they are needed, inviting people to come to the Project.

5.2 Rowley Center Community Space Guidelines

Rowley Center’s urban style park(s) should serve as this Neighborhood’s required Community Space(s) and a focal point(s) for the Neighborhood and its activities. The park(s) should be well connected to Circulation facilities, and should provide an essential component of Neighborhood livability, as a “third place,” neither work nor home. This is/These are an opportunity to promote public life, support the social aspect of the Neighborhood, and function as a point of orientation. At least one of the locations, if there are multiple ones, should have strong pedestrian linkages to transit, and with the use of hardscape the required Community Space(s) can be used year round.



Even an urban space, such as that anticipated in Rowley Center, can engage the senses and connect with nature. Landscape, in the form of Green Walls, pots, and trees ties with nature, as does the water wall. Water creates white noise and the trees attract birds.

Landscape softens a plaza, with lawn in this example. A variety of seating is available and the Community Space has a sense of being green even when surrounded by dense uses.

The pavilion, building on the right, and pots, help define the plaza’s edges since it is bounded by streets. The result is pedestrian scale which makes it a comfortable and

While this space is larger than anticipated for Rowley Center’s Community Space, it has strong edges, good solar access, and it is easy to see where the space is and how to get there. Landscape and hardscape make it useable year round.



This Community Space can incorporate water as needed for enjoyment. The space can also be dry for larger community events. There’s lots of seating that meet the diverse needs of the users. The buildings on the edge of this Community Space are only separated by a walkway.

5.3 Hyla Crossing Community Space: Tibbetts Meadow Guidelines



Buildings may even lean over or into the adjacent natural areas to provide people with contained ways to interact with nature.



Though Tibbetts Meadow may feel large overall, there may be opportunities to create smaller spaces. And the design of these can respond to year round needs such as a fire in the fall or spring.

With good visibility, as it is sited at the terminus of Gilman Boulevard, this Neighborhood's required Community Space is a destination. This is a focal spot that provides a green edge to the Central Issaquah Area. Located at the base of Cougar Mountain and along Tibbetts Creek this Community Space has access to recreational hiking trails via a Tibbetts Creek bridge, as well as passive uses, enjoyment of nature, picnicking, or informal play. Provide a clear link from the Meadow to at least one bridge and Tibbetts Creek Trail. A community building may be located in the Meadow and its design should feel open with a strong relationship to the natural areas adjacent to it.



In this setting, an amphitheater has been built into the landscape, using rocks to transition from a natural to built area.



This building connects with nature by tying directly into a man-made wetland and provides the opportunity for habitat enhancement.



While these facilities are likely larger than what is anticipated at Tibbetts Meadow, each is designed to embrace nature: there are large windows and landscape that ties to the surroundings.



Edible gardens can be incorporated into Community Space. They can serve both nearby restaurants as well as be enjoyed by residents and employees.



Structures in Tibbetts Meadow will be scaled to the space and designed to integrate the natural surroundings.

5.4 Tibbetts Creek Trail Guidelines

- 5.4.1 Design at least a portion of the Greenway trail as a Critical Area Trail.
- 5.4.2 Landscape associated with the trail and the trail surface should relate to the adjacent uses and Neighborhood. For instance, in the Critical Area it should reflect native plants and natural materials; whereas when it is adjacent to or through Tibbetts Meadow, it should relate to that Community Space's character.



There will be at least one pedestrian/ bicycle bridge crossing the creek. Its design should compliment the surrounding area.



Stepping stones are a fun and informal way of crossing the creek.



Even adjacent to compact development, the creek can provide places of quiet contemplation.



This is one way of weaving nature into Paths and trails.



An example of a frog bridge.

- 5.4.3 Provide outlooks along the trail at unique, special, interesting, and/or educational locations. These should provide people contained access to locations where the beauty of the creek corridor can be appreciated. Placement should take into consideration landscape which may eventually block sightlines, and which may not be removed if its in the critical area.



Fences keep people and pets contained but allow them to enjoy the beauty of the environment.

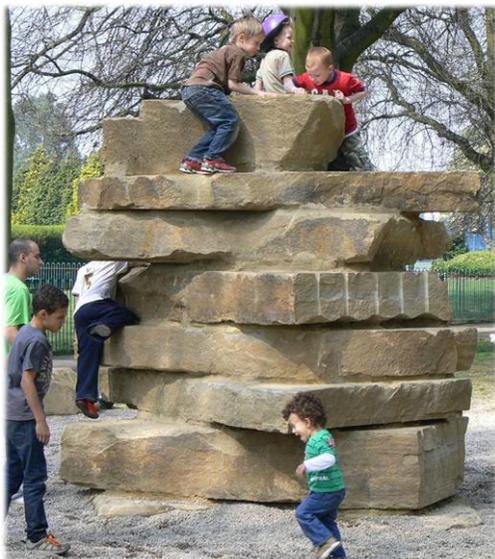
5.5 Playscape Guidelines



Provide opportunities for sensory experiences.



Look for opportunities for children to learn in many ways.



Materials that are natural or mimic nature, may be appropriate for some play spaces. Encourage the imagination. Elements that are for children's play may be used by adults at other times. This stack could be a bench or table.

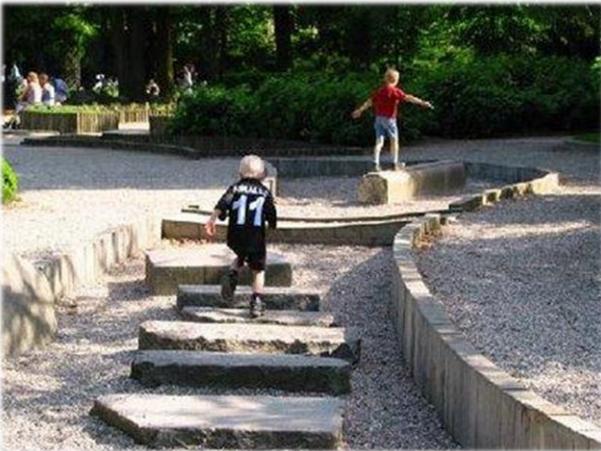
- 5.4.1 Include measures necessary to protect children's safety from vehicular traffic such as low fencing or landscaping to provide a physical barrier.
- 5.4.2 Incorporate shade and rest areas for supervision through the use of deciduous landscaping, architectural elements, temporary structures, or other means.
- 5.4.3 Provide natural, creative play elements for free and/or structured play. These elements do not have to be overtly for play but should support, allow, and even encourage play by children. For instance, ground slides from one level to another, tricycle tracks, swings hung from arbors or trees, paths that meander and are of varying materials and widths, water that can be manipulated, outdoor rooms made from landscape or rocks, berms and hills.
- 5.4.4 Design play areas for a variety of ages, activities, fine and gross motor skills.



Consider incorporating water and other unique features that children can interact with.



Provide places where children can connect with nature and use their imagination.



Children's play may be integrated into Community Spaces in subtle ways.



Whimsy can be incorporated into children's play, too.

5.6 Plaza Guidelines

- 5.6.1 Plazas may be constructed with concrete, pavers, or special paving material. Asphalt is not encouraged, except as a paving accent material.
- 5.6.2 Root barriers should be provided for all trees planted within Plazas.
- 5.6.3 Provide a mixture of paving and materials, changes in plane, landscape, and art to soften and make the space interesting.
- 5.6.4 Seating should be provided. The seating may be fixed or moveable, or a combination of both. Seating may be provided by ledges, fountains, sculptures, benches, chairs, stairs, etc. At least two of the seats should meet ADA standards.
- 5.6.5 The spacing, location and type of required street trees may be modified when adjacent to a Plaza.
- 5.6.6 Plazas may have reserved seating so long as the main purpose of the plaza is not compromised. Even an encouraged Community Space should have at least some area for community use. For example, a plaza that is intended solely for reserved restaurant seating is allowed but would not be considered an encouraged Community Space.
- 5.6.7 Permanent structures may be provided within a Plaza, provided they do not preclude use of and access to the Plaza by the general public. Structures may be enclosed or open air and may be leased for commercial use.
- 5.6.8 Physical obstructions between a Plaza and a sidewalk or Park should be designed to provide sufficient visibility to protect the public safety of the users of the Plaza and to ensure that public access to the Plaza is convenient, obvious and welcoming.



Plaza design may:
include a work of art...



provide an intimate connection with nature, without weather protection...



offer a year round space for activities or entertainment...



This plaza uses changes in materials, art, pots, and other design features so it does not feel empty when it is not being actively used.

5.7 Community Garden/P-Patch Guidelines

- 5.7.1 Provide sheds and storage for tools, wheelbarrows/wagons, and materials, such as compost.
- 5.7.2 Provide access to water such as hose bibs and rain barrels.
- 5.7.3 Consider signs that include rules of use and P-Patch etiquette, including restricting pesticide use.
- 5.7.4 Supply electricity.
- 5.7.5 Site with good sun exposure.
- 5.7.6 Fence or locate Community Gardens to reduce wildlife access, such as locating it on a rooftop.
- 5.7.7 Consider providing vehicular access to facilitate delivery of materials and unloading.
- 5.7.8 Consider providing composting facilities.



Rooftops can be actively used, such as for Community Gardens.

5.8 Pet Amenity Guidelines

- 5.8.1 Provide for places where pets can be outdoors and use spaces.
- 5.8.2 Make appropriate opportunities for bodily functions, including pet pickup stations.
- 5.8.3 Consider opportunities for pet play.
- 5.8.4 Supply access to potable water.



Public spaces can be shared by people and pets.



This is an example of a small pet amenity area. It includes a pet pickup station that ensures it stays clean for other users. It also has a playful fake hydrant.



Pet hospitality will be incorporated throughout the project.



This is a creative urban-style pet amenity area, provided on top of a building.



6.0 Parking

Parking has a key role in creating a vibrant, mixed use Neighborhood, a Pedestrian Friendly and Sociable Public Realm that has buildings engaged with the Street, without diverting significant funds to short-term improvements. This can mean tucking parking out of site, screening it, and/or making parking structures into visual assets. The ultimate goal is to shift to structured parking but this will not happen overnight. Thus parking solutions will be incremental and phased. For instance, surface parking may be the site of a later phase of building or garage construction. The following Guidelines should be used to support the standards found in Appendix F (Parking) and Appendix G (Landscape).

6.1 General Vehicular Guidelines

- 6.1.1 Locate parking facilities (structures or surface lots) to minimize their detrimental impact on pedestrian Circulation facilities and Public Spaces. For example, parking could be located behind buildings, above the ground floor, or wrapped with active uses.
- 6.1.2 Where there are exposed expanses of parking (garage rooftops or surface lots), use elements to break up the expanse, shade the surface, screen views from above.



This screening uses both a Green Wall as well as the street trees to visually diminish the impact of the garage.



This aerial view shows active uses wrapping a structured parking garage, eliminating its impact on the Circulation facilities and pedestrians.



The street level of this garage has both active uses and Pedestrian Friendly design through the use of pedestrian scale materials, weather protection, windows, etc. The weather protection hides the garage from pedestrians alongside the building, and the trellis is an armature for a Green Wall, reducing the presence from other vantage points.



Greenery reduces the visual impact on the street.

- 6.1.3 Parking facilities should have good sightlines into and out of the facility to improve the user's sense of safety.
- 6.1.4 Vehicular entrances and exits from parking facilities should be clearly visible from the Circulation facility that serves it; however, entrances and exits should also be designed so they do not visually dominate the façade of a building or Public Space, or significantly compromise the pedestrian environment. This can be done using techniques such as setting them back from the primary plane of the façade, placement away from street corners, architectural treatment of the openings, incorporating art and landscaping. Vehicle entrances and exits should be of minimal number and width, and not located at intersection corners.



Typically it is better to recess the garage opening but in this example, the entry has been pulled out, providing an opportunity for landscape and art on the walls the pedestrian sees walking down the sidewalk. The drawback of this approach is the cars do not have as much of a sightline to pedestrians, necessitating techniques to draw attention to people on foot.



Along with separating the entrance and exit, the artwork above the openings creates a focal point that lessens the visual impact of the garage.



Elements of the building overhang the garage entries reducing the presence of the openings. In addition, by separating the entrance and exit, the post improves the pedestrian experience and decreases the impact of the automobile area.



The building is designed with a series of projections that extend in front of the garage entry, minimizing its presence to a pedestrian using the sidewalk, while not obscuring its presence to the driver. Residential buildings such as this one may have gated garage entries.

6.1.5 Where pedestrians are in proximity to parking facilities, humanize and make them visually interesting by using Pedestrian Friendly techniques such as varied, textured, and/or detailed materials, incorporation of architectural features and elements (low or open walls, screens, piers, trellises, arbors, etc.) , weather protection. Add landscape or architectural elements to provide layers, additional vertical elements, and supplementary colors and textures that may change through the seasons. The treatment selected should be related or complimentary to nearby buildings. The lengthier the parking facility, the greater the need for streetwall replacement or enhancement. Consideration may be given to using elements that can be relocated or reused when infill, later phases, or redevelopment occurs.



Adjacent to the garage is a plaza. The screens on the garage provide a framework for vines to screen the parking while accommodating natural ventilation and aural connections, improving the sense of safety. Also, architectural elements have been incorporated.



Artwork and landscape have been used to screen the blank walls of this structured parking.



Garage openings have been screened with trellises and greenery that responds to the buildings architectural structure.



Artwork can be added to screen vehicles in structured parking while maintaining sufficient openings to allow for natural ventilation and good sightlines for security.

- 6.1.6 Provide convenient pedestrian connections from parking facilities to, through, or between buildings and/or Public Spaces.
- 6.1.7 Preferably place parking facility vehicular entrances on alleys.
- 6.1.8 Where there is surplus parking, reuse it for other purposes such as carts, kiosks, educational opportunities. These may happen certain times of the day, week, or on a long-term basis.



Though it is unlikely that much of the parking within the Project will be underground this illustrates how parking or loading entry can be diminished by placing a long queue onsite, terraces atop the service area to hide it and providing additional Community Space, and green walls or raised planters to soften it.

6.2 Guidelines for Structured Vehicular Parking

- 6.2.1 Take advantage of parking garage roofs. This may indicate using them for parking; or in some cases it may mean an alternative use such as active or passive recreation, green roofs, plazas or courtyards, etc.
- 6.2.2 When a parking structure abuts street-level retail or commercial uses or is within an area containing street-level retail or commercial uses, retail and commercial uses should be continued on the portions of the parking structure facing Circulation facilities. This may be phased, in that the garage may be built before the active uses that wrap it.



Garage rooftops can be used for other purposes such as recreation.



The ground floor retail appears to be built into a green hillside, which in fact is a densely screened parking garage.



Screening and shading of garage roofs can be provided by solar panels.



Garage rooftops that are used for parking need to be treated as surface parking lots but the elements do not have to include landscape. Architectural elements can substitute and add to the building's character.

- 6.2.3 Pedestrian entrances into a garage should be designed to highlight the presence of the entry. This could include architectural treatment, change in streetwall, or another response. Weather protection should be provided at every pedestrian entry.
- 6.2.4 Use natural ventilation and daylight for parking structures where possible.

6.3 Guidelines for Surface Vehicular Parking



Layers of planting screen the surface parking from the sidewalk, add texture, and create a sense of safety and interest for the pedestrian.



A mixture of walls and landscape creates texture and layers that make a more visually interesting parking screen for the pedestrian. Also some of the landscape changes through the seasons, making this a dynamic screening element.



This example shows how the placement of trees frames and identifies the pedestrian route while diminishing the presence of autos in this parking lot. However, surface parking would not be allowed in front of a building and the tree wells are likely too small.

6.3.1 Screening elements along the edge of surface parking should both separate and screen the parking from pedestrians, but also continue elements of the streetwall, frame the pedestrian way, and provide human scale to the walk.

6.3.2 If surface lots cannot be located behind buildings, prioritize their placement away from the corners of the block and/or between buildings. Preferably place the short dimension of the parking lot adjacent to the Circulation facility.

6.3.3 Locate required pedestrian routes with landscape beds, trees, or other Pedestrian Friendly elements to identify and improve the experience of the surface lot. Also take advantage of opportunities to introduce pedestrian oriented quirks into surface parking lots, such as the use of bumper overhang space for rain gardens or landscape.



Architectural elements are used in this example to screen surface parking from the sidewalk as well as provide pedestrian scale and protection by framing the sidewalk.



Bumper overhang areas can be planted to reduce impervious surface and add interest to parking lots.

6.3.4 Provide frequent, convenient, and identifiable pedestrian physical connections from surface lots to surrounding buildings and Circulation facilities.

6.3.5 Use landscape in parking lots to help identify the structure and use of the lot, such as pedestrian ways. Landscape can also be placed and distributed to minimize the presence of cars.

6.4 Guidelines for Bicycle Parking

Bike parking should be located in safe, visible, and easily accessible locations, distributed near the various activities generating the bike parking demand, and placed in spots useful to the diversity of likely users, such as employees, visitors, customers, residents. Parking is visible when it is both easy for a user to locate and when it has visual surveillance from adjacent businesses and/or residences.



In this location, bicycle racks have been placed in a covered and visible location, adjacent to the uses they serve.

- 6.4.1 A portion of the bike parking should be in covered locations.
- 6.4.2 The applicant should consider providing secured parking or bike lockers.
- 6.4.3 Bike parking should be positioned to not block sidewalk, walkways, entrances, etc... when the parking is partially or full of bicycles.

- 6.4.4 Each bicycle should be accessible, and the bike parking functional, in the location selected as well as when it is full of or partially used by bicycles.
- 6.4.5 Bike parking should allow the bicycle's frame to be secured with at least two points of contact.
- 6.4.6 Decorative bike parking should be readily identifiable and built to the same standards as other bicycle parking so their design does not compromise the intended function.
- 6.4.7 If a bicycle rack is provided, it should be securely anchored to the ground or wall.
- 6.4.8 Consider providing supporting facilities, such as showers and lockers, to make bicycle transportation more convenient.



7.0 Landscape

Landscape is an essential element of a great Sociable Public Realm. It is also an effective tool in connecting people with nature, especially as an area urbanizes.

Landscape creates a Pedestrian Friendly environment; enhances Public Space; provides opportunities for transitions from the natural edges into the built areas; ensures that the community is livable, attractive, and urban spaces are humanized; and is an important component of establishing unique character for each Neighborhood. Despite the fact that Rowley’s two neighborhoods could, from a storm-water perspective, be constructed of 100% impervious surface, to achieve the overall project vision and goals, landscaping will be incorporated. It will be vital, as redevelopment commences, to integrate landscape in a manner that is strategic and responds to the context, and avoid using space inefficiently or unnecessarily buffering activities or buildings. Overall, the desire is to create a verdant, vibrant, urban character in part by integrating nature into the design of buildings, Circulation facilities and Community Spaces. The following Guidelines should be used to support the standards found in Appendix D (Community Spaces) and Appendix G (Landscape).

7.1 General Guidelines

- 7.1.1 Add green elements to buildings, Circulation facilities, and Community Spaces.
- 7.1.2 Draw the natural context of Tibbetts Creek and surrounding hills and mountains into the site and Public Spaces where possible, and visually connect to, essentially “borrow,” the surrounding natural features where it is not.
- 7.1.3 Use a variety of plants and containers, such as pots, beds, raised planters.



Pots can be used to incorporate greenery into hardscaped areas.



Landscape and art can be combined to make visually interesting elements.

- 7.1.4 Use landscape to add greenery, “softness,” and structure to small or generally hardscape spaces. In some instances, use landscape to create variety or even separate “rooms” within spaces.
- 7.1.5 All pedestrian facilities should have plant material, appropriate in size, scale, and character to the type of facility. In some narrow and/or intimate locations, this may be only plants in pots.



These trees provide privacy between buildings as well as create a sense of scale for pedestrians and buildings. The trees also create a “room” in between the walkways.



Raised planters can be made of many different materials, depending on the character of the area. They can also be advantageous in removing plants out of the high water table.

7.1.6 Where a setback between Circulation facilities and buildings is appropriate, especially in residential areas, use landscape to transition between public and semi-public or semi-private spaces. Use landscape and possible walls, to create layers, visual interest, and semi-private areas for individual residential use, while ensuring a pleasant, comfortable environment for pedestrians.

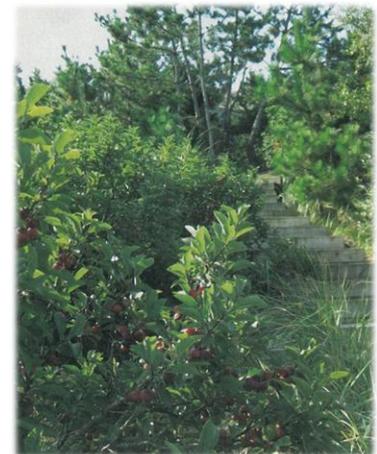


A narrow area can add green and a transition in residential areas. The image on the left is a more formal landscape edge while the one on the right layers different plants in a raised planter to create privacy and separation. Both of these do this in a narrow width.

Raised landscape beds create an outdoor room in this example. This “room” is used for an active amenity: outdoor ping-pong table but it could also contain many other uses such as café seating.



- 7.1.7 Use raised planters, lifting plants and trees out of the high water table, in order to increase the diversity of plants that can be successful.
- 7.1.8 Consider incorporating edible plants or providing kitchen gardens near restaurant areas.
- 7.1.9 Use native plants adjacent to critical areas. Consider incorporating some native plants in built areas, recognizing the limited plant palette available.
- 7.1.10 Select plant materials with low to moderate water needs, after establishment. Allow limited areas of high water use landscape in high visibility or high impact locations.



Edible landscape may be incorporated.



Green wall as art.

7.1.11 Consider using Green Walls as one of the tools to soften and green urban areas. When employed, Green Walls should add structure, depth, and interest to walls and outdoor spaces in addition to enhancing the architecture.



This green wall is designed to enhance and respond to the architecture of the building.



This plaza has a green wall to hide a garage. The green wall adds a backdrop to the plaza and the addition of the columns provides depth and interest to the space.

7.1.12 Consider the context in which the landscape will be located and how it will integrate with the buildings, Circulation facilities, Public Space, and any setback present.

7.1.13 Landscape adjacent to parallel parking should be easily traversable by pedestrians and hardy.

7.1.14 Landscaped areas may contain, but not be exclusively, non-living materials such as rocks. When non-living materials are used, they should compliment the area's character. Mulch should be limited to the area immediate around plants for purposes of water retention and weed reduction; it is not otherwise a landscape feature. Other than approved pathways, gravel is not appropriate as a landscape element.

This example highlights the benefits and challenges of using native plants. Limited water is needed and by integrating the plants with the pavers, interesting textures are created. However, there is a limited color palette and plant selection. A sun dial is provided for educational and visual interest (on the right).



This planting strip has been designed to accommodate both landscape for the Circulation facility and a rain garden.



Though this space has lots of hardscape, the use of seating, trees, plants in pots, art, and many paving materials creates a wonderful, people oriented space.

7.1.15 Strategically incorporate annual and colorful plantings for maximum effect.



Annual and seasonal plants can provide multiple colors year-round.

7.1.16 Bumper overhang areas should be incorporated into adjacent walkways, landscape beds, rain gardens, etc. and not be designed as extensions of the vehicular zone, unless wheel stops are used.

7.1.17 Use landscape, especially trees, to create a sense of scale for the pedestrian. Also, adjacent to large buildings moderate the building's height such as employing trees and other strategies.

7.1.18 Consider wildlife habitat when selecting plant materials. Also, provide wildlife enhancement features such as snags, loafing logs, frog bridges, and other natural features.



Planting in parking lots should be interesting and may be multi-functional where possible, such as this one used for a rain garden.



The graphics in the sign and the landscape are related to the Neighborhood character of blowing grasses.



A boardwalk or trail crossing the landscape.



The transition from natural to developed areas may not just occur with landscape but also small quiet activities tucked in.



This rain garden is sloped so not only does it hold water but weirs have been used to slow the water's flow.



This rain garden is placed along the sidewalk, between it and a residence. This is an example of multi-functionality that gives the residence some privacy, helps with stormwater, and improves the streetscape.

- 7.1.19 Look for opportunities to incorporate natural drainage practices, Low Impact Development, and rain gardens.
- 7.1.20 Control invasive plants through maintenance and the use of interim plantings.
- 7.1.21 Stormwater ponds should be designed to compliment adjacent areas.
- 7.1.22 At stormwater ponds and with critical areas, provide passive recreation, such as picnicking or bird watching, as well as low impact active uses such as trails and overlooks. Site trails and overlooks so they provide access to highlights of the critical areas, while containing human and pet impacts. Furnish these areas with interpretive educational exhibits.
- 7.1.23 For elements that include standing water such as fountains and ponds, incorporate devices to minimize water-borne pests.
- 7.1.24 Design and site detention pond outlet structures and equipment to be inconspicuous or function as assets to adjacent uses.



Instead of hiding the stormwater catchment system, consider building it into the landscape as a feature. This makes the stormwater an interactive, creative element.

7.2 Fence Guidelines

- 7.2.1 Fence design should complement the character of the area. For instance, split rail or informal fencing in natural or transition areas, more urban, formal fencing in developed areas.
- 7.2.2 Fence heights should be based on the nature of the adjacent facilities. That is, fences adjacent to pedestrian facilities, Community Spaces, and Public Spaces should be low and open (less than 4 ft in height). Fences screening utilities, service, loading, waste, etc. should be taller and substantial, while complimentary to the architecture and character of adjacent areas.
- 7.2.3 Fences should avoid creating a canyon effect especially adjacent to pedestrian ways.
- 7.2.4 Through the fence style (e.g. split rail when appropriate) or articulation of large or long expanses of fences and walls, provide visual relief and reduce visual bulk and size. If the wall or fence cannot be articulated, use a combination of articulation and landscape, if the style alone is not sufficient.
- 7.2.5 When large fences or walls are used to screen undesirable elements, provide articulation, artwork, and/or landscape plantings to soften the visual effect of the structure. Use full height fences (6 ft tall) to screen unsightly facilities such as waste collection areas.
- 7.2.6 No chain link fencing should be used unless it is vinyl coated and used in non-utilitarian way, except if for its use as security fencing in low visibility locations.



Tall, solid walls screen this waste enclosure. The materials are similar to the building it serves.



Solid walls screen the sides of this facility from public view while vinyl coated chain link fence the other sides for security. Vines or other relief are necessary on the blank wall.



Low fences and/or walls separate private yards and terraces from common space and walks.



Split rail fence is used between a trail and adjacent open space.



8.0 Signage

Signage is an essential part of functional Neighborhoods, since they help all users find what they are looking for, support economic vitality, and assist in making Neighborhoods comprehensible. In addition, signage is an important component of creating attractive, vibrant, and visually interesting Public Space and Sociable Public Realm that is Pedestrian Friendly. They also help establish Neighborhood character.

While the vision for the Project build-out is pedestrian- and bicycle-oriented design, vehicles will be a part of the community. Though signs emphasize the pedestrian and bicyclist, signage needs to also recognize the needs of the driver in way-finding and business location. In addition, as areas become more compact and certain uses, such as service, loading, and parking become less visually prominent, signs are necessary to facilitate navigation.

The right number and type of signage contributes to a rich, stimulating environment. Areas with too few signs or the wrong type can be confusing or stark; too many signs can be distracting or chaotic. Within each Neighborhood, signs provide variety and yet are harmonious. They offer opportunities for artfulness, whimsy, and creativity. The following Guidelines should be used to support the standards found in Appendix L (Signage).



Each business has a pedestrian oriented sign that reflects their business and its purpose.



The canopy and pedestrian oriented sign are unified with the architectural character of the building and business they advertise.



In a small area, these signs convey the business' name to many different users. The wall and canopy signs help drivers and pedestrians on the other side of the street to see the business. The small signs on the short edges of the canopy assist pedestrians on this sidewalk and are an incentive for providing weather protection.

8.1 Guidelines

- 8.1.1. Provide a combination of signs to assist users likely to view the sign and/or be seeking a business or activity.
- 8.1.2. Signs should contribute to a visually interesting and vital Public Space and Sociable Public Realm.
- 8.1.3. Provide diverse yet harmonious signage. For instance: Signs for multiple businesses in a single block, will vary. A single business' signs should be related not identical. For a Neighborhood, wayfinding signs might be identical or might be variations on a common theme. (Regulated by the ARC).
- 8.1.4. Use signs to establish the overall visual identity of each Neighborhood. (Regulated by the ARC).
- 8.1.5. Size and place signs for the intended audience. For instance, pedestrian oriented signage is likely to be smaller and located near a sidewalk or trail, while signs for vehicles may be larger and visible from the street. Businesses facing multiple Circulation facilities should have signs on each face.
- 8.1.6. The size, scale, shape, and materials, etc., of signs should complement the building's architecture. (Regulated by the ARC).



This example has both a logo and words. Together they communicate the business' name while also relating and contributing to the architecture. They are scaled to the building.

8.1.7. Encourage signs to incorporate art, education, history, and other whimsical, creative, and informative elements.



Historical and informational signs should be provided to enhance the understanding of the area.



Iconic sign identifies the business especially when trees blocked a wall sign facing the street. In addition, it adds to the visual interest of the street.



These signs are both formal and whimsical, creating an interesting street environment.



The pedestrian oriented signs are unique and yet blend together to create a harmonious environment



- 8.1.8. As appropriate, temporary signage such as banners should be both festive and informative.
- 8.1.9. Directional and/or Informational signs should be provided throughout each Neighborhood to guide pedestrians, bicyclists, and drivers. It should be useful and comprehensible to its intended user.



Directional signs should be informative, identifiable (both that they will be noticed and contribute to Neighborhood character), and yet tasteful.



Banners should be informative and/or festive.



Directional/ Informational signs should be provided, and serve both pedestrians and vehicles.



Directional/ Informational signs could relate to the architectural character and should contribute to Neighborhood character.



Two different kiosks explain the area in two different ways: one with directional arrows the other with maps.

- 8.I.IO. Allow a business' signs to evolve over time to better suit changes in their business as well as the context in which they are located, such as the growth of street trees and new buildings.
- 8.I.II. Incorporate business names and logos to improve a sign's usefulness. For instance, a business name and/or logo might communicate the intended user of a parking structure.



In mixed use garages, wayfinding signs will help users know where they should park.



Informational sign combined with address.



Structured parking may be constructed for the use of certain businesses. Allowing businesses to post modest signs in combination with Informational signs, ensures the parking is used correctly and drivers feel confident about where they are parking.



As the Project becomes denser, and parking is tucked out of sight, it is necessary to provide signs that help drivers find the garages so they can easily park.



8.1.12. Consider flexible, creative, and innovative approaches to signage, while complying with the spirit and intent of the sign regulations.



This shop's signs discretely yet clearly communicate the business' name to many different users and from many different vantage points. Though they are not overpowering, there are nine signs in this photo: a pedestrian oriented blade sign, a wall sign, a moveable sign, two awning signs, and four window signs. This is more than would be allowed by the Development Agreement; however, it does indicate that correctly proportioned and placed signs do not have to overwhelm a façade.



Vendor signs should be a positive contribution to the street, as well as the activities available.



An iconic sign responding to the building's form.



In this example the product communicates the business' presence as much as the signs. The blade sign and the wall sign help the pedestrian or during the day.

8.1.13. Corporate Identification signs should be designed to be legible and visible from I-90 and/or SR-900.



Examples of Corporate Identification Signs



This example contains many different types of signs: The hotel sign (Hyatt) is a type of Corporate Identification sign, visible from nearby significant roadways. The sign on the lower building (Bellevue Place) is a Memorial sign identifying the name of the building, not its occupants. The retail businesses have several types of signs including banners, wall, and canopy signs to meet their different needs and images. McCormick and Schmick's have also used art (the bronze fish) to identify themselves.

8.1.14. Avoid signs which are distracting, cluttering, chaotic, obstructing, or confusing.



A pedestrian street overloaded with signs which are scaled for non-pedestrian users.



An example of a prohibited box sign. The sign is also out of scale (too large) for the business.



9.0 Lighting

A vibrant, mixed-use Neighborhood relies on being active most of the day and into the evening. Thus lighting is necessary to encourage Pedestrian Friendliness and pedestrian activity beyond daylight hours. The quality of light can have a strong positive impact on the overall quality of the nighttime environment. Furthermore, due to the long nights during the Pacific Northwest winters, lighting can have a significant impact on the use of exterior, outdoor areas during hours when most people are awake, yet it is dark. Creating a hierarchy of light that addresses the safety and security of both pedestrian and vehicular traffic as well as creating wonder and delight are critical to a successful after dark environment. To encourage more pedestrian activity, visibility must be enhanced through the quality of the light and its sources, in addition to the right mix of uniform illumination and special feature lighting.

A high quality lighting environment provides the right balance between appropriate light level, high color quality light, uniformity and special focus or feature lighting and glare control. Over time, as specific streets or Neighborhoods develop, a specific color temperature, light source, or lamppost may be selected to create an identifying and unifying element for the Neighborhood. Illumination of the entire volume (horizontal and vertical elements) is a key ingredient in perception of the space. Illuminating only the horizontal (ground) plane will result in uninteresting and potentially dangerous spaces. And while site lighting is necessary and beneficial for these reasons, it has the potential for negative impacts such as contributing to sky glow and creating situations where lights are visible beyond the site.

The Illuminating Engineering Society of North America (IESNA) handbook provides guidance for illumination for a variety of space types and should be used as a guideline, it provides recommendations for maximum and minimum

illumination levels and well as uniformity ratios where appropriate. These recommendations evolve over time so the most current edition of the handbook should be used. To assist design teams, a table of recommended illuminance has been included here for some of the most common area types; see Section 9.1 below. In addition to illuminance, uplight and glare control are described throughout this document and in Section 9.2. In addition to Washington State energy code requirements, the implementation of further sustainable strategies is encouraged. This may include the selection of light fixture sources to minimize the use of mercury and controls that go beyond code requirements by providing a finer level of control through dimming and changes in intensity keyed to time of day activity levels. The Project will use the regulatory documents mentioned here in addition to the following guidelines (and in Section 9.1 standards) to control lighting. As these are functionally equivalent and specifically tailored to the Project, IMC 18.07.107 (Outdoor Lighting) will not be applicable or utilized.

Beyond encouraging people to walk and bicycle after dark and use the Community Spaces, the types and locations of lights contribute to the Sociable Public Realm not only in the nature of light, but the nature of the fixtures. Streetlights, lit bollards, sconces, and gooseneck lamps, for example, all have a presence that shapes the urban character, whether they are illuminated or not. As urban design elements, light fixtures contribute to Neighborhood character and create Pedestrian Friendly Public Spaces, and thus should be selected on their ability to achieve the Project vision, goals, and guidelines.

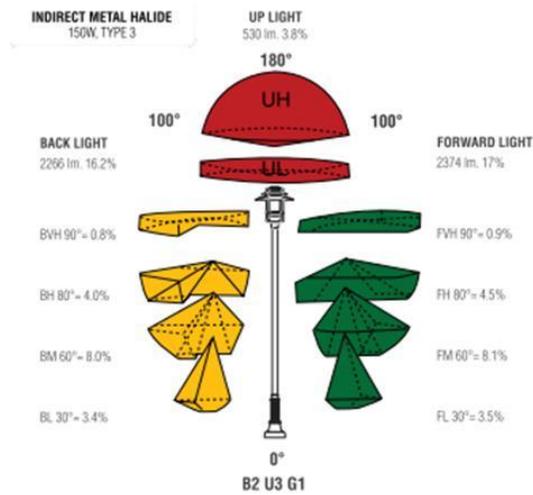
Unlike other Design Guidelines, lighting does not work hand in hand with standards in an Appendix. Lighting is almost completely governed by the Design Guidelines (and in some cases standards) in this section.

9.1 Illumination Level Guidelines

Vehicular circulation	Standard	Minimum average (initial) illumination on the finished surface (fc)	Average to Minimum Ratio	
	Local Streets	0.8 concrete, 1.0 very smooth asphalt 1.2 60% gravel or dark aggregate asphalt	6:1	
	Mews	0.6	6:1	
	Queuing Streets	0.6	10:1	
	Alleys	0.4	10:1	
Local Intersections	Standard	Minimum average (initial) illumination on the finished surface (fc)	Average to Minimum Ratio	
	Where Pedestrian Area Conflict are:	Note: These values assume 60% gravel or dark aggregate asphalt. For lighter colored surfaces, subtract 0.1 from the following values.		
	High (Local Streets)	1.2	6:1	
	Medium (Mews and Queuing Streets)	0.9	6:1	
Low (Alleys)	0.5	6:1		
Pedestrian Circulation		Minimum average (initial) illumination on the finished surface (fc)	Vertical Illuminance (fc) *	* Measured in a vertical plane, 5'0" above grade. ** Where security is a concern use 2x the horizontal illuminance level.
	Pedestrian and Bicycle Trails with a vehicular component (Local streets)	1.3	0.9**	
	Mews, Queuing Streets, and Alleys	Same as vehicular	70% of horizontal value	
	Pedestrian and Bicycle Trails without a vehicular component	0.65	0.65	
	Critical Area Trails	no lighting		
Community Spaces	Parks	Designated walking paths intended to be used after dark should be illuminated similar to pedestrian and vehicular trails without vehicular traffic.		
	Plazas	Plazas vary widely in their design. Lighting should be developed to safely illuminate walkways, changes in elevation such as stairs and highlight special feature elements.		
Parking	Guidelines	Minimum average (initial) illumination on the finished surface (fc)	Vertical Illuminance (fc) *	Maximum to Minimum Uniformity
	Structured above grade parking	1.3	0.65	10:1
	Surface parking and roof top parking	0.3	0.15	20:1

Note: fc = footcandles

9.2 BUG (Backlight, Uplight and Glare) Guidelines



Example of the BUG (backlight, Uplight and glare) rating for a lighting fixture. While a large portion of uplight is undesirable, a small portion is useful to cast a soft light on the undersides of tree canopies, or the façade of a nearby building. The U in the BUG rating can be up to 3 for lampposts and bollards in pedestrian zones. For very urban plazas it can be up to 4 at the discretion of the reviewer. For street lighting, the U should be equal to 0. For spaces that are both street and pedestrian zones such as a woonerf, the BUG rating can be up to a 3.

BUG, U=0, G≤2 Emits no light above 90 degrees	BUG, U=2, G=3 Zonal lumens from 90-180 degrees = 11-50	BUG, U=3, G=1 Zonal lumens from 90-180 degrees = 51-500	BUG, U=4, G=2 Zonal lumens from 90-180 degrees = 501-1000	BUG, U=5 Zonal lumens from 90-180 degrees > 1,000
Acceptable for roads and all pedestrian areas	Acceptable in Pedestrian areas	Acceptable in Pedestrian areas	Acceptable in the most urban plaza areas	Not acceptable in any area

Note that similar looking fixtures from other manufacturers or even from the same manufacturer may have different BUG ratings. Fixture specific photometry must be checked to determine the BUG rating.

The fixtures shown here are for illustration purposes only and are not meant to recommend or discourage the use of any specific manufacturer.

9.3 General Guidelines



Lighting intensity varies to guide the pedestrian through the space. Higher lighting levels are provided at entries and stairs where as other parts of the space are lit to a lower level, for instance to improve perceived safety.



Though building façade lighting is not encouraged, the overall glow of the space and lighting of the water result in a pleasant space at night.



The outdoor area has a soft glow, making the use of these outdoor spaces comfortable for use after dark. These light levels might decrease significantly after businesses close.

- 9.3.1. Lighting should positively contribute to creating and shaping Public Space and the Sociable Public Realm, being Pedestrian Friendly, and contribute to an urban character.
- 9.3.2. Include lighting to enhance the pedestrian realm.
- 9.3.3. Design lighting to intuitively guide people through an area.
- 9.3.4. Select lighting style, levels, and fixtures that contribute to developing a Neighborhood character.
- 9.3.5. Lighting should be scaled to the pedestrian. Pole heights should not exceed 15 ft in height.
- 9.3.6. Lighting should enhance public safety and comfort, while balancing and minimizing sky glow and off-site lamp visibility. Keep in mind that illumination levels vary depending on activities. Spaces will be more interesting if overall lighting is at a low level (like those in the lighting table Section 9.1) appropriate to its location, and special elements are emphasized with light such as primary building entries and architectural features. Also, use slightly higher illumination levels than the surroundings in situations where additional user attention is needed such as stairs, ramps, abrupt changes in walking direction, crossing vehicle lanes, or other changes in elevation can be tripping hazards. Avoid high intensity lighting located in close proximity to residential units. Refer to IES recommendations and Section 9.1 for each area type.

- 9.3.7. Incorporate lighting that provides surprise, delight, glow, and "magic".
- 9.3.8. Encourage the use of festive or special lighting, including lighting that responds to seasonal opportunities.
- 9.3.9. Night time illumination of public art, monuments, water features and flags is encouraged but should be done in a thoughtful way that does not create unnecessary glare or sky glow. This type of non-essential illumination should be controlled with a timing device to turn the lights off or to a substantially reduced level after close of business. Motion sensor lighting may be necessary for security and some uses must function all night, e.g. a hotel.
- 9.3.10. Lighting design and the selection of light fixtures should enhance urban design.
- 9.3.11. Light sources should provide high color quality white light with a minimum CRI (color rendering index) of 75 for street lighting and 80 for all other lighting. Color temperature shall not exceed 3500K.
- 9.3.12. Generally lighting should be directed downward but some limited uplighting is allowed using the BUG ratings in Section 9.2. Additionally, use care in selecting building and paving materials to minimize glare associated with highly reflective materials.
- 9.3.13. Internally illuminated bollards may be used, and are appropriate to highlight pedestrian routes, demark changes between users (e.g. pedestrian and vehicular areas), steps or other grade changes. Illuminated bollards should not be the only light source when it is useful to illuminate people's faces, to create a sense of safety.
- 9.3.14. Lighting should be collaboratively designed so that its impacts are not compounded in portions of the site by overlapping illumination patterns from Circulation facilities, Public Spaces, Community Spaces, the building (interior and exterior sources), adjacent off-site lighting, and parking facilities. Engage the services of a qualified Lighting Designer as part of the design team.
- 9.3.15. Provide computer generated point-by-point calculations using photometry from approved laboratories to substantiate the appropriateness of proposed lighting. The illumination calculation shall include all fixtures that contribute light to the site (poles, bollards, building mounted lighting), including adjacent street lights and adjacent surface parking lot lighting.



LED pavers can add whimsy and interest.



Festive lighting can create a magical place.



Glow can be an important component of creating a space with friendly lighting. And the fixtures make an architectural statement, contributing to the plaza's character.

Low wattage decorative fixtures such as sconces or porch lights may be excluded from the calculation.

9.4 Circulation Guidelines: Vehicular

- 9.4.1. Vehicular Circulation facilities vary in their width as well as the type and volume of traffic they carry, and the amount of pedestrian activity they accommodate. As speeds and the number of pedestrians increase, the opportunity for conflict between pedestrians and vehicles also increases. The lighting system must address this and to that end will follow the light level recommendations of the Illuminating Engineering Society of North America (IESNA) as summarized in Section 9.1.
- 9.4.2. Light fixtures style and placement should be in keeping with the Neighborhood character and scale.
- 9.4.3. Light poles can be located in pairs directly across the vehicular Circulation facilities from each other or staggered, as appropriate to the Neighborhood character.
- 9.4.4. Light poles and fixtures must be coordinated with the tree layout and other street elements, especially those that impact the fixture's ability to illuminate the intended area.
- 9.4.5. Local Streets will have the highest level of activity for vehicles, pedestrians and bicycles. As such they will require the highest and most uniform light level of all of the street types.
- 9.4.6. Narrow streets and slower traffic, such as Mews, allow for lower levels of illumination and provide the possibility of building mounted lighting or catenary systems in lieu of traditional poles. The bollards which may demark the pedestrian and vehicular zones may be illuminated but are not sufficient as the only lighting element.
- 9.4.7. The light levels on shared facilities, such as Queuing Street, can be less uniform as traffic speeds are slower and traffic volumes are lower. Intersections or crosswalks should have the highest level of illumination.
- 9.4.8. On low volume vehicular Circulation facilities, such as Alleys, limited lighting is provided to ensure for safety. Appropriate lighting may be provided by individual unit lights rather than streetlights. Lighting should be placed to eliminate glare into adjacent uses. If lighting in alleys is located on private structures instead of independent fixtures, such as poles, lighting should be programmed to come on at dusk and be uniformly reduced at a specified time.

Though the fixtures are too tall, the bulbs are recessed to avoid a bright point source, blinding those driving or walking.

9.5 Circulation Guidelines: Pedestrian, Bicycle, and Trail

- 9.5.1. In general trail and pedestrian only routes should have lighting that creates a sense of safety without adversely affecting the surrounding uses, such as abutting residences and critical area habitats.
- 9.5.2. Poles may be located on just one side of the pedestrian and bicycle facilities or paired or staggered like vehicular Circulation facilities, as is appropriate to the character of the facility, urban design, and adjacent uses.



Adding light to paving can both help people understand how to use a space and night and add an element of surprise.



Lighting the bridge posts ensures that minimal light can escape the bridge deck, for example in a critical area, while ensuring users can see where they are going.

- 9.5.3. Where pedestrian and/or bicycle facilities are part of Circulation facilities that also have a vehicular component, light fixtures should be provided that meet the needs of all users rather than providing light fixtures for each user separately.
- 9.5.4. Pedestrian and bicycle Circulation facilities, without a vehicular component, such as Multi-purpose Trails, Urban Trails, and Secondary Walks, that are intended for use after dark should have a low but uniform light level to create a feeling of safe and secure transit and use. Appropriate lighting may be provided by building mounted lights rather than separate light fixtures if appropriate to the character of the space. Where pedestrians are likely to be crossing bicycle traffic, light levels should be slightly higher than where traffic is moving in a linear direction. Some spill light beyond the edges of the path is desirable to provide a sense of security.
- 9.5.5. Critical Area Trails should not be used after dark and they will intentionally be left dark to protect the natural habitat for nocturnal animals and wildlife. If lighting should be necessary within Critical Areas, it should be kept to the lowest level necessary for safe use of trails within the critical area. Bridges within Critical Areas should have a low level of the light for safe use, and the light should be contained and focused on the bridge deck.

- 9.5.6. Paths and other unregulated walkways and bicycle routes may be illuminated at the builder's discretion since these are considered redundant or unnecessary routes.

- 9.5.7. Consider adding outlets in Circulation facility lights to accommodate seasonal decorating and other special, festive events.

9.6 Community Space Guidelines

- 9.6.1. Community Spaces can take many forms, including hardscape, planted areas, furniture, and building elements, such as pergolas and kiosks, plus activities ranging from active to passive. Light levels and fixture designs should respond to and support the anticipated range of activities, be compatible with the surrounding area, and limited to whatever is necessary to provide for the use and safety of the likely range of users. For example, a plaza might have its highest level of illumination during hours the plaza and/or a restaurant is active, and then have reduced light levels after closing.
- 9.6.2. Illuminate primary walkways in Community Spaces to provide a sense of safe passage. Light the walking surface and extend it to elevations high enough so the faces of pedestrians are illuminated as they walk along. Small Community Spaces adjacent to Circulation facilities may not need additional light to meet this guideline.
- 9.6.3. Community Space lighting should have low levels of uniform illumination for safety, with higher levels for focal points or areas of high activity.
- 9.6.4. Along and within Community Spaces, provide lights that are pedestrian scale and contribute to the urban character.
- 9.6.5. Encourage the use of festive or special lighting within Community Spaces. This may include lights that are interesting, entertaining, and programmable, but which provide little additional illumination, such as LEDs.



LED lights in the pavillion and plaza allow changing colors at night, creating an engaging element. In the lower image, the area under the pavillion is lit to a higher level than the rest of the plaza since this is the area most likely to be used at night.

Catenary lights (lights on cables, hanging between buildings or poles) create, or add to, an intimate setting. They form a kind of ceiling for the Public Space and place lights where lamp posts may not be convenient or desirable.



9.6.6. Combine elements for delight and sensory impact, such as illumination of water.

Water and light combined can result in a magical space at night.

9.6.7. Trees may be lit to frame an outdoor space when it's in use, and then turned off when not in use or after the close of business. This should be accomplished through methods that minimize impacts to the night sky, such as using downward shining lights, limited hours of light, or light that is captured by elements above the lights such as leaves.

Lighting trees can make an outdoor space more comfortable while in use, and can be turned off later to minimize lighting impacts.



Community Space lighting should have low levels of uniform illumination for safety, with higher levels for focal points or areas of high activity.

9.6.8. Children's play areas may be illuminated if they are intended for use after dark. Lights should be controlled so that they are "off" after hours.

9.6.9. Recreation that is not intended for use after dark should not be illuminated.

9.7 Parking Guidelines

9.7.1. Lighting in exposed parking areas, including surface parking lots and garage rooftops should be designed and installed to avoid direct light spill, glare, and reflection of light. Comply with IES recommendations (summarized in Section 9.1) for light level and uniformity.

9.7.2. Structured Parking, including the roof, should ensure no direct light spill from fixtures or vehicles. Minimize glare spilling from the garage to the adjacent roadways, off-site views, and residential areas, and eliminate or significantly reduce visibility of light sources by shielding the view of the light fixtures when viewed from outside the garage. Techniques include limiting openings or screening openings with architectural and/or landscape elements. Fixture selection should provide for adequate illumination, good color quality (minimum 80 CRI, maximum color temperature 3500K) as well as fixture location, lenses, and type.

9.7.3. Consider painting the interior of the garage a very light value (white or near white) to improve visibility and reduce contrast.

9.7.4. The design of lighting standards in exposed parking such as parking lots and garage rooftops should be full cut off fixtures, no taller than 15 ft, and appropriate to the character of the Project and abutting areas.

9.7.5. Lighting of pedestrian walkways and routes through parking facilities (i.e. parking lots and structured parking) should be provided where stairs, curbs, ramps, abrupt changes in walk direction, and crossing vehicle lanes occur.

9.7.6. Light standards should not be located where they may interfere with parking stalls, stacking areas, ingress or egress, or marked pedestrian routes.



Pedestrian scale lights located along a parking lot walkway, highlighting potential pedestrian/vehicular conflicts.

9.8 Building Design Guidelines



The light from this “lantern” building creates a pleasant glow which makes the space friendly and approachable. Some areas are darker than others, helping the user know where to focus their attention, guiding them through the space.

- 9.8.1. Site and design buildings to take advantage of natural daylight.
- 9.8.2. Design lighting to highlight primary building entrances or individual entrances to retail uses.
- 9.8.3. Consider using lights to emphasize architectural elements.
- 9.8.4. Consider when using a building as a “lantern” may be appropriate and effective.
- 9.8.5. Lighting can be part of the architectural statement.
- 9.8.6. Lighting at service station or similar canopies must be recessed with no lenses protruding below the finished ceiling. Indirect lighting, contained to the underside of the canopy, is also acceptable. Sales frontage (for instance for car lots) and all outdoor sales areas must be controlled such that they can be reduced to 25% of full output after business hours. Fixtures must be shielded so that no light is emitted above 90 degrees.



Lit, but not an overwhelming amount of light.



“Lantern” buildings.



The light emphasizes the architecture, and the garage doors provide a unique connection between indoors and



9.9 Landscape Guidelines

- 9.9.1. Use landscape and walkway lighting to accent the views of landscaping and serve a security function.
- 9.9.2. Coordinate street tree design with street light placement.
- 9.9.3. Cast shadows from landscape to add to the textures especially during the winter
- 9.9.4. Consider incorporating outlets in planted areas, especially with trees, to facilitate the use of seasonal lighting.
- 9.9.5. Do not permanently attach lighting to trees.



Lighting that casts shadows on buildings can add an interesting texture especially in winter. Uplighting is not encouraged.

9.10 Sign Guidelines



Neon sign lighting may be appropriate if done in a tasteful manner. (Note: parking lots are not allowed in front of buildings; on-street parking is encouraged.)

Some signs may not be illuminated or do not need to be illuminated as ambient lighting will suffice. Where signs may be illuminated or need to be, lighting should be kept to the minimum needed to convey the sign's message, in keeping with the character of the area in which the sign is located, not be distracting or blinding, and positively contribute to the Public Space.

Sign illumination that is encouraged includes:

- Halo light signage where the light source is concealed behind the letters or logo image and the letters float in front of a solid surface
- Signs with external illumination where the light source is concealed from normal viewing angles
- Light boxes that are translucent only where the letters or logo occur, and the remainder of the enclosure is opaque.

APPENDIX C – Land Use

Section 1.0	Purpose and Intent
Section 2.0	Applicability
Section 3.0	Land Uses Established
Section 4.0	Development Standards
Section 5.0	Administrative Modification of Standards
Exhibit C-1	Target Uses
Exhibit C-2	Height Limitation Map

1.0 Purpose and Intent

The objective of this Appendix is to establish standards that will:

- a. Allow for a vibrant, livable, sustainable mixed-use urban community.
- b. Provide a consistent development pattern with strong street edge definition.
- c. Provide for a general form of development that includes a variety of building forms, such as: Low-rise, Mid-rise and High-rise structures with attention to spacing and placement of taller buildings.
- d. Provide restrictions on building volume, scale and massing to allow sunlight to reach streets and public spaces and respect and enhance both internal and external views.
- e. Incentivize structured parking.
- f. Provide a pattern of secure and linked green spaces at grade and low to mid- rise building roofs.
- g. Promote Transit with a pedestrian emphasis while accommodating vehicles.

Development Standards provide the dimensions for building envelope and site planning requirements. Standards are established in [Section 5.0](#) of this Appendix. These Standards are coordinated with Appendix B (Design Guidelines) for the placement and design of vehicular loading and services, and Appendix D (Community Spaces) for public realm design. Design Guidelines (Appendix B) provide Project vision and illustrate performance standards to achieve a well-integrated, safe and accessible public realm.

2.0 Applicability

The provisions of this Appendix shall apply to all properties within the Project.

3.0 Land Use Established

The Rowley Center and Hyla Crossing Neighborhoods are intended as mixed-use, vibrant neighborhoods with a mixture of employment, retail trade, services and residential uses. These neighborhoods may incorporate a broad range of uses.

3.1 Mixed Use

Land use composition in each neighborhood will be comprised of a mix of the uses listed in this [Section 3](#). The Land Use targets are illustrated in Exhibit C-1. The intent of this Area is to provide a range of compatible uses to address the daily needs of tenants and residents.

Placement of uses on the site is intended to respond to market factors as well as the urban form described in Appendix B (Design Guidelines).

3.2 Allowed Uses

3.2.1 Residential Use

- A. Multifamily Residential
- B. Senior or other specialized housing
- C. Group Living
- D. Corporate Housing
- E. Live/Work
- F. Accessory Residential (ADU)

3.2.2 Industrial

- A. Light Manufacturing
- B. Research and Development
- C. Warehousing
- D. Labs
- E. Light Industrial
- F. Service

3.2.3 Institutional or Public and Quasi Public Services

- A. Art Gallery or Museum
- B. Cultural Facilities
- C. Care facilities
- D. Community Center
- E. Government facilities (fire/police station, offices, maintenance site)
- F. Hospitals
- G. Church or other religious institutions
- H. Library
- I. Memorial Chapel
- J. Museum
- K. Private/Public Non-Profit Organizations
- L. Private Community Organizations/ Foundations
- M. Social Services Organizations
- N. Educational Uses: Pre-school, Primary, Secondary or Post-Secondary, Vocational and Technical, College, University, Business
- O. Religious facilities with or without accessory day care
- P. Community Spaces including parks, plazas, recreation, trails
- Q. Utilities, Major or Minor
- R. Bridges and Circulation facilities
- S. Bus stop, taxi stop

3.2.4 Commercial Use

- A. General Retail
- B. Live/Work
- C. Personal Services

- D. General Commercial
- E. Entertainment
- F. Professional Office
- G. Hospitality
- H. Medical Clinics
- I. Veterinary Clinics
- J. Vehicle Repair and Servicing
- K. Specialty Retail
- L. Self-Service Storage
- M. Home Occupations

3.2.5 Temporary Uses

- A. Festivals
- B. Vendor carts and trucks
- C. Fairs, e.g. craft and art
- D. Markets, e.g. Farmer's or Flea
- E. Food stalls
- F. Christmas tree lot
- G. Performances and concerts
- H. Ice skating rink
- I. Seasonal activities

3.2.6 Tibbetts Meadow

The uses allowed in the Tibbetts Meadow area are listed in Appendix D (Community Spaces).

4.0 Development Standards

4.1 Setbacks

There are no required setbacks from property lines except for those necessary to maintain safety for traffic and to meet separation requirements dictated by the building code.

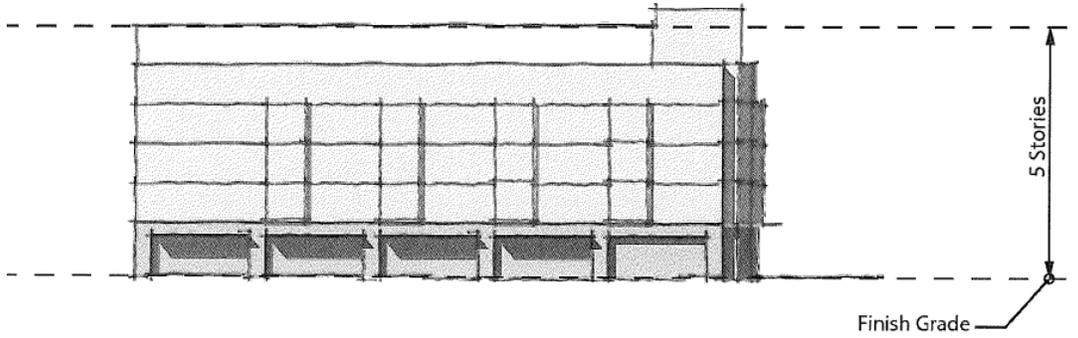
4.2 Lot Size

There is no minimum lot size within the Project.

4.3 Height Limitations

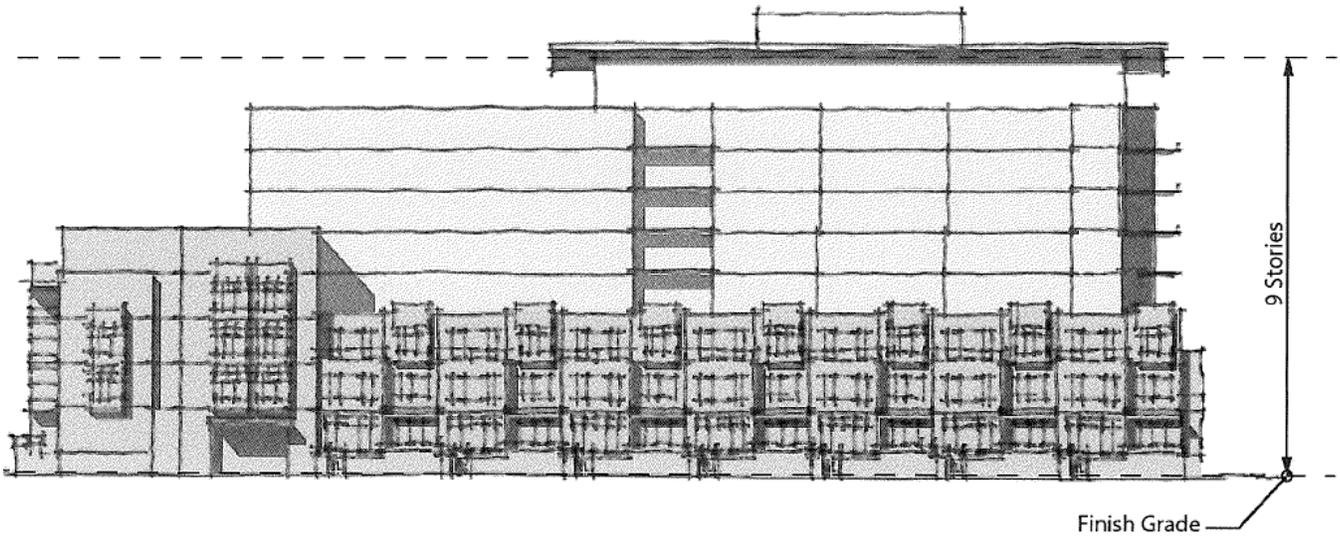
4.3.1 Building Type:

Low-Rise (Height Limitation 5 stories)



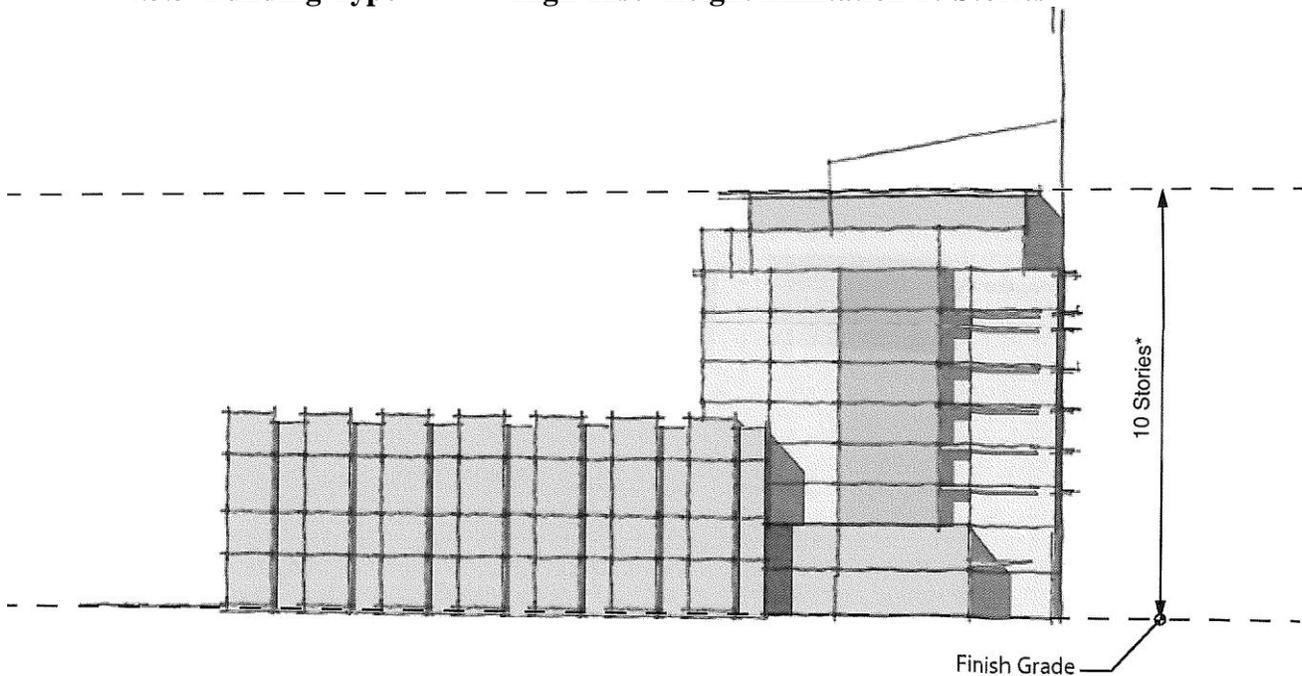
4.3.2 Building Type:

Mid-Rise (Height Limitation 9 Stories)



4.3.3 Building Type

High-Rise Height Limitation 10 Stories*



*Height may be increased (see [Section 5.2](#))

4.4 Height: Measurement and Exceptions

A. Measuring Stories and Height. Building Height will be measured in stories as listed in [Section 4.3](#). However, the maximum Building Height may be increased under limited provisions listed in [Section 5.2](#).

B. Exceptions: The following uses and features shall not be subject to the height limitations and do not require an administrative modification, however they do require plan approval by the Designated Official.

1. Water Tanks
2. Church spires, belfries, domes, monuments and crosses
3. Power transmission towers
4. Chimneys
5. Flag Poles
6. Television and communication towers (including telescoping antenna)
7. Scenery lofts and flytowers
8. HVAC equipment, ornamental screens for HVAC units and stair towers
9. Elevator penthouses
10. Architectural pediments which do not provide additional floor area to a building or structure including the addition of a mezzanine, and other uses or features in which the increased height is necessary for proper building use or function. Approval of the additional height for architectural pediments, pitched roofs as directed by the ARC, and other uses or features shall be granted, provided all the following criteria are met:

- a. The height and bulk of architectural pediments are consistent with the scale and design of the building;
- b. The visual character of the building bulk and height are compatible and consistent with the surrounding area;
- c. The adjustment of the height will be consistent with the policies, goals and objectives contained in the Goals (Appendix A) and Design Guidelines (Appendix B);
- d. If the wall plane of a building for which signage is proposed increases in height, the wall area used in determining the area of a sign shall not include the additional wall area of the architectural pediment or feature. The architectural pediments shall not be covered with any signage; and,
- e. Buildings with architectural pediments shall not be required to provide any additional pervious surface for the additional height increase as a result of the use of such pediment(s).

4.5 Density

There is no maximum or minimum Floor Area Ratio or units per acre.

4.6 Accessory Dwelling Units

- A. Purpose: The purpose of permitting Accessory Dwelling Units (ADUs) in the Project is to implement the Goals (Appendix A) by, for example, providing additional opportunities for Housing, a variety of housing opportunities that serve a broad range of age, family makeup, lifestyle and income, and varied housing solutions within residential neighborhoods.
- B. Permitted ADUs: These units shall not be counted when calculating overall Project dwelling units.
 1. Single Lot: A single family detached or attached lot may have one primary dwelling units and one ADU, with no more than one (1) ADU per single lot.
 2. Subdivision: ADUs shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit during the Buildout period.
- C. Design/Occupancy Requirements
 1. Design/Location: The ADU may be designed and constructed within or separate from the main residence, subject to approval by the Architectural Review Committee.
 2. Home Occupation: An ADU may have a permitted home occupation, pursuant to this Appendix.
 3. Limitation on Occupancy: The total number of occupants in both the primary residence and ADU combined may not exceed the maximum number allowed in two single households, as established by the following definition of “single household”. “Single Household” is defined as the occupancy of a single dwelling unit limited to family or cohabitants, or persons who have obtained a grant of reasonable accommodation, as defined in the Issaquah Municipal Code.
 4. Owner Occupied: An owner of the property must occupy either the primary residence or the Accessory Dwelling Unit.
 5. Size Limits: The ADU may contain up to 1,000 square feet; encompass a full floor; or encompass up to 125% of the garage, if over the garage.
 6. Parking: See Appendix F (Parking).

7. Mitigation: No mitigation fees are due for the provision of an ADU.
8. Review Process: Architectural Review Committee and Building Permit.

4.7 Home Occupation

A. Locations: Home Occupations are permitted in the Project.

B. Design/Occupancy Requirements:

Home Occupations shall meet all of the following criteria:

1. Number of Employees: Maximum 2 person from outside the residential unit.
2. Gross Floor Area: No maximum.
3. Sign/Nameplate: Per Signs (Appendix L).
4. Outside storage or display: None permitted.
5. Off-street parking: None required (except as required for residential uses).
6. Deliveries to site: Permitted, provided that the quantity of deliveries and the type of delivery vehicle do not negatively impact the neighborhood in which the home occupation is located.
7. Customers: Maximum 2 customer vehicle at any given time.
8. Other requirements:
 - a. Owner/operator of the home occupation must reside on site
 - b. A Business License issued from the City of Issaquah shall be required and the type of business shall be as described in IMC Section 18.07.470.
Bookkeepers and accountants are allowed business types provided that all of the Home Occupation criteria listed above are met, even though these business types are not listed in IMC Section 18.07.470. Additional business types not listed in the IMC shall be allowed subject to approval by the Designated Official, as determined by:
 - i. Client parking demand;
 - ii. Nuisance characteristics (e.g. air emission, vibration, noise, heat, light and glare); and,
 - iii. Conformance with the Home Occupation criteria listed above.

5.0 Administrative Modification of Standards

5.1 Criteria

Approval must be based on a determination that the modification is consistent with the purpose and intent of this Appendix. The following approval criteria shall be used, in conjunction with Appendix O (Permitting), to determine whether an Administrative Modification shall be granted:

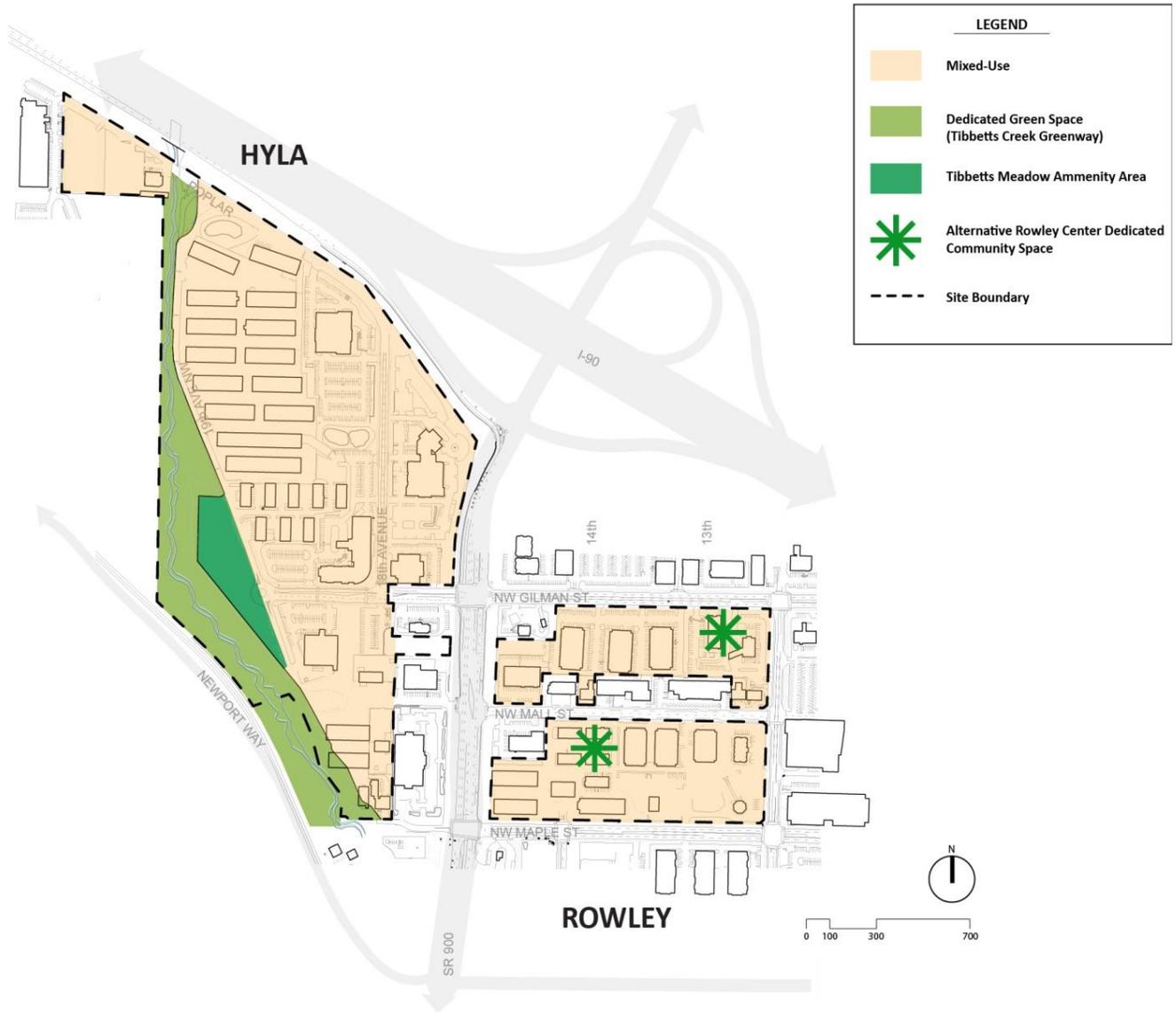
- A. The modification(s) will be equal to, or superior in, fulfilling the intent and purpose of this Appendix.
- B. The modification(s) does not negatively impact the abutting property owners in a significant way.
- C. The modification(s) does not create significant additional impacts on public services; and
- D. The granting of the modification(s) does not negatively impact any safety features of the project not create any hazardous features.

5.2 Criteria for Height increase

A building may be increased to 12 stories (150 feet from Finished Grade) if 1) there is a Mid-Rise building (5 to 9 stories) already constructed within the Neighborhood; 2) there is not another High Rise within 110 feet of the proposed building; and, with the following actions:

- A. The building, is at least 50 percent (area) housing or a significant portion of the building will be leased to a corporate employer; and,
- B. The building includes elements and materials to be certified LEED Silver or has incorporated significant green building/sustainability components into its construction in order to strive for the highest level of sustainability possible including:
 - Energy Efficiency
 - Water Conservation
 - Recycled Materials
 - Locally-produced Materials

Exhibit C-1 Target Uses



Note: the number and location of the Required Community Space(s) in Rowley Center are shown only as representational. The final location(s) will consider relationship and proximity to the Transit Center and pedestrian corridors.

Exhibit C-2 Height Limitations Map

(1) Boundary from Gilman Terminus is approximately 500'. Boundaries may be altered when shown consistent with Appendix A (Goals) and Appendix B (Design Guidelines).



APPENDIX D – Community Spaces

- Section 1.0 Purpose and Intent**
- Section 2.0 Community Spaces**
- Section 3.0 Required Community Spaces**
- Section 4.0 Encouraged Community Spaces**
- Section 5.0 Parks & Recreation Mitigations & Credit**
- Section 6.0 Administrative Modification of Standards**
- Exhibit D-1 Community Space Mitigation and Credit Calculation**
- Exhibit D-2 Tibbetts Creek Trail Plan**

1.0 Purpose and Intent

The Project is comprised of a series of compact redevelopments that will become connected by a walkable, activated public realm important for promoting public life and improved community health. Ideally, each square foot of space is multi-functional and is important as a place to support social activity, health and wellness of residents, tenants and visitors.

This Appendix designates standards and requirements through the provision of Community Spaces that will:

- A. Encourage a vibrant, public realm that supports social interaction;
- B. Create two identifiable, place-based, and memorable Neighborhoods within the City;
- C. Produce places that, through design, use, lighting, amenities, etc. are Pedestrian Friendly, comfortable and have a sense of safety;
- D. Ensure there is visual and recreational variety and interest within each Neighborhood; and,
- E. Consider how to optimize the benefits of the Community spaces provided.

To achieve this Purpose, there will be base required Community Space contributions as specified in Section 3 of this Appendix and Appendix P (Capital Facilities) (one Neighborhood Park in each Neighborhood; the Tibbetts Creek Trail; and Park Development Fees), coupled with other encouraged Community Space elements, that while to-some-extent are necessary to meet the vision of the Development Agreement, they are flexible and even discretionary for the Master Developer. Although the City’s role in regulating the Community Spaces will be minor, it is expected that good design principles, as articulated in Appendix B (Design Guidelines), will be applied at all times. The intent of this Appendix is not to impose rigid requirements upon the designer, but rather to establish general minimum standards which will encourage the development of successful gathering spaces.

2.0 Community Spaces

Any compact, urban area must provide open space and recreational opportunities to balance the built environment for its residents, workers and guests. All neighborhood residents and employees within the Project should have access to common amenities that will enhance their Neighborhood experience. Community Spaces within the Project are envisioned to consist of:

- Neighborhood parks

- Pocket Parks
- Community Gardens
- Natural Open Spaces
- Open air Stormwater facilities
- Children’s play areas
- Common courtyards
- Active roof spaces
- Quiet seating areas
- Streetside seating areas

The Master Developer shall be given the responsibility for ensuring adequate Community Spaces, beyond those required by this Appendix, are provided within each Neighborhood to meet the vision established through the Design Guidelines (Appendix B) for this Project.

3.0 Required Community Spaces

The facilities identified in this section will be provided by the Master Developer with credit provided by the City as calculated in **Exhibit D-1**. Although these facilities will be owned and maintained by the Master Developer, they shall generally be open for use by the public at large.

A. Neighborhood Parks

There will be a Neighborhood Park in Hyla Crossing and one in Rowley Center. Aside from the size of the park, consistency with the vision established through this Agreement and the timing for their establishment, the City shall not regulate the parks. Within the Project, the Master Developer shall provide at a minimum a 1-acre Park in Hyla Crossing; and, a ½-acre Park in the Rowley Center neighborhood plus the addition of a pet amenity of turf area or other soft surface totally 5,000 sf.. The Park within the Rowley Center Neighborhood may be separated (at the Master Developer’s discretion) into smaller sub-Parks so long as the pieces are planned together to function as a whole for the Neighborhood.

B. Tibbetts Creek Trail

In addition, the Master Developer shall provide a soft surface trail that parallels Tibbetts Creek and is illustrated in **Exhibit D-2**. In addition to paralleling the Creek, there will be opportunities for social interaction, seating and at least one (1) non-vehicular bridge that will connect the Hyla Crossing neighborhood to Newport Way for pedestrians and bicycles offering access to Cougar Mountain.

C. Location and Timing

The location and timing of required Neighborhood improvements (Sections 3.A and 3.B) is at the discretion of the Master Developer, but must be determined and completed prior to Land Use approval beyond 1,000,000 square feet of development, by Neighborhood.

D. Improvements

The program for each Neighborhood Park and the Tibbetts Creek Trail shall be determined by the Master Developer and may contain some of the following improvements:

Strongly Encouraged:

- Park/Recreational Signage
- Turf area
- Hardscape
- Benches
- Walking Paths
- Pet pickup station
- Trash can
- Trees
- Opportunity for at least one active use
- Opportunity for at least one quiet, passive use
- Bathroom
- Weather Protection

Encouraged:

- Flower beds
- Lighting
- Bicycle parking
- Children’s play area
- Art
- Small-scale buildings

4.0 Encouraged Community Spaces

A. Pocket Parks

Small parks typically located within walking distance of users. Pocket Parks are encouraged within the Project. The following are examples of possible types of improvements in Pocket Parks:

- Art garden
- Picnic area
- Open lawn area
- Children’s play area
- Horseshoe pits
- Water garden
- Exercise course
- Barbecue area
- Covered areas
- Tetherball
- Painted chess board
- Volley Ball Court

B. Community Gardens

Community Gardens are common areas provided for the purpose of gardening and are part of the sustainability approach envisioned for the Project. Community Gardens are encouraged within the Project. The following are examples of Community Gardens:

- Pea-patch
- Cutting flower gardens
- Demonstration gardens
- Compost centers

- Container gardens
- Terraced gardens
- Edible landscaping

When reviewing a proposed Community Garden plan, the Designated Official will consider safety, compatibility with surrounding uses, location, and whether the size of the Community Garden is appropriate to the use(s).

C. Plazas

Plazas denote important places, create a focus, and/or increase light and air at street level and are encouraged within the Project. They also function as points of orientation. They may be located adjacent to buildings, within a Park or other Open Space. Plazas are intended to be generally accessible to the public at large although access may be limited at times.

D. Informal Gathering Area Descriptions

Informal Gathering Areas are located in areas where urban space is encouraged, and may extend into the streetscape. Elements of Informal Gathering Areas may vary depending on the abutting uses. Informal Gathering Areas shall be constructed and maintained by a private or common entity.

E. Recreation

In addition to the recreational opportunities provided in the Parks within the Project and the Tibbetts Creek Trail, and the walkways and bikeways provided as part of the circulation improvements, the Master Developer shall provide additional recreational amenities on site to satisfy the needs of area residents and workers. Each project with residential entitlement shall contain an on-site recreational improvement. These may be located within buildings, on rooftops or on near-by parcels within the neighborhood. Design and construction of amenity spaces will occur generally concurrent to site redevelopment.

5.0 Parks & Recreation Mitigations & Credit

Full mitigation of Park and Recreation impacts is achieved through the physical improvements and payment of fees as established in this Appendix.

A. Park Credit

The Master Developer shall receive a credit against the value of the land for park set asides. The Credit calculation is provided in **Exhibit D-1** to this Appendix.

B. Trail & Bridge Credit

The Master Developer shall receive a credit against the value of the trail and bridge in the Tibbetts Creek corridor. The Credit calculation is provided in **Exhibit D-1** to this Appendix.

C. Mitigation Requirement

The Master Developer shall provide adjusted Park Development fees as directed in Appendix P (Capital Facilities). The calculation of the mitigation payment is provided in **Exhibit D-1** to this Appendix.

6.0 Administrative Modification of Standards

Approval Criteria

Approval must be based on a determination that the modification is consistent with the purpose and intent of this Appendix. The following approval criteria shall be used, in conjunction with Appendix O (Permitting), to determine whether an Administrative Modification shall be granted:

- A. The modification(s) will be equal to, or superior in, fulfilling the intent and purpose of this Appendix;
- B. The modification(s) does not negatively impact the abutting property owners in a significant manner;
- C. The modification(s) does not create significant additional impacts on public services; and,
- D. The granting of the modification(s) does not negatively impact any safety features of the project nor create any hazardous features.

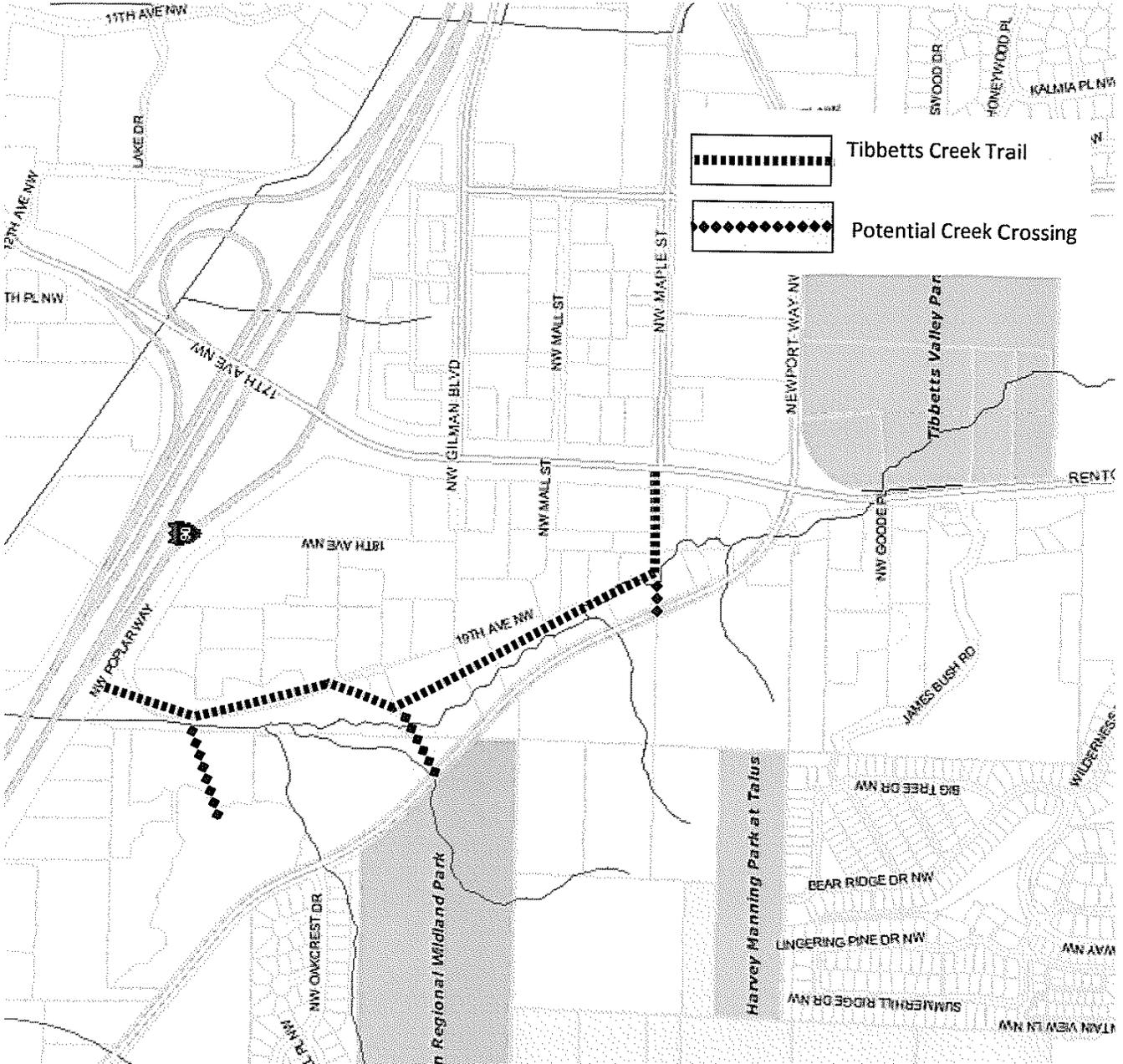
Exhibit D-1 Community Space Mitigation and Credit Calculation

1. The 2011 Issaquah Park Impact fee is charged for residential units only. For multi-family residential, the current fee is \$4,294.29 per MF housing Unit. It is assumed there will be no single-family housing units constructed as part of the Project. Non-residential uses are not assessed this fee.
2. An estimate of the number of housing units planned for the Project is between 500 and 1,000 units at buildout. Therefore, the standard Park Impact fee for the Project would be \$2,147,145 (500 units) and \$4,294,290 (1,000 units).
3. The City is requiring a minimum of 1.5 acres of park land and 5,000 sf in pet amenity area(s) to be made available to the public as part of this Project. Using the most recent comparable land sales, namely the 2008 sale of the Highmark property -- \$4.3 million for 2.4 acres based on King County records, the Project land is valued at \$1,800,000 per acre, or \$41 per square foot. Since this property sold at the peak of the market, it is assumed this value may be devalued for the purposes of this Agreement to \$37/sf.

The Hyla Crossing Neighborhood Park is therefore being valued at \$1,611,200 and the Rowley Center Neighborhood Park/urban-style plaza and pet amenity is being valued at \$990,900. The combined value for the Neighborhood Parks is \$2,602,100. Although the Park within the Hyla neighborhood will likely be larger than 1 acre, the credit is being limited to the minimum acreage identified in this Appendix D (Community Space).

4. No credit will be offered for improvements within the neighborhood parks, plazas and gathering areas as they are not regulated by the City.
5. A trail, signage and bridge over Tibbetts Creek will be provided as part of the Project improvements. These recreational amenities will be made available to the general public and are eligible for a mitigation credit. The trail is approximately 4,200 linear feet and will have a number of gathering spaces available for public use. The bridge over the creek will be assumed for the purposes of this calculation to be a pre-fabricated structure. The cost of the trail is estimated at \$16/lf and the bridge is \$200,000. In total, this amenity is worth a \$268,000 credit.
6. Assuming the high end of residential units listed in number 2 is attained (1,000) and the credits listed in 3 and 4 are given (\$2,870,100), the remaining Park Fee (\$4.3M - \$2.870M) is \$1,430,000. Since the Agreement entitlement is 4.43M sf and the Agreement speaks to the recreational needs of workers and residents, the Development Fee on a per sf basis for all occupied space unless otherwise exempted, would be \$0.32/sf. The fee will be due upon issuance of each Building Permit for occupied space, unless exempted per Appendix K (Housing). The City will prioritize reallocation of these fees to support unfunded improvements at Tibbetts Valley Park (e.g. tot lot, Greenshield, restroom, lighting, etc.)
7. No Development Fee will be charged for Workforce Housing.

Exhibit D-2 – Tibbetts Creek Trail



Note: the Tibbetts Creek Trail is envisioned to be a combination of Multi-Use Trail (Appendix E, Section 5.3) and Critical Area Trail (Appendix E, Section 5.1). The exact design of the trail will be determined through the permitting of the facilities. Of the three Potential Creek Crossings, at least one crossing will be a connection to Newport and allow for bicycles as described in Appendix D, Section 3.B. The other potential crossings are at the Master Developer’s discretion.

APPENDIX E – Circulation Standards

Section 1.0	Purpose and Intent
Section 2.0	Applicability
Section 3.0	Master Circulation Plan
Section 4.0	Circulation Requirements
Section 5.0	Circulation Types and Descriptions
Section 6.0	Circulation Users, Surfaces, Amenities
Section 7.0	Right-of-way Use
Section 8.0	Administrative Modification of Standards
Exhibit E-1	Master Circulation Plan

1.0 Purpose and Intent

The purpose of this Appendix is to establish standards for the design, configuration and performance of circulation within the Project. Circulation encompasses all public and private facilities necessary for motorized and non-motorized movement including pedestrians, bicycles, and vehicles. Circulation is intended to:

- A. Ensure adequate, safe, and reasonable access and connectivity to and through the Project while prioritizing local vehicular traffic over regional vehicular traffic;
- B. Allow for flexibility in the design and location of circulation facilities;
- C. Establish a sociable public realm that helps to define the character and image of the Project;
- D. Establish criteria that clearly identifies that pedestrians and non-motorized transportation as well as street character are prioritized over motorized transportation and traffic volumes;
- E. Provide a variety of facilities that accommodate the multiple functions that may occur such as connectivity, recreation, passive use, informal gathering, stormwater;
- F. Accommodate incremental redevelopment;
- G. Provide facilities appropriate for the anticipated use with a minimum of paving;
- H. Allows flexibility to adapt to changing market needs and implement changing community priorities over the span of a multi-decade Development Agreement.

2.0 Applicability

These standards apply to all new vehicular (streets, alleys, private drives and other vehicular access ways) and non-vehicular (trails, sidewalks, shared surfaces, and other non-motorized pedestrian and bike ways except as noted below) routes proposed within the Project. Public and private facilities regulated by this Appendix will be built to the same standards. The Designated Official shall ultimately determine whether certain types of non-motorized connections as noted below, are exempt from the provisions of this Appendix.

- A. Regulated pedestrian routes, often trails or sidewalks, are those which are necessary to create a connected, direct, easy to use pedestrian friendly community. They are regulated by this Development Agreement's standards and guidelines.
- B. Non-regulated paths are informal routes added for convenience but not necessity.

However, it is at the Master Developer’s discretion which Circulation facility is used, as long as the one selected is consistent with the Desired Function, Facility elements needed, and ADT if applicable.

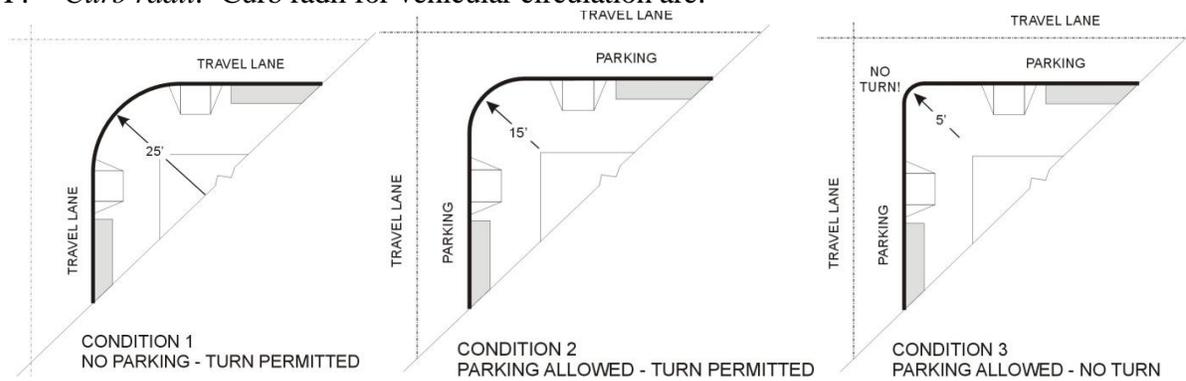
3.0 Master Circulation Plan

A Master Circulation plan that indicates connection and Circulation Facilities and corridor locations is shown in this Appendix’s **Exhibit E-1** (Master Circulation Plan). Plats, land use, building, or other construction permits will not be issued if they are not consistent with the Master Circulation Plan. Minor modifications and significant revisions shall be reviewed consistent with the provisions of Section 10 and Appendix O (Permitting) as well as consistency with the Development Agreement including the Project’s Goals (Appendix A) and Design Guidelines (Appendix B). The submittal requirements shall be established by the Designated Official.

4.0 Circulation Requirements

Section 4.0 describes the general requirements for Circulation incorporated into the Project. The following requirements apply to all circulation types, unless explicitly indicated otherwise:

- A. *Bike Rail*: May be required in association with stairs where they are part of a bicycle route.
- B. *Boardwalks*: Signs requiring bicyclists to dismount on boardwalks shall be provided unless the Tread is a minimum of eight (8) ft wide.
- C. *Closures*: Circulation facility closures may occur as long as local emergency services are maintained and alternative access is identified and provided:
 - 1. Privately owned circulation facilities may be closed at the owner’s discretion.
 - 2. Publicly owned circulation facilities may be periodically closed for maintenance or special events, with review and approval by the Designated Official.
- D. *Critical Areas*: Trails located within Critical Areas shall comply with the standards set forth in Appendix J (Critical Areas) as well as this Appendix E.
- E. *Curbs*: Where curbs are required, all curbs shall be vertical, except where the Designated Official determines beveled curbs are necessary for unique access requirements such as fire or garbage truck turning movements on narrow streets. No extruded curbs are allowed.
- F. *Curb radii*: Curb radii for vehicular circulation are:



- G. *Curb ramps*: Curb ramps shall maintain the direction of travel and point a user at the facing ramp, and not into a travel lane.
- H. *Drainage*: Adequate drainage shall be provided.
- I. *Easements*: Private circulation may require easements to the City to maintain utilities, access, pedestrian connections, etc.

- J. *Fences*: Open, low fences may be constructed at the outside edge of pedestrian circulation facilities, such as a trail border or sidewalk. Fences may not be located within required landscape such as Borders.
- K. *Intersections Landings*: Street intersection landings may be modified for low volume street intersections. The modification should consider the benefits of a reduction in maximum and average road grade in relation to the benefits of the landing.
- L. *Lighting, Circulation Facilities*: See Design Guidelines, Appendix B (Design Guidelines) Section 9.1, for Lighting standards and guidelines.
- M. *Pedestrian crossings and routes*: The design of pedestrian crossings should convey that pedestrians have priority. Pedestrian routes shall maintain a generally direct route.
 - i. This would necessitate that the design of vehicular circulation minimize the distance that pedestrians have to cross vehicular circulation areas. Techniques might include bulb outs, medians, refuges, or special treatments and enhancements at intersections, mid-block, or other pedestrian crossings.
 - ii. Where pedestrian-only circulation facilities, such as trails, cross vehicular circulation facilities, such as streets, the crossing shall be designed to draw the driver's attention to the possible presence of pedestrians. For example, these crossing might use pedestrian tables, changes in material (e.g. concrete, pavers; not solely paint or striping). Raised crosswalks shall not be used.
 - iii. Where pedestrian facilities cross driveways, all grade transition shall occur in the planter strip area and outside of the sidewalk area or pedestrian route. The sidewalk or trail shall be continuous, with no perceived grade change.
- N. *Routes*: To the extent possible, multiple routes shall be provided to each land use and building. On-site connections should be configured to allow multiple routes to any destination and to minimize, for vehicular routes, the length and number of queuing lanes needed for signalized intersections.
- O. *Sidewalks, minimum width*: 6 ft.
- P. *Sight distance, non-vehicular*: Corridors shall allow for adequate sight distances, based on use(s) and locations.
- Q. *Sight distance, vehicular*: Sight distance is not regulated for private roads and controlled intersections. Site distance on public ways: 150 ft entering and stopping.
- R. *Signage*: Provide signage or other indicators for user navigation, wayfinding, and safety where appropriate. See Signs (Appendix L).
- S. *Signage Design*: Design signage that is compatible with the character of the community. See Design Guidelines (Appendix B).
- T. *Slopes*: Non-motorized circulation shall be located in areas with minimum slopes, where possible, to provide access to people of various age groups and abilities. Where slopes cannot be avoided, non-motorized surfaces shall use solid surfaces (e.g. not loose gravel). Where slopes are 15% or greater, stairs shall be used. Where steps must be used, there must be a minimum of two steps, and they must be generally level.
- U. *Structural Base*: Where appropriate, the trail Tread should be comprised of a structural base to support bicycle use on soft surface trails.
- V. *Traffic-calming*: Traffic-calming techniques such as the following are encouraged for vehicular routes and/or where pedestrians mix with non-motorized, wheeled equipment such as bicycles, roller bladers, skate boarders. The specific solution shall be reviewed on a case by

case basis: Woonerfs, Chicanes, Traffic circles, Special striping, Special paving, Pedestrian Tables.

- W. *Traffic Operations*: So long as development is consistent with Appendix Q (MTFA), no additional transportation modeling is required and no LOS standard within the project is required to be maintained.
- X. *Trash cans*: Trash cans shall be wildlife resistant.
- Y. *Vehicular control*: Bollards or other devices shall be used where it is necessary to control or direct vehicular access, or segregate pedestrians and vehicular uses. Examples are along a mews, where a street transitions to a trail, or where vehicular access is limited to emergency and maintenance vehicles. Bollards shall be designed to be removable where vehicular access is required or desirable. Bollards may be internally illuminated and should be well-marked and visible during day and night.
- Z. *Phasing*: In the event a Circulation Facility is phased, the Designated Official may elect to apply additional conditions to ensure each phase complies with the Development Agreement, such as but not limited to access, safety, fire, parking, etc.

5.0 Circulation Types and Descriptions

This section describes the types of non-motorized and motorized connections, and their associated performance and design standards. The purpose of developing different circulation facilities is to provide the community with a variety of pedestrian oriented, environmentally sensitive, and practical tools to respond the various intensities of use and context in which a circulation facility will be used. Guidelines identify performance standards and considerations as related to neighborhood character and context. Specific allowed and prohibited users, amenities, and materials are listed in [Section 6.0](#).

- 5.1 Critical Areas Trail
- 5.2 Urban Trail
- 5.3 Multi-Use Trail
- 5.4 Queuing Street
- 5.5 Mews
- 5.6 Local Streets
- 5.7 Alley
- 5.8 Secondary Urban Walk
- 5.9 Fire Turnaround
- 5.10 Existing Streets

5.1 Critical Areas Trail

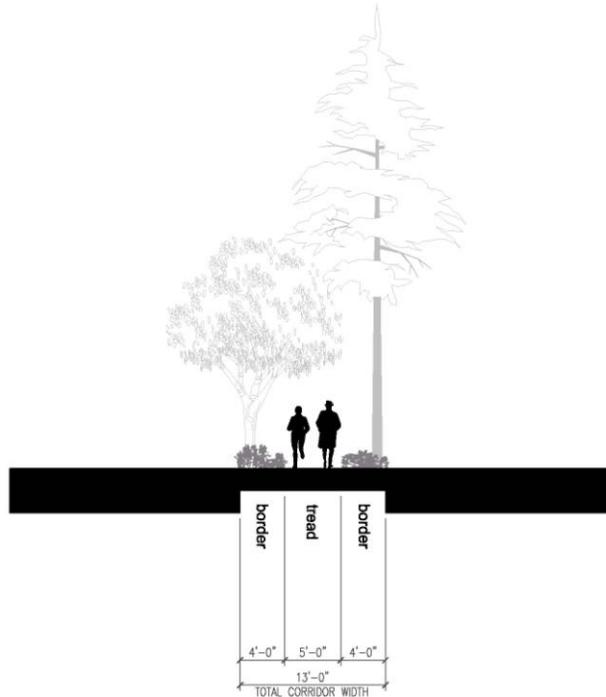
Desired Function:

Pedestrian	High	Bicycle	None	Building Main Entry	None
Vehicle	None	Fire	None	Transit	None
Freight	None	Service	None		

Facility	Corridor Width *	Sidewalk / Tread Width	Vehicular Pavement Width	Number of Lanes	Bike Lane	On-street Parking	Land-scape	Comments
Critical Areas Trail	13 ft	5 ft	None	NA	None	No	4 ft border ea. side	Border compatible with existing buffer vegetation.

* Note: Corridor Width is the total sum of the elements. The dimensions of the elements shall not be increased or decreased except with the approval of the Designated Official and the Designated Official will determined if an Administrative Modification is necessary. Only pedestrian, bicycle or landscape elements should be increased.

Critical Area Trails are non-motorized trails used in Critical Area Buffers and provide connectivity, recreational, educational opportunities. The tread anticipates a trail that will have a high level of pedestrian use, but it is too narrow for bicycle use. The primarily soft surface trail offers controlled access to critical areas. In addition, overlooks and similar gathering spots may be provided to accommodate vistas and other unique opportunities.



Critical Areas Trail

5.2 Urban Trail

Desired Function:

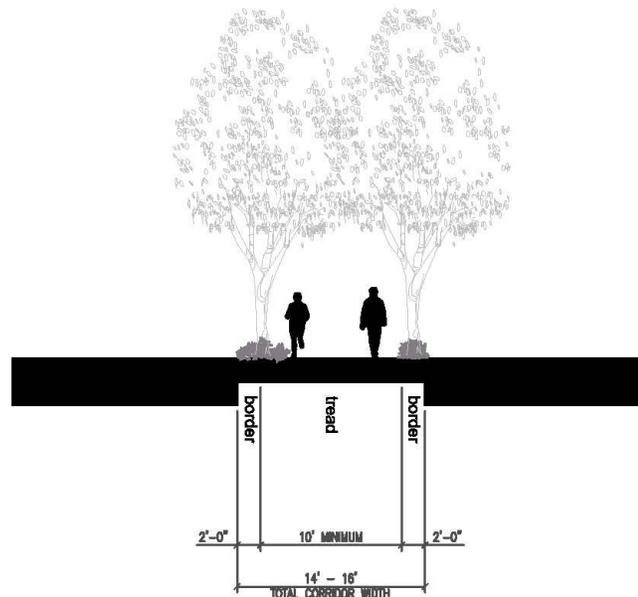
Pedestrian	High	Bicycle	High	Building Main Entry	High
Vehicle	None	Fire	Low	Transit	None
Freight	None	Service	None		

Facility	Corridor Width *	Sidewalk / Tread Width	Vehicular Pavement Width	Number of Lanes	Bike Lane	On-street Parking	Land-scape	Comments
Urban Trail	14 ft minimum	10 ft minimum	None	NA	Shared with tread	No	2 ft min border ea. side	<ul style="list-style-type: none"> Other landscape options may be substituted for border Corridor may be widened for open space or gathering

* Note: Corridor Width is the total sum of the elements. The dimensions of the elements shall not be increased or decreased except with the approval of the Designated Official and the Designated Official will determined if an Administrative Modification is necessary. Only pedestrian, bicycle or landscape elements should be increased.

Urban Trails are non-motorized corridors that serve many purposes including:

- connectivity between other vehicular or non-vehicular corridors
- reducing block length and increasing block permeability
- opportunity for a range of outdoor spaces



Urban Trail

5.3 Multi-Use Trail

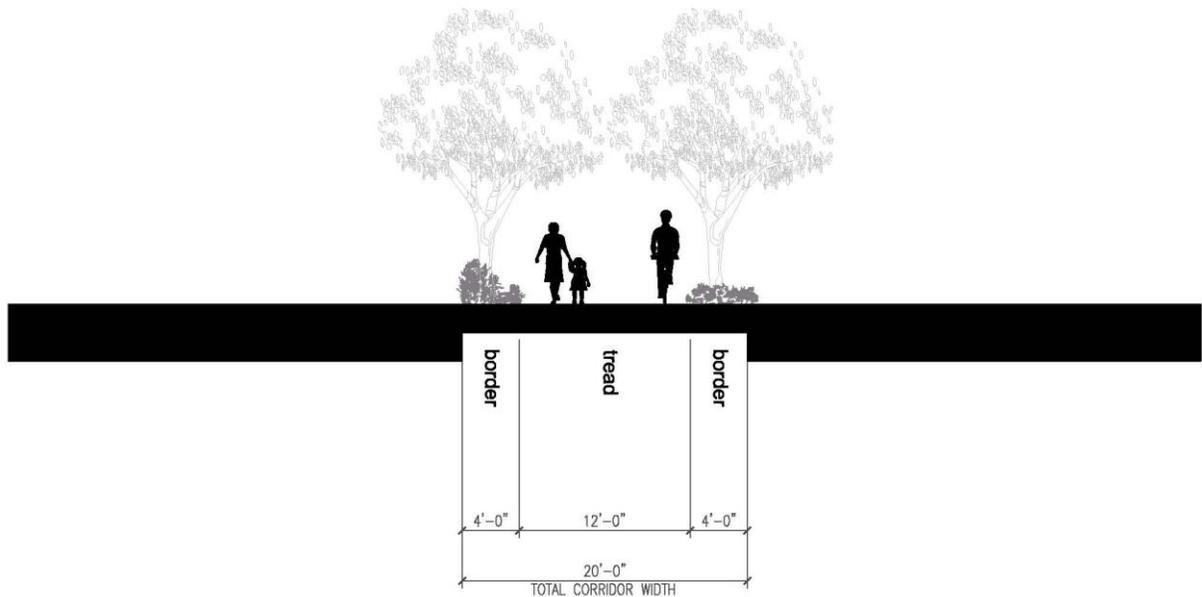
Desired Function:

Pedestrian	High	Bicycle	High	Building Main Entry	Moderate
Vehicle	None	Fire	Low	Transit	None
Freight	None	Service	None		

Facility	Corridor Width *	Sidewalk / Tread Width	Vehicular Pavement Width	Number of Lanes	Bike Lane	On-street Parking	Land- scape	Comments
Multi-Use Trail	20 ft minimum	12 ft minimum	Shared with Tread and Bikes	NA	Shared with Tread and limited vehicles	No	4 ft border ea. side	Emergency vehicle access use; not for staging

* Note: Corridor Width is the total sum of the elements. The dimensions of the elements shall not be increased or decreased except with the approval of the Designated Official; the Designated Official will determine if an Administrative Modification is necessary. Only pedestrian, bicycle or landscape elements should be increased.

The Multi-Use Trail is a shared use corridor accommodating a mix of pedestrians and bicycles, with the occasional vehicular use to allow emergency vehicles to, when necessary, use the Multi-Use Trail to enter or exit other streets and vehicular corridors. For other vehicular users, these adjacent streets dead end at the Multi-Use Trail.



Multi-Use Trail

5.4 Queuing Street

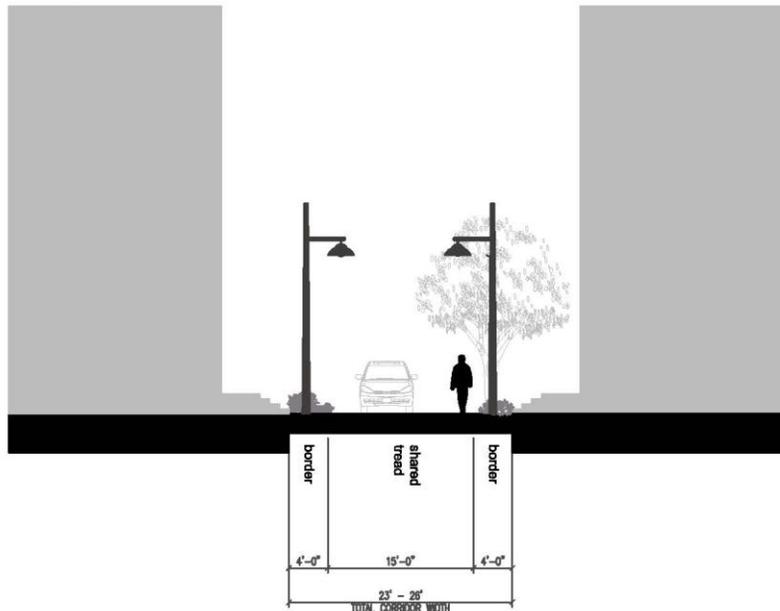
Desired Function:

Pedestrian	High	Bicycle	High	Building Main Entry	Moderate
Vehicle	Low	Fire	Low	Transit	None
Freight	None	Service	None		

Facility	Corridor Width *	Sidewalk / Tread Width	Vehicular Pavement Width	Number of Lanes	Bike Lane	On-street Parking	Land-scape	Comments
Queuing Street	23ft minimum	15 ft	Shared with Tread and Bikes	1	Shared with Tread and vehicles	No	4 ft border ea. side	Widens for private vehicles to pass, emergency vehicles to stage

* Note: Corridor Width is the total sum of the elements. The dimensions of the elements shall not be increased or decreased except with the approval of the Designated Official; the Designated Official will determine if an Administrative Modification is necessary. Note: This conflicts for with comments for queuing streets.

The Queuing Street is a shared use corridor accommodating a mix of pedestrians and bicycles, with low volume vehicular use. It has up to 1500 Average Daily Trips, or ADT. Queuing Street is a shared use surface, used by pedestrians, bicycles, and a low volume of two-way traffic. A Queuing Street is punctuated with an occasional widening to 18 ft minimum to accommodate two vehicles passing each other or the opportunity for a fire truck to stage an emergency response on or in the vicinity of the street. These widenings may be designed as multi-use spaces.



Queuing Street

5.5 Mews

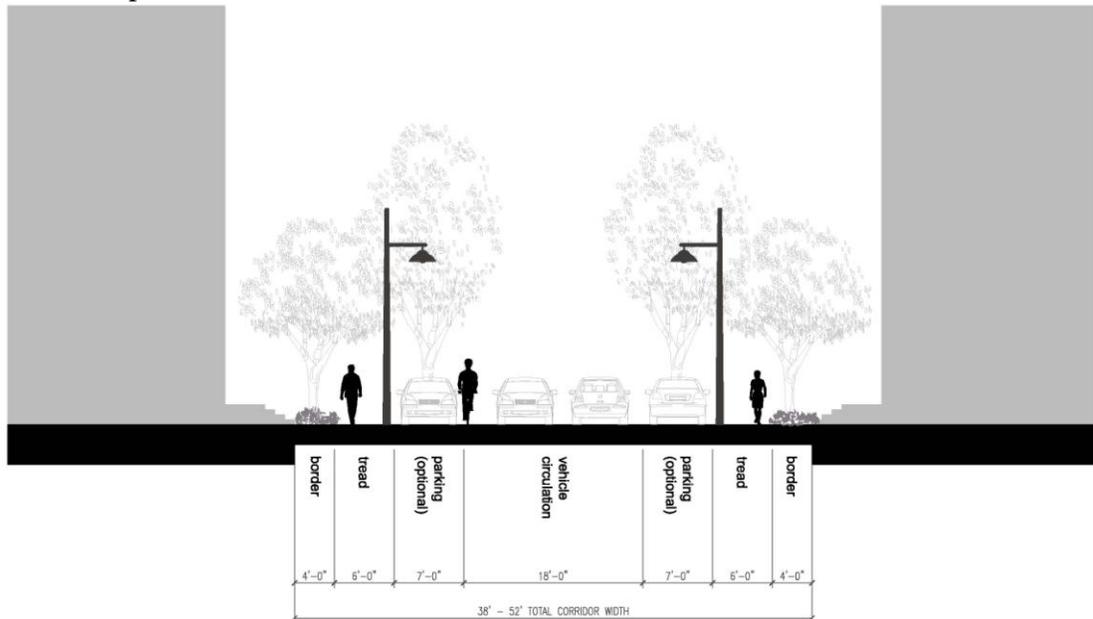
Desired Function:

Pedestrian	High	Bicycle	High	Building Main Entry	High
Vehicle	Medium	Fire	Medium	Transit	None
Freight	Low	Service	Low		

Facility	Corridor Width *	Sidewalk / Tread Width	Vehicular Pavement Width	Number of Lanes	Bike Lane	On-street Parking	Land-scape	Comments
Mews	38 ft minimum	6 ft each side, minimum	18 ft	2 – 9 ft lanes	Shared with vehicles	7 ft wide, 1-2 sides, optional	4 ft border ea. side, behind the sidewalk	<ul style="list-style-type: none"> ▪ Flush curbs ▪ Bollards, planters to demark edge of travel lanes ▪ Sidewalks may be wider in response to adjacent uses

* Note: Corridor Width is the total sum of the elements. The dimensions of the elements shall not be increased or decreased except with the approval of the Designated Official; the Designated Official will determine if an Administrative Modification is necessary.

Mews are lower volume streets, selected for their narrow, intimate character. It has up to 5,000 Average Daily Trips, or ADT, which may be modified depending on the distinction between pedestrians and vehicles.



Mews

5.6 Local Streets

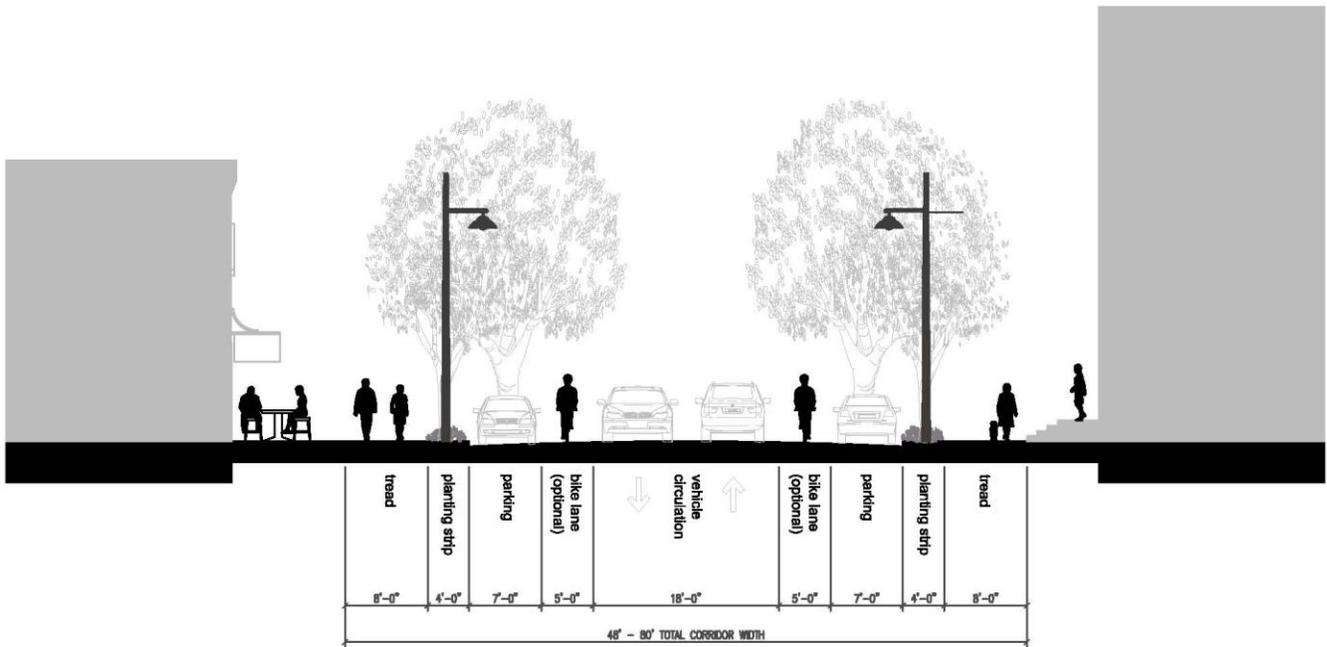
Desired Function:

Pedestrian	High	Bicycle	High	Building Main Entry	High
Vehicle	High	Fire Service	High	Transit	Low
Freight	Medium		Medium		

Facility	Corridor Width *	Sidewalk / Tread Width	Vehicular Pavement Width	Number of Lanes	Bike Lane	On-street Parking	Landscape	Comments
Local Street	52 ft minimum	6-10 ft minimum, both sides	18 ft res'l 20 ft comm'l	2 – 9 or 10 ft lanes (9 ft res'l 10 ft comm'l)	Shared with vehicles or 5 ft lanes ea. side	7 ft wide, both sides	4-8 ft planter strips	<ul style="list-style-type: none"> ▪ Sidewalk width responds to adjacent use ▪ Bikes facility based on bike plan

* Note: Corridor Width is the total sum of the elements. The dimensions of the elements shall not be increased or decreased except with the approval of the Designated Official; the Designated Official will determine if an Administrative Modification is necessary. Only pedestrian, bicycle or landscape elements should be increased.

Local Streets accommodate the highest vehicular volumes within the Project and have the most traditional street character. It has up to 12,000 Average Daily Trips, or ADT. Local streets are designed to be a part of an interconnected and comprehensible circulation network, providing connectivity for pedestrians, bicycles, and vehicles.



Local Street

5.7 Alley

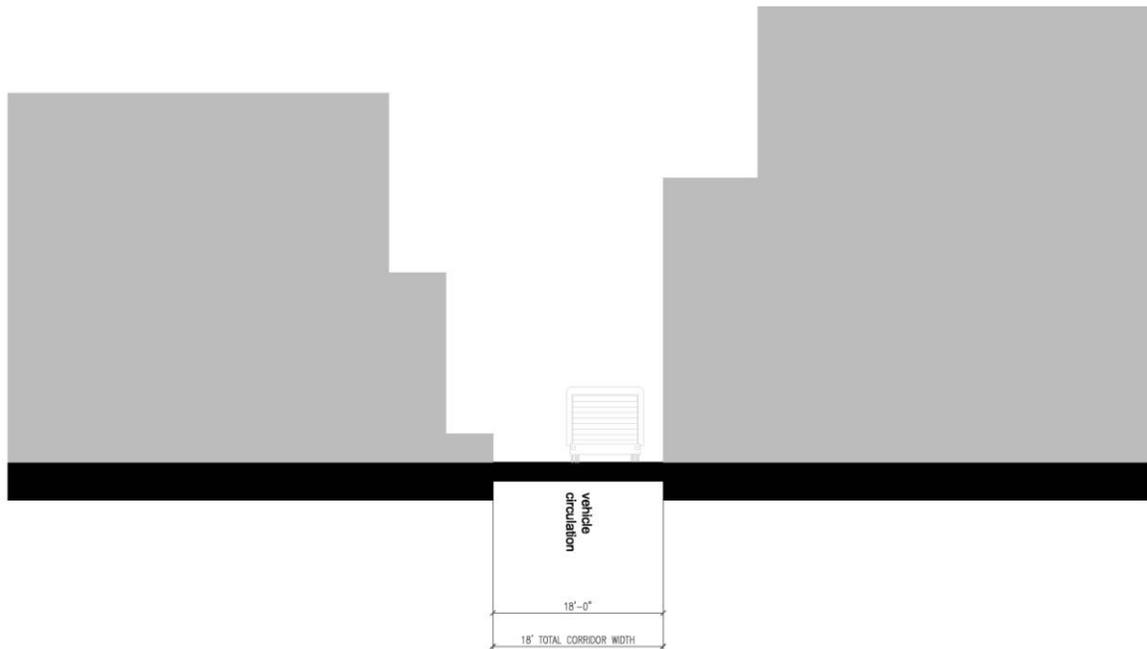
Desired Function:

Pedestrian	None	Bicycle	None	Building Main Entry	None
Vehicle	High	Fire	High	Transit	None
Freight	High	Service	High		

Facility	Corridor Width *	Sidewalk / Tread Width	Vehicular Pavement Width	Number of Lanes	Bike Lane	On-street Parking	Land-scape	Comments
Alley	18 ft	No	18 ft	—	No	No	No	For service and private vehicular use

* Note: Corridor Width is the total sum of the elements. The dimensions of the elements shall not be increased or decreased except with the approval of the Designated Official; the Designated Official will determine if an Administrative Modification is necessary.

Alleys are predominately vehicular corridors located behind residential, commercial, or retail uses. Due to the vehicular nature of the alley as well as the lack of pedestrian facilities, main building entries may not be located on alleys. It has no Average Daily Trips, or ADT, limit as it is not primary access.



Alley

5.8 Secondary Urban Walk

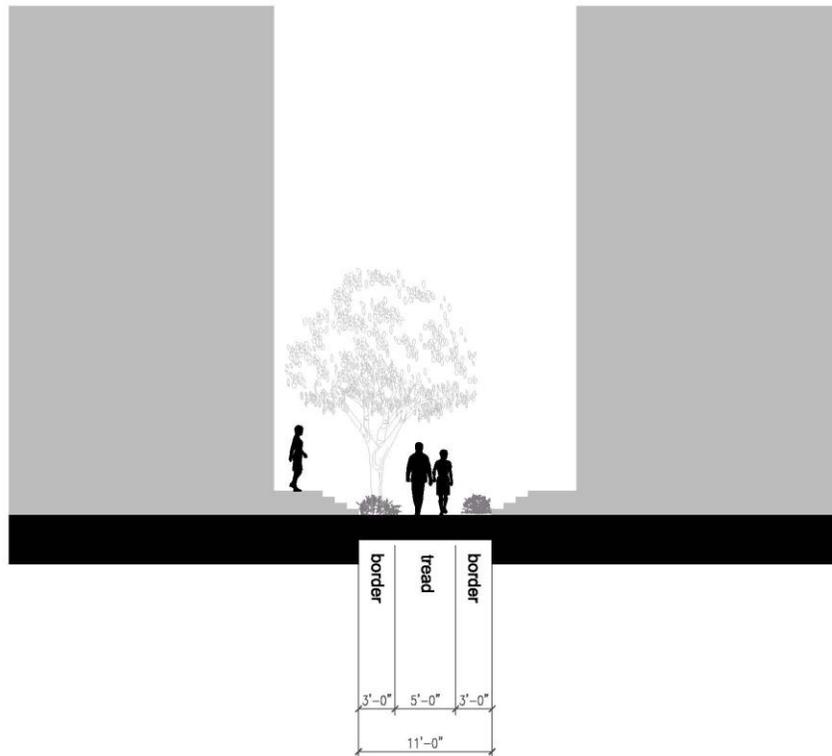
Desired Function:

Pedestrian	High	Bicycle	None	Building Main Entry	Low
Vehicle	None	Fire	None	Transit	None
Freight	None	Service	None		

Facility	Corridor Width *	Sidewalk / Tread Width	Vehicular Pavement Width	Number of Lanes	Bike Lane	On-street Parking	Land-scape	Comments
Secondary Urban Walk	11 ft. minimum	5 ft minimum	None	NA	No	No	3 ft border each side	

* Note: Corridor Width is the total sum of the elements. The dimensions of the elements shall not be increased or decreased except with the approval of the Designated Official; the Designated Official will determine if an Administrative Modification is necessary. Only pedestrian, bicycle or landscape elements should be increased.

Secondary Urban Walks are required pedestrian routes, designed like sidewalks, but not associated with a vehicular facility such as a street.

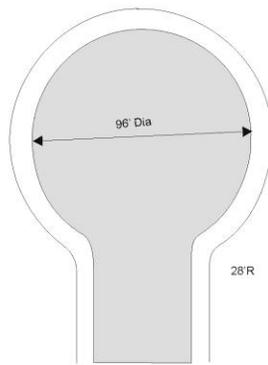


Secondary Urban Walk

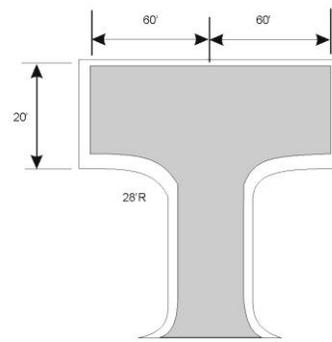
5.9 Fire Turnaround

Desired Functions are not included as the Fire Turnaround is an overlay on other Circulation Facilities, and those facilities will determine the appropriate associated functions. The Fire Turnaround dimensions may be embedded into another facility such as a plaza, alley, or a shared surface. The curbs are not required and will be considered based on the area's uses.

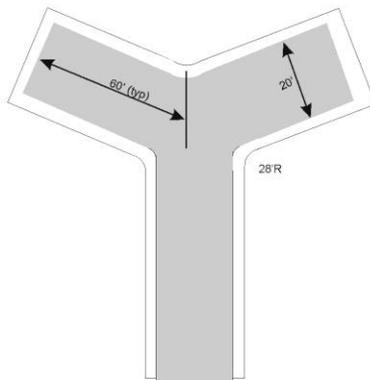
FIRE APPARATUS TURNAROUNDS*



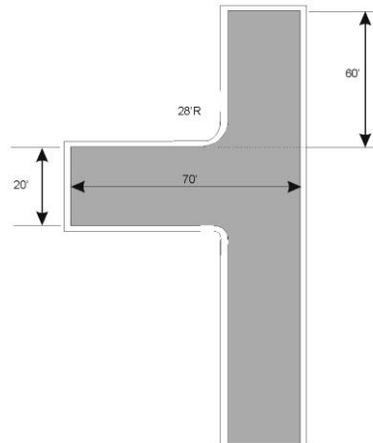
Cul-de-sac



Hammerhead



"Y" Hammerhead



Right-Angle Hammerhead

*Other solutions may be acceptable subject to Fire Department review. Drawings are not to scale.

5.10 Existing Streets

Existing roads may be incrementally redeveloped with adjacent uses to meet this Appendix’s standards; however, NW Gilman Boulevard (between SR900 and 19th Avenue NW) and 18th Avenue NW, from curb to curb are “grandfathered.”

Grandfathered means that the improvements including the curbs and paving do not have to be modified, with the exception that striping and similar minor changes may be necessary. The Master Developer may choose to modify the grandfathered elements.

6.0 Circulation Users, Surfaces, and Amenities

6.1 Dimension Table

The following table identifies the dimensional requirements of each Circulation facility:

Facility	Corridor Width (minimum)	Sidewalk/ Tread Width (minimum)	Vehicular Pavement Width	Number of Lanes *	Bike Lane	On- street Parking	Landscape
Critical Areas Trail	13 ft	5 ft	None	NA	None	No	4 ft border ea. side
Urban Trail	14 ft	10 ft	None	NA	Shared	No	2 ft min border ea. side
Multi Use Trail	20 ft	12 ft	Shared	NA	Shared	No	4 ft border ea. side
Queuing Street	23 ft	15 ft	Shared	1	Shared	No	4 ft border ea. side
Mews	38 ft	6 ft both sides	18 ft	2 – 9 ft lanes	Shared	7 ft wide, 1-2 sides, optional	4 ft border ea. side, behind the sidewalk
Local Street	52 ft	6-10 ft both sides	18 ft res'l 20 ft comm'l	2 – 9 or 10 ft lanes (9 ft res'l 10 ft comm'l)	Shared or 5 ft lanes ea. side	7 ft wide, both sides	4-8 ft planter strips
Alley	18 ft	No	18 ft	NA	No	No	No
Secondary Urban Walk	11 ft.	5 ft	None	NA	No	No	3 ft border each side

* NA: Not Applicable

Dimension Table Notes:

1. Corridor Width is the total sum of the elements. The dimensions of the elements shall not be increased or decreased except upon request by the Applicant and with the approval of the Designated Official. The Designated Official will determine if an Administrative Modification is necessary. Only pedestrian, bicycle, and landscape elements should be increased.
2. Stairs, ramps, and similar facilities may be required for safety reasons or as prescribed in other Sections.

6.2 Surface Materials Table

The following table identifies appropriate surface of each Circulation facility:

Facility	Asphalt *	Concrete *	Special Paving †	Crushed Rock	Mulch	Board-walk	Comments
Critical Areas Trail			✓	✓	✓	✓	Stepping stones or other specialty surfaces may be used in combination with other approved surfaces.
Urban Trail		✓	✓				
Multi-Use Trail	✓	✓	✓			✓	Pavement must meet performance standard
Queuing Street	✓	✓	✓				Pavement must meet performance standard
Mews	✓	✓	✓				Change in materials, color, texture to designate change in user. Asphalt may be used in limited areas of vehicular portion.
Local Street	✓	✓	✓				Only vehicular portions may be constructed in asphalt
Alley	✓	✓					12 ft of asphalt in center with 3 ft flush concrete ea. side
Secondary Urban Walk		✓	✓				

* May be pervious or impervious.

† Special Paving: may be pavers, stones, or other materials approved by the Designated Official and complying with the Americans with Disabilities Act.

6.3 Corridor Users Table

The following table identifies the primary (P) and secondary (S) users for all trail types. Trail users prohibited below (X) or not listed in the table are prohibited, unless otherwise approved by the Designated Official.

Facility	Pedestrians	Bicycles	Roller Skates & Blades	Skateboards	Vehicles*	Comments
Critical Areas Trail	P	X	X	X	X	
Urban Trail	P	S	S	X	X	
Multi-Use Trail	P	P	P	S	X	Only Emergency Vehicles allowed.
Queuing Street	P	P	P	S	P	
Mews	P	S	S	X	P	
Local Street	P	P	S	S	P	
Alley	S	S	S	S	P	
Secondary Urban Walk	P	X	X	X	X	

Notes:

P – Primary User for whom Circulation facility is designed

S – Secondary User(s) are permitted when the facility can be designed to make the secondary uses compatible, safe, and acceptable with pedestrian activity. Secondary users may encounter segments of a corridor which will require caution or a detour due to specific surfacing. In evaluating the inclusion of bicycles, issues such as inconvenient alternative bicycle routes, available tread width, and the ability to ensure pedestrian safety (e.g., site distance, grade) must be considered.

X – Prohibited User

* See each Circulation Type in [Section 5.0](#) for appropriate vehicle use.

6.4 Tibbetts Creek Crossings

Pedestrian- and bicycle-only bridges are allowed as shown on **Exhibit D-1**. At least one bridge shall be located to relate to a required Community Spaces.

7.0 Right-of-way Use

Use of the Public Right-of-way is governed by IMC 12.05 (Ordinance 2421), as amended. The Master Developer should request the Ordinance be revised to include the Project. For private Circulation Facilities, use would be directed by the guidance provided by Appendix B (Design Guidelines).

8.0 Administrative Modification of Standards

8.1 Approval Criteria

Approval must be based on a determination that the modification is consistent with the purpose and intent of this Appendix. The following approval criteria, in conjunction with Appendix O (Permitting), shall be used to determine whether an Administrative Modification shall be granted for these Corridor Standards:

- A. The modification(s) will be equal to, or superior in, fulfilling the intent and purpose of the corridor requirements;
- B. The modification(s) will equal to, or superior in, fulfilling the Goals (Appendix A) and Design Guidelines (Appendix B) such as improving pedestrian circulation and safety or creating the Sociable Public Realm.
- C. The modification(s) does not negatively impact the abutting Property Owners in a significant manner;
- D. The modification(s) does not negatively impact water quality in a significant manner;
- E. The modification(s) will not create significant negative impacts on public services; and
- F. The granting of the modification(s) will not be materially detrimental to the public safety.

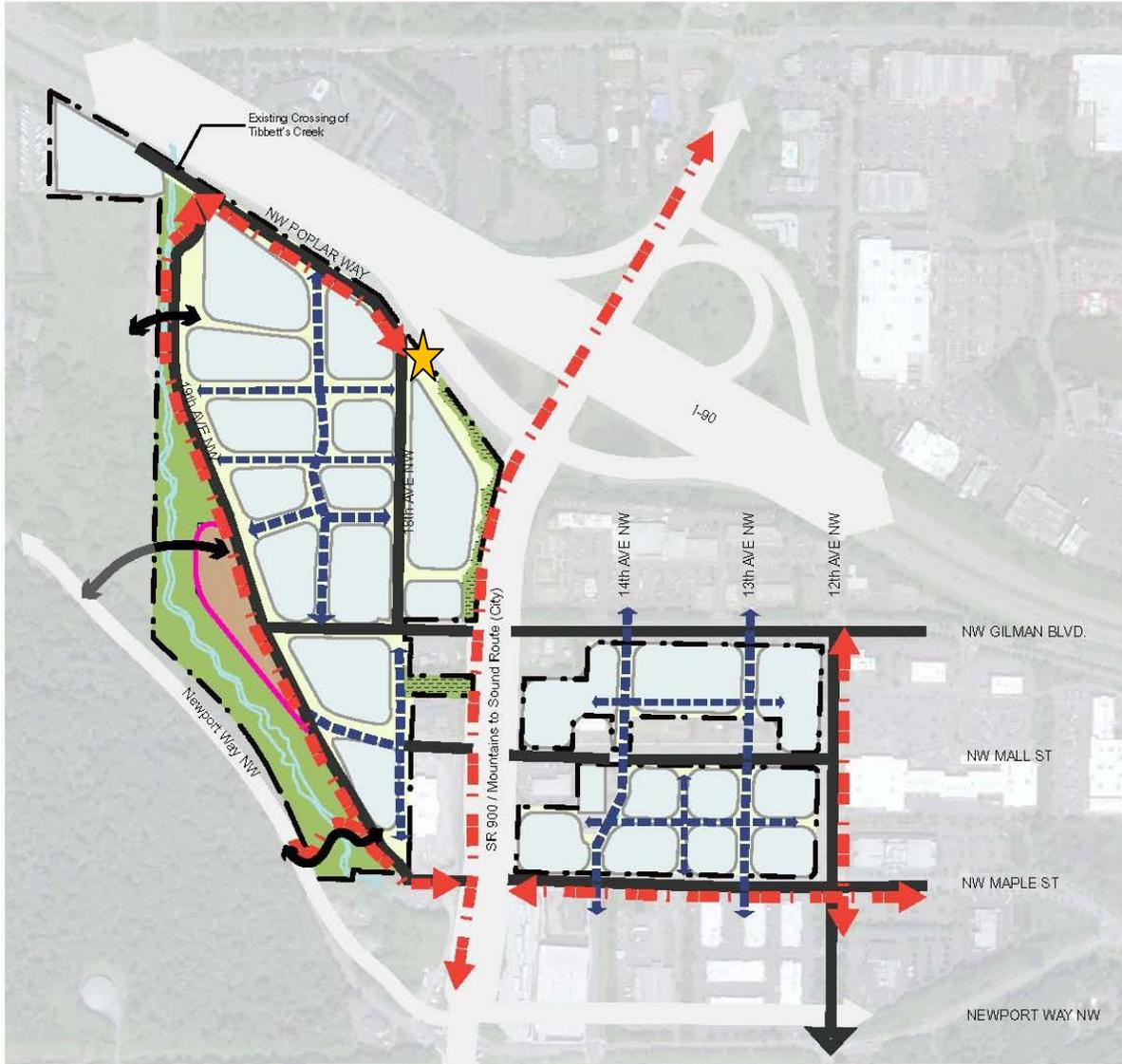
8.2 Case by Case Modifications

The following potential modifications were identified for consideration on a case by case basis:

- A. 5 ft sidewalk width: occasionally, a required walkway may have a low anticipated volume of use and a reduction of the sidewalk width to 5 ft may be considered.
- B. Alley curb: Curbs in alleys could be considered for directing stormwater when an inverted crown cannot be constructed or when parking is allowed adjacent to an alley.
- C. Alley parking: based on adjacent uses and to reduce the need for surface parking, parking served by an alley may be allowed when the alley is widened by the appropriate width necessary for the added parking.
- D. Removal of on-street parking, one side or both.
- E. Speed Humps: may be considered when other traffic calming tools and techniques have failed.
- F. Multi-use trail, divided to split users: when a high level of bicycle and pedestrian use is present or anticipated, the trail may be divided into essentially two parallel trails separated by landscape.

Exhibit E-1, Master Circulation Plan

Conceptual Circulation Map*



LEGEND			
	Site Boundary		Block Configuration
	Existing Street Primary Vehicular Access		Optional Public Realm Improvement
	Potential New Local Circulation Facility		Tibbetts Greenway
	New Secondary Circulation Facility		Tibbetts Creek Location
	Critical Area Trail		
	Non-Motorized Bridge Connection		
	Conceptual Bike Route		

*For illustrative purposes only

★ The Parties will work with WSDOT in an attempt to connect a bike / pedestrian route to the SR900 boardwalk.

APPENDIX F – Parking Standards

Section 1.0	General Provisions
Section 2.0	Provisions of Required Parking
Section 3.0	Tables of Required Parking: Vehicular and Bicycle
Section 4.0	Parking District
Section 5.0	Parking Tools
Section 6.0	Barrier-Free Spaces
Section 7.0	Loading Spaces
Section 8.0	Stacking Spaces/Drive-Through Window Facilities
Section 9.0	Parking Lot Design and Construction Standards
Section 10.0	Administrative Modification of Parking Standards
Section 11.0	Parking Lot and Stall Dimension Standards

1.0 General Provisions

1.1 Purpose and Intent of Parking Standards

The purpose of this Section is to establish standards for the design, configuration and performance of parking within the Project as well as to implement the vision established in Goals (Appendix A) and Design Guidelines (Appendix B). Parking encompasses all public and private facilities necessary for the storage of motorized and non-motorized transportation vehicles including bicycles and automobiles. The purpose of requiring parking as a condition of development is to provide an adequate amount of parking for a specific use, recognizing that a balance must be reached between: *Insufficient Parking*, leading to parking violations on abutting streets as well as unauthorized parking in nearby private lots or bicycles chained to streetlights and benches; and, *Excessive Parking*, wasting space and resources that could be better utilized for people, landscape, etc. Parking is intended to:

- A. Ensure adequate, safe, and reasonable storage of and access to parking facilities;
- B. Allow for flexibility in the design and location of parking facilities;
- C. Contribute to the creation of a sociable public realm that defines the character and image of the Development, by minimizing the presence and/or impact of vehicular parking lots and garages;
- D. Establish criteria that clearly identifies that pedestrians and non-motorized transportation as well as street character are prioritized over motorized transportation;
- E. Efficiently and effectively use the parking provided;
- F. Encourage the use of on-street parking and allow it to meet as much of the required parking as possible;

- G. Encourage the use of parking garages to meet parking requirements, rather than surface parking lots;
- H. Encourage multiple functions for parking facilities such as markets, fairs, recreation, stormwater, etc;
- I. Accommodate incremental redevelopment;
- J. Provide facilities appropriate for the anticipated use with a minimum of paving;
- K. Work to reduce the use of fossil fuels and production of air pollution;
- L. Follow progressive trends in parking technology and management; and,
- M. Allow flexibility to adapt to changing market needs and implement changing community priorities over the span of a multi-decade Development Agreement.

1.2 Applicability

- A. *General:* These standards apply to all new vehicular and non-motorized parking proposed within the Project.
- B. *Existing Uses:* Unless an expansion or change of use is requested, these provisions shall not be applicable to uses which conform to parking requirements existing prior to the effective date of such provisions. A change of tenant that retains the same or similar use shall not be required to "upgrade" to meet the parking standards of this Chapter. If there is a conflict regarding a specific interpretation of a "similar" use of the new tenant, the Designated Official shall make an interpretation.
- C. *New Developments or a Change of Use:* These provisions are applicable to new developments and to change of use for existing developments.
- D. *Substantial Remodels or Additions:* These provisions are applicable to substantial remodels or additions which expand the gross floor area of the use by twenty-five percent (25%) or greater.
- E. No other parking code will be applicable to the Project, except as noted herein, and if consistent with the intent of the Development Agreement.

2.0 Provisions of Required Parking

2.1 Conformance

All off-street parking shall comply with the provisions of this Appendix. On-street parking dimensions and locations are governed by Circulation (Appendix E).

2.2 Permit Required

Parking or loading spaces shall not be created, constructed, located, relocated or modified after the effective date of these provisions without first obtaining a Land Use Permit, Building Permit, and/or Utility Permit.

2.3 Use of Required Parking

Required off-street parking is intended to provide vehicle parking only for residents, customers, patrons, visitors, and employees. Area devoted to parking may not be used for any other purpose, except as authorized by this Appendix. Except in designated areas, required parking shall generally not be used for the storage of motorized vehicles, trailers, boats or materials or the sale, repair or servicing of any vehicle. On privately-owned streets, vehicles, carts, trucks, etc. may be used for conducting business such as food trucks, espresso carts, knife sharpening, etc. where it does not create a hazard and is allowed by the property owner.

2.4 Unlawful Elimination of Required Parking or Loading Spaces

An owner or operator of any building or land use affected by this section shall not eliminate or reduce required parking or loading facilities without the establishment of alternative parking or loading facilities which meet the requirements of this [Appendix F](#).

2.5 Change or Expansion in Current Use

When a change of use is proposed for an existing structure, required parking shall be provided, according to the parking standards within this Appendix. If the proposed use requires more parking than the previous use, the applicant shall provide that additional parking as an approval condition of development except as otherwise allowed by this Appendix. If the new use requires more parking than the previous use, yet the applicant can provide information showing that the new use has adequate parking, the applicant may submit for a reduction as established in [Section 4.5](#) below, subject to administrative review per Permitting (Appendix O).

2.6 Maintenance

All parking areas shall be maintained by the Master Developer or designee.

3.0 Tables of Required Parking: Vehicular and Bicycle

The intent of the following parking standards is to provide adequate vehicular and bicycle parking for uses within the Project. See [Sections 4.0](#) and [5.0](#) for additional information on Parking Districts and Parking Tools, respectively.

3.1 Computation of Required Vehicular Spaces

- A. Specific parking requirements are listed in the Table of Required Vehicular Parking at the end of this section.
- B. *Fraction:* If the calculation of the number of vehicular parking spaces in the Table of Vehicular Parking Spaces contains a fraction, such number shall be rounded up or down to the next whole number:
 1. fractions less than one-half (.5) shall be rounded down to the whole number; and
 2. fractions which are one-half (.5) and greater shall be rounded up to the next higher whole number.

C. *Mixed Use*: When different uses occupy a single structure or parcel, the total required vehicular parking spaces shall be the sum of the requirements of the individual uses, except as otherwise allowed by this Appendix.

3.2 Unspecified Uses

If this section does not specify a vehicular or bicycle parking requirement for a proposed use in the Tables of Vehicular (Section 3.4) or Bicycle Parking Spaces (Section 3.5), the Designated Official shall establish the minimum requirement based on the nearest comparable use. The Designated Official may require that the applicant provide sufficient information to demonstrate that the vehicular or bicycle parking demand for the proposed land use will be satisfied, based upon existing land uses the same or similar to the proposed use. If the gross floor area of the proposed use exceeds ten thousand (10,000) square feet, the applicant may be required to provide a vehicular parking study for the proposed use prepared by a professional with expertise in traffic and vehicular parking analyses.

3.3 Automotive Sales, Rental and Leasing

The minimum number of customer and employee vehicular parking stalls for car dealerships shall be based on the gross building square footage, including the indoor display area, but not including any outdoor display or storage areas.

3.4 Table of Vehicular Parking Spaces

LAND USE (NSF: Net Square Footage)	MINIMUM NUMBER OF PARKING SPACES REQUIRED	MAXIMUM NUMBER OF PARKING SPACES ALLOWED
RESIDENTIAL		
Single Family Attached or Detached	1 per unit	2 per unit
Accessory Dwelling Unit		1 per unit
Multi-Family	or .75/ unit if the unit is less than or equal to 600 sq.ft.	
Multifamily: Studio Apartment		1 per unit
Multifamily: One Bedroom Apartment		1.25 per unit
Multifamily: other than Studio Apt. or one bedroom		2 per unit
Nursing Home		1 space per 3 beds
Residential Care Facility		1 space for each 2 units + 1 space per employee @ max. shift
Retirement Home		1 space per 3 beds
Rooming House and Boarding House		1 per unit
Senior Assisted Care Facility		1 space for each 2 units + 1 space per employee @ max. shift
Senior Housing (large and small scale)		1.5 per unit

LAND USE (NSF: Net Square Footage)	MINIMUM NUMBER OF PARKING SPACES REQUIRED	MAXIMUM NUMBER OF PARKING SPACES ALLOWED
Residential-Other		
Bed & Breakfast/Guest House		1 per manager's unit and 1 per guest room
RETAIL including the following stores department, drug, pharmacy, feed, agricultural, grocery, convenience, hardware, liquor, paint, wallpaper, parts and accessories, plants, nursery, plumbing, wholesale, outlet,		
<ul style="list-style-type: none"> ▪ Less than 15,000 NSF (up to 3,000 NSF, see Small Business Waiver, Section 4.5) ▪ More than 15,000 NSF 	2 spaces per 1,000 NSF	<ul style="list-style-type: none"> ▪ 5 per 1,000 NSF ▪ 4 per 1,000 NSF
Car Wash (drive through)		8 stacking spaces per drive through entrance plus 1 per employee at maximum shift.
Car Wash (self service)		2 stacking spaces per wash bay
COMMERCIAL		
Office Uses including the following: office, professional, or corporate, private and non-profit organizations.	2 spaces per 1,000 NSF	4 per 1,000 NSF
Employment Agency		5 per 1,000 NSF
Community Business Uses		
Temporary Lodging including the following: hotels, motels, time share lodging.		1.5 per each sleeping room or suite and 1 per manager's unit
Dining, Leisure, Entertainment including the following: adult entertainment, amusement parlors, bar, tavern, billiard hall, pool hall, video arcade, banquet, reception delicatessen, restaurant, café, tasting area accessory to food or beverage manufacturing and production.		10 per 1,000 NSF
Bowling Alley		5 per bowling lane
Theater, Live and Movie		1 per 4 fixed seats and/or 1 space per 3 permitted occupants for areas w/out fixed seating
Cultural Facilities including the following: club houses, community center, conference center, library, museum, art gallery, stadium and arena (with or without open air amphitheater)		1 per 3 fixed seats and/or 1 per 100 sq. ft. of assembly area without seating
Personal Services including the following: barber shop, beauty shop,		4 per 1,000 NSF

LAND USE (NSF: Net Square Footage)	MINIMUM NUMBER OF PARKING SPACES REQUIRED	MAXIMUM NUMBER OF PARKING SPACES ALLOWED	
nail salon, dry cleaning, pressing shop, funeral home, mortuary, health club, gym, aerobic studio, karate school, dance school, massage therapist, tanning salon, veterinary clinic			
Day Care Operations (not operated as a home occupation)		1 space per 6 attendees at maximum occupancy and 1 space per employee at max. shift	
<i>Small Health Services</i> including the following: ambulance(private), emergency facility (private), medical offices, dental offices, outpatient clinic, social services.		5 per 1,000 NSF	
GENERAL COMMERCIAL USES			
<i>Business Services</i> including the following: rental, leasing, vehicle sales, dealership	2 spaces per 1000 NSF	2 per 1,000 NSF, including indoor display showrooms	
Printing and Publishing		5 per 1,000 NSF	
<i>Large Health Services</i>			
Hospital		3 spaces per bed	
Laboratory Facility		5 per 1,000 NSF	
<i>Service Commercial</i> including the following: building material storage and sales, cold storage plant, contractor's storage yard, freight terminal, frozen food locker, rental equipment shop, storage of machinery (indoor), storage of machinery including boats, trailers, RVs (outdoor), warehouse storage, tire rebuilding and recapping, towing service, storage yard, truck and trailer storage (outdoor), wrecking and dismantling yard.		2 per 1,000 NSF	
Distribution Center		3.3 per 1,000 NSF of office use and 1 space per 500 NSF of distribution operation area.	
Maintenance and Service Shops		2.5 per service bay	
Motorcycle Sales and Repair		2.5 per service bay	
Paint and Body Repair Shops		2.5 per service bay	
Storage, Mini (completely enclosed)	1 per 20 storage units		
INDUSTRIAL			
<i>Business Services</i> including the following: agricultural food processing, canning, bottling, preserving and packaging foods and/or beverages, carpenter shop, cement and	2 spaces per 1000 NSF	2 per 1,000 NSF	

LAND USE (NSF: Net Square Footage)	MINIMUM NUMBER OF PARKING SPACES REQUIRED	MAXIMUM NUMBER OF PARKING SPACES ALLOWED
gravel operation, clothing fabrication and repair, creamery or bottling plant, distribution center with limited manufacturing, electronic assembly and manufacturing, electroplating, feed and cereal mill, lumber yard, machine shop, manufacturing, processing raw materials (wood, fruit, ...), recycling center, research and development with or without chemical lab, sand blasting, sawmill, planing mill, upholstering without display, welding shop.		
Art, Pottery and Stained Glass Studio (w/or w/out retail sales)		2 per 1,000 NSF for studio and 3 per 1,000 NSF for retail sales
GOVERNMENT AND INSTITUTIONAL USES		
<i>Government Services</i> including the following: courthouse, government offices, police station, city jail, fire station, post office	2 spaces per 1000 NSF	5 per 1,000 NSF
Maintenance Shop		2.5 per service bay
<i>Educational Services</i>		
College, University, Vocational, Technical and Business School		3.3 per 1,000 NSF
Elementary & Jr. High		4 spaces per classroom plus 1 space per employee
High School		5 spaces per classroom plus 1 space per employee
<i>Other</i>		
Houses of Worship		1 space per 3 seats
RECREATIONAL		
Baseball, Football and Soccer fields	No minimum	1 space for each 4 fixed seats (18 inches on a bench or bleacher is considered a seat), and 1 per 100 sq. ft. of assembly area not containing seats
Golf Course w/ or w/out Pro Shop, Restaurant, etc.		1 per 2 persons based on maximum occupancy and 1 per employee at maximum shift
Golf Driving Range		2 spaces per practice tee
Neighborhood Park and Picnic Area		2 per picnic table
Shooting Range		2 spaces per practice station
Swimming Pool (Public)		1 space for each 3 fixed seats (18 inches on a bench or bleacher is considered a seat), 1 per 150 sq. ft. of water area.

LAND USE (NSF: Net Square Footage)	MINIMUM NUMBER OF PARKING SPACES REQUIRED	MAXIMUM NUMBER OF PARKING SPACES ALLOWED
Tot lot/Play area		none
Trail Head in Urban Open Space		Regional: 100 cars Multi-Purpose: 25 cars
Zoological Park and Garden		2.5 per 1,000 NSF of observation buildings plus 1 per employee at maximum shift
OTHER		
Helistop (as accessory use only)	No minimum	15 per 1,000 NSF of terminal/passenger area

3.5 Bicycle Parking

A. Table of Bicycle Parking Spaces

At the time of new construction or a Change in Use, the applicant shall provide bicycle parking areas as specified below.

LAND USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED
RESIDENTIAL Single Family Attached Multi-family	No spaces required No less than 2.0 spaces for entire multi-family project; .15 spaces/bedroom
OFFICE RETAIL INDUSTRIAL	No less than 2.0 spaces 1.0 space per 10,000 sq.ft.
CIVIC Non-Assembly Assembly	No less than 2.0 spaces 1.0 space per 15 employees No less than 2.0 spaces 1.0 space per 20 employees
SCHOOL Elementary through High School University	No less than 2.0 spaces 1.0 space per 20 students No less than 2.0 spaces 1.0 space per 10 students

B. Exception

The Master Developer may reduce the number of required bicycle parking spaces provided, as determined by the Designated Official, by demonstrating an adequate number of unused spaces exist within the Neighborhood.

4.0 Parking Districts

4.1 Intent

The intent of the requirements for the Parking District is to:

- A. Provide adequate vehicular and bicycle parking for uses within the Parking District.
- B. Shift from car focused to a pedestrian-oriented and Park Once philosophy.
- C. Take advantage of surrounding transit and other facilities, such as those for the bicycle.
- D. Provide incentives to encourage a transition from surface parking to structured parking.
- E. Share parking, so it is used efficiently and space devoted to parking is minimized.
- F. Allow flexibility in the timing of parking construction, so that its construction can be efficient and related to construction phasing and demand for parking.

4.2 District Establishment

The Project is composed of two Parking Districts separated by SR-900: Hyla Crossing District and Rowley Center District. Other properties may be added to these Districts. In an Expansion Area's adoption process, a new property added to the Project shall be associated with an existing District, or establish a new one.

4.3 Tracking District Parking

The vehicular and bicycle parking in each District will be tracked on a District-wide basis. The purpose of the Parking District Tracking is to ensure neither an under or oversupply of parking is available. Tracking will account for all parking within the district including vehicular parking located in surface, on-street, structures, etc.; and bicycle parking located in racks, lockers, rights-of-way, private access, etc.

A. *Parking District Tracking of Motorized Vehicles:*

When submitting a proposal for land use or construction approval, or a change of use, the Master Developer shall provide a Tracking Chart for all existing and proposed vehicular parking in the District.

1. For any use existing at the time of the Development Agreement's adoption, the Tracking Chart shall indicate for each existing use the number of existing vehicular parking stalls associated with that use. If no change is proposed for that existing use, the applicant or Master Developer shall not be required to modify the existing uses' number of vehicular parking stalls.
2. With each proposal for any new land use permit, construction permit, or change of use after the adoption of the Development Agreement, the Tracking Chart shall indicate the following information on parking stalls using Table 3.4 above. In addition, for any previous land use, construction, or change of use permit approved subsequent to the adoption of the Development Agreement, the Tracking Chart shall indicate the same

information on parking stalls associated with that permit:

- Maximum Allowable Parking Spaces.
 - Minimum Allowable Parking Spaces.
 - Proposed/Constructed Parking Spaces.
3. With the first land use, construction or change of use permit subsequent to the approval of the Development Agreement, the Master Developer and City will develop a mutually satisfactory Tracking Chart:
The Tracking Chart shall calculate the total existing Parking District spaces as well as the proposed project's parking based on Sections 4.3.A.1 and 4.3.A.2, so as to determine that the District Parking is sufficient for the proposal. Following the initial development of the chart, the Tracking Chart's format and methods may be modified, if mutually agreeable to both the Master Developer and City.
 4. When reviewing the sufficiency of the parking proposed with a land use, construction, or change of use permit:
 - a. If the total Parking District spaces are between the total minimum and maximum allowable parking spaces, the proposal's parking is sufficient.
 - b. If the Parking District spaces are less than the District's total minimum allowable parking spaces, the applicant must either increase the parking provided or apply to use parking credits as provided in Section 4.5 below.
 - c. If the Parking District spaces are more than the District's total maximum allowable parking spaces, the applicant must either decrease the parking provided or use Modification(s) as provided in Section 4.4 below.

B. *Parking District Tracking of bicycles:*

When submitting a proposal for land use or construction approval, or a change of use, the Master Developer shall provide a Tracking Chart for all existing and proposed bicycle parking in the District. Using a similar approach as shown in Section 4.3.A for vehicular parking, bicycle parking shall be counted for:

- uses existing prior to the Development Agreement
- for previously approved land use, construction, or change of use permits approved subsequent to the Development Agreement
- bicycle parking included in the proposal.

The total of the existing, previously approved, and proposed bicycle parking must meet or exceed the total of the existing, previously approved, and the minimum parking as required by Section 3.5 above.

4.4 Modification of Maximum District Vehicular Parking:

If the Parking District spaces exceeds the District's maximum allowable parking spaces, the Applicant must take one or more of the following actions. If by taking one or more of the actions in this section, the Parking District spaces are equal to

or less than the maximum district parking, the proposal's parking will be approved:

- A. Remove a portion of the existing, previously approved, or proposed surface parking.
- B. If the existing, previously approved, or proposed parking includes a structured parking facility or electric vehicle charging stations, those parking stalls may be subtracted from the Parking District spaces, when calculating the maximum district parking.
- C. The Designated Official may approve other actions, consistent with the intent of this Appendix.

4.5 Modification of Minimum District Vehicular Parking:

The applicant may receive reductions to the Parking District's minimum allowable parking spaces in one or more of the following methods. Note that methods 4.5.A through 4.5.E as well as 4.5.G do not require a Transportation Demand Management Study as described in Section 4.5.F:

- A. *Shuttle*: The majority of customers or employees arrive by shuttle service. The credit will be determined by the Designated Official based on the information provided by the Applicant.
- B. *Valet*: The majority of customers use valet parking. The credit will be determined by the Designated Official based on the information provided by the Applicant.
- C. *Transit Access*: Buildings with a primary pedestrian entrance within 1300 ft of the Issaquah Park and Ride may reduce their required parking by 20% without a parking study. See Section 4.5.F for additional reductions in response to a Parking Study.
- D. *Improved Transit Access*: Certain other buildings with enhanced pedestrian routes may also reduce their parking requirements if measures as specified below are taken along the pedestrian route to the Issaquah Park and Ride:
 - 1. A building with a primary pedestrian entrance greater than 1300 ft from the Issaquah Park and Ride may reduce their required parking by 20% with enhanced pedestrian route measure;
 - 2. A building with a primary pedestrian entrance within 1300 ft of the Issaquah Park and Ride may increase the reduction of required parking to 30% with enhanced pedestrian route measures.
 - 3. All of the following enhanced pedestrian route measures would be required for the Applicant to receive the parking reductions identified in this subsection:
 - a. generally continuous weather protection (75% of property frontage not including crossings of vehicular routes);
 - b. continuous, direct, and pleasant sidewalks or walks consistent with Appendix E (Circulation);
 - c. generally continuous street lighting; and,
 - d. minimized and/or enhanced pedestrian crossings of vehicular routes.

- E. *Small Business Waiver:* A business which is less than or equal to 3,000 sq.ft. in NSF and which meets the following criteria will have its parking requirement waived. A business which is more than 3,000 NSF and which meets the following criteria receives a waiver for the first 3,000 NSF. The criteria are:
1. It is located adjacent to a pedestrian facility;
 2. It is visible (as defined in Appendix L, Signs) from a pedestrian facility; and,
 3. It has its primary pedestrian access from a pedestrian facility.
A pedestrian facility is defined as a Sidewalk or Tread as established in Appendix E (Circulation).
- F. *Transportation Demand Management Study:* The Master Developer may receive additional reductions in required parking with a Study looking at multiple comparable projects in the Pacific Northwest. The Transportation Demand Management Study must be performed by a traffic or parking professional selected jointly by the City and the Master Developer or Applicant. Additional required parking reductions may be received for some or all of the following as well as other reasonable criteria accepted by both the City and the Master Developer and verified through the Study:
1. Demonstrable pedestrian, bicycle, or mass transit use by employees, residents, or customers which replaces automobile use.
 2. Density of over 12 du/acre.
 3. Income restricted housing under 80% of Average Median Income
 4. Presence or provision of basic daily uses within 1300 ft such as grocery/corner store, drug store, and child care; and/or weekly uses such as bank, convenience store, restaurant, theater.
 5. Transit Access reduction beyond 20%.
- G. *Off-Site Shared Parking*
1. *Purpose:* The purpose of shared parking is to efficiently use parking resources where the potential for shared parking with abutting land uses has been analyzed and to efficiently use parking facilities for more than one (1) use, specifically uses whose prime hours of operation do not overlap. The intent of this provision is to decrease the amount of parking provided for a specific use by sharing adjacent underutilized parking facilities. As each Parking District has a District Shared Parking Agreement as described in Section 4.6.B, this Section 4.5.G is for Shared Parking outside of the Project, for example between the Project and adjacent properties and/or between the Master Developer and third parties or the City.
 2. *Review for Shared Parking:*
 - a. Existing Buildings: Shared parking may be approved administratively by the Designated Official for existing buildings through Administrative Review in Permitting (Appendix O);
 - b. New projects/buildings: Shared parking for new projects or buildings does not require a separate review process, and may be approved within the site plan review process under which the project is being reviewed.

- c. Shared parking will only be permitted if prime hours of operation do not overlap, or if the overlap is less than one-half hour. Prime Hours of Operation are defined as: The time span during which a business or facility has its highest level of activity from employees, clients, customers and/or other users.
3. *Spaces Required:* Number of spaces required for shared parking:
If the businesses have non-overlapping prime hours of operation as defined in Section 4.5.G.2.c, the property owner(s) shall provide parking spaces equal to those required of the business with the greater of the applicable individual parking requirements.
4. *Approval Criteria for Shared Parking:* Shared parking for businesses with non-overlapping prime hours of operation may be approved if all of the following approval criteria are met:
- a. Location: The location of the parking facilities must be:
 - i. Generally within a reasonable walking or sight distance or otherwise associated with the uses which are involved in the shared parking contract. It may not be more than eight hundred (800) feet from the property line of the business it is serving; and
 - ii. Parking facilities are permitted outright, or through a specific site plan review process.
 - b. Pedestrian Connection: A convenient pedestrian connection shall be provided between the shared uses and the parking facilities. This pedestrian connection shall be designed as barrier free and built with appropriate lighting and safety considerations.
 - c. Signage: The availability of parking for each use is indicated by directional signs governed by the Signs Standards in Appendix L.
 - d. Shared Parking Contract: A contract is enacted, signed by all the owners/operators of the shared uses and the City, which provides for City enforcement. The shared parking contract shall:
 - i. Provide that the land comprising the required shared parking facilities shall not be encroached upon, used, sold, leased, or conveyed for any purpose except in conjunction with the building or use which the required parking serves, so long as the shared parking facilities are needed;
 - ii. Indicate Prime Hours of Operation for shared uses;
 - iii. Assign maintenance provisions for the parking facilities and landscaping;
 - iv. Designate potential times of overflow, and a parking plan which will be implemented in the event of overflow; and
 - v. The parking contract approved by the Designated Official shall be filed with the deed of the parcels involved, so that the agreement is binding upon successors.
 - e. Contract Changes: Changes to the contract, or a redrafting of the original enacted contract must be reviewed and approved through the Administrative Review process before the shared parking contract is

within compliance of this Appendix. Termination of this contract may occur through an approval through Administrative Review.

4.6 Use of District Vehicular Parking

A. All vehicular parking spaces within a Parking District should be shared and not assigned, including on-street, surface, and structured parking, except for parking that meets a code requirement (such as 4.6.A.1 and 4.6.A.2 below) or that improves the efficiency or space utilization of parking (such as 4.6.A.3 through 4.6.A.5 below):

1. Designated parking spaces exclusively for the disabled shall be provided in compliance with the International Building Code, The Federal Accessibility Guidelines, and/or State regulations.
2. Loading spaces, as required by this Appendix F (Parking), shall be set aside exclusively for loading purposes during designated hours of use established by the Designated Official. These hours shall be identified during Land Use and construction permit review.
3. Carpool, vanpool, car sharing,(zip-car), and other High Occupancy Vehicle parking associated with a Transportation Management Plan (TMP) per the MTFPA in Appendix Q, or as approved by the Designated Official.
4. Designated alternative fuel vehicles, electric vehicle parking or charging stations.
5. Tandem Parking as specified in Section 5.3.C.2.
6. Other specialized parking that must be designated to be effective, functional, and/or successful, and approved by the Designated Official.

A small percentage of the parking spaces in the Parking District may be reserved to facilitate attracting a particular tenant; however, in general the use of reserved parking will thwart the success of a Park Once Parking District, thus interfering with achieving the Project vision.

- B. With the first permit for construction within each District, the Master Developer must execute and record a District Shared Parking Agreement for the District allowing uses within the District to share the parking located within the District, including surface, on-street, and structured parking. The District Shared Parking Agreement must run with the land and thus must have a provision that it cannot be revoked or modified to exclude buildings, properties, businesses, or uses within the District without the Designated Official's approval, such as the above exemptions. The District Shared Parking Agreements must also be applicable to Successors and Assigns. The District Shared Parking Agreement in this Section 4.6 will not use the criteria and other provisions of Section 4.5.G.
- C. The Master Developer may terminate the District Shared Parking Agreement with the sale of a property to a third party. At that time, the property being removed from the District Shared Parking Agreement, as well as any parking that is reliant on that property for Shared Parking, shall demonstrate that they have all code required parking on-site or can provide another code allowed method for providing parking.

- D. It is the Master Developer’s right and responsibility to implement parking management techniques and strategies, beyond those required in this Development Agreement to achieve the Agreement’s parking objectives, such as: tenant, employee, and resident education; on-line tools for ride match, shared facilities, interactive facility maps, resources, etc.; parking cash out; un-bundled parking; parking fees and metering including parking on private streets; priority parking for carpools, electric vehicles, etc. (except as required or negotiated as part of a TMP, see Appendix Q, MTFA); car and bike sharing; constructing a quality pedestrian and bicycle environment within the Districts; etc.

5.0 Parking Tools

5.1 Intent

The purpose of the Parking Tools are to provide methods, incentives, techniques that will enable each District to decrease the reliance on the automobile, diminish the percentage of land dedicated to parking, and reduce the amount of parking needed to support the Project’s uses while providing adequate parking for the District’s uses and users.

5.2 Parking Stall Sizes and Use

- A. Three parking stall sizes are available: standard, compact, and micro. See Section 11.0 for dimensional standards. Standard parking stalls may not exceed the dimensions listed in Section 11.0. Any stall whose dimensions are less than the Standard stall in one or both directions, but no less than the Compact stall size listed in Section 11.0, are considered Compact stalls. Any stall whose dimensions are less than the Compact stall in one or both directions, but no less than the Micro stall size listed in Section 11.0, are considered Micro stalls. Stalls smaller than Micro may be provided for motorcycles; however, they do not count toward meeting the required parking provisions.
- B. Required parking may choose the following mix of parking stalls sizes:
 - Standard stalls: up to 100% of total required parking
 - Compact stalls: up to 50-60% of total required parking (as determined by the Designated Official).
 - Micro stalls: up to 5% of total required parking
- C. Locational criteria for compact and micro stalls is as follows:
 - 1. Compact and Micro stalls may not be located on a fire lane unless their length is equivalent to a standard stall; OR, for single loaded parking, the stall length and the fire lane width is equal to at least 37 ft. with two lanes that are a minimum of 9 ft wide; for double loaded parking, both stall lengths and the fire lane width is equal to at least 56 ft. with two lanes that are a minimum of 9 ft wide; or, as otherwise approved by Designated Official.
 - 2. Parking spaces which are closest to the building’s entrances are not compact spaces.

- D. For both Structured and Surface Parking, drive aisles widths are linked to stall angle and stall lengths. Specified drive aisle widths given in Section 11.0 are the maximums, except as follows:
1. Where stalls of various sizes are mixed along a drive aisle, the largest drive aisle width associated with the largest stall size present is required.
 2. For design simplicity the parking layout may continue the use of the larger drive aisle in certain circumstances, e.g. where a drive aisle transitions from one stall size to another, structural columns placement, or similar situations.

5.3 Tandem Parking

- A. *Purpose:* The purpose of tandem parking is to allow flexibility in the parking provisions, which provides for a more attractive streetscape and pedestrian-friendly environment by more efficiently using the land.
- B. *Approval Criteria for Residential:* Tandem parking may be permitted for up to fifty percent (50%) of the total residential parking requirement if all of the following criteria are met:
1. Each residential unit may have only one (1) tandem parking stall (equaling two (2) parking spaces) for each dwelling unit or for each multi-family unit requiring two (2) parking spaces;
 2. Ingress and egress for the tandem parking stalls do not interfere with the safety of residents or adjacent property owners, and the functionality of adjacent parking;
 3. Shared Residential Structured or Surface Parking Design Standards:
 - a. Tandem parking stalls are permitted when their size equals two (2) standard stall dimensions, i.e. 9 ft by 37.5 ft.
 - b. Tandem parking stalls may be allowed on a case by case basis when their size equals the combination of a standard stall and a compact stall, i.e. 9 ft by 35 ft. In reviewing the proposal, the Designated Official shall consider the possible impacts of allowing the reduced tandem stall size, including the amount of tandem parking in relationship to side by side parking or on-street parking; the amount of overall parking; the width of the drive aisle.
 4. Individual Private Residential Garage Design Standards & Review Process:
 - a. Garage door width: 9 feet preferred; 8 feet, minimum
 - b. Tandem garages in individual, private residences are permitted outright when they are greater than 9 feet by 37.5 feet, and when storage space is provided in the garage area for items which typically occupy garage space (e.g. bicycles and other gear). Applicants are required to provide storage space when tandem garages are greater than 37.5 feet in length.
 - c. Tandem garages in individual, private residences which are less than 9 feet by 36 feet are permitted on a case-by-case basis, with the following minimum considerations:
 - i. No tandem parking garage shall be permitted which is less than 9

feet by 32 feet.

- ii. The associated residential unit is small and has no more than two bedrooms.
5. Additional District parking spaces may be required if the percentage of tandem parking spaces is increased beyond the standard percentage at a ratio (proposed tandem parking spaces in garages vs. extra District parking spaces) to be determined by the Designated Official, so long as this additional parking does not negatively impact public safety.
 6. Parking spaces are assigned to each unit;
 7. Adequate guest parking is provided; and
 8. Tandem parking shall not be used for the storage of boats, trailers, recreational vehicles, or materials.
 9. For calculating the percentages of allowed compact and standard parking: Tandem parking less than 37.5 feet in length is equivalent to one standard and one compact parking space; tandem parking equal to or greater than 37.5 feet in length is equivalent to two standard parking spaces.
- C. *Approval Criteria for Retail and Commercial:* Because of the need for individual occupants to coordinate parking on a large scale, tandem parking is permitted only for employees and then only if all the following criteria are met.
1. No more than twenty-five (25) tandem parking stalls (equaling fifty (50) parking spaces) may be provided;
 2. Parking spaces are assigned to all employees;
 3. Tandem parking stalls must be of standard size with an overall tandem stall size of 9 ft x 37.5 ft;
 4. Adequate visitor parking is provided; and,
 5. Tandem parking shall not be used for the storage of boats, trailers, recreational vehicles, or materials.
- D. *Exception for Retail and Commercial Customers:* Tandem parking is permitted for customers of retail and commercial uses if all of the following criteria are met during business hours:
1. Valet parking is provided for customers;
 2. Tandem parking spaces for customers are available only for valet parking use; and,
 3. Retail and commercial approval criteria 3, 4, and 5 in Section 5.3.C are met.
- E. Tandem parking is permitted at vehicle repair shops when valet parking is provided for customers.
- F. Tandem parking in residential development may not have more than two cars in a row. Tandem parking in retail and commercial may have more than two cars in a row when parking has an attendant or valet, and is reviewed by the Designated Official.

6.0 Barrier-Free Spaces

The property owner shall provide parking in accordance with the International Building Code (WAC Chapter 51-50, Chapter 11), as currently written or amended. These parking requirements shall not be calculated as additional parking stalls to the requirement established in the Table of Parking Spaces (Section 3.4).

7.0 Loading Spaces

7.1 Purpose of Required Loading Spaces

The purpose of requiring loading spaces is to provide for adequate room on-street or on-site for the loading and unloading of commercial vehicles which are associated with the proposed development.

7.2 When Required

Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient loading and unloading area shall be provided to accommodate the delivery or shipment operations in a safe and convenient manner.

7.3 Loading Space Requirements

- A. *Shared Loading and Maneuvering Space:* Multiple uses which do not have conflicting loading times may share loading spaces and maneuvering space. Shared loading and shared maneuvering spaces are subject to Administrative Review.
- B. *On-Street Loading Spaces:* A use which requires one (1) Type A loading space and is serviced by vehicles which are no more than twenty (20) feet in length may use an on-street loading space. On-street loading spaces are subject to Administrative Review.
- C. *Change or Expansion in Current Use:* When a change of use is proposed for an existing structure, required loading shall be provided, according to the loading standards within this section. If the proposed use requires more loading than the previous use, the applicant shall provide additional loading space as an approval condition of development, unless the applicant can provide information showing that the use has adequate loading.
- D. *Other Parking Requirements:* No area allocated to loading and unloading facilities may be used to satisfy the other parking requirements of this Appendix, nor shall any portion of any other parking requirements of this Appendix be used to satisfy the area requirements for loading and unloading facilities, except for the maneuvering and circulation portions of such areas.
- E. *Signage and Hours:* Loading areas shall be signed. Hours of use shall be established through Administrative Review. If a Loading Space is not necessary during certain hours or days based on the use it serves, the Loading Space may be available for general parking; however, 8.3.d is still in effect.

- F. Size: All required loading facilities shall be designed such that vehicles engaging in loading or unloading activities shall not interfere with the public use of streets, alleys or sidewalks. Maneuvering space of not less than fifty-two (52) feet in length shall be provided abutting the loading dock, and this maneuvering space shall not include any area designated or used for off-street parking, storage or trash dumpsters.
- G. Types: Type A Loading Space shall be at least twenty-five (25) feet in depth and ten (10) feet in width, except that on-street loading spaces may be the width of adjacent parallel parking as established by Circulation (Appendix E). Type B Loading Space shall be at least fifty (50) feet in depth and twelve (12) feet in width.
- H. Overhang: All buildings with overhangs that project over loading spaces shall have a vertical overhang clearance of not less than fourteen (14) feet, exclusive of access aisle, platform or maneuvering area.
- I. Fraction: If the calculation for the number of loading spaces results in a fraction, the number or required spaces shall be rounded up or down to the next whole number using the method identified in Section 3.1.B.

7.4 Computation of Required Loading Spaces

Table 1 Computation of Required Loading Spaces		
Type of Use	Type A	Type B
Commercial: 30,000 net sq.ft. (nsf) or less		
Retail, Restaurant, etc.	<ul style="list-style-type: none"> 1 loading for first 10,000 sf 1 loading space for next 20,000 nsf 	
Office	<ul style="list-style-type: none"> 1 loading space 	
Commercial: More than 30,000 net sq.ft. (nsf)		
Retail Restaurant, etc.	<ul style="list-style-type: none"> 1 loading space per 30,000 nsf 	<ul style="list-style-type: none"> 1 loading space per 30,000 nsf
Office	<ul style="list-style-type: none"> 1 loading space per 30,000 nsf 	
Multifamily and/or Lodging		
20 - 40 units*	<ul style="list-style-type: none"> 1 loading space 	
More than 40 units*	<ul style="list-style-type: none"> 2 (total) loading spaces 	
Schools		
Elementary, Junior and Senior High, and others having food service	<ul style="list-style-type: none"> 1 loading space per food service operation 	

8.0 Stacking Spaces/Drive-Through Window Facilities

A stacking space shall be an area measuring eight (8) feet by twenty (20) feet with direct forward access to a service window of a drive-through facility. Individual spaces within the lane may not be delineated with pavement markings. Stacking lanes may not block a pedestrian route. Stacking spaces may count toward the minimum required parking spaces, but would not count toward the maximum.

9.0 Structured and Surface Parking Design and Construction Standards

9.1 Purpose

The purpose of design and construction standards for Structured and Surface parking is to provide safe access and parking areas for vehicles, as well as safe access from parking spaces to the specific use for persons using the parking.

9.2 General Design and Construction Standards

- A. *Dimensions:* The dimensional requirements for Structured and Surface parking, including the size of standard, compact, and micro parking spaces and drive aisles are provided in Section 11.0 below.
- B. *Surface Parking Lot Materials:* Single family residential uses are not required to pave and stripe their parking and circulation areas. All other parking and circulation areas must be hard surfaced, consistent with the City of Issaquah's current construction standards for parking lots. Turf-block or other similar alternative surface may be permitted only if all of the following approval criteria are met:
 - 1. **Barrier Free:** Those portions of the parking and pedestrian area are surfaced according to barrier free regulations.
 - 2. **Access to Right-of-way:** At least twenty (20) feet of the initial vehicular entrance leading to all the right-of-ways are paved in order to minimize any dust, gravel or other material from being transported from the parking area to adjacent streets or alleys;
 - 3. **Character/Location:** The alternative surface may be appropriate because of the character of the use and/or the character of the location; and,
 - 4. **Parking Standards:** The alternative surface meets all other parking standards, excluding striping but including landscaping and screening.
- C. *Marking:* The property owner shall identify required parking stalls, stall types, directional arrows and crosswalks within parking areas using paint or other methods approved by the Designated Official. Display areas which are not required parking areas, such as a car dealership or rental display area, are not required to be marked as individual stalls.
- D. *Driveways:*
 - 1. **Location and Design:** The location and design of driveways shall be reviewed by the City in accordance with the City's driveway construction standards found in Issaquah's Street Construction Standards; however, driveways will also be designed and sized to prioritize Pedestrian Friendliness while maintaining functionality for vehicles.
 - 2. **Combined Driveways:** The owners of adjoining properties shall provide combined driveways wherever practical. In conjunction with approval of a development, the City may require a property owner to provide an access and circulation easement to an abutting owner where joint access is reasonable to serve future development.
- E. *Wheelstops:* When wheelstops are provided, they shall be positioned eighteen (18) inches into the parking stall. Wheelstops shall not be used in conjunction with curbs. Parking shall use one or the other method to ensure cars are contained within the parking lot and that cars do not overhang into areas not intended for parking such as walkways or planting areas, except as allowed in Section 9.2.F. below.
- F. *Parking Stall Length in Surface Parking or non-parallel parking:* Parking stalls which have low landscape or additional hardscape (by moving the curb) at the head of the stall, may reduce the paved portion of the stall length by 2 ft as long as the vehicle can hang into the landscape or hardscape by 2 ft without reducing or impacting pedestrian walkway widths or the proposed landscape.

Landscape in appropriate locations may be counted to the 10% of parking lot landscape requirement, as identified in Appendix G (Landscaping), Section 7.1.B. Vehicle overhang must be indicated on all construction drawings using this technique.

- G. *Inner Circulation Required:* Vehicle circulation for all off-street parking areas on the site shall be contained within the proposed parking lot or structure.
- H. *Lighting:* See Appendix B (Design Guidelines), Section 9.1 for Lighting.

9.3 Internal Pedestrian Walkways Standards

- A. *Provision and Location:* Safe pedestrian circulation through the parking area (Structured or Surface Parking) is a major factor for a successful parking layout. The Property Owner shall provide internal walkways within the parking area and around the building to the extent necessary to assure safe access to the building from the parking area, abutting properties, and pedestrian routes such as Circulation facilities, Community Spaces, etc. All required internal walkways must be located and constructed as an integrated part of existing sidewalks and pedestrian trails, and must coordinate with City plans for pedestrian circulation.
- B. *Lighting and Marking:* The internal pedestrian walkways are required to be marked either with contrasting material or marking, including but not limited to white concrete in an asphalt area, visually obvious paint stripes or other clearly defined pattern. Night lighting must be provided where stairs, curbs, ramps, abrupt changes in walk direction and crossing vehicle lanes occur. See Appendix B (Design Guidelines), Section 9.1, for more information on Lighting.
- C. *Standards:* Pedestrian walkways within parking areas shall be a minimum five (5) feet in width.

9.4 Landscaping and Screening Standards

The property owner shall provide landscaping and screening as required in the Landscape Standards (Appendix G), which includes non-plant material screening for Structured Parking.

9.5 Time of Completion

- A. *Prior Installation of Required Parking:* All parking improvements including striping and graphics required by this Appendix shall be installed prior to any change in the use of land or structures and prior to the occupancy of any new or enlarged structure.
- B. *Delay of Installation:*
 - 1. *Delayed Parking:* Upon approval of the Designated Official, completion of the affected portion of the required parking improvements may be delayed due to inclement weather or poor soil conditions (e.g., settling of fill). Requests for such delays shall be submitted in writing and shall explain the reason for the request and an estimated completion date for the

improvements. No delay shall be longer than six (6) months, and all approved delays shall be bonded pursuant to the City's estimate of the value of the delayed improvements.

- C. *Phasing*: In the event the project is phased, the Designated Official has the right to apply additional conditions with Building or Utility Permits to ensure each phase complies with the Development Agreement, such as but not limited to access, fire circulation, parking, and landscaping requirements including site stabilization.
- D. *Phased Occupancy*: In the event that a building is occupied in phases, the Property Owner and Designated Official may determine that only a portion of the required parking is necessary with each phase. The calculation shall be based on the parking as calculated and/or modified by this Appendix. However, all parking shall be constructed and completed by final Certificate of Occupancy or final Tenant Improvement, whichever is later. The City may require a bond for any portion of the parking which is delayed.
- E. *Maintenance*: Prior to completing a project or during a Delay of Installation, interim landscape shall discourage invasive plants from sprouting and establishing. Routine maintenance of these areas will look for and remove invasive plants.

9.6 Exceptions

Produce stands, Outdoor Vendors such as food carts and trucks, and Christmas tree stands are exempt from obtaining a Special Events Street Use Permit for parking; however, they shall be processed through Administrative review per Appendix O (Permitting).

10.0 Administrative Modification of Parking Standards

10.1 Modifications of Parking Spaces

Modification of the required number of parking spaces shall use the criteria and methods identified in Section 4.0. Approval criteria for the administrative modification of other parking standards are as follows:

- A. *Purpose*: The proposal is consistent with the Project purpose and vision including priority for pedestrian orientation and creation of a Sociable Public Realm.
- B. *Access*: The proposal will not create negative impacts to the abutting properties or right-of-ways, dedicated tracts, or easements;
- C. *Compatibility*: The proposal is compatible with the character of the surrounding properties and their parking facilities;
- D. *Intent*: The modification of the standards will be equal to, or superior in, fulfilling the intent and purpose of the original requirements;
- E. *Safety*: The proposal does not negatively impact any safety features of the project, nor create any hazardous features; and,
- F. *Services*: The proposal will not create negative impacts to public services, including fire and emergency services.

10.2 Case by Case Modifications

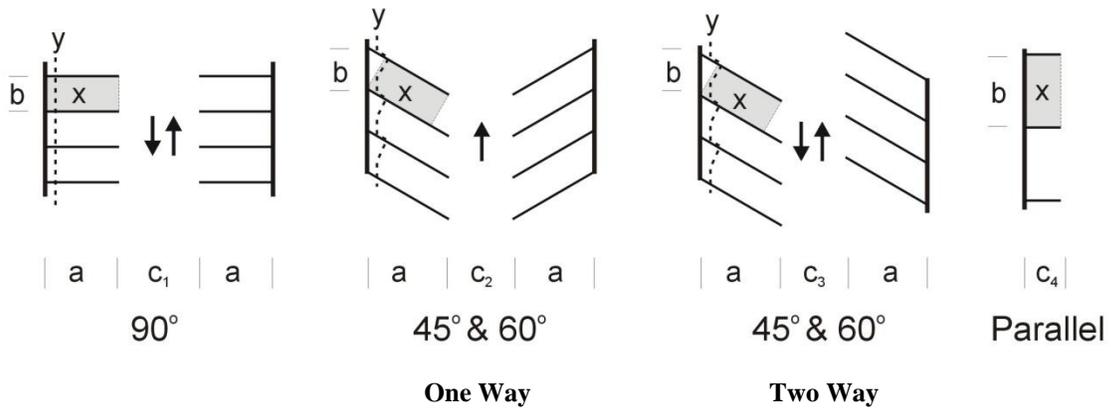
The following potential modifications were identified for consideration on a case by case basis:

- A. The Applicant may propose a different percentage of stall sizes than is specified Section 5.2.B. based on the evolution of car sizes and information on the mixture of cars.
- B. Section 5.3, Tandem Parking, may be modified to incorporate changes in technology such as “stackers” which allow vertical stacking of cars where garages have sufficient ceiling heights.

11.0 Structured and Surface Parking Stall and Drive Aisle Dimension Standards

The following diagram and table describes the dimensions and configurations for parking stalls and drive aisles in either parking lots or structured parking.

11.1 Sizes and Configurations



		x	a	b	c₁	c₂	c₃	c₄
Standard	90°	18.5' x 9'	18.5'	9'	24'	-	-	-
	60°	18.5' x 9'	20.5'	7'	-	16'	22'	-
	45°	18.5' x 9'	19.5'	6.5'	-	12'	20'	-
Compact	90°	16' x 8'	16'	8'	22'	-	-	-
	60°	16' x 8'	18'	7'	-	16'	20'	-
	45°	16' x 8'	17'	5.5'	-	12'	20'	-
Micro	90°	12' x 7'	12'	7'	18'	-	-	-
	60°	12' x 7'	14'	6'	-	16'	18'	-
	45°	12' x 7'	13.5'	5'	-	12'	18'	-
Parallel		20' x 7'	-	20'	-	-	-	7'

11.2 Table Notes

The following provide notes and additional information for using the information in [Section 11.1](#).

- A. See Section 5.2 for additional information on the use of the various stall sizes.
- B. *Bumper Overhang*:
 - 1. On the diagrams, “y” is the bumper overhang.
 - 2. See [Section 5.2.F](#) for additional information on bumper overhang.
 - 3. Generally it is assumed bumper overhang is 2 ft however with certain angles and certain size vehicles, a larger or smaller overhang may actually exist. The Master Developer may provide additional information on the actual configuration so the Designated Official may determine if another overhang dimension would be appropriate with the proposed configuration.
 - 4. This area may be used for walkway extension, alternative materials, landscaping, or rain garden per [Section 5.2.F](#). Unless wheelstops are used, the area may not be asphalt. See [Section 9.2.E](#) for more information on wheelstops. In any case this area must be protected so that cars may not continue driving into this area.
- C. Drive aisles that will not be used by cars for backing will be limited to 18-20 ft wide for two way traffic and 14 ft for one way traffic.

APPENDIX G – LANDSCAPING STANDARDS

Section 1.0	Purpose and Intent
Section 2.0	Scope
Section 3.0	Landscape Plan
Section 4.0	Maintenance
Section 5.0	Landscape Requirements for Circulation Elements
Section 6.0	Landscape Requirements for Community Spaces
Section 7.0	Landscape and Decorative Requirements for Parking Areas
Section 8.0	Fences
Section 9.0	Preservation of Trees
Section 10.0	Landscape Requirements and Specifications
Section 11.0	Administrative Modification of Standards
Section 12.0	Construction Details

1.0 Purpose and Intent

The purpose and intent of this Appendix is to encourage attractive, healthy landscapes on certain portions of public and private property in the Project and serve as general minimum standards in describing the extent of beautification desired. These standards are not intended to impose rigid and inflexible standards upon either the designer or the site plan; rather, they are to serve as general minimum standards. This Appendix provides guidance regarding appropriate types of landscaping to achieve the Goals (Appendix A) and Design Guidelines (Appendix B).

Minimum requirements and standards are established to:

- A. Create a Sociable Public Realm that helps to define the character and image of the Project;
- B. Promote safety and provide privacy within the context of a socially gregarious community;
- C. Support a pedestrian and bicycle oriented environment;
- D. Provide safety to pedestrian and vehicular traffic as well as for property.
- E. Promote wise and efficient use of potable water resources;
- F. Protect water quality;
- G. Ensure appropriate plant material selection and spacing for proposed locations and uses.

2.0 Scope

2.1 Application of Provisions

The provisions of this Appendix shall apply to all uses in the Project on properties not governed by Appendix J (Critical Areas). This Appendix applies to the Project in lieu of IMC 18.12 (Landscaping and Tree Protection). No other landscape code will be applicable to the Project, except as noted herein, and if consistent with the intent of this Agreement.

2.2 Conformance Requirement

Unless exempted as an Interim/Transitional Use (Appendix M) or in the Main Body, when additions, alterations, or repairs of any existing building or structure exceed fifty percent (50%) of the value of an existing building or structure, such building or structure shall be made to conform to the requirements of this Appendix; provided, however, that if any existing site layout precludes compliance herewith, then the requirements will be waived or modified by the Designated Official, after consultation with a landscape professional jointly selected by the City and Master Developer.

2.3 Site Stabilization

Should any construction site covered by the terms of this Agreement remain cleared and unworked for more than 30 days, the Master Developer shall provide necessary soil coverage to stabilize the site from erosion or the establishment of invasive plants.

3.0 Landscape Plan

Any surficial or above-grade equipment, utilities, or appurtenances not shown as part of the approved landscape plan shall be considered a significant revision and will require a revision to be submitted and approved. Additional planting or other screening elements may be required.

4.0 Maintenance

A. General guidelines for regular maintenance procedures shall be as follows:

TASK	FREQUENCY
Litter Pickup	Weekly ⁽¹⁾
Mowing Turf	Weekly, April through October
Weeding Planting Beds	Monthly or as needed
Sweeping	Sidewalks Weekly, Parking Lots Monthly

(1) Litter pickup shall be weekly, unless more frequent litter pickup is necessary to maintain a clean appearance of landscape areas.

The above guidelines are to serve as a standard for normal expected maintenance operations; however, it is also recognized that the Master Developer will determine the frequency of need for maintenance based on actual conditions, such as variations due to weather conditions, seasonal events, intensity of use, etc.

B. Landscaping installed to meet the requirements of this Agreement must be maintained in perpetuity by the Master Developer or its assignee.

5.0 Landscape Requirements for Circulation Elements

Circulation is one of the primary ways people experience a community. Appropriately incorporating landscape into the streets, mews, trails, walks, and other Circulation facilities will both humanize and achieve the urban character established in the Goals (Appendix A) and Design Guidelines (Appendix B) and as further described in Circulation (Appendix E).

5.1 Street Trees

Street Trees provide shade, visual amenity, and buffer pedestrians and bicyclists from vehicular movement.

A. Street Trees shall be determined by the Master Developer as part of an approved Street Tree Plan. This Plan must be approved by the City prior to approval of the first street

- improvement plan. The Street Tree Plan may be revised as additional or new information regarding the Project is available. Revisions will be handled as follows:
1. Privately owned Circulation elements: the City will be given the option for input and the revised Street Tree Plan provided to the City.
 2. Publicly owned Circulation elements: the City will have approval over revisions to the street trees.
- B. Street trees shall be required along the following circulation facilities: Urban Trail, Mews, Local Streets. Character, type of facility, adjacent uses, a sense of overall comfort and urban design, etc. will determine the appropriate tree appropriateness along other types of circulation facilities .
 - C. Where street trees are required, they shall be provided at 30 ft on center; see Section 11.2.A for circumstances where there may be a modification of tree spacing.
 - D. The use of Root Barrier is encouraged adjacent to privately owned and maintained paved surfaces. The use of Root Barrier is required adjacent to publicly owned paved surfaces such as curbs, streets, sidewalks, alleys, trails, and similar areas.
 - E. Where tree wells are used, they shall be a minimum of 4 ft x 6 ft or equivalent square footage. Where adjacent uses are intense or sidewalks are standard width, tree grates shall be provided; the Master Developer may also choose to use grates for character purposes. If tree grates are provided, grates shall have knock-out rings.
 - F. The Master Developer may also choose to use raised planters for street trees. The planter size shall be based on mature tree size, root structure, and tree health. Placement and design of the raised planter shall consider safety, functionality, and urban design character, such as door swings, visibility, and adjacent uses.

5.2 Landscape in Circulation Facilities

The following requirements apply to landscaped areas in Circulation (Appendix E).

- A. Landscape adjacent to Circulation facilities shall be selected and maintained so as to avoid situations that would be hazardous to safety, visibility, and clearances of users.
- B. All pruning shall be done in accordance with the most recently adopted version of the International Society of Arboriculture Standards.
- C. Circulation corridor plantings shall be compatible with adjacent landscaping in terms of irrigation, maintenance, and style.
- D. Border plantings are allowed to count toward other required landscape elements.
- E. All planting areas shall contain Landscape.

6.0 Landscape Requirements for Community Spaces

Community Space can be large areas such as lakes, ponds, lawns, or game fields, or small spots where plant materials have been installed or preserved. Community Spaces can be active or passive areas that provide recreation, screening, storm drainage and wildlife habitat as well as provide a transition from developed more orderly areas to undeveloped natural areas.

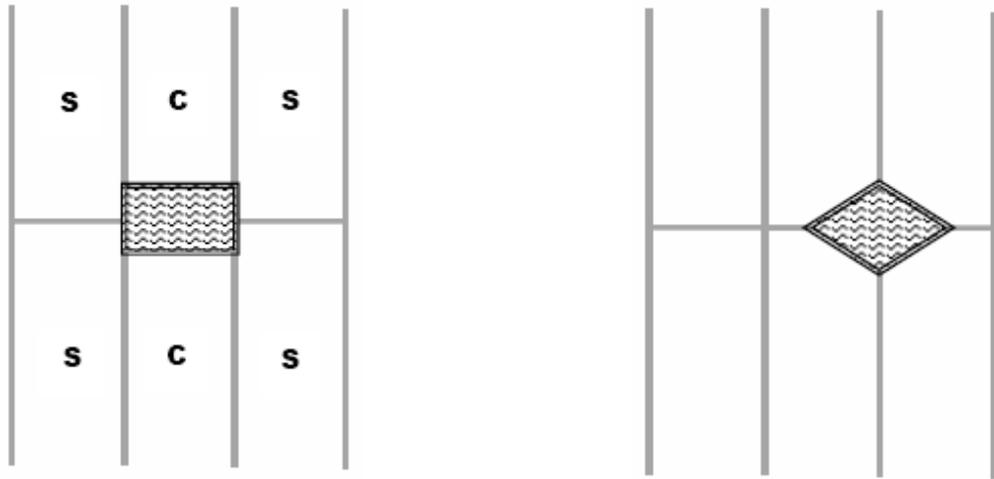
- A. All planting areas shall contain Landscape, installed based on an approved plan.
- B. Temporary structures and portable carts are allowed in Community Spaces. They must provide a minimum of four (4) feet of unobstructed walkway between the cart and the walkway edge for pedestrian movement.

7.0 Landscape and Decorative Requirements for Parking Areas

The purpose of landscaping or decorative elements in association with parking areas is to soften the visual appearance, reduce the impacts on adjacent pedestrians, screen views of parking, add shade, limit the amount of continuous impervious surface, and reinforce safe pedestrian access to buildings and connecting sidewalks.

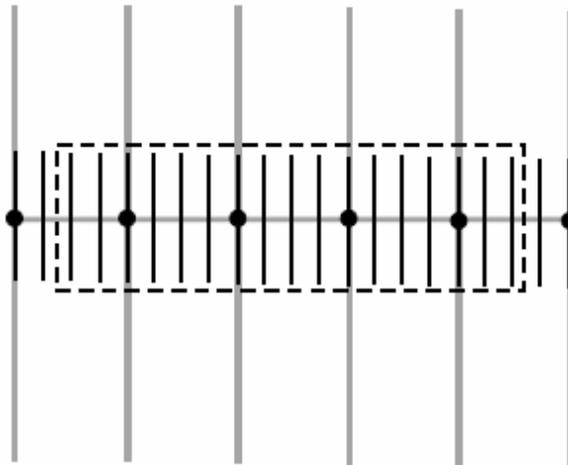
7.1 Regulation of Parking Lots

- A. **Small Parking Lots:** Parking Lots less than a total of 2,300 square feet in size may provide required landscaping area along the edges, rather than in the interior, so long as the following are met:
1. At least one tree for every six stalls shall be provided in the edge landscaping; and
 2. No more than four (4) standard spaces, five (5) compact spaces, six (6) micro spaces, or three (3) ADA stalls (with two associated walkways/loading areas) shall be placed in a continuous row.
- B. **Interior Landscape:** Landscaping in the interior of parking lots is intended to diminish the effects of paving and shall consist of all of the following:
1. One (1) tree for every six (6) parking stalls;
 2. The total of all interior landscaped areas, excluding Edge Landscape as required by Section 7.1.C, shall be equal to or greater than ten (10) percent of the Parking Lot area;
 3. Except where pedestrian access is provided, evergreen living groundcover and/or shrubs shall be spaced to achieve 100% Landscape Coverage in three years;
 4. A landscaped area shall be provided at the end of parking aisles; and
 5. Clustering is permitted to encourage larger planting areas;
- C. **Edge Landscape:** Landscaping along Parking Lot edges abutting public rights-of-way, Circulation facilities, or Community Spaces shall be provided to create a Pedestrian Friendly environment and shall consist of the following:
1. Shrubs, at least two feet high at installation, to provide a continuous three (3) ft height hedge at maturity. These landscaped buffers for parking lot areas shall have a minimum width of three (3) feet; or
 2. 3-foot tall fencing or wall; or
 3. A combination of Section 7.1.C.1 and Section 7.1.C.2; and,
 4. Living groundcover planted and spaced to achieve 100% landscape coverage in three (3) years.
- D. **Alternatives to Parking Lot Landscaping** To allow for flexibility and improve parking lot efficiency, the following alternatives to Sections 7.1.B and 7.1.C requirements may be selected by the Applicant:
1. Tree wells at the head of a parking stall(s) may be used. Tree wells shall be a minimum of 40 sq.ft. with additional space for root growth provided by structural soils. The trees shall be located such that they are protected from the cars at the trees' mature size. Protection mechanisms may include the size of planter, size of stall, curbs, tree guards, etc.



Two methods of providing Tree Wells in Parking Lots. [S – standard stall; C – compact stall]

2. **Parking Lot Tree Replacement:** Architectural elements with horizontal components that visually break up and create shade in a Parking Lot may be substituted for Section 7.1.B.1. Architectural elements could be arbors, trellises, solar panels, etc. Each 500 sq. ft. of horizontal element replaces a required tree. The appropriate height for the horizontal element, relative to surrounding grade, would be determined based on surrounding uses and safety. This would be generally 5 ft of clearance for parked cars and 8 ft of clearance for areas where pedestrians are likely to be.



A method for replacing required trees with architectural elements; the dashed box approximates one tree.

3. **Parking Lot Edge Treatment to replace Interior Parking Lot Landscape:** Architectural elements at the edge of a Parking Lot may count towards [Section 7.1.B.2](#) if the architectural elements meet the following requirements (This provision may replace the entire requirement in [Section 7.1.B.2](#). Any reduction in required trees must be met separately.):
 - a. The proposed architectural elements shall contribute to a Pedestrian Friendly environment and generally screen the Parking Lot from Circulation facilities or Community Spaces.
 - b. Provision of architectural elements which provide weather protection for adjacent pedestrians is encouraged though not required by this Appendix; other Appendices may require them.

- c. All horizontal and certain vertical components of an architectural element at the edge of a Parking Lot will count one for one, i.e. one square foot of architectural element equals one square foot of required Interior Landscape. Appropriate elements might include walls, trellises, arbors, solar panels, and/or artwork.
- d. Any portion of a vertical component above 3 ft in height may contribute to the landscape reduction, provided the overall height of the architectural element is at least 6 ft.
- e. The height of the horizontal elements must be placed at least 5 ft above the adjacent grade, unless the adjacent area is a walkway or place where people might be; then the horizontal element must be 8 ft above the adjacent grade.
- f. The architectural elements must allow pedestrians frequent physical and visual connections in and out of the parking lot. The frequency of visual and physical connections will be based on factors, such as:
 - the need for connections and access to businesses, uses, activities, etc;
 - the location of Circulation facilities;
 - the level of vehicular traffic adjacent to pedestrian routes;
 - the presence or absence of adjacent street trees and on-street parking;
 - sidewalk width and activities;
 - safety issues such as sight lines at driveways and other vehicular entrances; and
 - the opacity, types, and heights of architectural elements selected.

7.2 Regulation of Parking Structures

While structured parking is encouraged, exposed garage structures and rooftop parking have negative impacts that must be minimized without unduly discouraging their construction. Exposed garage walls will be made more Pedestrian Friendly through treatments. Rooftop parking is considered equivalent to a surface parking lot and must be modulated by either landscaping or non-landscaping methods.

- A. **Perimeter Requirements:** Treatments along exposed Parking Structures abutting public rights-of-way, Circulation facilities, or Community Spaces shall have visually and texturally interesting Pedestrian Friendly treatments, except where there are pedestrian or vehicular entries/exits to the Parking Structure. Treatment options are:
 1. Landscape growing on the building or an attached structure, such as, Green Walls; or
 2. A landscape area at least ten (10) ft wide composed of a combination of evergreen and deciduous trees, evergreen shrubs, and groundcover. The landscape materials may be clustered, staggered, or regularly spaced, as long as screening is achieved. The minimum required number of each landscape material is based on the linear footage of exposed Parking Structure frontage as follows: 1 tree per 20 linear feet, 1 shrub per 5 linear feet, and groundcover to provide 100% Landscape Coverage in three (3) years; or
 3. Architectural elements and/or art; or
 4. A combination of [Sections 7.2.A.1](#), [7.2.A.2](#), and/or [7.2.A.3](#).
- B. **Rooftop Requirements:** The purpose of architectural elements or landscape for rooftop parking is to soften the visual appearance of the rooftop, screen views of the rooftop, add shade, break up the visual appearance of rooftop parking, and reinforce safe pedestrian access to stairwells and elevators.
 1. Interior:

- a. The square footage of all horizontal architectural elements or landscape interior to the rooftop parking shall be equal to or greater than ten (10) percent of the total rooftop parking area.
 - b. The Applicant may choose to use architectural elements and/or landscape.
 - c. The design, placement, distribution, etc must achieve the purpose stated in Section 7.2.B.
 - d. Horizontal architectural elements shall be 5 ft above areas used only by cars and 8 ft above areas used by people.
 - e. No perimeter treatment may contribute to the 10% Interior requirement, except that portion which is greater than 5 ft in height; however, this provision may not be used to meet more than 50% of the Interior requirement.
2. Perimeter:
- a. Architectural elements or landscape shall provide a visual screen at least three (3) ft in height around the entire perimeter of the rooftop.
 - b. On sides of the rooftop parking where adjacent or nearby occupied buildings are tall enough to look across or down upon the roof, architectural elements or landscape shall provide a visual screen at least five (5) ft in height.
 - c. Architectural elements or landscape provided to meet the requirements of this Section, and which are visible from the exterior of the Parking Structure, shall be consistent with and/or complimentary to the exterior architecture.

8.0 Fences

Fencing, installed other than on a property line within a required landscape area, shall be subject to the fence-related guidelines in the Design Guidelines (Appendix B).

9.0 Preservation of Trees

9.1 This Section shall apply only after the Buildout Period.

9.2 Individual deciduous trees or clusters of trees with outstanding qualities, form and health shall be retained whenever possible. The soil around retained trees shall remain undisturbed with a disturbance-free zone extending beyond their driplines. The soil grade around an individual tree within a cluster designated for retention shall not be altered within the dripline of the tree or within 15 feet of its trunk, whichever is greater. Trees shall not be designated for retention if they are dead or in a declining state, or if they are hazardous.

9.3 No tree shall be removed for the purpose of private view enhancement. Trees may be removed to provide solar access to buildings incorporating active or passive solar devices if the character of the site is not unduly affected. Windows will be considered solar devices only when they are south-facing and include special storage elements to distribute heat energy. As part of a land use permit, construction permit, and/or revision to a landscape permit, the Master Developer may identify existing tree(s) for removal when it can be demonstrated their removal would improve views to hillsides, mountains, and/or the Tibbetts Greenway from Community Spaces or Circulation facilities.

9.4 The Designated Official may require certain tree protection measures. These measures may include, but are not limited to: temporary fencing corresponding to the dripline of the trees to be retained or the disturbance-free zone for trees of outstanding qualities, form and health, tunneling instead of trenching, stump grinding instead of stump pulling and traffic routing to prevent excessive soil compaction. The Designated Official may also require the hiring of an

Arboricultural Consultant at the Applicant's expense to determine measures that may need to be taken to preserve significant trees.

- 9.5** If a significant tree designated for retention has been removed, the Applicant shall be responsible for the following, except as exempted by Section 10.8.C or Section 10.15, or death by natural causes (e.g. age), disease, pests, or natural event (e.g. lightning strike, beaver):
- A. Pay the City the established monetary value of that tree, as determined by the Designated Official, using resources qualified to determine replacement value; or
 - B. Pay for the replacement cost for all trees that are replanted on the property from which the significant tree was removed; or
 - C. Replace the tree according to the following guidelines:
 - 1. The replacement trees shall equal the diameter of the tree removed, i.e. if one twelve (12) inch diameter tree is removed, the required replacements would consist of four three (3) inch trees, three four (4) inch trees, or six two (2) inch trees.
 - 2. All replacement trees that are deciduous must be a minimum of one-and-one-half (1-1/2) inches in diameter and all evergreens must be a minimum of six (6) feet in height.
 - 3. If it is determined that the site does not have the necessary space for the replacement trees, then the City may require the replacement trees be planted elsewhere on the Rowley Project, or that the money for the purchase of the trees be placed in a tree fund, allocated as determined by the Designated Official.
 - 4. If a significant tree designated for retention has been willfully damaged by other than natural causes in the following manner, the Master Developer shall post with the City an acceptable security, worth the established monetary value of the tree. Willful damage includes:
 - a) Wounding of its trunk;
 - b) Wounding of major structural branches;
 - c) Grading, trenching, or filling of its root zone within the area designated to be disturbance free;
 - d) Soil compaction due to heavy vehicle traffic within its root zone which was designated disturbance free; or
 - e) Change in drainage.

10.0 Landscape Requirements and Specifications

The following landscape requirements and specifications shall apply to all landscaping required under this Appendix. A landscape professional, selected jointly by the City and the Master Developer, is authorized to make recommendations for adjustments to the following standards on a case-by-case basis.

10.1 Centennial Tree

"Eddie's White Wonder" Dogwood (*Cornus* "Eddie's White Wonder") has been chosen as Issaquah's official Centennial Tree. Applicants are therefore encouraged to use it as a single specimen or in small group plantings.

10.2 Drainage

All landscape areas shall be adequately drained, with consideration of existing high water table, either through natural or man-made drainage systems. Where the high water table may interfere with the health and establishment of street trees or other required trees, tree pits may be drained to the storm drainage system.

10.3 Fertilizer, Herbicide, and Pesticide Use

All fertilizer, herbicide, and pesticide applications, including broad spectrum applications, ‘weed and feed’, and pre-emergent pesticides, shall conform to the Best Management Practices and Landscape Contractor Manual for the Project, distributed by the Master Developer, following initial review and approval by the City. Fertilizer, herbicide, and pesticide applications shall be made in a manner that will inhibit their entry into waterways, wetlands, and storm drains.

10.4 Structural Soils

Where small landscape islands (40 sq.ft. or less) or other limited spaces are used for trees, structural soils shall be provided surrounding the exposed planting area to increase the effective size of the growing area for the tree to at least 100-150 sq.ft based on the mature size or root structure of the tree.

10.5 Plant Selection

All perennial plants shall be adapted to their sites (sun exposure, cold hardiness, hydrozones, soil type, soil pH, etc.). Plants, excluding annuals, with differing environmental/cultural requirements shall not be used together if desirable circumstances cannot be provided for both. New perennial plant materials shall consist of at least one the following: native, drought tolerant varieties, or non-native species that have adapted to the climatic conditions of the greater Issaquah region. All plants shall be selected and sited taking into consideration the mature size of the plant and the space allowed for the plant to grow unobstructed. Plants shall be selected that are appropriate for the provided space in order to minimize persistent pruning. Within the first 15 years after planting, trees that create a nuisance (e.g. invasive roots, dripping sap) may be removed and replaced with appropriate trees that meet at least the minimum plant size specified in [Section 10.6](#).

10.6 Plant Sizes.

A. Minimum Plant Sizes and Maximum Plant Spacing for Landscape Areas for new landscape areas shall be as follows:

1. Groundcovers: 4 inch pot with 12 inch spacing or 1 gallon pot with 18 inch spacing;
2. Evergreen / Deciduous Shrub: 2 or 3 gallon pot or balled and burlapped equivalent;
3. Deciduous Tree: 1 1/2 inch caliper, 10 foot to 12 foot height; and
4. Evergreen Tree: 6 foot height to uppermost branching point.

B. Plant size or spacing specified above in [Section 10.6.A](#) may be modified with a letter from a licensed Landscape Architect indicating that the smaller plant size or larger plant spacing will achieve the same effect and/or coverage within the maintenance period established in Appendix O (Permitting) as that specified in [Section 10.6.A](#).

10.7 Plant Standards

All plant materials used shall meet the most recent American Association of Nurseryman Standards for nursery stock: ANSI 260.1.

10.8 Tree Pruning and Landscape Removal

A. Applicability

1. This Section shall apply to the removal of landscape material for all landscape areas approved by the City as part of the permitting process. On properties without a conservation easement and/or that do not contain Critical Areas or their Buffers, pruning for maintenance purposes shall not be restricted by this Section.

2. Any activities undertaken in Critical Areas or encumbered properties shall be consistent with Critical Areas (Appendix J) and the Allowed Critical Area Activities in Section 11.A.
- B. Pruning and Landscape Removal for Views/Aesthetics
1. Timing: pruning/landscape material removal shall be performed annually by the Master Developer.
 2. Approval: prior to any removal of material, the owner must receive approval by the Architectural Review Committee and authorization from the Designated Official. No pruning or removal activity shall be approved that results in soil instability or negates the purpose of the landscape material.
 3. Work: All pruning or landscape material removed for views or aesthetic reasons shall require that all work be done in a competent and workmanlike manner in accordance with the International Society of Arboriculture Standards (ANSI) Z133.1. The Designated Official may require a security for all work, and may require that such work be supervised by a landscape architect, arborist, forester or other professional to ensure work is performed in accordance with approved plans.
- C. Tree and Landscape Removal for Safety
1. Removal of landscape material shall be authorized by the Designated Official based on either of the following:
 - a) The recommendations of a qualified professional for cases where, given the potential of a tree to damage property or pose safety risks for residents due to the instability of the tree, removal may be necessary.
 - b) In cases where landscape material is determined by a qualified professional to be a fire hazard, removal may be necessary.
- D. Violations
1. Unauthorized pruning of trees or clearing of landscape material may result in fines of up to one thousand dollars (\$1,000) per incident against the owner or anyone acting on behalf of an owner.
 2. Unpaid fines and charges shall result in a charge and continuing lien upon the parcel or living unit of the owner responsible for the violation(s).
 3. Fines and charges not paid within thirty (30) days of notification shall bear interest at a rate of six percent (6%) per annum until paid, but not exceeding the maximum rate permitted by law.

10.9 Shrub Pruning

Shrubs used for screening purposes shall have a predetermined minimum desired height shown on the landscape plan. Once the desired height is reached, they will not be pruned below that height, except occasionally on the recommendation of a qualified landscape professional for the plant's health and to retain the form of the plant. In this situation, "occasionally" means no more frequently than once every 5 years. A plant which must be significantly cut back more frequently should not be used where the regular presence of the shrub is desirable or required.

10.10 Soil Porosity

Soils in planting areas shall have adequate porosity to allow root growth. Soils which have been compacted to a density greater than 85 % Maximum Dry Density or MDD (penetrable with a hand shovel) shall be loosened to increase aeration to a minimum depth of 18 inches, or to the depth of the largest plant root ball, whichever is greater. Imported topsoils shall be tilled into existing soils to prevent a distinct soil interface from forming. After soil

preparation is completed, motorized vehicles shall be kept off the area to prevent compaction and damage to underground irrigation systems and utilities.

10.11 Tree Protection

Where vehicles may overhang into required landscape areas, trees shall be located such that they are not damaged by parked vehicles. Trees in lawn areas are required to have a mulched bed extending a minimum of 18 inches in all directions from the base of the tree. In addition, protective devices such as bollards, trunk guards, root guards, etc., may be required in some situations.

10.12 Water-Wise Planting and Irrigation

Plants having similar water use characteristics (hydrozones) shall be grouped together and an irrigation system designed to minimize total water usage.

10.13 Water-Wise Mulches and Soil Amendments

- A. Soil amendments may be necessary, as determined by the Designated Official, for a healthy growing medium, which will increase the survival rate for new planting, improve drainage, and reduce on-going maintenance requirements.
- B. Mulch new planting areas to minimize evaporation, reduce weed growth and slow erosion.
- C. All mulches used in planter beds shall be feathered to the base of the plants.
- D. Moisture polymers may be added to soil to reduce the watering requirements.
- E. Water tubes may also be added to the tree plantings to allow water to penetrate the soil.

10.14 Restoration of cleared areas

Following grading and construction activities, the Master Developer shall submit a restoration proposal to the Designated Official for review and approval that includes:

- 1. Timing for completion
- 2. Proposed material (to include groundcover, shrubs and trees, as appropriate)
- 3. Temporary water supply, if necessary.

The proposal need not be a graphic representation of the area, but may consist of a letter outlining the items above. This commitment must be completed, or bonded for, prior to City acceptance or granting Final inspections and/or Certificates of Occupancy.

10.15 Tree Banking

At the discretion of the Master Developer, the Master Developer may elect to plant trees on properties owned by the Master Developer or the City. For every two trees that survive the establishment period (5 years), the Master Developer shall receive one (1) credit for removing a significant tree within the Project.

11.0 Administrative Modification of Standards

11.1 Approval Criteria

Approval must be based on a determination that the modification is consistent with the purpose and intent of this Appendix. The following approval criteria in conjunction with Permitting (Appendix O) shall be used to determine whether an Administrative Modification shall be granted for landscape standards:

- A. The modification(s) will be equal to, or superior in, fulfilling the intent and purpose of the landscape requirement;

- B. The modification(s) does not negatively impact the abutting property in a significant manner;
- C. The landscape modification(s) shall provide consistency with the intent, scale, and character of the uses(s) involved;
- D. The intent and purpose of the required screening and/or buffering of uses for specific areas (for example, waste collection, service/loading, and parking areas) are not jeopardized; and
- E. The modification(s) does not negatively impact water quality in a significant manner.

11.2 Case by Case Modifications

The following potential modifications were identified for consideration on a case by case basis:

- A. **Street Tree spacing:** the Master Developer may propose to vary the spacing based on a response to the context while also respecting the Project vision and urban design as established through the Goals (Appendix A) and Design Guidelines (Appendix B), in addition to the purpose of street trees as described in [Section 5.1](#). Review and approval may occur with the land use permit or as a separate modification with construction permits. Potential examples include:
 1. The presence of a Community Space, primary building entries, or additional building setback where modified tree spacing could integrate the sidewalk into the space or enhance its presence.
 2. Types of street trees selected. For instance, the use of trees with smaller or larger tree canopies may indicate the need to increase or decrease spacing, as long as long-term tree health is maintained.
 3. Types and intensity of uses in the sidewalk and/or planting strip. For instance the use of a planting strip as a rain garden may dictate the need to modify tree space.
 4. Use of architectural or landscape elements that achieve the same purpose as street trees.
 5. Urban design characteristics.
- B. **Replacement Trees:** Tree sizes specified in [Section 9.5.C.2](#) are for urban trees and may not be appropriate in some circumstances. For example if the tree to be retained is multi-stemmed or the appropriate replacement tree is multi-stemmed. Consideration may be given to alternative methods for meeting the intent of the regulations.

12.0 Construction Details

GRASS AREAS & MEADOWS

GRASS AREAS MAY BE ONE OF THREE TYPES: MOWED LAWN, ROUGH LAWN (NON-IRRIGATED) OR WILD FLOWER MEADOW (NON-IRRIGATED.) THEY MAY BE SOODED, SEEDED OR HYDROSEEDED.

1. SOD: USE A 70/30 PERENNIAL RYEGRASS/FINE FESCUE MIX AS SUPPLIED BY COUNTRY GREEN TURF FARMS OR APPROVED EQUAL. NO NETTING ALLOWED.

2. SEED: LOW WATER USE SEED MIX, (ORCHARD SEED MIX) OR "LOW GROW" AS DEVELOPED BY COUNTRY GREEN TURF FARMS OR APPROVED EQUAL, COMPOSED OF 80% ELF-PERENNIAL RYEGRASS, 30% CREEPING RED FESCUE, AND 10% HARD FESCUE AT 5#/ 1000 SF.

3. WILDFLOWER SEED COMBINATION: ECO-LAWN OR SIMILAR MIX COMPOSED OF FINE FESCUES AND NATIVE WILDFLOWERS. GRASS SEED INCLUDES A BLEND OF SHEEPS FESCUE, SLENDER FESCUE, CREEPING RED FESCUE, CHEWINGS FESCUES, AND HARD FESCUES TO WITHSTAND SHADE AND DROUGHT. WILDFLOWERS MAY BE ANNUAL OR PERENNIAL, NATIVE TO WESTERN WASHINGTON, AND NON-WEEDY AS DEFINED BY THE KING COUNTY NOXIOUS WEED DIVISION. PRODUCTS SIMILAR TO ECO-LAWN, A TRADEMARK NAME, CAN BE CREATED FOR SPECIFIC LOCAL CONDITIONS THROUGH FROSTY HOLLOW ECOLOGICAL RESTORATION COMPANY OR APPROVED.

SOIL CONDITIONS FOR SOODED AREAS AND MOWED LAWNS MUST DRAIN THROUGHOUT THE YEAR. ALL AREAS FOR THIS TREATMENT TO BE SLOPED AT A MINIMUM OF 2% TO DRAIN. LAWNS TO BE MOWED SHALL BE NO STEEPER THAN 3:1 (3" HORIZONTAL TO 1" VERTICAL MEASUREMENT). IF THE AREA HAS BEEN COMPACTED SO THAT IT IS NOT EASILY PENETRATED WITH A SHOVEL, SUBGRADE WILL REQUIRE LOOSENING TO A DEPTH OF 8". IN GRASS AREAS ONLY USE A SANDY MIX, (WINTER MIX DESCRIBED BELOW), APPLY 4-8 INCHES OF TOPSOIL, AND TILL INTO LOOSENED SUBGRADE. APPLY ADDITIONAL SOIL IN LIFTS TO FINISH GRADE AND SLOPE TO DRAIN. APPLY DOLOMITE LIME AT A RATE TO ACHIEVE A PH SUITABLE FOR THE SEED MIXTURE PROPOSED. LAWN FERTILIZER TO SUIT THE CONDITIONS TO BE APPLIED PER MANUFACTURER'S INSTRUCTIONS.

FOR PLANTING BEDS USE A TWO-WAY MIX OF SANDY LOAM AND COMPOST 50/50 APPLIED IN THE SAME METHOD AS DESCRIBED ABOVE. DO NOT USE SAND IN PLANTING BEDS.

SOIL CONDITIONS FOR WILDFLOWERS AND NATIVE GRASS TREATMENT ARE LESS DEMANDING. THE SOIL MAY BE SCARIFIED, ROCK PICKED, AND HYDROSEEDED IF SEED REQUIRES FEW NUTRIENTS AND LEAN SOIL. IF RICH SOIL IS NECESSARY A FERTILIZER OR FORTIFIED MULCH MAY BE APPLIED OVER THE AREA PRIOR TO SEEDING OR WITH THE SEED.

ALL NON-IRRIGATED BEDS TO BE SEEDED ARE TO BE PLANTED IN SPRING DURING APRIL AND MAY OR IN FALL FROM SEPTEMBER UNTIL OCTOBER 15.

EXISTING CONCRETE CURB

DO NOT UNDERMINE SIDEWALK OR CURB BACKFILL AGAINST CURB ON STREET AND AGAINST SIDEWALK.

SCARIFY SIDES

COMPACT SOIL UNDER PLANT TO AVOID SETTLING

CROWN HT. IS 2" ABOVE ADJ. PAVT. IN 2.5' WIDE STRIPS. 4" IN 5' WIDE STRIPS.

SOIL TO BE 2" BELOW PAVT. IN PLANTED BEDS. 1" BELOW PAVT. IN SOODED OR SEEDED BEDS.

SIDEWALK

ROOT BARRIER (IF REQ.)

IN LAWN AREAS ONLY APPLY "WINTER MIX", (1/3 SANDY LOAM, 1/3 SAND, & 1/3 COMPOST) TO ACHIEVE FINAL GRADE IN 6"-8" LIFTS. EACH LIFT IS TO BE COMPACTED TO MINIMIZE SETTLING. INCORPORATE LOWER LIFT INTO SUBGRADE SOIL.

SOIL PLACEMENT

1. THIS DETAIL COMBINES GRASS AND MEADOW TREATMENTS WITH SOIL PLACEMENT AND STRIP PLANTING REQUIREMENTS SINCE MANY STRIPS IN PUBLIC R.O.W. ARE GRASSED. OPEN AREAS OF LAWN AND MEADOWS ARE LESS RESTRICTIVE AND DON'T REQUIRE A DRAWING.

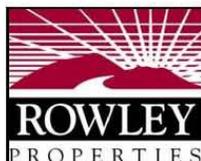
2. SUB-GRADE IN THE STREETScape PLANTING STRIPS ARE 8" BELOW FINISH GRADE. ROTOTILL ENTIRE STRIP DOWN TO 12" BELOW FINISH GRADE. APPLY "WINTER MIX" (1/3 SANDY LOAM, 1/3 SAND, & 1/3 COMPOST) TO ACHIEVE FINAL GRADE IN 4" LIFTS. INCORPORATE BOTTOM LIFT THOROUGHLY INTO SUB-GRADE SOIL. EACH LIFT TO BE COMPACTED TO MINIMIZE SETTLING.

3. PLANTING STRIPS ARE TO BE CROWNED SLIGHTLY IN THE CENTER FOR DRAINAGE (4" IN 5' STRIP). PLANTING STRIPS IN PUBLIC R.O.W. ARE 5' WIDE.

4. FINISH GRADE TO BE 1" BELOW ADJ. PAVEMENT & CURBS IN AREAS TO RECEIVE SOD OR SEED, 2" IN AREAS TO BE PLANTED IN GROUND COVER OR SHRUBS

GRASS AREAS & PLANTING STRIPS

TYPICAL SOIL INSTALLATION
NTS 12/8/2011



ROWLEY PROPERTIES DEVELOPMENT AGREEMENT LANDSCAPE CONSTRUCTION DETAILS

jane garison landscape architect
jane.garison@comcast.net
189300th, WA
(425) 992-2894

NOTE

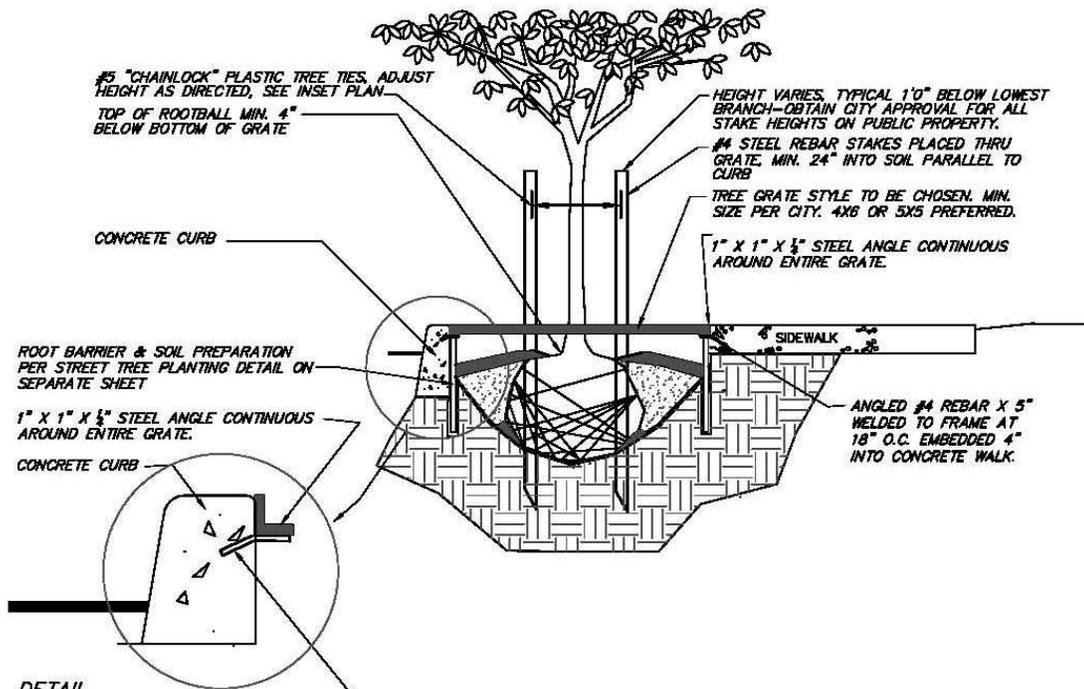
STREET TREES PLANTED IN TREE WELLS IN SIDEWALKS SHALL HAVE A MINIMUM OF 2'-6" PEDESTRIAN CLEARANCE AROUND THE TREE. TREE GRATES MAY BE REQUIRED TO HELP MEET THIS STANDARD.

NOTES:

1. CONDUCT TREE PIT DRAINAGE TEST PRIOR TO PLANTING. IF WATER IN HOLE DROPS 1/2" PER HOUR, DRAINAGE IS ACCEPTABLE. OWNER'S REP MUST BE PRESENT.
2. SPECIAL GRADING AND/OR PIT DRAINAGE WILL BE REQUIRED PER DTL. IF PERCOLATION IS A PROBLEM.
3. MAINTAIN THE TREE IN GOOD HEALTH AFTER DELIVERY. HEAL IN W/ DAMP SANDUST IF NOT IMMEDIATELY PLANTED.
4. REMOVE ANY WIRE, STRING, BURLAP, OR OTHER FASTENER FROM ROOTBALL PRIOR TO PLACEMENT. REMOVE FROM SITE.
5. ROOT CROWN/FLARE TO BE ABOVE GRADE & NOT BURIED.
6. PRUNE ONLY AS DIRECTED.

NOTES ON GRATES:

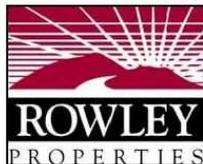
1. TREE GRATE TO BE RECTANGULAR, CAST IRON, UNPAINTED AS MANUFACTURED BY OLYMPIC FOUNDRY INC. OR APPROVED.
2. DETAIL SHOWS CAST IN PLACE CONSTRUCTION
3. IF INSTALLATION INVOLVES EXISTING CONCRETE WORK FOLLOW MANUFACTURER'S INSTRUCTIONS FOR WELDING PLATES ONTO FRAME & BOLTING TO EXISTING SIDEWALK AND CURB.
4. ALL TREE GRATES TO HAVE KNOCK OUTS TO ACCOMMODATE TREE GROWTH.
5. GRATES TO MEET CITY OF ISSAQUAH AND ADA SAFETY STANDARDS FOR SURFACING & INSTALLATION INCLUDING OPENING SIZES.
6. SHAPE & SIZE OF GRATES TO BE DETERMINED BY CITY STANDARDS AND SIDEWALK DESIGN.
7. COMPLY WITH ASTM A48 CLASS 350 OR BETTER TESTING METHODS.



DETAIL
NTS

ANGLED #4 REBAR X 5" WELDED TO FRAME AT 18" O.C. EMBEDDED 4" INTO ADJACENT CURB.

STREET TREE PLANTING WITH TREE GRATE
NTS 12/8/11

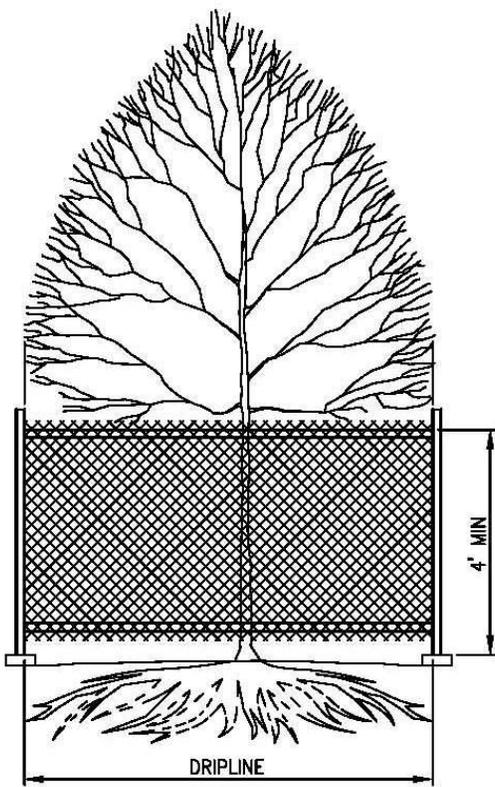


ROWLEY PROPERTIES DEVELOPMENT AGREEMENT
LANDSCAPE CONSTRUCTION DETAILS

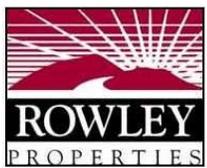
jane garison landscape architect
jane.garison@comcast.net Issaquah, WA (206) 392-2294

NOTES

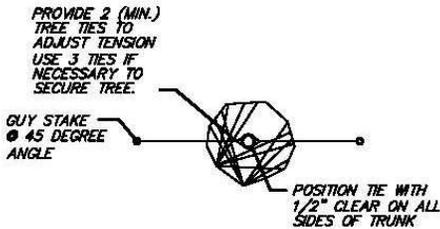
1. 4' HIGH TEMPORARY STURDY FENCE SHALL BE PLACED AT DRIPLINE OF TREE(S) TO BE SAVED (OR FARTHER OUT IF POSSIBLE.) FENCE SHALL COMPLETELY ENCIRCLE TREE OR GROUPING. INSTALL FENCE POSTS USING PIER BLOCKS ONLY. AVOID DRIVING POSTS OR STAKES INTO MAJOR ROOTS.
2. TREATMENT OF ROOTS EXPOSED DURING CONSTRUCTION: FOR ROOTS OVER 1" IN DIAMETER DAMAGED DURING CONSTRUCTION, MAKE A CLEAN STRAIGHT CUT TO REMOVE DAMAGED PORTION OF ROOT. ALL EXPOSED ROOTS SHALL BE TEMPORARILY COVERED WITH DAMP BURLAP TO PREVENT DRYING, AND COVERED WITH SOIL AS SOON AS POSSIBLE.
3. WORK WITHIN PROTECTION FENCE SHALL BE DONE MANUALLY. NO STOCKPIILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE OF EQUIPMENT OR MACHINERY SHALL BE ALLOWED WITHIN THE LIMIT OF THE FENCING.



TREE PROTECTION
NTS 12/6/11



**ROWLEY PROPERTIES DEVELOPMENT AGREEMENT
LANDSCAPE CONSTRUCTION DETAILS**
jane garison landscape architect
jane.garison@comcast.net
Brough, WA
(43) 972-2274



STAKING/GUYING PLAN

STAKING REQUIRED FOR 5'-0" HT. AND TALLER TREES ONLY. ALTERNATE STAKING METHODS MAY BE ACCEPTABLE WITH THE APPROVAL OF THE APPLICABLE CITY AUTHORITY. 3 STAKES MAY BE REQUIRED FOR TREES WITH GREATER THAN 3" CALIPER. CONIFERS ARE TO BE TIED AT MID-POINT. STAKE LOOSE ENOUGH TO ALLOW SOME MOVEMENT IN WIND. CONIFERS MAY BE STAKED THE SAME AS DECIDUOUS TREES AS AN OPTION.

NOTES:

1. CONDUCT TREE PIT DRAINAGE TEST PRIOR TO PLANTING. IF WATER IN HOLE DROPS 1/2" PER HOUR, DRAINAGE IS ACCEPTABLE. OWNER'S REP MUST BE PRESENT.
2. SPECIAL GRADING AND/OR PIT DRAINAGE WILL BE REQUIRED PER DTL IF PERCOLATION IS A PROBLEM.
3. MAINTAIN THE TREE IN GOOD HEALTH AFTER DELIVERY. HEAL IN W/ DAMP SANDUST IF NOT IMMEDIATELY PLANTED.
4. REMOVE ANY WIRE, STRING, BURLAP OR OTHER FASTENERS FROM ROOTBALL PRIOR TO PLACEMENT. REMOVE FROM SITE.
5. FLOOD PIT TO FILL ALL VOIDS.
6. APPLY 2" MULCH. KEEP 6" FROM TRUNK.

3/4" CHAINLOCK TREE TIE TO PROTECT TREE TRUNK TIE @ 1/2 TREE HT.

14 GAUGE GUY WIRE ATTACHED TO 2 X 2 STAKES X 24" LONG

2 - 3 GUY WIRES/TREE W/ DUCKBILL ANCHORS

2" MULCH

RAISE TREE SO THAT CROWN IS ABOVE GRADE & MULCH IS 6" FROM TRUNK.

CONIFERS ARE REQUIRED TO BE 6'-8" TALL AT TIME OF PLANTING. SIZES MAY VARY ABOVE AND BELOW THIS STANDARD IN AREAS PROPOSED AS NATIVE GROWTH AREAS. SMALLER TREES ESTABLISH QUICKER AND LOOK MORE NATURAL. APPROVAL WILL BE REQUIRED FROM THE CITY OF ISSAQUAH.

DIG SHALLOW, WIDE PIT, AT SAME DEPTH AS BALL, BUT THREE TIMES AS WIDE. MIX NATIVE TOPSOIL IN WITH EXISTING SOIL, 50/50 TO CREATE TRANSITION W/ EXISTING. IF EXISTING NATIVE SOIL IS ACCEPTABLE USE 100 % FOR NATIVE CONIFER PLANTING.

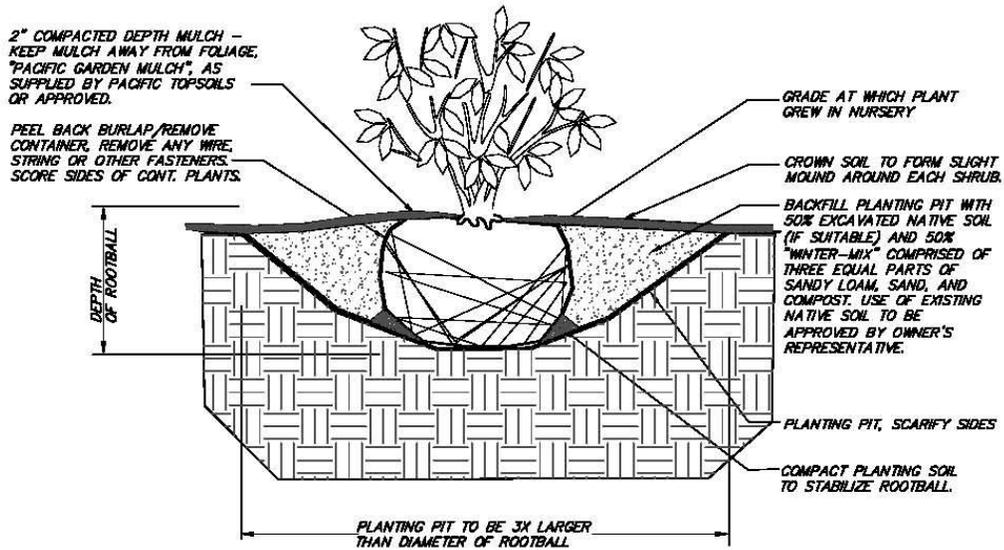
CONIFER TREE PLANTING AND STAKING

N.T.S. 12/6/11

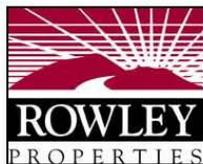


**ROWLEY PROPERTIES DEVELOPMENT AGREEMENT
LANDSCAPE CONSTRUCTION DETAILS**

jane garison landscape architect
jane.garison@comcast.net
Issaquah, WA
(206) 392-2264



TYPICAL SHRUB PLANTING
NTS 12/8/17



ROWLEY PROPERTIES DEVELOPMENT AGREEMENT
LANDSCAPE CONSTRUCTION DETAILS

jane garrison landscape architect
jane.garrison@comcast.net 183304th, WA
425) 292-2294

AT TIME OF PLANTING STREET TREES SHALL BE A MINIMUM OF 2" CAL. & LIMBED TO MIN. OF 5' IRRIGATION SHALL BE REQUIRED FOR A MIN. OF THREE YEARS.

PROVIDE 2 (MIN.) SPARE LINKS TO ADJUST TENSION



POSITION TIE WITH 1/2" CLEAR ON ALL SIDES OF TRUNK

STAKING PLAN

STAKING REQUIRED FOR 5'-0" HT. AND TALLER TREES ONLY. ALTERNATE STAKING METHODS MAY BE ACCEPTABLE WITH THE APPROVAL OF THE APPLICABLE CITY AUTHORITY. 3 STAKES MAY BE REQUIRED FOR TREES WITH GREATER THAN 3" CALIPER.

STAKINGS TO BE PLACED PARALLEL WITH CURB.

NOTES:

1. CONDUCT TREE PIT DRAINAGE TEST PRIOR TO PLANTING. IF WATER IN HOLE DROPS 1/2" PER HOUR, DRAINAGE IS ACCEPTABLE. OWNER'S REP MUST BE PRESENT.
2. SPECIAL GRADING AND/OR PIT DRAINAGE WILL BE REQUIRED IF PERCOLATION IS A PROBLEM.
3. MAINTAIN THE TREE IN GOOD HEALTH AFTER DELIVERY. HEAL IN W/ DAMP SAND/UST IF NOT IMMEDIATELY PLANTED.
4. REMOVE ANY WIRE, STRING, BURLAP OR OTHER FASTENER FROM ROOTBALL PRIOR TO PLACEMENT. REMOVE FROM SITE.
5. ROOT CROWN/FLARE TO BE ABOVE GRADE & NOT BURIED.
6. PRUNE ONLY AS DIRECTED.
7. FINISH BACK OF CURB AND EDGE OF SIDEWALK.

#5 "CHAINLOCK" PLASTIC TREE TIES, ADJUST HEIGHT AS DIRECTED, SEE INSET PLAN

PLANT 1 1/2" ABOVE GRADE AT WHICH TREE GREW IN AT NURSERY CROWN SOIL @ 5:1 TOWARD P.V.M.T. SEE PLAN DTL. FOR LOCATION OF MULCHED AREA AT TREE. USE 2" "PACIFIC GARDEN MULCH" IN TREE BEDS (PACIFIC TOPSOIL) OR APPROVED. KEEP 6" AWAY FROM TRUNK.

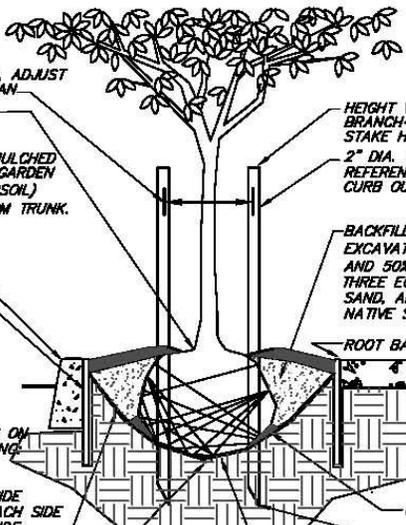
EXISTING CONCRETE CURB

18" ROOT BARRIER AS MANUFACTURED BY DEEPROOT, UB 18-2, OR APPROVED EQUAL AGAINST CURB ON STREET AND AGAINST SIDEWALK. ROOT BARRIER REQUIRED ON 2 SIDES OF STRIP & ON 4 SIDES OF WELL. INSTALL PER MANUFACTURER'S INSTRUCTIONS.

LENGTH OF ROOT BARRIER DEPENDS ON VARIETY OF TREE. USE THE FOLLOWING:
 OAK - 10 L.F. EACH SIDE
 ASH - 10 L.F. EACH SIDE
 FLOWERING PEAR - 3 L.F. EACH SIDE
 NORWAY MAPLE VAR. - 20 L.F. EACH SIDE
 RED MAPLE VAR. - 10 L.F. EACH SIDE
 SYCAMORE - CONTINUOUS BETWEEN TREES
 CRABAPPLE - 5 L.F. EACH SIDE

PLANTING PIT, SCARIFY SIDES

COMPACT SOIL UNDER PLANT TO AVOID SETTLING



HEIGHT VARIES, TYPICAL 1'0" BELOW LOWEST BRANCH—OBTAIN CITY APPROVAL FOR ALL STAKE HEIGHTS ON PUBLIC PROPERTY.
 2" DIA. WOOD STAKES (SHOWN FOR REFERENCE) TO BE PLACED PARALLEL WITH CURB OUTSIDE OF ROOTBALL.

BACKFILL PLANTING PIT WITH 50% EXCAVATED NATIVE SOIL (IF SUITABLE) AND 50% "WINTER-MIX" COMPRISED OF THREE EQUAL PARTS OF SANDY LOAM, SAND, AND COMPOST. USE OF EXISTING NATIVE SOIL TO BE APPROVED BY OWNER.

ROOT BARRIER

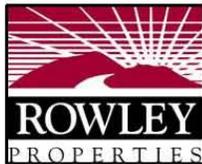
SIDEWALK

COMPACT SOIL TO STABILIZE ROOTBALL

SHARPENED STAKES MIN. 12" INTO COMPACT SOIL.

EXCAVATE PIT MIN. 3 X DIAMETER OF ROOTBALL IN DIRECTION OF CURB.

**STREET TREE PLANTING
 IN STRIPS & WELLS**
 NTS 12/6/11



**ROWLEY PROPERTIES DEVELOPMENT AGREEMENT
 LANDSCAPE CONSTRUCTION DETAILS**

jane garrison landscape architect
 jane.garrison@comcast.net
 18000 1st Ave. NE
 Everett, WA 98203
 (425) 392-5294

PROVIDE 2 (MIN.)
SPARE LINKS TO
ADJUST TENSION



POSITION TIE WITH
1/2" CLEAR ON ALL
SIDES OF TRUNK

NOTES:

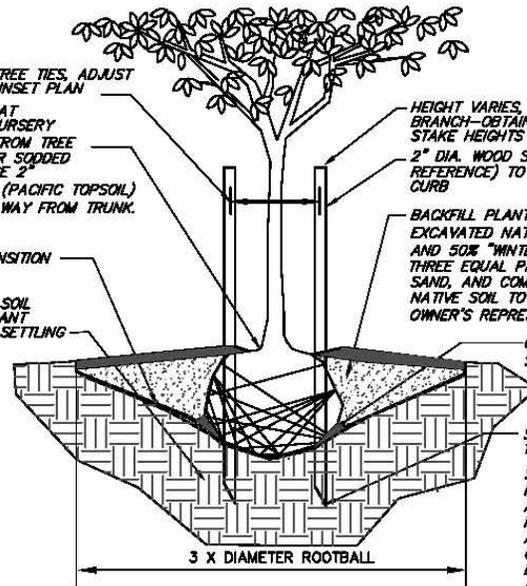
1. CONDUCT TREE PIT DRAINAGE TEST PRIOR TO PLANTING. IF WATER IN HOLE DROPS 1/2" PER HOUR, DRAINAGE IS ACCEPTABLE. OWNER'S REP MUST BE PRESENT.
2. SPECIAL GRADING AND/OR PIT DRAINAGE WILL BE REQUIRED PER DTL IF PERCOLATION IS A PROBLEM.
3. MAINTAIN THE TREE IN GOOD HEALTH AFTER DELIVERY. HEAL IN W/ DAMP SANDUST IF NOT IMMEDIATELY PLANTED.
4. REMOVE ANY WIRE, STRING, BURLAP OR OTHER FASTENER FROM ROOTBALL PRIOR TO PLACEMENT. REMOVE FROM SITE.
5. ROOT CROWN/FLARE TO BE ABOVE GRADE & NOT BURIED.
6. PRUNE ONLY AS DIRECTED.

#5 "CHAINLOCK" PLASTIC TREE TIES, ADJUST
HEIGHT AS DIRECTED, SEE INSET PLAN

PLANT 1 1/2" ABOVE GRADE AT
WHICH TREE GREW IN AT NURSERY
CROWN SOIL @ 5:1 AWAY FROM TREE
IF BED IS HYDROSEEDED OR SODDED
3' CIRCLE MULCH REQ. USE 2"
"PACIFIC GARDEN MULCH" (PACIFIC TOPSOIL)
OR APPROVED. KEEP 6" AWAY FROM TRUNK.

PLANTING PIT, MAKE TRANSITION
WITH EXISTING SOIL (12")

COMPACT SOIL
UNDER PLANT
TO AVOID SETTLING



HEIGHT VARIES, TYPICAL 1'0" BELOW LOWEST
BRANCH—OBTAIN CITY APPROVAL FOR ALL
STAKE HEIGHTS ON PUBLIC PROPERTY.
2" DIA. WOOD STAKES (SHOWN FOR
REFERENCE) TO BE PLACED PARALLEL WITH
CURB

BACKFILL PLANTING PIT WITH 50%
EXCAVATED NATIVE SOIL (IF SUITABLE)
AND 50% "WINTER-MIX" COMPRISED OF
THREE EQUAL PARTS OF SANDY LOAM,
SAND, AND COMPOST. USE OF EXISTING
NATIVE SOIL TO BE APPROVED BY
OWNER'S REPRESENTATIVE.

COMPACT SOIL TO
STABILIZE ROOTBALL

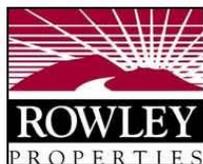
SHARPENED STAKES MIN.
12" INTO COMPACT SOIL.

STAKING REQUIRED FOR 5'-0"
HT. ND TALLER TREES ONLY.
ALTERNATE STAKING METHODS
MAY BE ACCEPTABLE WITH THE
APPROVAL OF THE APPLICABLE
CITY AUTHORITY. 3 STAKES MAY
BE REQUIRED FOR TREES WITH
GREATER THAN 3" CALIPER.

3 X DIAMETER ROOTBALL

TYPICAL TREE PLANTING

NTS 12/6/11



**ROWLEY PROPERTIES DEVELOPMENT AGREEMENT
LANDSCAPE CONSTRUCTION DETAILS**

jane garison landscape architect
jane.garison@comcast.net
Issaquah, WA
(206) 392-2394

APPENDIX H –Sustainability

Sustainability means different things to different people. Even if nailing down a widely accepted definition of sustainability is desirable, perhaps difficulty in doing that at this time is exactly what we should expect. Some claim the worldwide focus on the term is nothing less than the "toddler stage" of a major shift in the trajectory of life on the planet.

-Dusty Kidd, VP NIKE

Section 1.0	Purpose & Intent
Section 2.0	Goals
Section 3.0	Foundation
Section 4.0	Tools
Section 5.0	Guiding Principles
Section 6.0	Sustainability Plan

1.0 Purpose & Intent

The purpose of this Appendix is to establish a strategy for developing the Project as a sustainable development – a development pattern that meets the needs of the present without compromising the ability of future generations to meet their own. Sustainable development ties together concern for the carrying capacity of natural systems with the social challenges facing humanity, mainly living together in a more dense and crowded community and making more efficient use of the land. The field of sustainable development can be conceptually broken into three constituent parts: environmental sustainability, economic sustainability and sociopolitical sustainability.

The City and the Master Developer have demonstrated their commitment to sustainability and for setting an example for resource conservation, green building and sustainability at large. To that end, the parties agree on the following:

- the sustainability field is a dynamic influence on the development community and one that is evolving rapidly;
- the Project should look to address the three constituent parts of sustainability identified above (environmental, economic and sociopolitical);
- adopting a voluntary approach to sustainability will allow the Master Developer the flexibility to seize opportunities and grow its outreach over time; and,
- a continued dialogue during the Term of this Agreement will allow for City and the Master Developer to exchange information that will benefit the Project and the Community.

2.0 Goals

- 2.1 To be a community leader in sustainable development.
- 2.2 To foster an awareness of our collective responsibility as caring stewards for our developed and natural environment.
- 2.3 To redevelop both Hyla and Rowley Center into more efficient and sustainable City neighborhoods.

3.0 Foundation

- 2.1 Sustainability includes environmental, social and economic interests
- 2.2 Sustainability benchmarks evolve and development should strive to keep pace.

2.3 Thru partnering with the City, a more sustainable project will be possible.

4.0 Tools

4.1 Guiding Principles

4.2 Sustainability Plan

5.0 Guiding Principles

The City and the Master Developer sought an approach to sustainability that would be comprehensive, not focusing on one particular green goal or tool (e.g. carbon reduction, waste reduction, LEED, Green Globes, etc.). After much research, the parties selected the framework established for One Planet Living (<http://www.oneplanetliving.org/index.html>) to provide the Project guidance.

The One Planet Living framework was developed by BioRegional and World Wildlife Fund (WWF) to help people and organizations to live and work within a fair share of our planet's resources. It uses ten guiding principles as a framework to examine our sustainability challenges and to foster appropriate solutions. The Principles will be considered in all development applications. The Principles vary slightly from the original framework language and the edits are represented in the text within this Section 5.0.

Zero carbon		Making buildings more energy efficient and delivering energy with renewable technologies.
Zero waste		Reducing waste, reusing where possible, and striving for sending zero waste to landfill.
Sustainable transport		Encouraging low carbon modes of transport to reduce emissions.
Sustainable materials		Using sustainable healthy products, with low embodied energy, sourced locally, made from renewable or waste resources.
Local and sustainable food		Choosing low impact, local, seasonal and organic diets and reducing food waste.
Sustainable water		Using water more efficiently in buildings and in the products we buy; tackling local flooding and water course pollution.
Land use and wildlife		Protecting and restoring biodiversity and natural habitats through appropriate land use and integration into the built environment.
Culture and heritage		Reviving local identity and wisdom; supporting and participating in the arts.

Equity and local economy



Creating bioregional economies that support fair employment, inclusive communities and international fair trade.

Health and happiness



Encouraging active, sociable, meaningful lives to promote good health and well being.

6.0 Sustainability Plan

6.1 Purpose

The Master Developer shall prepare a Sustainability Plan at a frequency established by Section 6.2 of this Appendix. The purpose of the plan is to look at how the permitted and/or proposed development meets the intent of the Guiding Principles. The Sustainability Plan is to describe how the guiding principles have been incorporated into the project over the reporting period; what changes can be made to ensure all principles are being incorporated; what opportunities might be taken in subsequent proposals to improve or advance the sustainability of the Project; and, how successful this approach has been in the development of the Project.

6.2 Schedule

A Sustainability Plan will be provided to the City no later than the dates contained in this Subsection 6.2. The City shall review the plan similar to a permit and consistent with the provisions of Section 2.1 of Appendix O (Permitting).

- 1 October 2012 (examine Hilton Garden Inn and John L Scott)
- 1 October 2017
- 1 October 2022
- 1 October 2027
- 1 October 2032
- 1 October 2037

6.3 Contents

The plan shall be written for the general public and will be a format chosen by the Master Developer and agreed upon by the Designated Official. At a minimum, the plan should contain the following points:

- Narrative description of how the permits issued or applied for during the plan period meet the intent of the Principles
- Quantitative measures available to support the narrative
- Summary of key findings
- Proposed areas for improvement

APPENDIX I - Utilities

Section 1.0	Purpose and Intent
Section 2.0	Water
Section 3.0	Sewer
Section 4.0	Stormwater
Section 5.0	Administrative Modification of Standards
Section 6.0	Master Drainage Plan (Attachment 1)
Exhibit I-1	Project Boundary
Exhibit I-2	Utility Boundary
Exhibit I-3	297 Reservoir

1.0 Purpose and Intent

The purpose of this Appendix is to establish standards for the design, configuration and performance of utility service within the Project. Utility service encompasses all public and private facilities necessary to provide potable and reclaimed water supply, sanitary sewer service and stormwater service. These services are intended to:

- A. Ensure adequate, safe, and reasonable supply of potable water for public consumption, fire protection and irrigation;
- B. Ensure the adequate, safe and reliable collection of sewage or contaminated water and the conveyance of that sewage to offsite treatment systems;
- C. Ensure the collection, treatment and conveyance of stormwater to prevent public nuisances or hazards, protect the environment and preserve resources;
- D. Allow for flexibility in the design, location and operation of utility systems to minimize construction and maintenance costs, respond to market needs and take advantage of opportunities to improve efficiency and maintain effectiveness;
- E. Minimize the impact of utility systems on the public and minimize the intrusion of utility systems into the sociable public realm;
- F. Accommodate incremental redevelopment;
- G. Minimize the detrimental impacts of paved surfaces, maximize the beneficial impacts of green spaces, landscaping and public gathering areas.

2.0 Water

The Master Developer shall provide water facilities for the Project at its cost.

All new water system facilities (on and off-site required for service to the Project) shall be designed and constructed in accordance with currently-adopted City policies and standards and will become part of the City's system upon acceptance by the Designated Official. No services will be turned on until the facilities serving them are deemed substantially complete, as determined by the Designated Official.

The current City municipal water system has capacity to serve 1,600 Equivalent Residential Units (ERU) of the Project before a new 297 reservoir (**Exhibit I-3**) must be constructed and

operational. Should the Master Developer elect to construct this reservoir, the City shall credit the cost of the facility against local connection charges (or other mitigation expenses at the discretion of the City) up to \$3,800,000 (2011 dollars) or the actual reservoir project cost, whichever is less. (Based on 2011 dollars - escalated based on Engineering News Record (ENR) index for a period not to exceed 10 years). Connection Charge credits will only be granted after construction of the 297 Reservoir by the Master Developer; anticipatory credits will not be granted. Further, if the Master Developer chooses to implement a Latecomers reimbursement system connection charge credits will not be allowed. In other words, the Master Developer may choose either a Latecomer or a connection charge credit method of cost recovery, but not both.

All connections to the City's existing system shall pay the full Regional Connection Facilities Charge (RCFC) in effect at the time of connection, and any other regional charges. The City shall be the water purveyor of the overall system including fire flow, reservoir and pump sizing designed and installed to City standards and policies. Local and Regional Connection Charges for re-development projects shall be credited based on the size of the meter that is replaced or reused. For example, a 2" meter can be used to replace a 2" meter and no local or regional connection charges are due.

2.1 Water Conservation

All phases of the Project shall incorporate water conservation planning.

2.2 Phasing

If the water facilities necessary to serve the Project are not available due to the Master Developer's failure to perform, then the City may withhold Land Use Permits until concurrency is provided, as required in this Appendix.

3.0 Sewer

The Master Developer shall provide the sewer facilities for the Project at its cost.

Local connection charges for the re-development shall be credited based on the number of fixture units that are replaced or re-used. For example, 10 lavatory units could be replaced with 10 lavatory faucets at no new local connection charge. Metro connection charges will be waived by the City to the extent they are waived, or allowed to be waived, by Metro.

All sanitary sewer facilities needed to serve the Project shall be provided by the Developer. This includes all on-site collection and pumping systems (if needed) and all improvements (if necessary) in the adjacent Right of Way. Sewer may be discharged to the regional METRO trunk line that traverses the site at locations that have been previously provided for connections (as allowed under easement 8104230613 with METRO). Sewer facilities (pipelines, pump stations and treatment systems) that serve only Master Developer owned properties may be owned and operated by the Master Developer, at their discretion.

No off-site sewer improvements are necessary.

4.0 Stormwater

All stormwater facilities (collection, conveyance, treatment, detention and outfall) needed to serve the Project shall be provided by the Master Developer. As parcels redevelop, the provisions of this Section 4.0 shall apply. The stormwater system will be designed to accommodate the Project being developed with 100% impervious surfaces so as not to limit development of the properties. Each neighborhood, however, will include pervious surfaces to encourage localized infiltration when conditions allow, as well as to meet other purposes such as the Design Guidelines (Appendix B). For design purposes, stormwater facilities (e.g. ponds, bioswales, etc) are considered impervious.

4.1 Guidelines

The Master Drainage Plan has been developed to comply with the stormwater management goals listed below:

- 4.1.1 Minimize degradation to the water quality in Lake Sammamish by discharging stormwater that meets the Sensitive Lake Water Quality Treatment Standards. Ecology has defined several treatment technologies that meet this standard and by using these technologies the stormwater will be considered in compliance with the Sensitive Lake requirements.
- 4.1.2 Separate clean and dirty systems so that treatment processes can be optimized and dirty stormwater is not diluted by clean stormwater.
- 4.1.3 Maintain surface water and groundwater quality and quantities consistent with the requirements of the Department of Ecology's 2009 Stormwater Manual for Western Washington (20059 DOE manual).
- 4.1.4 Minimize erosion in Tibbetts Creek for all flows greater than 50% of the two-year event up to the 50 year event.
- 4.1.5 Maintain the hydrology of the on-site wetlands by recharging them with the same volume and hydroperiod of stormwater as would occur under current conditions.

In the event that the stormwater system described in the Master Drainage Plan is modified, either in part or in whole, these goals must be preserved.

4.2 Design and Construction Standards

Stormwater facilities must be provided consistent with the Standards in the City of Issaquah Municipal Code, Engineering Standards and this Development Agreement (except as noted herein). Municipal Code Standards are in *Title 13, Chapter 13.28, Surface Water Runoff Policy*. The Municipal Code references the King County Surface Water Design Manual Standards and those standards (specifically described below) are incorporated by reference.

King County: 2009 (KCSWDM), as amended by the City of Issaquah. These standards are in effect for the term of this Development Agreement.

Stormwater flows from storms greater than the 100-year event do not need to comply with this Section 4.0. These flows may be discharged directly to Tibbetts Creek, Tributary 0170 or Lake Sammamish at the Master Developer discretion.

4.3 Required Facilities

The stormwater facilities necessary for the Project will consist of the following major elements:

4.3.1 Collection

Pipelines within public rights-of-way, easements or private property that connect impervious surfaces to treatment, detention or outfall are “Collection pipes”. Collection pipes shall be designed in accordance with City standards.

4.3.2 Conveyance

Conveyance pipelines do not accept stormwater directly from the collection system (such as outfall pipes). Conveyance pipelines shall be designed in accordance with the Master Drainage Plan.

4.3.3 Detention

Detention is not required but may be provided at Master Developer discretion to reduce the size of other stormwater facilities, provide a site amenity or provide opportunities for reuse. Detention facilities, if provided, shall be designed in accordance with the MDP.

4.3.4 Treatment

Treatment is required for runoff from all impervious surfaces that might come in contact with motorized vehicles (cars, trucks, buses, motorcycles, etc) including roads, parking lots, parking strips, alleys, loading docks, etc. Runoff from “clean” pervious surfaces and surfaces that do not include motorized vehicle contact are not required to be treated as long as those surfaces are covered by BMPs that assure clean runoff. Treatment facilities shall be designed in accordance with the MDP to meet Sensitive Lake Standards. Stormwater (from dirty surfaces) that is discharged directly to Lake Sammamish shall receive basic treatment to meet Sensitive Lake Standards. Stormwater (from dirty surfaces) that is discharged to Tibbetts Creek or Tributary 0170 shall receive basic (Phosphorus) treatment to meet Sensitive Lake Standards. Stormwater from clean surfaces may be discharged to Lake Sammamish, Tibbetts Creek or Tributary 0170 without treatment as long as BMPs are in-place to ensure clean runoff.

4.3.5 Outfall

Clean stormwater shall be discharged to Tibbetts Creek, Tributary 0170 and/or Lake Sammamish (via a direct discharge pipeline) in accordance with the MDP. The outfall shall be designed to convey the 100-year storm to Lake Sammamish (less the Bypass Flow that will be discharged to on-site Streams).

4.4 Technical Information Reports (TIRs)

A Master TIR is included in the MDP. Subsequent TIR requirements are listed in the MDP.

4.5 Threshold Discharge Areas

Hyla Crossing and Rowley Center have been divided into three separate stormwater sub-basins, each with an outfall location and outfall discharge, as shown in **Exhibit I-2**. Each Sub-basin discharges to a separate surface water feature (Tibbetts Creek, Tributary 0170 and Lake Sammamish). The design standards for each sub-basin are listed in the Master Drainage Plan (MDP), for all discharges greater than 50% of the 2-year storm up to the 50

year discharge. All stormwater systems must be constructed in accordance with the Master Drainage Plan unless a deviation is granted by the Designated Official.

The sub-basin boundaries may be modified as long as the outfall discharge complies with the requirements in the MDP.

4.6 Modeling

A comprehensive stormwater model of the site and stormwater system was developed as part of the MDP. This model must be updated by the Master Developer with each subsequent land use permit or utility permit and the updated model must be delivered to the City prior to the commencement of work under that permit.

4.7 Material Restrictions

Uncoated copper and galvanized materials cannot be utilized as building materials unless no practical alternative exists.

4.8 Monitoring

Refer to the MDP for Monitoring details. All improvements described in the MDP are prescriptive and are exempt from monitoring except for proof of compliance with the approved designs, which generally occurs within the one-year guarantee period and is provided by the Contractor of that facility.

4.9 Joint Use

Stormwater facilities are encouraged to be multi-purpose facilities and may be used as recreational spaces and public amenities and it is not the intent of this Development Agreement to limit the purpose of these facilities to stormwater uses. Ponds may be fenced with low, split-rail type fencing, but otherwise, should be open for viewing by the public and be designed as an integral part of the community.

5.0 Administrative Modification of Standards

The provisions of this Appendix may be modified pursuant to the Flexibility Objectives and the provisions of Appendix O (Permitting) of this Agreement.

6.0 Master Drainage Plan (MDP)

The Master Drainage Plan, attached hereto as **Attachment 1** to this Appendix I (Utilities), is an integral and binding component of this Development Agreement. The Master Drainage Plan is hereby adopted and incorporated by reference as if fully set forth herein.

Exhibit I-1 Project Boundary

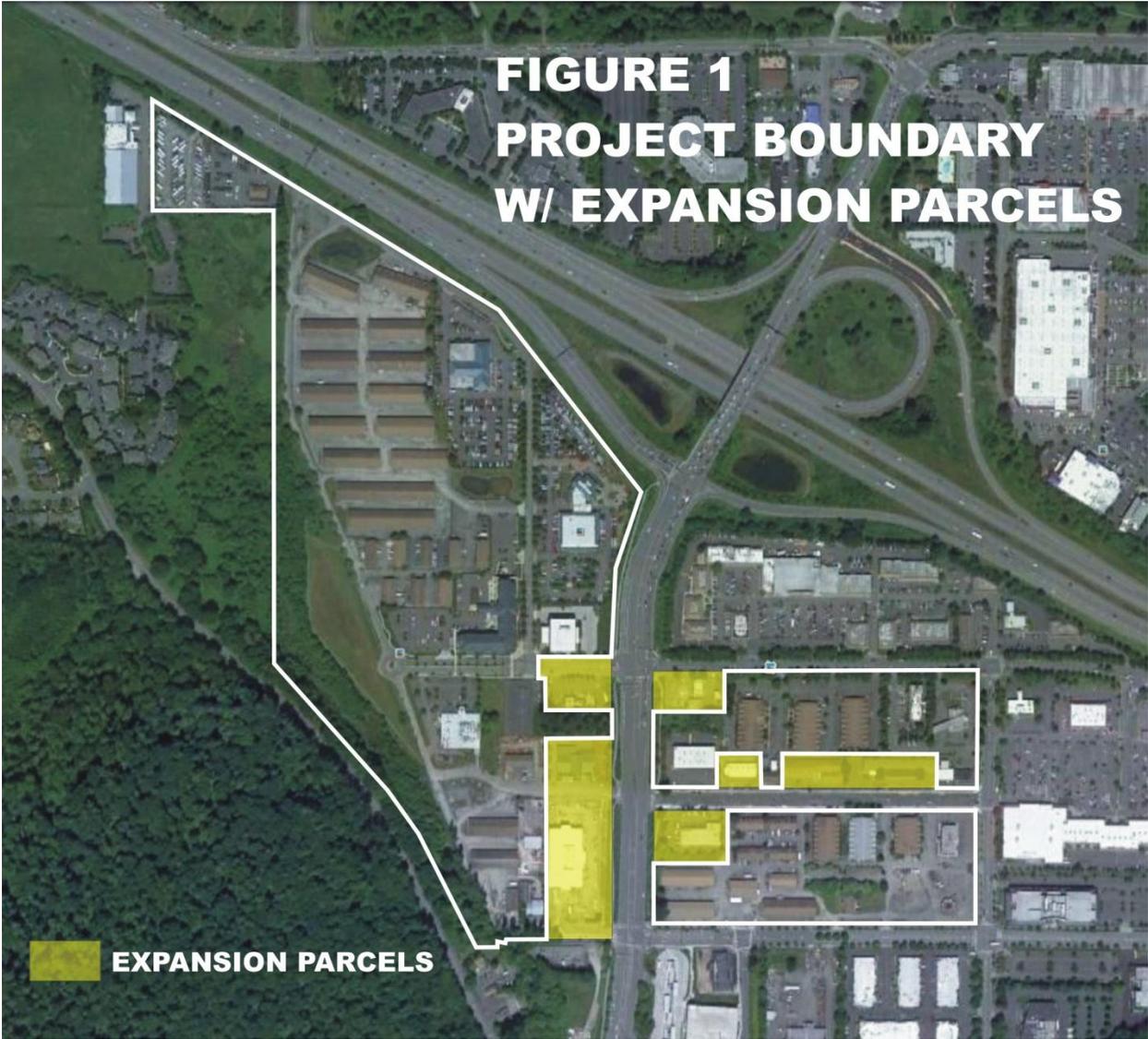


Exhibit I-2 Utility Boundary



Exhibit I-3 297



Reservoir

Attachment 1 Master Drainage Plan (MDP)

APPENDIX J – Critical Area Regulations

Section 1.0	Purpose
Section 2.0	Intent
Section 3.0	Environmentally Critical Areas
Section 4.0	Allowances
Section 5.0	Critical Area Intrusions
Section 6.0	Critical Area Studies
Section 7.0	Critical Area Protection Mechanisms, Buffer Areas and Building Setback Areas
Section 8.0	Temporary Marking – Permanent Marking – Signs
Section 9.0	Monitoring
Section 10.0	Critical Area Mitigation Fund
Section 11.0	Allowed Critical Area Activities
Section 12.0	Mitigation Plan Information Requirements
Section 13.0	Bonds for Restoration and Mitigation Activities
Section 14.0	Enforcement and Penalties for Critical Areas
Section 15.0	Civil Penalties
Section 16.0	Notices and Orders
Section 17.0	Criminal Penalties
Exhibit J-1	Critical Area Map
Exhibit J-2	Northern Enhancements
Exhibit J-3	Southern Enhancements
Exhibit J-4	Off-Site Enhancements
Exhibit J-5	Building Encroachment
Exhibit J-6	Interim 100’ Line

1.0 Purpose

The purpose of this Appendix is to identify environmentally critical areas and to modify by agreement existing regulations in a manner which tailors their application and requires mitigation appropriate to this specific property, circumstance and unusual site conditions. In so doing, the parties intend to establish guidelines and regulations consistent with IMC 18.10.400.I but which allow for the consideration and implementation, upon a sufficient showing by the Master Developer, of alternative means of achieving like results.

The following buffer-related, specific current code provisions were utilized in the development of this Appendix:

- IMC 18.10.350 Intent.
- IMC 18.10.400.I Exemptions.
- IMC 18.10.640 Wetland buffer width requirements.
- IMC 18.10.650.A Exceptions to wetland buffer width requirements.

2.0 Intent

Any Critical Area regulations not specifically addressed in this Appendix are regulated by IMC 18.10. It is the intent of the City to balance the community vision which includes:

A. Environmental protection and preservation;

- B. Diversified, economic growth which has been planned and which is compatible with the vision of the community; and,
- C. Overall improvement of the quality of life for the residents of Issaquah.

3.0 Environmentally Critical Areas

- A. All known, non-exempt critical areas located within the Project boundaries are identified on the Critical Area Map (**Exhibit J-1**). There are no Critical Areas located within the Rowley Center neighborhood aside from the adjacent wetlands associated with SR900, located on property owned by WSDOT. The Hyla Crossing neighborhood contains additional SR900 wetlands located within WSDOT right-of-way, steep slopes adjacent to Newport Way NW, floodplain associated with Tibbetts Creek, and Tibbetts Creek stream and wetlands.
- B. No encroachments or disturbance shall occur within any Critical areas except for those listed in Sections 4.0 and 5.0 of this Appendix.

4.0 Allowances

The following activities are vested rights to the Master Developer with this Appendix and agreed to by the City to foster the redevelopment envisioned with this Agreement. These allowances require a City permit and must be accompanied by a Critical Area Study (unless otherwise noted) as provided for in Section 6.0 of this Appendix to ensure any impacts are minimized and mitigated.

- A. Emergencies that threaten the public health, safety and welfare as determined by the Master Developer and/or Designated Official are exempt and shall not be subject to any review and approval process;
- B. Non-vehicular Recreational Crossing(s) (up to 3) of Tibbetts Creek, provided there is no unmitigated wetland, stream or buffer impacts; and, added plantings, as directed by the Designated Official, shall be installed.
- C. Public water, electric and natural gas distribution, public sewer collection (sanitary & storm), cable communications, telephone utility, and other private utilities and related activities, with no practical location alternative, undertaken pursuant to City-approved best management practices and restoration for any disturbance.
- D. Relocation of Tibbetts Creek per **Exhibit J-4** to the west.
- E. Trails and outlooks within the Critical Area buffer as part of an approved Trails Plan
- F. Critical Area habitat enhancements (e.g. frog bridge, bird houses, bat boxes, etc.), shall not be subject to any review and approval process.
- G. Sediment removal within Tibbetts Creek as necessary to maintain flows with restoration of any disturbed areas, as directed by the Designated Official.

5.0 Critical Areas Intrusions.

Should proposed development lead to critical area intrusions not addressed in Section 4.0, the applicant shall provide a Critical Area Study as provided for in Section 6.0 of this Appendix. The provisions of Section 2.0 of this Appendix must be supported in order to be considered for approval. An application for a critical area intrusion shall be approved where the Master Developer demonstrates that, as mitigated, approval of the intrusion is consistent with the policies set forth in Section 2.0.

6.0 Critical Areas Studies

- A. Required: As determined by the Designated Official, an applicant for a development proposal that may, or could have probable adverse impacts to critical areas shall submit a critical areas study for all non-exempted critical area actions, to adequately evaluate the proposal and all probable impacts. The need for a critical areas study shall be determined through:
1. Review of the SEPA decision for the Project;
 2. Agency resource maps or studies; or
 3. At the request of the Designated Official after field investigation.
- B. Contents of Critical Areas Study: At a minimum a critical areas study shall be prepared at the applicant's expense, to identify and characterize any critical area as a part of the larger development proposal site; assess any hazards to the proposed development (e.g. flooding, steep slope instability, etc.); assess impacts of the development proposal on any critical areas located on or adjacent to the development proposal site; and assess the impacts of any alteration proposed for a critical area. Studies shall propose adequate mitigation, maintenance and monitoring plans and bonding measures. Critical areas studies shall include among other requirements, a scale map of the development proposal site and a written report. The following criteria identified within Subsection C are the basic requirements for a critical areas study. However, the Designated Official may request additional information if warranted by the specific request.
- C. Required Notice: all Critical Area Studies shall be displayed on the City's webpage with other permit tracking information. Contents shall include:
1. Vicinity Information:
 - a. A description and maps at a scale no smaller than one (1) inch = fifty (50) feet (unless otherwise approved by the Designated Official), showing the entire parcel of land owned by the applicant; adjacent area; and the exact boundary of the critical area on the parcel as determined in compliance with appropriate section of this appendix. Maps can be overlaid on aerial photographs;
 - b. For parcels containing wetlands, the study must include the location and description of the existing vegetative cover, including dominant species of the regulated wetland and adjacent area.
 2. Plan:
 - a. A plan for the proposed activity at a scale no smaller than one (1) inch = twenty (20) feet (unless otherwise approved by the Designated Official), showing the location, width, depth and length of all existing and proposed structures, roads, sewage treatment, and installations to be located within the critical area and/or its buffer;
 - b. The exact sizes and specifications for all regulated activities including the amounts and methods.
 3. Project Description:
 - a. The purposes of the project and an explanation why the proposed activity cannot be located at another location on the project site, including an explanation of how the proposed activity is dependent upon the chosen specific location; and,
 - b. Specific means to mitigate any potential adverse environmental impacts of the applicant's proposal.
 4. Additional Information:

The Designated Official may as appropriate require the following additional information to address a specific concern:

- a. Topographic map, including elevations of the site and adjacent lands within the critical area and its buffer at contour intervals as specified by the Designated Official but in most cases no greater than five (5) feet;
 - b. Elevations and cross sections;
 - c. Assessment of critical area functional characteristics including but not limited to a discussion of the methodology used and documentation of the ecological, aesthetic, economic, or other values of the critical area;
 - d. A study of natural hazards at the site and the effect of any protective measures that might be taken to reduce such hazards;
 - e. A Biological Assessment as required by Section 7(c) of the Endangered Species Act; or,
 - f. Lighting impacts on adjacent wetland or stream critical areas; or,
 - g. Any other information deemed necessary to verify compliance with the provisions of this Appendix or to evaluate the proposed use in terms of the purposes of this Appendix.
- D. The Designated Official shall circulate the critical areas study to any affected City Departments or other entities, as deemed appropriate, such as, the Public Works Department and the River and Streams Board.
- E. The Designated Official shall make a final decision regarding the adequacy of the critical areas study.
- F. No construction may occur prior to the issuance of a decision on the Critical Area Study and all necessary land use and/or utility permits.

7.0 Critical area protection mechanisms, buffer areas and building setback areas

All Critical Areas shall be protected pursuant to this Section 7.0.

A. Protection Mechanisms for Critical Areas

1. There are two mechanisms for protecting critical areas: tracts and easements. The Designated Official will have the discretion to determine which mechanism shall be used to protect critical areas. In general the following can be used as guidance for using these mechanisms:
 - a. Large critical areas will be placed in tracts.
 - b. Smaller critical areas will be restricted by easements. These easements will permit the broader uses allowed in critical area tracts.
2. Critical Area Tracts: Critical area tracts shall be used to protect critical areas in proposals for subdivisions or other development proposals to which they apply, and shall be recorded on all documents of title of record for all affected lots.
 - a. Critical area tracts are legally created tracts containing critical areas and their buffers that shall remain undeveloped in perpetuity. Critical area tracts are an integral part of the larger parcel in which they are created, are dedicated or recorded at Final Plat or prior to Building Permit issuance and are not intended for future sale, lease or transfer. Permanent survey stakes using iron or cement markers as established by current survey standards shall be set delineating the boundaries between adjoining properties and the critical area tracts.

- b. Ownership: Critical Area tracts shall not be individually owned, but shall be dedicated to the Master Association or other appropriate organization as approved by the Designated Official. In some circumstances, the City may consider ownership of the tracts, at their discretion.
 - c. Allowed Uses: Permitted uses in these tracts shall be consistent with this Appendix, and approved by the Designated Official.
 - 3. **Conservation Easements:** Conservation Easements shall be used to protect critical areas on portions of private property containing critical areas where a critical area tract is not created. The easements shall be recorded on all documents of title of record for all affected parcels.
 - a. Conservation Easements are legally created restrictions containing critical areas and their buffers that shall remain undeveloped so long as the protection is needed. These easements are an integral part of the larger parcel in which they are created, are dedicated at Final Plat or prior to Building Permit issuance and are not intended for future sale, lease or transfer.
 - b. Ownership: Conservation easements shall be dedicated to the Master Association or other appropriate organizations as approved by the Designated Official. In some circumstances, the City may consider being the recipient of the easement, at their discretion.
 - c. Allowed Uses: Permitted uses in these easements shall be consistent with this Appendix, and approved by the Designated Official.
- B **Buffer Areas:** Buffer areas shall be established from the outer edge of the critical area and based on the minimum buffer requirements set forth in the appropriate section of this Appendix.
 - 1. Tibbetts Creek and associated wetlands – buffers will vary in width based on a Specific Critical Area Plan (generally illustrated as **Exhibit J-1**). The Plan will be developed recognizing the site is a combination of prior improvements and currently non-conforming creek and wetland buffers. The Plan will include the filling of a portion of the creek and wetlands and the creation of replacement creek and wetlands areas, buffer widenings and buffer enhancements. More specifically, the Plan will include the following:
 - a. Tibbetts Creek Greenway completed improvements (Wetlands C and D, approximately 2.5 acres) have provided benefits for creek capacity, water quality and fish and wildlife habitat for Tibbetts Creek in this geographic location.
 - b. On-site Enhancements
 - 1. Southern Enhancements (**Exhibit J-3**): completed prior to occupancy of any redevelopment of parcels 7450900380, 7450900370 or 7450900360.
 - 2. Southern Enhancements will establish a 100-foot buffer (averaged) and an additional 1.1 acres of critical area within the Creek.
 - 3. Northern Enhancements (**Exhibit J-2**): completed prior to occupancy of 1,000,000 of Allowable Development within the Hyla Neighborhood
 - 4. Northern Enhancements: will establish a 100-foot averaged buffer east of the Creek and add 0.6 acres of critical area at the northernmost end of the Project.
 - c. Off-site enhancements
 - 1. Off-site Opportunity (**Exhibit J-4**, approximately 5 acres) – the Master Developer and the City shall work to obtain control over the off-site property to relocated Tibbetts Creek to the west either through obtaining fee title or a

conservation easement. The project will include filling a portion of the existing creek and wetlands combined with the creation of replacement creek and wetlands.

2. The Master Developer shall be responsible for land costs, developing the Creek enhancement and relocation plan per the Tibbetts Greenway Plan. Upon property control, the Master Developer may apply for and obtain all local and State permits necessary to implement such plan.
3. The City will, if necessary, assist in property acquisition.
4. Timing: Due to the uncertainty of Master Developer's ability to acquire title and/or otherwise obtain permission and/or permit approvals to conduct this off-site critical area work, Master Developer shall retain a portion of its developable property (as illustrated in Exhibit J-6) to be utilized as potential additional critical area buffer if the creek relocation as described in Subsection 2 above cannot be accomplished. This limitation is further described in Subsection 5 below.
5. Until such time as the off-site enhancements depicted in Exhibit J-4 are completed, Master Developer shall neither construct any new structures nor expand any existing structures within one hundred feet (100') of that portion of Tibbetts Creek (in its current location) adjacent to and between the southerly face of Building 15 (as depicted in Figure 3.2-1 of the Hyla Crossing and Rowley Center Project FEIS) to the northerly boundary of Master Developer's ownership adjacent to I-90. Nothing herein shall prohibit Master Developer from expanding any existing building where such expansion occurs outside of such 100 foot buffer.

d. Limited Building Encroachment (**Exhibit J-5**)

1. Maximum 2 locations
2. Location: vicinity of Maple and 19th Avenue
3. Maximum Encroachment: 200 linear feet, within 25 feet (10 foot buffer and 15 foot Building Setback Area) of Tibbetts Creek with a minimum vertical clearance of 12 feet (2nd Story and above)
4. Limitation: Mid-Rise or High-Rise Structure only
5. Required: Critical Area Study and necessary buffer mitigation including buffer replacement.

e. Building Setback Area

Unless otherwise allowed in this Section 7.B or 7.C, a 15-foot Building Setback Area shall apply.

2. I-90 and SR900 wetlands – would be maintained per existing conditions, unless wetlands are relocated through future actions.
3. Steep Slopes – toe and top of slopes shall be determined through a geo-technical evaluation with City peer review.
4. Restrictions due to the presence of Seismic hazards will be evaluated at Utility and Building Permit review.
5. Where more than one critical area buffers overlap, the largest buffer width shall be applied to ensure adequate protection for each critical area.
6. Reduction: unless otherwise specifically allowed, a critical area buffer may be reduced if the following apply:

- a. A critical area study indicates the buffer may be reduced without resulting in impacts to the critical area.
 - b. The reduction may be fully mitigated through additional plantings, buffer increase elsewhere or other means, as approved by the Designated Official.
7. **Buffer Averaging:** Standard critical area buffers may be modified by averaging buffer widths if approved by the Designated Official as part of the Critical Area Study submitted either with, or prior to, the development application. Buffer width averaging is anticipated for the Project and shall be allowed within all wetland classes where the applicant demonstrates the following:
- a. That width-averaging will not adversely impact the wetland functional values;
 - b. That the total area contained within the wetland buffer after averaging is no less than that contained within the standard buffer prior to averaging, except in the following situations: The Designated Official may consider relocation of averaged buffer to the buffer of other wetlands; and,
 - c. Areas already protected by these Critical Area Regulations including the specific critical area or the required buffer, may not be used for buffer averaging credit.
- C. **Building Setback Areas:** Building setback areas shall be established from the outer edge of the critical area buffer.
1. The minimum building setback area shall be fifteen (15) feet unless a reduction of this standard meets the following criteria and is approved by the Designated Official:
 - a). The intrusion can be shown, through a critical area study which assumes implementation of appropriate mitigation, to have no adverse impact on the critical area;
 - b). Construction techniques can be utilized that reasonably ensures no adverse impact to the critical area or buffer during construction activities;
 - c). Design of the site and building(s) and, placement of the building(s) allow adequate physical and visual separation from nearby uses and are sensitive to the critical area; and,
 - d). An area equal to 2(x) the intrusion shall be provided within the building setback area as pervious open space. This area shall be landscaped to be compatible with the adjoining critical area, as determined by the Designated Official.
 2. Prohibitions on the use of hazardous or toxic substances and pesticides or certain fertilizers in this area shall be imposed for setbacks from streams and wetlands.
 3. Minor structural intrusions (e.g. patios, sidewalks, roads, rockeries and walls less than 4 feet in height) into the area of the building setback may be allowed if the applicant proves to the Designated Official that such intrusions will not negatively affect the protection level provided by the buffer to the critical area.
 4. Balconies located more than 30 feet above adjacent grade may extend into the Building Setback Area, subject to the applicant demonstrating to the Designated Official that the intrusions will not adversely impact the critical area.
 5. The building setback area shall be illustrated on all implementing preliminary plats and final plats, site development permits, building permit site plans, and similar type of permits containing or adjacent to critical areas.

8.0 Temporary marking - Permanent survey marking - Signs

- A. Temporary Marking: The location of the outer extent of the critical area buffer and building setback line pursuant to an approved Development or Land Use Permit shall be marked in the field with orange construction fencing and/or other appropriate apparatus, as determined by the Designated Official during critical area review. The location and presence of such markings in the field shall be approved by the Designated Official, prior to the commencement of permitted activities. Such field markings shall be maintained throughout the duration of the construction activities.
- B. Survey Markers: Permanent survey stakes using iron or cement markers as established by current survey standards shall be set delineating the boundaries between adjoining properties and the critical areas tracts.
- C. Signs: Boundaries between critical area tracts and/or areas with conservation easements and adjacent lands shall be identified using permanent signs explaining the type and value of the critical area, except the portions, if any, of a critical area that are adjacent to natural or wild areas. Whenever a trail enters a critical area buffer, the boundary shall be identified using permanent signs explaining the type and value of the critical area. The number of signs required by the Designated Official will be dependent upon the size of the critical areas and the use of the property.

9.0 Monitoring

- A. The Designated Official shall require monitoring when mitigation is required for the alteration of a critical area and its buffer.
- B. Frequency, detail and length of monitoring by the applicant will be included in the Mitigation Plan or the Critical Area Decision.
- C. Where monitoring reveals a significant deviation from predicted impacts or a failure of mitigation measures, the applicant shall be responsible for appropriate corrective action which, when approved, shall be subject to further monitoring by the applicant.

10.0 Critical Areas Mitigation Fund

There is hereby created a Critical Areas Mitigation Fund which shall be administered by the Finance Department. All funds received from civil penalties resulting from violations of this appendix shall be deposited in the fund which shall be used only for the purpose of paying all or part of the cost and expense of enforcing and implementing this Appendix. Monies in said fund not needed for immediate expenditure shall be invested for the benefit of Critical Areas located within the Project; or, as otherwise directed by the Master Developer.

11.0 Allowed Critical Area Activities

- A. The following activities shall be allowed within a critical area and buffer to the extent that they are not prohibited by any other ordinance or law and provided they are conducted using best management practices, except where such activities result in the conversion of a regulated critical area and buffer to an activity to which it was not previously subjected. Further that forest practices and conversions shall be governed by Chapter 76.09 RCW and its rules.
 - 1. Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife;
 - 2. Outdoor recreational activities, including fishing, trail activities & bird watching;
 - 3. The noncommercial harvesting of wild vegetation in a manner that is not injurious to the critical area and provided the harvesting does not require tilling of soil, planting of crops,

or alteration of the wetland by changing existing topography, water conditions or water sources;

4. Education, scientific research, and use of designated trails;
 5. Normal or emergency maintenance, repair, or operation of existing serviceable structures, facilities, or improved areas. Maintenance and repair does not include any modification that changes the character, scope, or size of the original structure, facility, or improved area and does not include the construction of a maintenance road;
 6. Minor modification of existing serviceable structures (e.g. utilities, monitoring equipment, etc.) within a buffer where modification does not adversely impact wetland functions; and
 7. Site investigative work necessary for land use application submittals such as delineations, surveys, soil logs, percolation tests and other related activities; and,
 8. Removal of invasive or non-native vegetation or installation of habitat or water quality enhancing vegetation.
- B. In critical area buffers, regulated activities which have minimal adverse impacts within the buffers and no adverse impacts on wetlands may be allowed through the Land Use Permit process, provided they are conducted using best management practices. These activities include:
1. Low-intensity, passive recreation-related activities such as development of recreation trails & outlooks, nonpermanent wildlife watching blinds, short-term scientific or educational activities;
 2. Stormwater management facilities having no feasible alternative on-site locations, where appropriate mitigation in the form of restoration and/or enhancement is included, and which would not adversely affect the function or values of the buffer or wetland. Any buffer area displaced by a stormwater management facility shall be compensated for by adding buffer area so that no net loss of buffer area results from the placement of the facility. However, dispersion trenches (with prior approval by the Designated Official) which support wetland or stream water flows, do not require compensatory mitigation; and,
 3. Surface water discharge to a critical area or buffer from a detention facility, pre-settlement pond or other surface water management activity or facility may be allowed if the discharge enhances the critical area and/or does not increase the rate of flow, change the plant composition in a critical area, or decrease the water quality of the wetland or stream.

12.0 Mitigation plan information requirements

A required mitigation plan shall be prepared in consultation with the Designated Official and qualified professionals. The scope and specific requirements of a mitigation plan are dependent on the size and nature of the development proposal, and, the nature of the impacted critical area, the mitigation plan shall contain at a minimum the following components; however, the Designated Official may request additional information as required for the decision-making process:

- A. Identification of Project Team: A Compensation Project Manager shall be named and the qualifications of each team member involved in preparing the mitigation plan and implementing and supervising the project shall be provided, including educational background and areas of expertise, training and experience with comparable projects.
- B. Baseline Information: A written assessment and accompanying maps of the environmental conditions of the impacted regulated wetland and the mitigation-site if different.
- C. Environmental Goals and Objectives: A written report shall be provided identifying goals and objectives of the mitigation plan. The goals and objectives shall be related to the functions and

values of the original wetland or if out-of-kind, the type of wetland to be emulated and an analysis of the likelihood of success of the created or restored wetland.

- D. Evaluation Criteria: Specific criteria, including ecological, geological, or hydrological criteria, shall be provided for evaluating whether or not the goals and objectives of the project will be met and whether or not remedial action or contingency measures should be initiated.
- E. Detailed Landscape Construction Plans: Drawings and written specifications describing the mitigation techniques and materials to be used.
- F. Monitoring Program: A program outlining the approach for monitoring construction of the compensation project and for assessing a completed project shall be provided, including a protocol of how the monitoring data will be evaluated by agencies that are tracking the progress of the mitigation project.
- G. Contingency Plan: Identification of potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.

13.0 Bonds for restoration and mitigation activities

- A. Performance Bonds: Mitigation required pursuant to a development or utility proposal must be completed prior to the Designated Official's granting of final approval of the development proposal or utility permit. If the applicant demonstrates that seasonal requirements or other circumstances beyond its control prevent completion of the mitigation prior to final approval, the applicant may post a performance bond equal to one hundred fifty (150) percent of the total cost of the unfinished mitigation project to complete, or other security instrument approved by the Designated Official which guarantees that all required mitigation measures will be completed no later than the time established by the Designated Official in accordance with this Appendix.
- B. Maintenance/Monitoring Bonds: The Designated Official shall require the applicant whose development proposal is subject to a mitigation plan to post a maintenance/monitoring bond equal to fifty (50) percent of the estimated maintenance and monitoring cost, or other security instrument approved by the Designated Official in an amount determined sufficient to guarantee satisfactory workmanship, materials, and performance of structures and improvements allowed or required by this appendix for a period of five (5) years.
- C. Performance and maintenance/monitoring bonds or other security instruments shall also be required for restoration of a critical area not performed as part of a mitigation plan, except no bond shall be required for minor stream restoration carried out pursuant to this Appendix.
- D. Bonds or other security instruments shall be in a form and amount approved by the Designated Official and the City Attorney and shall remain in effect until the Designated Official determines in writing that performance and maintenance standards have been met.
- E. Enforcement of Bonds: Depletion, failure, or collection of bond funds shall not discharge the obligation of an applicant or violator to complete required mitigation or restoration.

14.0 Enforcement and penalties for critical areas

- A. The enforcement provisions for critical areas are intended to encourage compliance and protect critical areas and the public from harm. To achieve these ends, violators will not only be required to restore damaged critical areas, insofar as that is possible, but will also be required to pay a civil penalty for the redress of ecological, recreational, and economic values lost or

damaged due to their unlawful action. The provisions in this section are in addition to, and not in lieu of, any other penalty, sanction or right of action provided by law.

- B. Each violation of this Appendix, or any rule or regulation adopted, or any permit, permit condition, or order issued pursuant to this Appendix, shall be a separate offense, and, in the case of a continuing violation, each day's continuance shall be deemed to be a separate and distinct offense.
- C. Any person incurring a penalty may apply in writing within thirty (30) calendar days of receipt of the penalty to the Designated Official for remission or mitigation of such penalty. Upon receipt of the application, the Designated Official may remit or mitigate the penalty only upon a demonstration of extraordinary circumstances, such as the presence of information or factors not considered in setting the original penalty.
- D. All costs, fees, and expenses in connection with enforcement actions may be recovered as damages against the violator.
- E. Aiding or Abetting: Any person who, through an act of commission or omission procures, aids or abets in the violation shall be considered to have committed a violation for the purposes of the penalty.
- F. The Designated Official may bring appropriate actions at law or equity, including actions for injunctive relief, to ensure that no uses are made of critical areas or their buffers that are inconsistent with this Appendix.

15.0 Civil penalties

- A. Any person in violation of this appendix shall be subject to civil penalties assessed as follows:
 - 1. An amount reasonably determined by the Designated Official to be equivalent to the economic benefit that the violator derives from the violation as measured by the greater of the resulting increase in market value of the property or the value received by the violator, or savings of construction costs realized by the violator performing any act in violation of this Appendix.
 - 2. An amount, not to exceed \$25,000, that is reasonably based upon the nature and gravity of the violation and the cost to the City of enforcing this Appendix against the violator.
 - 3. Penalties under this section shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the City. The notice shall describe the violation, approximate the date(s) of violation, and shall order the acts constituting the violation to cease and desist, or, in appropriate cases, require necessary corrective action within a specific time.
 - 4. Any civil penalty recovered under this section shall be deposited in the Critical Areas Mitigation Fund for use by the City in protecting or restoring critical areas that are part of the Project or as otherwise directed by the Master Developer.
 - 5. No civil penalty shall be imposed under this Appendix upon the Designated Official, or City employees for any act or omission relating to the administration or enforcement of this Appendix.

16.0 Notices and orders

The Designated Official is authorized to issue violation notices and administrative orders, levy fines, and/or institute legal actions in court.

- A. Recourse to any single remedy shall not preclude recourse to any of the other remedies.

- B. The Designated Official may serve upon a person a cease and desist order if an activity being undertaken on a critical area or its buffer is in violation of this appendix or related Designated Official's decision. Whenever any person violates this appendix or any permit issued to implement this appendix, the Designated Official may issue an order reasonably appropriate to cease such violation and to mitigate any environmental damage resulting therefrom.
1. The order shall set forth and contain:
 - a. A description of the specific nature, extent, and time of violation and the damage or potential damage; and,
 - b. A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time. A civil penalty may be issued with the order.
 2. The cease and desist order issued under this section shall become effective immediately upon receipt by the person to whom the order is directed.
 3. Failure to comply with the terms of a cease and desist order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.
 4. Orders and penalties issued pursuant to this subsection may be appealed.
- C. Any person who undertakes any activity within a critical area or its buffer without first obtaining a permit required by this Appendix, except as allowed in each section under the allowed activities provision, or any person who violates one (1) or more conditions of any permit required by this Appendix or of any order issued pursuant to subsection (C)(2) of this section, shall incur a penalty allowed per violation.
1. In the case of a continuing violation, each permit violation and each day of activity without a required permit shall be a separate and distinct violation.
 2. The penalty amount shall be set in consideration of the previous history of the violator and the severity of the environmental impact of the violation.
 3. Penalties provided from this section shall be appealable to King County Superior Court.

17.0 Criminal penalties

As an alternative to any other judicial or administrative remedy provided in this Appendix or by law or other ordinance, any person who willfully or knowingly violates any provision of this Appendix, or any order issued pursuant to this Appendix, or by each act of commission or omission procures, aids or abets such violation, is guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed \$1,000 and/or imprisonment in the City jail for a term not to exceed ninety (90) days. Each day such violation continues to occur, shall be considered an additional misdemeanor offense.

Exhibit J-1 Wetlands & Tibbetts Creek



Exhibit J-2 Northern Enhancements



Exhibit J-3 Southern Enhancement Area



Exhibit J-4 Off Site Improvements



Exhibit J-5 Building Encroachment

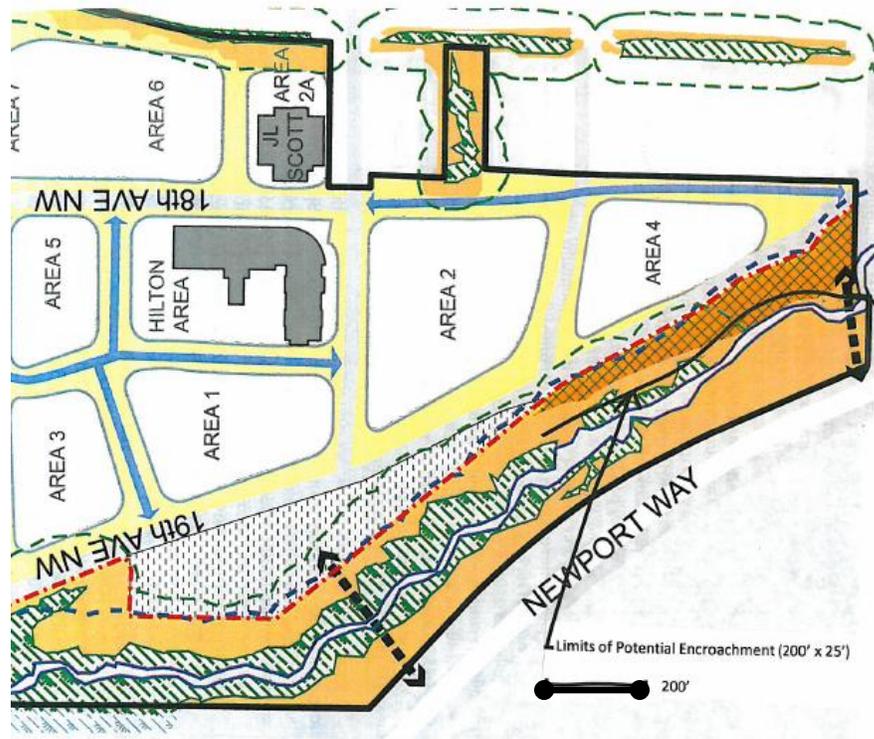
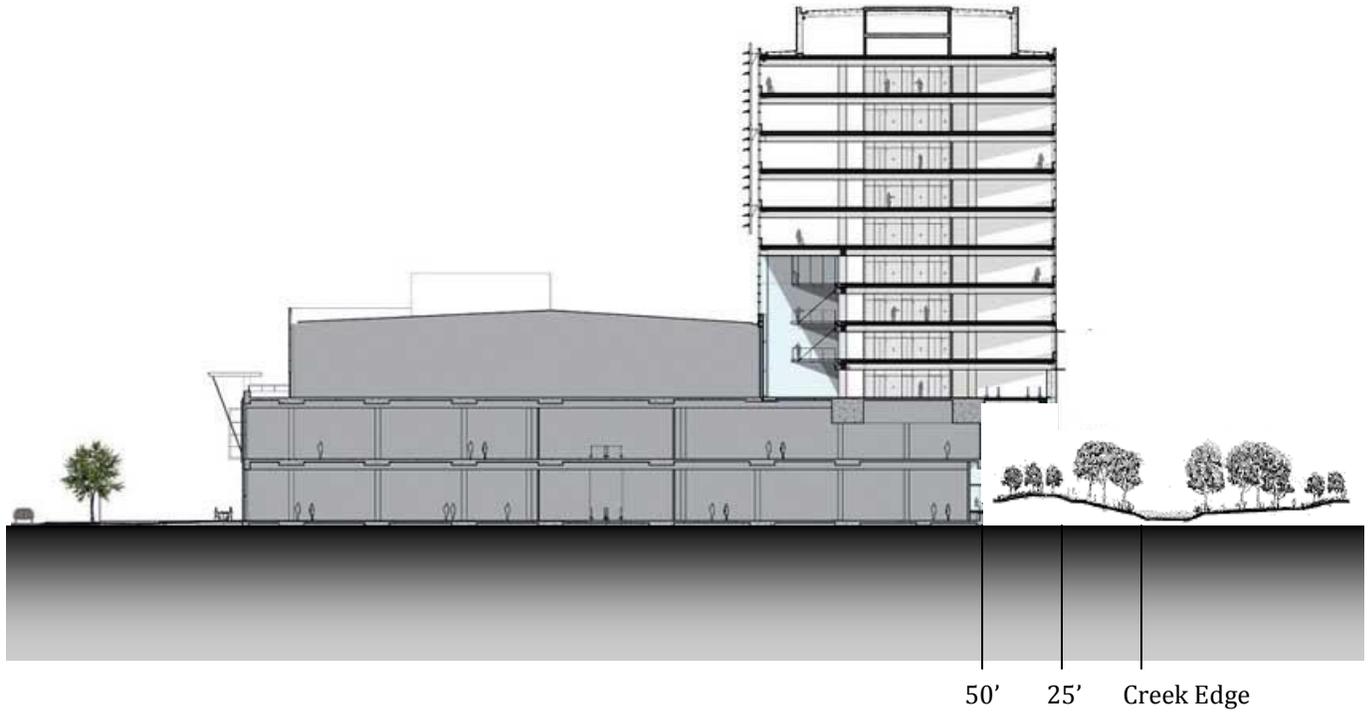


Exhibit J-6 Interim 100' line from Tibbetts Creek



APPENDIX K –Housing

- Section 1.0 Purpose and Intent**
- Section 2.0 Housing Requirement**
- Section 3.0 Workforce Housing Requirements**
- Section 4.0 Accessory and Live/Work Units**
- Exhibit K-1 Incomes/Jobs Chart**

1.0 Purpose and Intent

Housing is vital to the success of the mixed use Urban Village model. The model calls for a balance of strong businesses, neighborhood amenities, access to transportation choices and housing opportunities for people of varying incomes.

The purpose of this Appendix is to help promote housing for a diversity of income groups. Both market rate and Workforce Housing is needed in the Project. Workforce housing is designed for people and families that earn more than 30% of the median income for King County – an income strata that represents a large bulk of the housing necessary to accommodate the local work force. See **Exhibit K-1** for a list of current County incomes and job types.

Within the region, the market will generally provide rental housing for incomes above 70% of the County median and ownership above 100% of the County median. Therefore, rental housing for incomes between 30% and 70% and ownership housing between 70% and 100% is typically underrepresented in general market-driven housing development. Issaquah is not alone in its challenge to meet the needs of this segment of its community.

Persons and families that are represented by this demographic have found it difficult to find housing that is located in the area in which they work, and that is adequate for their needs. In response, many families have taken to “driving for affordability”, or “drive ‘til you qualify” to find housing with quality schools and a low crime rate. This set of circumstances has caused average commuting time to expand and often necessitates ownership of a private vehicle or vehicles which creates an added financial burden as gas prices rise. An alternative is to locate quality housing close to the workplace. The City and Master Developer recognize the need to provide affordable, quality housing proximate to employment in order to maintain a diverse population and to provide housing for those who live or work in the community.

2.0 Housing Requirement

- 2.1 Each Neighborhood will have housing developed as part of the total redevelopment, with at least 50 units developed in each Neighborhood.
- 2.2 At least 500 housing units shall be provided within the Project for the initial 2,500,000 square feet.
- 2.3 When the Allowable Development exceeds 2,500,000 square feet, 1 additional housing unit shall be provided for each 2,000 square feet of non-residential space receiving occupancy. If the Project reaches full buildout (4,435,100 sf), it is expected an additional

500 – 700 housing units may be provided (assuming each housing unit is approximately 900 square feet).

2.4 Timing

2.4.1 Phase 1 (0 – 2,500,000 sf)

2.4.1.1 Minimum Residential Units: 500

2.4.1.2 Minimum Workforce Housing: 100

2.4.2 Phase 2 (2,500,001 sf – 4,435,100 sf)

2.4.2.1 One (1) additional housing unit per 2,000 sf of Phase 2 non-residential occupancy.

3.0 Workforce Housing Requirements

3.1 Required Number of Units

The Project shall include, at a minimum, 100 units of Workforce Housing.

3.2 Required Type of Units

The Units may be either ownership or rental, at the discretion of the Master Developer.

3.3 Unit Mix

The Master Developer shall determine the actual mix of Units. However, the unit mix of the Workforce Housing should be comparable to the overall mix of housing in the neighborhood.

3.4 Pricing of Workforce Housing

3.4.1 **Rental:** 30% to 70% of median income for King County.

3.4.2 **Ownership:** 70% to 100% of median income for King County.

3.4.3 **Resale or Rental Restriction Covenant**

The Workforce Units will be governed by a covenant restricting the sales prices and resale or rental price of each encumbered Unit, which covenant shall be in a form mutually agreed upon by the Master Developer and the City after adoption of this Agreement. The Covenant will have a term of at least 30 years.

3.5 Recorded Covenants

The Workforce Housing Development Standards shall be incorporated into specific housing recorded covenants between the City and the Builder of the Workforce Housing, that set forth all terms and conditions of the Workforce Housing obligation for each specific parcel to contain Workforce Housing. Workforce Housing shall be reviewed by the ARC and shall be developed to be consistent with the Goals (Appendix A) and Design Guidelines (Appendix B) contained in this Agreement.

Each covenant (as previously agreed upon by the Builder and City) will contain a description of the density, bedroom mix, tenure (ownership or rental), price range of for-sale units, marketing restrictions for ownership units, and number of low or moderate income households to be served through developments which occur in that parcel. Each covenant will also specify the terms of monitoring the long-term affordability of the housing.

3.5.1 **Ownership Housing**

For ownership housing, the builder will enter into a covenant with the City that will also specify, at a minimum, the Builder's requirements for reporting sales to the City, including house price, the purchaser's income and the process for determining long term resale restrictions that will be implemented by Section 3.3

of this Appendix. The form of the covenant for ownership units will be previously agreed upon by the Builder and the City.

3.5.2 **Rental Housing**

For rental housing, the agreement will also specify, at a minimum, the Builder and/or any subsequent owner of the rental housing will report annually to the Designated Official the number, size and location of units, the household size and income range. The form of the covenant for rental units will be agreed upon by the Builder and the City.

3.6 Affirmative and Local Marketing

All Workforce Housing will be rented or sold using an affirmative marketing program. An affirmative marketing plan means that the Housing builder in good faith directs a portion of its advertising at population and King County communities which are under-represented in the Eastside housing market, such as ethnic and racial minorities and workers earning between 30% and 70% of Median Income. While marketing strategies will vary throughout the buildout, affirmative marketing will be part of all marketing programs for Workforce Housing developments, and the entities that will market the housing will solicit input from the City. Advertising could include publications reasonably targeted to minority, handicapped, and moderate income households in King County, and advertising shall comply with the federal Fair Housing Act. In addition, any organization or agency identified by King County or the City that provides referrals to affordable developments will be notified of housing opportunities at the Project. The Master Developer will work with the City to target local marketing.

3.7 Lease or Transfer

Should the Master Developer seek the assistance of the City or a third party experienced in the provision of workforce housing, the Master Developer may elect to designate a Lease or Transfer property. If selected, the Lease or Transfer shall follow the following parameters:

To aid in the facilitation of Workforce Housing on the City's valley floor, the Master Developer will work with the City to achieve the collective goal of adding housing on the valley floor. A reasonably-sized (up to 1 acre) and located parcel of land, jointly agreed to by the Parties will be made available at no cost other than costs to execute the lease for the construction of up to 150 workforce housing units. The Lessee will pay all costs associated with the possession of the property, as determined in the terms and conditions of the property lease. The opportunity will be available for a minimum of 10 years and the City will have full discretion over the pricing of these units and will jointly select the builder. This optional Lease or Transfer is not intended to relieve the Master Developer from its obligations under Section 3.1 of this Appendix, but rather to assist the Master Developer in achieving the required housing.

3.8 Public Incentives & Tools Applied

All projects containing a minimum of 20% Workforce Housing units will receive the following public benefits:

- a. Expedited plan review.

- b. Waived (pro rata) permit fees and potentially school impact fees (depending on rent level).

4.0 Accessory and Live/Work Units

4.1 Purpose

The purpose of permitting Accessory and Live/Work Dwelling Units in the Project is to provide additional opportunities for Housing. Live/Work units may count toward the Housing and/or Workforce Housing obligation, but shall not count toward the Project entitlement. Accessory units may count toward satisfying the housing requirements and shall not count toward the Project Entitlement.

4.2 Live/work Defined.

Live/work units are constructed as a shared residential and work space. Units will have a single address, be less than 2,200 sf (unless otherwise approved by the Designated Official), and be constructed to meet both residential and non-residential building occupancies.

Exhibit K-1: Income and Jobs

Source: US Department of Labor (2007)

Profession	Average Salary
Accountant	\$60,670
Ambulance Driver	\$21,930
Automotive Mechanic	\$36,070
Cashiers	\$17,930
Child Care Workers	\$18,820
Cook	\$21,020
Dental Assistant	\$30,850
Graphic Designer	\$43,830
Healthcare support	\$24,610
Kindergarten Teacher	\$47,040
Medical Secretaries	\$29,220
Office and Admin Support	\$30,370
Pharmacy Aide	\$20,950

Profession	Average Salary
Photographer	\$31,830
Pipelayer	\$33,710
Police Officer	\$48,410
Preschool Teacher	\$25,900
Sales and related occupations	\$34,350
Substance abuse counselor	\$35,950
Tailor, dressmaker	\$24,770
Tax preparer	\$33,160
Telephone operator	\$32,710
Upholsterer	\$28,500
Waiter/waitress	\$17,190
Watch repairer	\$32,760
Word processors/typists	\$30,540

2010 King County Income and Affordability Guidelines

	Studio (1 Person)	1-Bedroom (2 People)	2-Bedroom (3 People)	3-Bedroom (4 People)
POVERTY				
Average poverty thresholds for 2010 by size of family*				
Household Income	\$10,830	\$14,570	\$18,310	\$22,050
% of County Median Income	18%	21%	24%	26%
VERY LOW INCOME: 30% of Median Income				
Household Income	\$17,976	\$20,544	\$23,112	\$25,680
Max. Affordable Rent	\$412	\$458	\$504	\$549
LOW INCOME: 50% of Median Income				
Household Income	\$29,960	\$34,240	\$38,520	\$42,800
Max. Affordable Rent	\$712	\$800	\$889	\$977
Max. Affordable Purchase	\$94,150	\$107,000	\$119,900	\$132,800
MODERATE INCOME: 80% of Median Income				
Household Income	\$47,936	\$54,784	\$61,632	\$68,480
Max. Affordable Rent	\$1,161	\$1,314	\$1,467	\$1,619
Max. Affordable Purchase	\$164,700	\$187,800	\$210,700	\$233,700
MEDIAN INCOME				
Household Income	\$59,920	\$68,480	\$77,040	\$85,600
Max. Affordable Rent	\$1,461	\$1,656	\$1,852	\$2,047
Max. Affordable Purchase	\$211,800	\$241,500	\$271,200	\$300,900

* Source: U.S. HHS (2010).

King County Median Family Income: \$85,600. Source: U.S. HUD (2010).

Rents are net of deducting for a utility allowance.

Sales price estimates assume:

- 10% down payment.
- 30-year fixed-rate mortgage at 5.25%.
- Property taxes at 1%.
- Mortgage insurance, homeowner insurance, and homeowner association dues \$150–\$225.

APPENDIX L — SIGN STANDARDS

Section 1.0	Purpose
Section 2.0	Definitions
Section 3.0	General Permit Provisions
Section 4.0	Permanent Signs
Section 5.0	Temporary Signs
Section 6.0	Signs on the Public Rights of Way and Private Street Corridors
Section 7.0	Prohibited Signs and Devices
Section 8.0	Non-Conforming Signs
Section 9.0	Administration & Enforcement

1.0 Purpose

The purpose of this Appendix is to establish standards for the regulation of design, placement, size, renovation, and proper maintenance of all exterior signs and sign structures within the Project in order to:

- A. Contribute to the economic well being of the community;
- B. Encourage signage that is both functional and attractive and that clearly responds to the needs of the public in locating a residence or business establishment as well as general wayfinding;
- C. Support the Project vision as described in Goals (Appendix A) and Design Guidelines (Appendix B);
- D. Recognize the role signs have in creating a visually interesting and attractive place as well as contributing to good overall urban design, while avoiding visual distraction, clutter, chaos, obstructions, and an overly busy public environment;
- E. Provide signs that are pedestrian and bicycle oriented;
- F. Ensure that signage is compatible with the natural beauty of the Project and the surrounding area;
- G. Promote traffic safety and to protect the health, property, and general welfare of its citizens; and,
- H. Support the “Mountains to Sound Greenway” project goals and vision for urbanity and visibility of signage in this portion of I-90, while also managing the type, location, and proliferation of signs.

No other sign code will be applicable to the Project Areas, except as noted herein, and if consistent with the intent of this Development Agreement.

2.0 Definitions

See also the Main Body of the Development Agreement, Section 29.0, for General Definitions.

2.1 A-frame Movable Sign

See “Movable Sign” and “Outdoor Vendor Sign”.

2.2 Abandoned Sign

A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

2.3 Address Sign

A sign displaying the street number or name of the occupant of the premises, or both.

2.4 Advertising

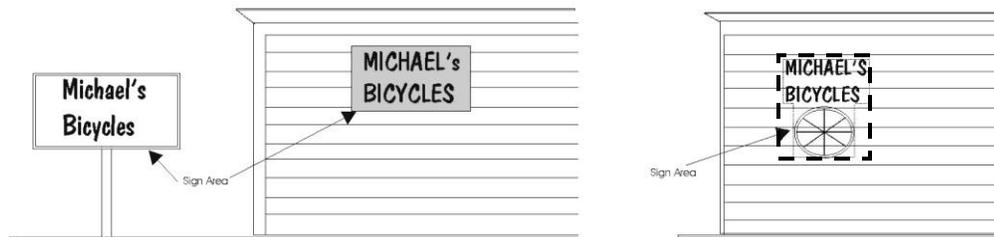
A sign directing attention to a business, profession, commodity, service or entertainment conducted, sold or offered.

2.5 Architect, Engineer, Contractor Sign

See “Construction Purpose sign”.

2.6 Area of Sign

The sum of all display areas as determined by circumscribing the exterior limits on the mass of each display erected on one (1) sign structure with a circle, triangle, or quadrangle connecting all extreme points. The structure supporting a sign or the painted or architectural background of a sign is not included in determining the area of the sign unless the structure or background is designed in a manner to visually amplify the sign itself.

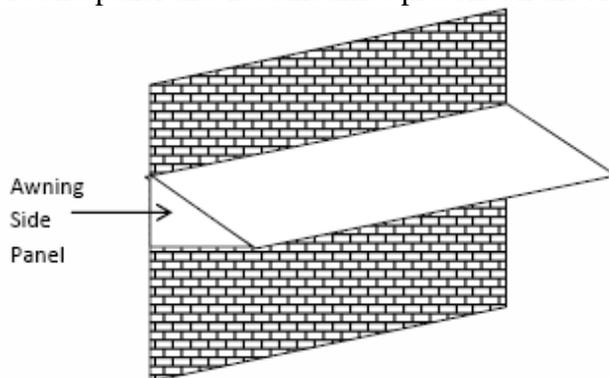


2.7 Awning

An architectural projection roofed with flexible, sturdy material supported from an exterior wall of a building and/or other sign structures.

2.8 Awning Side Panel

A solid panel that is sometimes present on the side of an awning.



2.9 Banner

Flexible, sturdy material on which a sign is painted, printed or sewn. Banners are attached to buildings or other structures. Banners shall not be attached to flexible poles or structures, and shall be supported between bars to prevent fluttering.

2.10 Billboard

A ground, wall, or roof sign erected, constructed, or maintained for the purpose of displaying outdoor advertising, and directing attention to a business, profession, commodity, service or entertainment conducted, sold or offered elsewhere than upon the lot where the sign is located. The definition shall not be held to include real estate sign advertising for sale, rent, or lease on the property which it stands.

2.11 Blade Sign

A sign perpendicular to the building face. It is a type of Pedestrian-Oriented sign.

2.12 Bus Shelter Sign

A sign placed at a public bus shelter that provides a directory of store sponsors/tenants, including bus route maps and bus route information.

2.13 Business Identification Sign

A sign that identifies the name of a business.

2.14 Box Sign

A wall sign contained completely with a box, frame, or similar enclosure. Box Signs are typically backlit with a plastic or plexi-glass face. They are also called “can” or “cabinet” signs.

2.15 Cabinet Sign

See Box Sign.

2.16 Calendar Year

The period of time from January 1 to December 31 of any given year.

2.17 Canopy

A permanent, rigid architectural projection supported from an exterior wall of a building and/or other structures.

2.18 Changeable Copy

That portion of sign copy which may be easily changed by manual/mechanical means or lighting effects without reworking, repainting, or otherwise altering the physical composition of the sign, for the primary objective of displaying frequently changing copy incident to the sign owner's business.

2.19 Changeable Image Sign

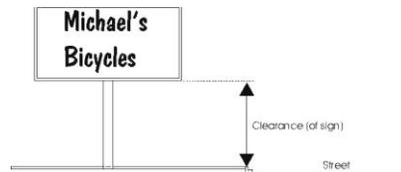
A sign which changes messages or background by means of electrical, kinetic, solar or mechanical energy.

2.20 Channel or Wall-Mounted Letters

Signage composed of letters individually mounted or painted on a structure or wall, without a border or decorative enclosure.

2.21 Clearance (of a sign)

The smallest vertical distance between the grade of the adjacent Circulation facility and the lowest point of any sign, including framework and embellishments, extending over that grade.



2.22 Community Facilities Sign

Any temporary or permanent sign erected and maintained by any public or quasi-public agency, including city, county, school district, special district, state or federal, or by any religious or charitable institution for designation or identification of public, charitable or religious facility property.

2.23 Community Facilities Directional Sign

A sign that provides directions for public buildings such as public schools, libraries, hospitals, and other similar public service facilities.

2.24 Construction Purpose Sign

A temporary sign for informational purpose which identifies the architect, engineers, contractors and other individuals, or firms involved with the construction of a building or other site improvements announcing the purpose of the building, site improvements, or enterprise, which is constructed during the construction period.

2.25 Corporate Identification Sign

A sign identifying that a high rise building is occupied by a hotel, motel, hospital, or employment generating, major tenant.

2.26 Credit Sign

A sign advertising that credit is available.

2.27 Directional Sign

A sign limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way", "entrance", and "exit". Directional signs indicating entrance, exit, one-way circulation, drive-up window, etc. and informational signs containing no advertising matter beyond that necessary to accomplish their directional or informational purpose will not be considered advertising signs. See also Information sign.

2.28 Directional Sign, Business and Civic

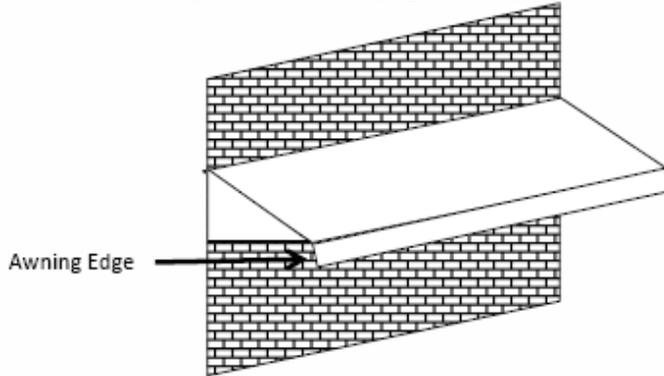
A sign used to assist pedestrians, bicyclists, and drivers in locating businesses and civic activities within a Neighborhood. Business and Civic Directional Signs should also be used to establish district character.

2.29 Double Faced Sign

A sign with two (2) faces on opposite sides of each other.

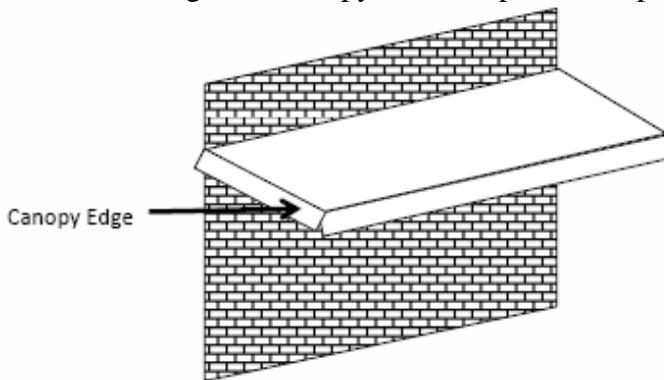
2.30 Edge, Awning

The vertical edge of an awning, generally parallel to the façade.



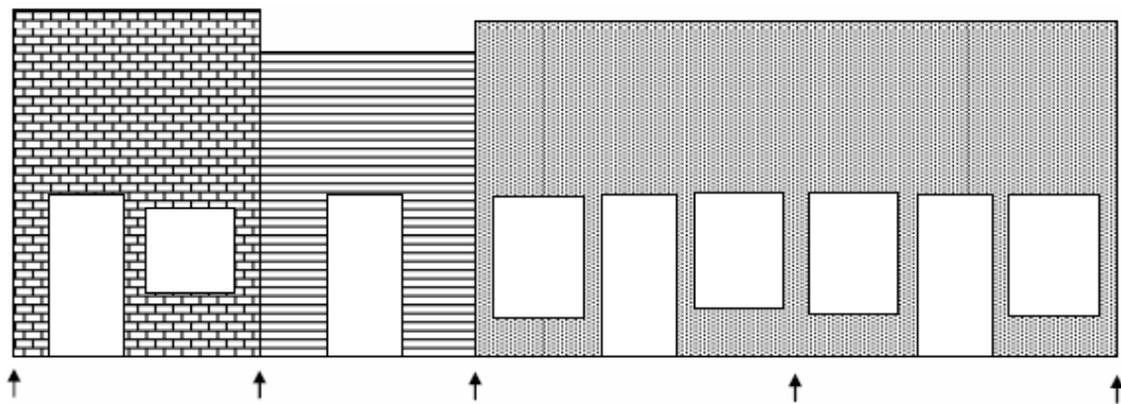
2.31 Edge, Canopy

The vertical edge of a canopy, whether parallel or perpendicular to the façade.



2.32 Edge, Façade

The edge of a façade associated with a ground floor business, as indicated by arrows below.



2.33 Erect

To build, construct, alter, repair, display, relocate, reface, attach, hang, place, suspend, affix or maintain any sign, and also includes the painting of exterior wall signs.

2.34 Event Signs for Nonprofit Organizations

See Special or One-time Events sign.

2.35 Facade Area

That portion of a frontal plane of a building owned or leased by a business. The Façade Area is calculated by multiplying the relevant façade length by the relevant façade height.

2.36 Flags

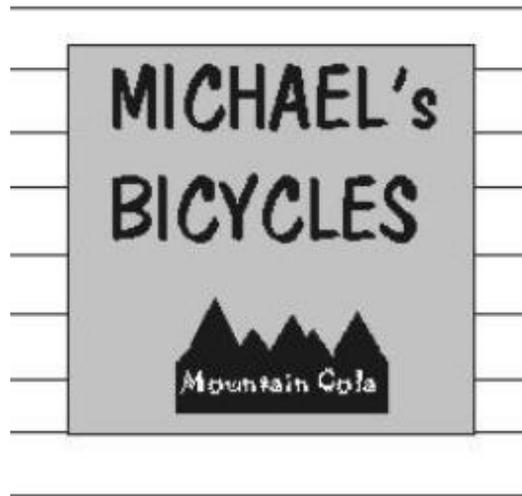
A flexible cloth or cloth-like material printed or sewn with decorative image, sign message, or symbol of governmental body or other organization. Flags shall not be attached to flexible poles or structures. See also Banner.

2.37 For Sale/Rent/Lease Sign

See “Real estate, for sale/rent/lease sign”.

2.38 Franchise Sign

A sign whose display surface is divided between the product or service advertised and premises identification when the product or service advertised is not the primary product or service line available on the premises.

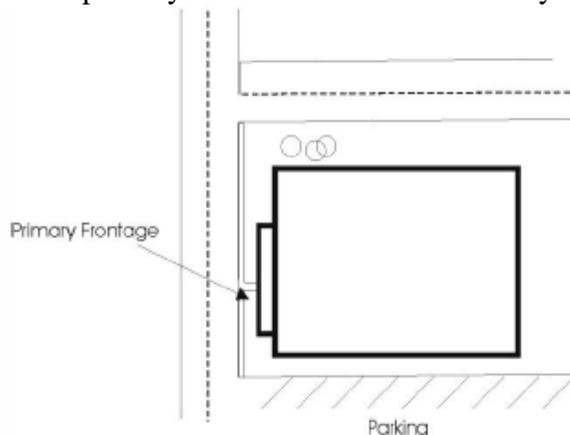


2.39 Free Standing Sign

See “Monument sign”.

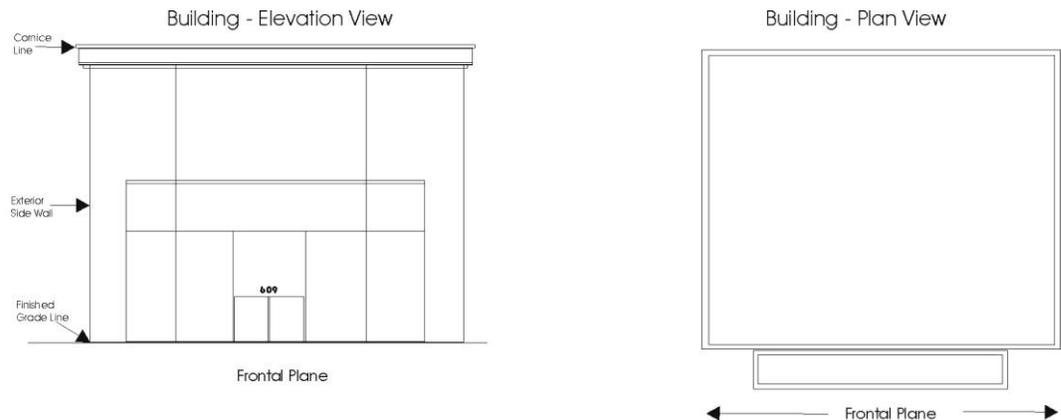
2.40 Frontage, Primary

The side of the building providing the main vehicle and/or pedestrian access, and/or the business primary orientation as determined by the Designated Official.



2.41 Frontal Plane

The surface area found within the perimeter bounded by the finished grade, the cornice line, and exterior side walls not including intermediate walls perpendicular to such surface area.



2.42 Fuel Price Sign

A nonmovable sign advertising the price of motor fuel.

2.43 Garage/Yard Sale Sign

A temporary sign advertising the sale of personal property used to dispose of personal household possessions and including sample sales. It is not for the use of any commercial venture.

2.44 Grand Opening Event

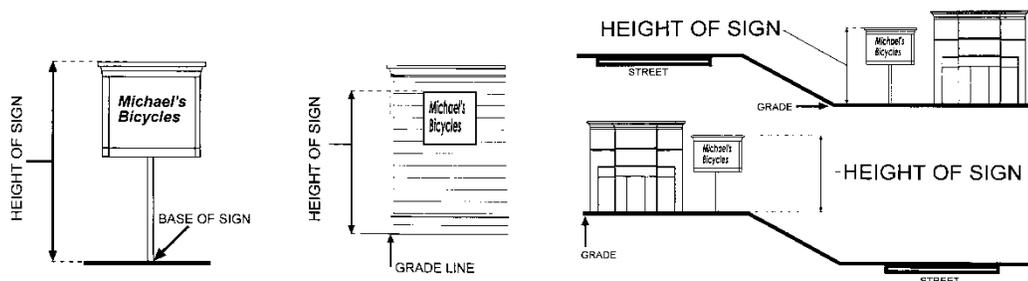
The celebration or promotional period beginning on or shortly after the date when a new business or use is open for business. Grand opening events must be related to: a change of business location; construction of a new business structure; major remodeling; change of ownership; change of name; or change in the type of business engaged in by an existing business.

2.45 Halo Lighting

A method of sign illumination that consists of a light source external to the sign or sign elements and mounted behind the sign or sign elements. The sign elements of a sign illuminated through halo lighting shall be opaque, so that the light does not appear to emit from within or through the sign elements.

2.46 Height (of Sign)

For a freestanding sign, the vertical distance measured from the curb grade of the nearest Circulation facility to the highest point of the sign or sign structure; and for a sign attached to a building, the vertical distance measured from the building grade to the highest point of the sign or structure.



- 2.47 Holiday Sign**
A temporary sign, in the nature of decorations, clearly incidental to and customarily and commonly associated with any national, local or religious holiday.
- 2.48 Hospital**
A building requiring a license pursuant to Chapter 70.41 RCW and designed and used for the medical, surgical diagnosis, treatment and housing of persons under the care of doctors and nurses and including ancillary uses such as cafeterias, florists and patient- and visitor-related services. Rest homes, nursing homes, convalescent homes, clinics, and medical office buildings are not included.
- 2.49 Illuminated Sign**
A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- 2.50 Indoor Window Sign**
See window sign.
- 2.51 Information Sign**
A sign which is incidental and necessary for public safety and convenience and general information that has a purpose secondary to the use of the property on which it is located. See also “Directional sign”.
- 2.52 Interpretive Markers**
Pedestrian-oriented signs which provide Wayfinding throughout the Project, including signs marking critical areas, trails, and stormwater detention facilities.
- 2.53 Land Use and Construction Notice Sign**
A sign that is used for notification of major land use or construction activity.
- 2.54 Large Inflatable Object**
A large balloon or balloon-like object, greater than eighteen (18) inches in any dimension, that uses blown air or gas to keep it inflated.
- 2.55 Legal Sign**
A sign that meets the requirements of these standards or has received legal nonconforming status.
- 2.56 Mansard**
A sloped roof or roof-like facade architecturally comparable to a building wall.
- 2.57 Marquee**
A hood or structure generally placed over the entrance to a hotel or theater.
- 2.58 Marquee Sign**

Signage on a Marquee stating the permanent name of the establishment and/or, in the case of theaters, changeable copy regarding the title of the play or movie, and the artist(s), appearing or soon appearing at that venue.

2.59 Memorial Sign

A sign, tablet or plaque memorializing a person, event, structure or site.

2.60 Monument Sign

A self-supporting sign not attached to any building, wall or fence, but in a fixed location, including ground mount and monument signs.

2.61 Movable Sign

A portable 2-faced, A-frame or sandwich board style sign which is readily movable and has no permanent attachment to a building, structure or the ground.

2.62 Multi-business Development

A development which includes two (2) or more businesses which share a single structure or separate structures which are physically attached.

2.63 Multi-business Wall Sign

An on-premises sign which identifies tenants and may identify building name for a multi-business development.

2.64 Noncommercial Temporary Sign

See Holiday sign.

2.65 Non-conforming Sign

A sign existing at the effective date of this Development Agreement which could not be built under the terms of this Appendix.

2.66 Off Premises Directional Sign

A sign erected for the purpose of directing pedestrian or vehicular traffic to a facility, service, or business located in the Project.

2.67 Off Premises Sign

A sign relating, through its message and content, to a business activity, use, product, or service not available on the premises within the individual property or Neighborhood on which the sign is erected.

2.68 On-Premises Sign

A sign which carries only advertising strictly applicable to a lawful use of the premises (individual property or Neighborhood) on which it is located, including signs or sign devices indicating the business transacted, principal services rendered, and goods sold or produced on the premises, name of the business and name of the person, firm, or corporation occupying the premises.

2.69 Open Houses

The welcoming of viewers to a piece of residential real estate which is being offered for sale.

2.70 Outdoor Commercial Sign:

A Sign which is temporary in nature. For example:

- A. Used while a permanent wall sign is fabricated and/or undergoing the permit review process; or
- B. Advertises temporary event such as a sale or other commercial event for a permanent business.

2.71 Outdoor Vendor, carts and trucks

A food cart or truck with a mobile kitchen or canteen that is set up on the street or on an adjacent property to facilitate the sale and marketing of food. The food may be prepared off-site or from the cart or truck. Examples include hot dogs, pretzels, chestnuts, ice cream, pizza, crepes, beverages, tacos.

2.72 Outdoor Vendor, yard activities

Temporary, seasonal, and/or occasional outdoor retail sales from vehicles or temporary stands, often located in a parking lot, empty property, or street. Either an individual needing a property to accommodate produce or products, such as Christmas trees or fruit stand, or multiple individuals gathering to sell produce, products, crafts, etc. such as a farmer's market, craft or arts fair.

2.73 Painted Wall Mural

A mural generally applied to a wall having an insignificant commercial message.

2.74 Painted Wall Sign

A permanent sign, mural or graphic design painted directly onto a building surface and containing advertising, a commercial message or identification.

2.75 Pedestrian-Oriented Sign

A permanent, non-illuminated sign, the primary purpose of which is to provide information for pedestrians and bicyclists. Blade signs are a type of pedestrian oriented signs.

2.76 Pennant

A string on which hangs a series of long, tapering, triangular flags.

2.77 Person

Any person, firm, partnership, association, corporation, company, institution, or organization of any kind.

2.78 Political Sign

Temporary signs for local, state or national purposes advertising a candidate or candidates for public elective office or a political party, signs urging a particular vote on a public issue or referendum decided by ballot, or signs expressing a non-commercial view point.

2.79 Poster

A decorative placard or advertisement associated with music performances, cultural events, movies or live or playhouse theaters.

2.80 Primary Sign

See [Section 2.98](#).

2.81 Private Property Sign

A sign on private property which limits access, parking admittance, or pertains to security provisions, or which defines entrances or exits.

2.82 Projection Sign

A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

2.83 Public Notification Sign

See Land use and construction notice sign.

2.84 Public Service Information Sign

A sign that indicates danger and/or service and safety information.

2.85 Public Service Sign

See Service organization sign.

2.86 Reader Board

A sign, or part of a sign, on which the letters are readily replaceable, so that its message may be changed from time to time at will by manual/mechanical means or lighting effects without reworking, repainting, or otherwise altering the physical composition of the sign, and whose primary function is the capacity to display frequently changing advertising copy incident to the sign owner's business or other messages related to Community Facilities. Also known as a “changeable copy sign.”

2.87 Real Estate Directional Arrow Sign, Off Premises

A portable and temporary directional sign that is intended to assist people finding the location of difficult to locate property that is for sale, rent or lease.

2.88 Real Estate Sign, For Sale, Rent, Lease

An on-premises, or off-premises sign advertising that the property is for sale rent or lease.

2.89 Real Estate Sign, Off- Premises (Open-House Signs)

A portable and temporary sign advertising, or assisting people in locating, property that is for sale, rent, or lease.

2.90 Real Estate Sign, On-Premises

A portable and temporary sign or within a monument sign advertising a property that is for sale, rent or lease that is located on the site which is for sale, rent, or lease. This includes temporary signs located at the entrance of a residential neighborhood advertising the sale of lots, subdivision, houses or dwelling units.

2.91 Roof Sign

A sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure. Signs standing out horizontally from a mansard roof are considered wall signs.

2.92 Rotating Sign

Any sign or portion of a sign that revolves on a fixed axis.

2.93 Sandwich Board Sign

See “Movable sign”.

2.94 Secondary Sign

See Section 2.100.

2.95 Service Organization Sign

A sign sponsored by service or fraternal organizations, clubs, and similar organizations located in the City of Issaquah.

2.96 Sign

Any material, structure, or device, or part thereof, composed of letter or pictorial matter, or on which lettered or pictorial matter is placed when used or located outside or on the exterior of any building, including an inside window display area, for display of an advertisement, announcement, notice, directional matter, or name; and includes sign frames, billboards, readerboards, sign boards, painted wall signs, hanging signs, illuminated signs, pennants, fluttering devices, projecting signs or ground signs; and also includes any announcement, notice, directional matter, or name; and also includes any announcement, declaration, demonstration, display, illustration, or insignia used to advertise or promote the interest of any person or business when the same is placed in view of the general public. It does not include signs erected and maintained pursuant to and in discharge of any governmental function.

2.97 Sign, Additional

Signage provided in addition to primary and secondary signage that assists pedestrians, bicyclists, and drivers in finding a business as well as making the street more varied and visually interesting.

2.98 Sign, Primary

The primary advertising for a business, enterprise, community facility, as determined by the Designated Official.

2.99 Sign, Secondary

A smaller sign that is not the primary sign of the business, as determined by the Designated Official.

2.100 Sign Structure

Any structure that supports or is designed to support any sign as defined in this Appendix. A "sign structure" may be a single pole and may or may not be an integral part of the building.



2.101 Signs Within a Building

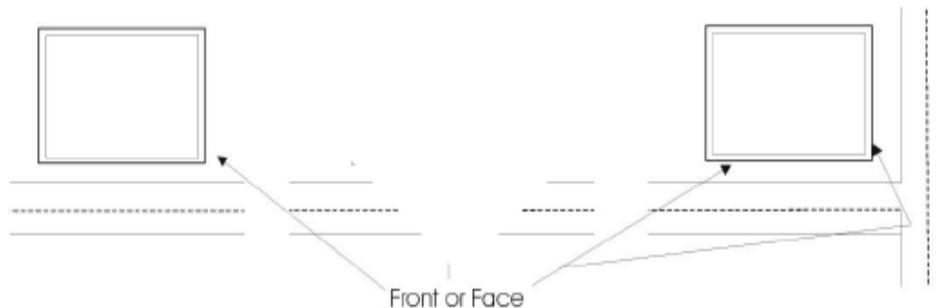
See “Window sign”.

2.102 Special or One-time Events

Activities concerning a drive or event of a political, civic, seasonal, cultural, philanthropic, educational or religious event or organization which will occur intermittently.

2.103 Street Frontage

The side of the building facing a street which abuts the property on which the building is located. The primary signs shall be placed on the Primary Frontage providing pedestrian access, unless the Designated Official determines another configuration will better serve the public.



2.104 Temporary Sign

Any sign, intended to be displayed for a limited period of time.

2.105 Tenant Directory Sign

See Multi-business wall sign.

2.106 Umbrella Sign

A commercial/product type sign placed on umbrellas with outside dining tables.

2.107 Visible

Something that can be seen from a Public Space, Circulation Facility (Appendix E), or Community Space (Appendix D). A sign which is not visible is not regulated by this Appendix. Any sign which is located within a building and which is clearly intended to be visible primarily to people located within the building is also not considered visible.

2.108 Wall Sign

Any sign attached to and supported by a wall of a building, or the wall of a structure, including a mansard roof, with the exposed face of the sign in a plane parallel to the plane of the wall.

2.109 Window Sign

Any sign which is painted or mounted onto an exterior of a window pane, or which is hung directly inside the window including advertisements for services or products in the form of decals, emblems, paint, exposed neon, banners, etc. within three (3) feet of the window pane. Any sign placed behind glass or within a building and located in such a manner as to have an obvious intent to capture interest of those outside the building, shall be considered

a wall sign and shall be treated in the same manner. The term does not include merchandise visible through the window.

2.110 Window Sign, Temporary Indoor

Any sign of a temporary nature displayed within a commercial building on the inside of the glass or in close proximity to the window and intended to be viewed by persons outside of the building.

3.0 General Permit Provisions

3.1 Permit – Required

Unless exempted by Section 3.3 of this Appendix, a sign may not be erected without a permit.

3.2 Sign Illumination

Lighting for signs shall be held to the minimum needed to convey the sign's message. Sign lighting shall not be so bright and distracting as to be a traffic hazard. Lighting of signs shall be in character with the Design Guidelines (Appendix B), specifically the Signs and Lighting sections. For signs comprised of channel letters, the interior of such signs shall not contain reflective material that enhances the brightness of the sign, i.e. unpainted metal, mirror type surfacing.

3.3 Permit – Exceptions

The following shall not require a permit when all conditions listed for a specific sign are met. All exempt signs shall be non-electrical and non-illuminated, except when specifically allowed below. These exceptions shall not be construed as relieving the owner of any sign for the responsibility of its erection, maintenance, and removal, and its compliance with the provisions of this Appendix, or any other law or ordinance regulating the same.

A. Address sign:

1. One (1) sign allowed displaying the street number and/or name of the occupant of the premises;
2. Such signs may be attached to the building or may be on a post no more than four (4) feet high, and setback at least three (3) feet from the property line;
3. Such signs may include identification of an on premises professional office or customary home occupation (see also home occupation sign Section 3.3.N of this Appendix);
4. Such signs may not exceed two (2) square feet in area.
5. Such signs shall be limited to a maximum letter height of six (6) inches.
6. Commercial address signs may be electrified and/or illuminated.

B. Balloons:

1. Balloons shall be made of biodegradable latex type material, less than eighteen (18) inches in diameter and securely attached to private property;
2. A maximum 15 balloons per business or residence are allowed;
3. Multiple balloons shall be clustered;
4. Balloons shall not be attached to a product for sale;
5. Balloons shall not extend above the roof-line;
6. Deflated balloons must be removed immediately; and
7. Balloons shall not create a traffic or pedestrian hazard.

- C. Banners, decorative and event:
1. Banners may not be used for advertising name and/or logo of business, development or products except as necessary to locate event;
 2. With the permission of the owner, decorative and event banners up to ten (10) square feet may be placed on privately-owned light standards over fifteen (15) feet in height and banners up to five (5) square feet may be placed on similar light standards under fifteen (15) feet in height;
 3. With the permission of the owner, decorative and event banners up to four (4) square feet may be attached to a privately-owned pole or to a building. A business is limited to two (2) such banners;
 4. All banners shall maintain a minimum 7 foot clearance to the Circulation facility surface;
 5. Banners are limited to 60 days per Calendar Year and shall be kept in good condition for their allowed duration. Banners, including all signs of banner-like material, are not allowed as permanent signs;
 6. See Grand Opening events, Section 5.9, Outdoor Commercial signs, Section 5.12, and Special or One Time Event, Section 5.16 for permitted temporary banners and signs.
 7. Banners may not be attached to traffic lights, utility poles, or similar equipment without a permit.
- D. Bus Shelter sign:
1. Bus shelters may have a directory of store sponsors/tenants and bus route maps/information without advertising;
 2. The sign size shall not exceed four (4) square feet;
 3. Artwork located in bus shelters is allowed following review and approval by the ARC.
- E. Business Identification sign:
1. One (1) business identification sign allowed per business;
 2. Sign shall not contain advertising, but shall contain business name and address only;
 3. Sign shall not exceed two (2) square feet in area;
 4. Sign shall be permanently affixed on a plane parallel to a wall located entirely on the parcel on which the business is located;
- F. Changeable Copy: No permit required for the changing of the advertising copy or message on a lawfully erected, painted or printed sign, theater marquee, or similar signs specifically designed for the use of changeable copy.
- G. Community Facilities, Charitable or Religious Institution Bulletin Board:
1. One (1) bulletin board sign located on premises allowed per site;
 2. Board may not exceed twelve (12) square feet in area;
 3. Board may only be externally illuminated.
- H. Construction Purpose/Contract/“Coming Soon” signs:
1. One (1) construction purpose/contract or “coming soon” sign allowed for each street frontage of site under construction.
 2. Excepted signs shall not exceed eight (8) square feet in area and ten (10) feet in height (Commercial Construction/Contractor signs exceeding eight square feet permitted per Section 5.6 of this Appendix);
 3. Signs may denote the architect, engineer or contractor, and other firms and individuals included in the site improvement as well as the business or institution intending to occupy the completed project;

4. Signs must be set back a minimum distance of five (5) feet from the street frontage and ten (10) feet from adjoining properties unless exceptions are made by the Designated Official;
 5. Signs may be posted for the duration of the construction period.
- I. Credit signs:
1. One (1) sign advertising that credit is available from companies which supply credit allowed for each street frontage of the premises;
 2. Signs may not exceed two (2) square feet in area;
 3. The name or logo of more than one company can be shown on the sign.
- J. Directional/Information signs and Interpretive Markers:
1. Directional/Informational signs and Interpretive Markers must be located on premises;
 2. Excepted signs may not exceed (4) square feet in area per face; 2 face maximum
 3. Signs shall not contain advertising except as necessary to convey directions;
 4. Directional/Information Signs exceeding 4 sq. ft. permitted per Section 4.13 of this Appendix.
- K. Flags:
1. Flags must be of Country, State, City, or other governmental body;
 2. Flags must not exceed twenty five (25) square feet in area each
 3. Flags for other entities permitted per Section 5.14 of this Appendix.
- L. Garage/Yard Sale signs:
1. Two movable Garage/Yard sale signs allowed per sale;
 2. Signs shall not exceed six (6) square feet per sign face or two signs on sticks not exceeding four (4) square feet per sign face;
 3. Sale shall not be advertised for a period exceeding three (3) days;
 4. Signs may be placed on public street right-of-way or private property with owner's permission;
 5. Signs shall not be placed on public utility poles, street signs, street features and fixtures, or fences. With the permission of the owner, signs may be attached to private utility/infrastructure features such as poles, pedestals, fences, etc.
- M. Holiday decoration signs:
1. Excepted Holiday decorations/signs shall be noncommercial and customary for seasons or special holidays such as Thanksgiving, Christmas, and Independence Day;
 2. Holiday decorations/signs shall be removed within ten (10) days after the holiday.
 3. Shall not include signs prohibited per Section 7.0 of this Appendix.
- N. Home occupation sign:
1. A nameplate may display the name of the occupant and/or the name of the home occupation.
 2. The nameplate shall be attached to the dwelling and shall not exceed two (2) square feet in area. The nameplate shall be compatible with the architectural character of the neighborhood. Only one (1) nameplate shall be allowed. In the case where the home is not visible from the street, the nameplate may be placed near the road on the owner's property, but not in the right-of-way.
 3. See also Address sign (Section 3.3.A of this Appendix) and Home Occupation Regulations in Land Use (Appendix C).
- O. Land use and construction sign: Public Notification Signs: Signs on private property for public notification of major land use or construction activity.
- P. Maintenance or Cleaning: Replacement of signs allowed without permit following temporary removal for maintenance or cleaning of signs or following temporary removal

- for permitted building façade changes. This exception shall not include any structural, electrical, copy, re-facing or color change.
- Q. Memorial sign:
1. Memorial signs may only contain the names of the building and date of its erection;
 2. Signs shall be either cut into masonry surface or constructed of bronze or other noncombustible materials;
 3. Signs shall not exceed six (6) square feet in area.
 4. Limited to one (1) Memorial sign per building façade facing a Public Space.
- R. Noncommercial temporary signs: See Holiday decoration sign
- S. Political sign:
1. Political signs shall not exceed four (4) square feet in size (political signs exceeding 4 square feet permitted per Section 5.14 of this Appendix); Political signs shall be stationary;
 2. Political signs must be removed within seven (7) days after the election or event for which the sign is displayed, except that signs promoting the successful candidate in a primary election may remain displayed until seven (7) days following the immediate subsequent general or special election.
 3. Political signs shall be located on private property with the property owner's consent, or may be located in a City street right-of-way or private street corridor.
 4. Sign may not impede vehicular or pedestrian movement, or pose a safety hazard, as determined by the Designated Official.
- T. Posters:
1. Posters shall be related to performances (upcoming or current) associated with music performances, cultural events, movies and live or playhouse theater;
 2. Posters shall be displayed at the theater in enclosed cases or kiosks outside the theater.
- U. Private Property Signs:
1. Private traffic and pedestrian signs are allowed on private property;
 2. Size limited as follows: twelve (12) inches by eighteen (18) inches or smaller which limit access, parking admittance or pertain to security provisions; signs eighteen (18) inches by eighteen (18) inches or smaller defining entrance or exits; and octagonal stop signs twenty-four (24) inches or smaller.
- V. Public Notification sign: Signs of governmental agencies notifying the public of activities such as land use applications and public hearings. Such signs shall be governed by the public notification requirements in effect; if no public notifications are in effect, the sign shall be governed as a Temporary sign;
- W. Public service information sign: Signs of public service companies and governmental agencies indicating danger and/or service and safety information. Such signs shall generally not exceed 8 square feet unless specific conditions warrant a larger sign for the clear display of danger or safety information;
- X. Real estate signs, off premises (residential open house signs):
1. Residential open house signs are limited to two-faced, A-frame signs, with maximum dimensions of six (6) square feet per face, and maximum height four (4) feet;
 2. Signs may be placed on the public right-of-way in residential areas; i.e. residential open house signs not allowed in Retail areas of Gilman, Front, Sunset, etc.;
 3. No more than three (3) signs per property per agent for any one (1) residential open house may be displayed at one time; except if the agent has more than one listed property in a development, the agent's total number of such signs for the development shall be limited to four (4);

4. Signs may only be displayed between dawn and dusk;
 5. Signs shall not be placed where they will constitute a hazard by blocking vision or blocking safe movement of either vehicles or pedestrians;
 6. No off-premises real estate signs shall be allowed for advertising of sale or rental opportunities of commercial property.
- Y. Real estate signs, off premises directional arrows:
1. Directional arrow real estate signs are limited to a maximum of one and a half (1-1/2) square feet and signs shall not exceed twenty-four (24) inches in height from existing grade.
 2. Signs may be placed in the public right-of-way or on private property with the owner's permission. They shall not block driveways or be affixed to utility poles, trees or traffic signs. Signs shall not be placed where they will constitute a hazard by blocking vision or blocking safe movement of either vehicles or pedestrians.
 3. One (1) sign per house or condominium unit is allowed, except a maximum of three (3) signs shall be allowed if locating the house or condominium unit requires a minimum of three vehicular turns from the closest arterial street or requires use of private roads for access.
 4. Signs may not be displayed prior to preliminary plat approval for single family and building permit approval for multifamily residential.
 5. Signs must be removed when the sale closes, or in case of a rental or lease, when the tenant takes possession.
 6. No off premise real estate directional arrow sign shall be allowed for advertising of sale or rental opportunities of commercial property, without a permit.
- Z. Real Estate, on-premises For Sale, Lease or Rent or Unit Occupied:
1. One (1) temporary on-premises For Sale, Lease or Rent sign is allowed for each street frontage of the premises not to exceed two (2);
 2. Signs shall not exceed six (6) square feet for all sign face area, maximum height 4 feet; (on-premises real estate signs exceeding six square feet are permitted per Section 5.15 of this Appendix);
 3. Signs shall offer the immediate premises for sale, lease or rent;
 4. Signs may remain in place on premises until ten (10) days after the property is sold, rented, or leased.
 5. Signs indicating that a unit is occupied shall have a maximum sign area of one square foot per side.
- AA. Umbrellas: Signs placed on outdoor table umbrellas. Product identification is allowed on movable umbrellas in commercial zones, e.g., restaurant dining tables.
- BB. Utility or Public street features: utility poles, street sign poles, traffic signal equipment and poles, garbage receptacles, benches, bridges, railings, and railing supports, boardwalks, fences, and retaining walls may have non-advertising materials and/or art applied to them if it does not interfere with its functionality or compromise it. Publicly owned elements must be reviewed and approved by the Designated Official prior to installation; privately owned elements must be approved by the property owner prior to installation. For instance, a bridge or wall might have the year of construction. Utility boxes and traffic equipment might have art, historical information, maps, etc applied to certain portions of the boxes.
- CC. Window sign, temporary indoor:
1. Temporary indoor window signs include advertisements for services or products in the form of decals, emblems, paint, exposed neon, banners, etc.;
 2. Temporary indoor window signs are limited to thirty (30) days;

3. Signs shall not exceed twenty-five (25) percent of the total of all window area and no portion of such sign shall be more than twenty (20) feet above finished grade. Temporary window signs may not be used in windows on more than two (2) sides of a business location;
4. Businesses are encouraged to group signage for maximum window exposure; and
5. Window signs such as open/closed, store hours, address, etc., shall be exempt from the thirty (30) day and twenty-five (25) percent area limitations.

4.0 Permanent Signs

4.1 Permitted Number and Types of Permanent Signs

- A. Number of Permitted Primary and Secondary Signs: Each individual business establishment may have a maximum of one (1) primary sign and one (1) secondary sign, except as permitted in Section 4.1.B. Sign area and letter height shall be calculated based on the wall on which the sign is attached. Both the primary and secondary wall signs may be placed on the same wall if a business has only one exterior wall that faces a Circulation facility excluding alleys.
- B. Number of Permitted Primary and Secondary signs for Multi-sided and Multi-entry Businesses:
 1. Where a ground-level business faces two (2) or more street (or other public space such as a Circulation facility or Community Space, as determined by the Designated Official) and has pedestrian oriented entries on at least two different sides of the building facing a street (or other Public Space as determined by the Designated Official), the business may have two primary and up to two secondary signs. Each primary sign shall be located on the façade where the pedestrian entry is located and will be calculated as specified in Section 4.2. For each façade that does not have a primary sign, one secondary sign will be allowed, not to exceed two total secondary signs; secondary sign size will be calculated as specified in Section 4.3. If the business has only two facades, the secondary sign may be placed on a façade with one of the primary signs. To qualify as a pedestrian oriented entry, the entry must be open during regular business hours and be designed to draw the pedestrian's attention to the entry's presence by, for example, changes in weather protection (higher or lower than adjacent weather protection), changes in building plane (building projecting or being set in), changes in building materials, changes in building height (a tower). The pedestrian oriented entries may open into the same foyer, room, etc., as long as they are distinctly located on different sides of the building with architectural treatment described above.
 2. A business whose façade is a minimum of 100 ft in length and facing a street (or other Public Space such as a Circulation facility or Community Space, as determined by the Designated Official) may have two primary signs provided:
 - a. The business has two pedestrian entries significantly separated from each other (a minimum of 50% of the business's façade length);
 - b. Both entries are open during regular business hours;
 - c. The sum of the two sign sizes does not exceed the total primary sign size permitted in Section 4.2; and,
 - d. Each sign is located in proximity to the pedestrian entry.

In addition, if the business faces other streets (or other public space such as a Circulation facility or Community Space, as determined by the Designated

Official), the business may have up to two (2) secondary signs. For each façade that does not have a primary sign, one secondary sign will be allowed, not to exceed two total secondary signs; secondary sign size will be calculated as specified in Section 4.3. If the business has only one façade, one secondary sign may be placed on the façade with the two primary signs.

- C. Multiple businesses within common building: When multiple business establishments are within a common building, the calculation of sign area for an individual business shall be related to the portion of the building façade area owned or leased by that business.
- D. Corner businesses within a multi-building development: When multiple business establishments are located within a single building which is one (1) of two (2) or more buildings making up a development designed as one complex, those businesses solely on an interior corner or corners of such building shall be allowed a wall sign on street frontage which does not have an entrance to a maximum size allowed under Section 4.2, provided that such businesses do not have a wall sign allowance on that street frontage under some other section of this Appendix. For purposes of this section, interior corner shall be defined as a corner of the building, neither wall of which faces, or is less than forty five (45) degrees out of alignment with an abutting public street.
- E. Businesses with no street frontage: In those instances where a business has no street frontage on any street, the Designated Official may approve one (1) wall sign on one (1) exterior wall of the building space used by that business. With approval by the building owner, a business with no street frontage shall be allowed one (1) sign that is maximum of 15 sq.ft. in size for their business name and/or logo. Each size will count toward the maximum sign area allowed on that building face.
- F. Building Elevations Parallel or Perpendicular to I-90: These restrictions shall apply only in those cases where a building is adjacent to I-90; where NW Poplar Way or another street is located between I-90 and the building, these rules do not apply. A building facing I-90 may have one (1) primary and no secondary signs facing I-90. Facing means either parallel or perpendicular to I-90 (i.e. between 0° and 90° in relationship to I-90). If there is more than one tenant, user, owner, or business in a building, the building owner determines which tenant or business is allowed the one (1) primary sign. A business that elects to have their primary sign facing I-90 may not have another primary sign as may be allowed per Section 4.1.B; however, see Section 9.6 for case by case modifications to this provision. This provision does not preclude the use of a Corporate Identification Sign in addition to the primary sign.
- G. Box or cabinet signs are prohibited as Permanent Signs.
- H. No Permanent Signs, as listed in Section 4.0, may be placed higher than 65 ft above Final Grade, except if they qualify as Corporate Identification Signs.
- I. The following table illustrates the number and types of permanent signs a business is allowed:

<u>Primary Signs</u>	<u>Secondary Signs</u>	<u>Additional Signs</u>
<p>A business may choose ONE of the following signs (except as allowed in <u>Section 4.1.B</u>):</p> <ul style="list-style-type: none"> • Awning Sign • Canopy Sign • Franchise Sign • Free Standing Sign • Fuel Price Sign • Marquee Sign • Painted Wall Mural • Painted Wall Sign • Projection Sign • Wall Sign • Window Sign 	<p>A business may choose ONE of the following signs (except as allowed in <u>Section 4.1.B</u>):</p> <ul style="list-style-type: none"> • Awning Sign • Canopy Sign • Franchise Sign • Free Standing Sign • Painted Wall Mural • Painted Wall Sign • Projection Sign • Wall Sign • Window Sign 	<p>A business may choose a combination of the following signs; see appropriate portions of <u>Section 4</u> to determine applicability, number, and other details:</p> <ul style="list-style-type: none"> • Address Sign • Awning Signs • Banners • Canopy • Directional and Info. • Flags • Memorial Sign • Movable Sign • Multi-business wall sign • Ped.-Oriented • Window Sign

4.2 Primary Signs

A. Primary Sign Areas: The primary sign shall not exceed the following maximum sign area as indicated following the Facade Area on which the sign is attached:

FACADE AREA	MAXIMUM SIGN AREA
0 - 100 sq. ft.	15%
100 - 199 sq. ft.	13%
200 - 499 sq. ft.	10%
500 - 999 sq. ft.	10%, up to 75 sq. ft. maximum
1,000 - 1,499 sq. ft.	9%, up to 100 sq. ft. maximum
1,500 - 2,999 sq. ft.	8%, up to 150 sq. ft. maximum
3,000 sq. ft. or greater	6%, up to 200 sq. ft. maximum

B. Each sign shall have maximum letter size as follows, based on the linear footage of the façade on which the sign will be located. In multi-tenant buildings, the maximum letter size for a business’s primary sign is based on the portion of the façade’s linear footage owned or leased by that business:

1. Two (2) foot average and three (3) foot maximum letter size for signs on facades from 0 to 100 ft in length.
2. Three (3) foot average and four (4) foot maximum letter size for signs from 101 to 300 ft in length. [Note: 300 ft is identified as it is the Project’s target block length.]
3. Four (4) foot average and five (5) foot maximum letter size for signs on facades over 300 feet in length.
4. To calculate the average letter size, the height of each letter in the name shall be measured, summed, and divided by the total number of letters. Subtitles shall be excluded from the calculation of average letter size; subtitles shall use average letter size as the maximum letter size. Examples of subtitles are: “salon & spa”, “espresso bar & bakery”, and “wine bar & restaurant”.

- C. A primary sign shall be located on the portion of a building’s façade associated with the business it is advertising, except Projection signs.

4.3 Secondary Signs

- A. Area: The secondary sign shall be no larger than five (5) percent of the facade area on which is located, up to thirty (30) square feet.
- B. Letter Size: The secondary sign maximum letter height of three (3) feet and average letter height of two (2) feet as calculated in Section 4.2.B.4.
- C. A secondary sign shall be located on the portion of a building’s façade associated with the business it is advertising, except Projection signs.

4.4 Additional Signs

Additional Signs are provided in addition to the Primary and Secondary Signs. Their purpose is to, through the use of small, minor signage, assist pedestrians, bicyclists, and drivers to find businesses as well as add visual interest and variety to the Circulation facility and positively contributes to its character. Additional signage also provides a business flexibility in advertising their business during the period when street trees are growing and may not be sizeable enough to be limbed up. Unless specifically allowed in the standards for the individual sign, Additional Signs shall be non-electrical and non-illuminated.

4.5 Address Signs: (See Excepted signs Section 3.3.A of this Appendix).

- A. As a Primary Sign: Address signs shall not be used as Primary Signs.
- B. As a Secondary Sign: Address signs shall not be used as Secondary Signs.
- C. As an Additional Sign: The numerals of an address may be larger than the exception size when designed as an integral part of the building’s design and imagery.

4.6 Automobile Fueling Station Signs

- A. Primary Signs: Fueling stations selling motor fuel to the public, including those with convenience stores, accessory restaurants or other retail, self-service car washes, and facilities having service bays for vehicle service and repair, may have primary signs as follows:

Class	Type	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location	Lighting ¹
Station Identification and Pricing ²	Integrated with Monument sign allowed in <u>Section 9.6</u>	One per street frontage ³	50 sq. ft. per face, two faces maximum.	10 feet.	At least 2 ft. from any property line.	Allowed.
	Freestanding		15 sq ft. per face, two faces maximum.			
Canopy Logo	Wall	One per street frontage, not to exceed a total of two.	12 sq. ft.	2 feet.	Shall be on the face of the canopy covering the pump island(s).	Allowed.
Car Wash	Wall or painted wall	One	15 sq. ft.	2 feet.	Shall be on the car wash structure.	Not allowed.
	Integrated with	See Station Identification and Pricing signs, above.				

Class	Type	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location	Lighting ¹
	Station Identification and Pricing sign					
Accessory Retail or Restaurant	Wall	One	20 sq. ft. or 10% of the facade area, whichever is more.	3 feet.	Shall be above the primary entrance, or on the facade of the tenant space.	Allowed.
	Integrated with Station Identification and Pricing sign	See Station Identification and Pricing signs, above.				
Convenience Store	Wall	One	20 sq. ft. or 10% of the facade area, whichever is more.	See <u>Section 4.33</u> , Wall Signs.		

Footnotes:

1. See service station sign illumination provisions in subsection (C) of this section.
2. The sign(s) may include the identification of the service station and fuel prices. No other price signs are allowed.
3. Only one pricing sign integrated with the monument sign allowed in Section 9.6.D, Monument signs (freestanding signs), shall be allowed.

B. Sign Illumination: Sign illumination shall comply with Section 4.2, Sign Illumination.

C. Motor Fuel Sales as Secondary Use: Any business selling motor fuel to the public as a secondary use may have:

1. One (1) permanently mounted fuel price sign. Such sign shall not exceed ten (10) feet in height and fifteen (15) square feet in area for each face with a maximum of two (2) faces. Such sign may be incorporated with the monument sign if allowed in Section 9.6 for the primary use; however, in no instance may the fuel price sign itself exceed ten (10) feet in height and fifteen (15) square feet in area for each face with a maximum of two (2) faces.
2. One (1) canopy logo sign per street frontage providing direct vehicular entrance to the fuel station.

D. Movable fuel price signs are not allowed.

E. Applicability: Signage required by state and/or federal laws and/or regulations concerning pump inspections, safety warnings, or other mandated materials are exempt from the provisions of this section.

4.7 Awning Signs

A. As a Primary and Secondary Sign: The area of the copy and/or logo shall be used in determining the sign area as allowed by other sections of this Appendix. The awning may be externally illuminated with appropriate lighting; no internal illumination which

would be visible through or above the awning will be allowed. Awnings shall maintain a minimum clearance of 8 feet.

- B. As an Additional Sign: To encourage weather protection for pedestrians beyond that provided at the business or building entry and to ensure pedestrians can identify a business, a business that provides an awning which offers reasonable protection for pedestrians is allowed the following additional awning signs:
 - 1. If the business did not use the awning for primary signage: For each awning, the business name or logo only, in letters or sign area no more than six (6) inches tall on the awning edge parallel to the façade.
 - 2. If the awning has a solid side panel, the side panel closest to each façade edge of the business, may have the business name or logo only, in letters no more than six (6) inches tall. A business which selects this may have no more than two side panel signs per façade.
 - 3. In this case “reasonable protection” means at 8 ft above the sidewalk, an awning that extends at least 6 ft over the sidewalk, and up to an awning 12 ft above the sidewalk which extends at least 8 ft over the sidewalk. For heights in between 8 ft and 12 ft above the sidewalk, the minimum extension over the sidewalk shall be extrapolated between 6 ft and 8 ft of extension.

4.8 Banners (See Excepted signs Section 3.3.C of this Appendix).

- A. As a Primary Sign: Banners shall not be used as Primary Signs
- B. As a Secondary Sign: Banners shall not be used as Secondary Signs
- C. As an Additional Sign: *For an individual business*: Banners associated with a business may only contain the name of the business and/or its logo. It may not include any information about individual products or the franchise logos or products sold at the business. The banner must be attached to a pole or to the building. Each banner is limited to six (6) square feet in size. Each business may have a banner for each 40 ft of linear street frontage, with a minimum of two (2) banners. (For example, a business with a 30 ft of street frontage could have 2 banners; a business with a 120 ft of street frontage could have 3 banners.) All banners shall maintain a minimum 7 foot clearance to the Circulation facility surface. A business may not have both these banners and the decorative banners allowed by Section 3.3.C.

For a neighborhood or shopping area: Banners associated with a neighborhood or shopping area may only contain the name of the neighborhood or shopping area, and/or its logo. It may not include any information about individual products, or the franchise logos, or individual stores. The banner must be attached to a pole (e.g. light pole). Each banner is limited to ten (10) square feet in size. Only the Master Developer may apply to install neighborhood or shopping area Banners to ensure locations are appropriate and coordinated. All banners shall maintain a minimum 7 foot clearance to the Circulation facility surface. A neighborhood or shopping area may not have both these banners and the decorative banners allowed by Section 3.3.C.

4.9 Blade Signs: See Pedestrian Oriented Sign

4.10 Canopy Signs

- A. As a Primary and Secondary Sign: A Canopy Sign shall only display the name of the business, its logo, and address. Letters or logo on a Canopy Sign are allowed on and above the face of the canopy. The area of the copy shall be used in determining the sign

areas, per [Section 4.2](#) of this Appendix. The area of the copy may be externally illuminated with appropriate lighting, including front, channel letters, or halo style illumination. No internal illumination which would be visible through or above the canopy will be allowed. If the canopy is mounted on a multi-tenant building, the canopy sign shall be consistent in color, size, material and letter size with all tenants in the building. Canopies shall maintain a minimum clearance of 8 feet.

- B. **As an Additional Sign**: To encourage weather protection for pedestrians beyond that provided at the building or business entry and to ensure pedestrians can identify a business, a business that provides a canopy which offers reasonable protection for pedestrians is allowed the following additional canopy signs:
1. If the business did not use the canopy for primary signage: For each canopy, the business name or logo only, in letters or sign area no more than six (6) inches tall on the canopy edge parallel to the façade.
 2. If the canopy has a solid side edge, the side edge closest to each façade edge of the business, may have the business name or logo only, in letters no more than six (6) inches tall. A business which selects this may have no more than two side edge signs per façade.
 3. In this case “reasonable protection” means at 8 ft above the sidewalk, a canopy that extends at least 6 ft over the sidewalk, and up to a canopy 12 ft above the sidewalk which extends at least 8 ft over the sidewalk. For heights in between 8 ft and 12 ft above the sidewalk, the minimum extension over the sidewalk shall be extrapolated between 6 ft and 8 ft of extension.

4.11 Community Facilities/Religious Facilities Signs

Each noncommercial use such as churches, schools, city parks, fire stations, police stations, municipal buildings, public libraries, community centers and other similar noncommercial uses may have no more than three (3) signs totaling no more than 24 square feet in area. Such signs shall be set back a minimum of two (2) feet from the property line, and shall not exceed six (6) feet in height. A wall sign shall not exceed twenty-four (24) square feet in area and shall not exceed ten (10) feet in height. Reader boards may be permitted with noncommercial uses, however, a reader board shall count as part of the noncommercial sign square footage and reader boards shall not be backlit. All Community Facilities/Religious Facilities signs shall be unobtrusive, in keeping with the character of the neighborhood and shall be constructed of quality materials. Community Facilities/Religious Facilities bulletin board: see Excepted signs, [Section 3.3.G](#) of this Appendix.

4.12 Corporate Identification Signs

The purpose of a Corporate Identification Sign is to identify one significant tenant within a building. A Corporate Identification Sign is located at the top of the building, not in relationship to the location of the tenant’s leased space. A Building Owner may allow a Corporate Identification Sign at the upper levels of high-rise buildings (as defined in Land Use, Appendix C) if they meet the following criteria, in addition to other applicable provisions of this code:

- A. Only hotel, motel, or hospital; or an enterprise that is an Issaquah employment generating use within the building on which the signs are mounted may place a Corporate Identification Sign.
- B. Signs shall not project above the top of the surface to which they are affixed, nor beyond the edge of any surface to which they are affixed;

- C. Signs may use only logos and/or the business name. The lettering shall be no taller than four (4) feet in height. Lettering averaging shall not apply;
- D. The total square footage of the logo and business name may not exceed 200 square feet;
- E. Signs shall be mounted to the building with a mounting system that is not visible beyond the edges of the sign elements;
- F. Signs may not project above the surface to which they are affixed nor beyond the edge of any surface to which they are affixed. Signs shall be designed and located to preserve the integrity of the building roof form;
- G. Sign illumination shall be limited to halo lighting with a white light source; provided, that signs may be internally illuminated when the surface on which the sign is mounted is made of glass or other highly reflective material that would interfere with the appearance of the sign if halo-lit. Internal illumination is limited to only those letters or sign elements that will appear white when lit. Any illumination shall be designed to ensure no exposed lighting source or raceway. The light source shall be no brighter than the equivalent of 30 milliamp neon tubing behind a diffuser panel. The applicant shall provide a signed certification from the sign manufacturer declaring that the illumination meets the limits of this subsection;
- H. Only one tenant's name and/or logo, and no more than two (2) Corporate Identification Signs for that tenant, are allowed per high rise. If a Building Owner and tenant determine that two Corporate Identification Signs will be provided, the two signs must be on different façades and they shall be oriented to face I-90 and/or SR-900, and not Cougar or Squak Mountains;
- I. As part of the Designated Official's review, the Corporate Identification Sign's hours of illumination may be reasonably restricted to hours when most people will see the sign and not illuminated during normal hours of sleep e.g. between midnight and 6 am, unless longer hours are approved by the Designated Official; hospitals, hotels, and motels are exempt from this [Section 4.12.I](#);
- J. The design of the Corporate Identification Sign shall be compatible with the building and district character; and
- K. A Corporate Identification Sign is not a Primary, Secondary, or Additional Sign. When a Building Owner and Tenant elect to provide Corporate Identification Signs, all other signage associated with the Tenant's business shall be located at ground/ Circulation facility level. The tenant may be allowed by the Building Owner to have all Primary, Secondary, Additional, and Temporary signage allowed by this Appendix; however, letter size is limited to a maximum of two (2) feet.
- L. Corporate Identification Sign(s) shall be removed within 90 days after the enterprise ceases to comply with [Section 4.12.A](#).

4.13 Directional & Information Signs (Signs not exceeding four (4) square feet do not require a permit per [Section 3.3.J](#) of this Appendix.)

- A. As a Primary Sign: Directional and information signs shall not be used as Primary Signs
- B. As a Secondary Sign: Directional and information signs shall not be used as Secondary Signs
- C. As an Additional Sign:
 - 1. Directional and information signs are incidental and are necessary for public safety and convenience and generally contain information that is a secondary to the use of the property on which it is located. That said, in a more complete, compact, and connected project, directional and information signs

are essential for functionality and Wayfinding as well as civic, education, history, art, and contributing to the overall district character. Examples directional and information signs include “entrance”, “exit”, “one-way”, “circulation”, “loading only”, “public telephone”, “drive-up window”, “drive through window menu boards”, “restroom”, “open”, “closed”, and other similar directives unless approved by the Designated Official and shall not contain advertising matter beyond that necessary to accomplish their directional or informational purpose. Signs may be single or double faced and shall not exceed twelve (12) square feet per face. Directional signs indicating entrance, exit, one way circulation, drive-up window, etc., and information signs containing no advertising matter beyond that necessary to accomplish their directional or information purpose will not be considered advertising signs.

2. Structured parking is allowed one informational sign at each entry indicating the status of parking (i.e. open, full, etc.). Signs may provide the status of each level of the multi-stories garage. Additional signs may be provided internally which are not Visible. Changeable copy of letters and/or numbers providing this information are limited to six inches (6”) in height. The Changeable Copy portion of the informational sign, indicating the status of the parking availability, may be electronically lit (e.g. LEDs) and remotely changed. Signs may be single- or double-faced and shall not exceed twelve (12)

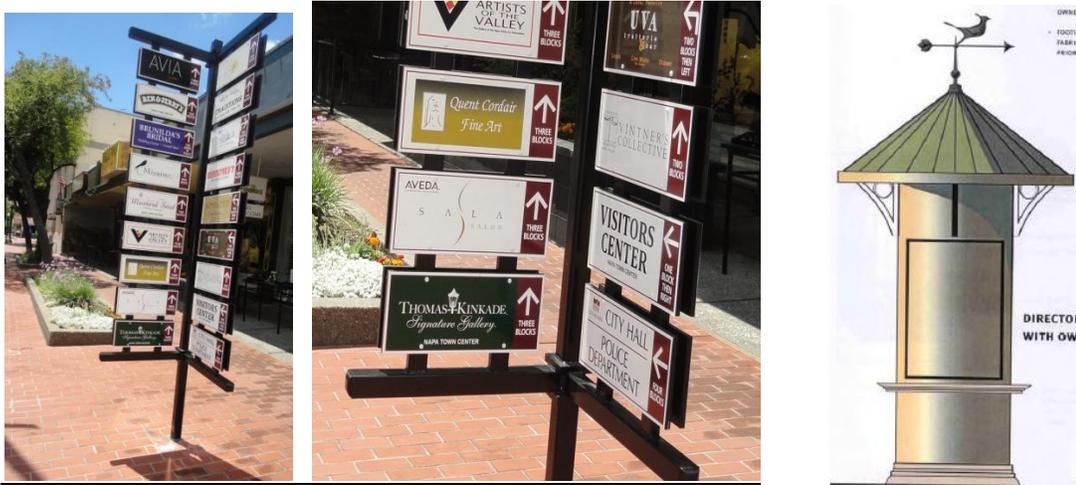


square feet per face, and shall not contain advertising matter beyond that necessary to accomplish their directional or informational purpose.

4.14 Directional Signs, Business and Civic

- A. As a Primary Sign: Business and Civic Directional signs shall not be used as Primary Signs.
- B. As a Secondary Sign: Business and Civic Directional signs shall not be used as Secondary Signs.
- C. As an Additional Sign: Business and Civic Directional Signs are only allowed on private property for the purpose of locating business and civic uses including recreation, parks, plazas, trails, government, educational, and similar facilities. Business and Civic Directional Signs design must reinforce the character of the district in which they are located by complimenting the district image and positively contribute to the urban streetscape; see examples below. Business and Civic Directional Signs should be placed at key intersections or decision points, and designed predominately for pedestrians and bicyclists, though the signage should be useful to drivers as well. Business and Civic Directional Signs shall be sited to facilitate use by both pedestrians and vehicles, such as in the planting strip between the curb and sidewalk, and shall take into account car door swings, vehicular sightlines, pedestrian routes, etc. when locating them. Signs may only include maps, business names and logos, directional arrows, distances. Each Business and Civic Directional Sign kiosk shall include space for at

least one civic directional sign. Individual signs for a business or civic use shall have letters no larger than five (5) inches in height and a sign for each business or civic use within the kiosk is limited to .75 square feet. A kiosk containing the Business and Civic Directional Signs may also include a sponsor's name and logo which are limited to six (6) inches in height, one per each side of the kiosk; on circular kiosks two name/logos will be permitted. The Master Developer is encouraged to look for opportunities to incorporate advances in technology to improve community or business information available through the kiosk. Only the Master Developer may apply to install a Business and Civic Directional Signs to ensure locations are appropriate and coordinated. The Master Developer is responsible for maintenance and inspection of the Business and Civic Directional Signs once installed.



4.15 Flags (See Excepted signs Section 3.3.K of this Appendix).

- A. As a Primary Sign: Flags shall not be used as Primary Signs
- B. As a Secondary Sign: Flags shall not be used as Secondary Signs
- C. As an Additional Sign: Country, state, city and other governmental body flags not exceeding twenty-five (25) square feet are excepted per Section 3.3.K of this Appendix. For flags larger than 25 square feet a permit is needed. The Designated Official will review the permit based on the location and size of the flag so as to not be distracting to drivers and a nuisance to nearby property owners, businesses, or residents (e.g. noise, visual impacts). The Designated Official may also allow up to one (1) flag with the businesses name or logo, if flown with at least one governmental flag. The business flag is limited to twenty-five (25) square feet which may not be modified.

4.16 Franchise Signs

- A. As a Primary or Secondary Sign: One franchise sign is permitted per business provided the Designated Official determines that the sign meets one of the following conditions:
 1. The applicant must show that the sign is characterized and documented as original or extraordinary by the standards of the advertising industry or any industry or organization that designs, creates or reviews signs;
 2. The sign is similar and consistent in style with the building's architectural character, and documented as such with photographs and/or drawing examples of buildings and signs in the same style or character; or,
 3. The sign is, or its design replicates, a sign that is at least 30 years old and in good condition; or is considered to be historic or of historic value by the

advertising industry or any industry or organization that designs, creates or reviews signs. However, such an opinion of historic value may not come from an entity that was involved in the design or production of the sign being reviewed, and must be jointly selected by the City and Master Developer.

A franchise sign permitted under the above conditions shall be considered either the primary or secondary sign of the business and shall be governed by Section 4.1 thru 4.3 of this Appendix.

B. As an Additional Sign: Franchise Signs shall not be used as Additional Signs

4.17 Free Standing Signs: See “Monument Signs” or Section 9.6, Case by Case Modifications.

4.18 Interpretive Markers

Pedestrian-oriented signs that provide wayfinding throughout the Project, including signs marking critical areas, trails, and stormwater detention facilities. Signs may be single or double faced and shall not exceed four (4) square feet per face for information for pedestrians. Interpretive Markers not exceeding four (4) square feet are excepted per Section 3.3.J of this Appendix.

4.19 Marquee Signs

A. As a Primary Sign: Marquee signs are limited to schools, movie and performing arts theaters, and theatrical playhouses. Such signs may be painted on or attached flat against the surface of, but not extending beyond or below or attached to the underside of the overhang. Letter sizing may not exceed twelve (12) inches in height on the changeable portion of any marquee. The maximum height of the area of the sign itself shall be ten (10) feet. One sign allowed per street frontage, not to exceed two (2). A minimum clearance of eight (8) feet shall be required or as determined by the International Building Code.

B. As a Secondary Sign: Marquee Signs shall not be used as Secondary Signs

C. As an Additional Sign: Marquee Signs shall not be used as Additional Signs

4.20 Memorial Sign: See Excepted Signs Section 3.3.Q of this Appendix.

A. As a Primary Sign: Memorial Signs shall not be used as Primary Signs.

B. As a Secondary Sign: Memorial Signs shall not be used as Secondary Signs.

C. As an Additional Sign: As a permitted Additional Sign, Memorial Signs must meet the same criteria established for them in Excepted Signs and shall not be electrified though they may be externally illuminated; however, as a permitted Permanent sign they shall:

1. Contain only the building name
2. Be no larger than 28 sq.ft. with a maximum letter size of 2 ft.
3. Limited to one (1) Memorial sign per building façade facing a Public Space.
4. The Excepted Memorial sign with the building date may be used in combination with the Permitted Memorial sign with the building name.

4.21 Monument Signs (Free-standing signs) See Section 9.6, Case by Case Modifications

4.22 Movable Signs, Commercial

A. As a Primary Sign: Movable signs shall not be used as Primary Signs

B. As a Secondary Sign: Movable signs shall not be used as Secondary Signs

- C. As an Additional Sign: Display of Commercial A-frame movable signs shall be restricted to the business' hours of operation. Only one (1) movable sign is permitted per business. Commercial A-frame movable signs shall not exceed six (6) square feet in size per face and shall not be more than four (4) feet in height. These signs shall be placed only on private property or within a Circulation facility excluding alleys. Movable signs that are unsafe to pedestrians or motorists may be removed pursuant to the provisions of this Appendix. Location and allowable distance for signs may be modified, in conjunction with Permitting (Appendix O) by the Designated Official.

4.23 Multi-Business Wall Sign

- A. As a Primary Sign: Multi-business wall signs shall not be used as Primary Signs
B. As a Secondary Sign: Multi-business wall signs shall not be used as Secondary Signs
C. As an Additional Sign: A multi-business wall sign may identify the building name and/or address of a multi-business development, followed by tenant listings. The sign shall not exceed sixteen (16) square feet in area and shall not extend higher than six (6) feet above the ground. The sign shall not be illuminated; they may be externally lit. A multi-business development with more than one (1) street frontage may have a maximum of two (2) multi-business wall signs. Combined dimensions of the two signs must be within the maximum allowable area (sixteen (16) square feet).

4.24 Neighborhood Identification Sign

A Neighborhood may provide a Monument Sign as long as it meets the following conditions:

- A. Each entrance to a Neighborhood may have a Neighborhood Identification Sign.
B. The sign is limited to thirty-two (32) sq.ft.
C. The sign is limited to ten (10) ft in height including the frame or structure on which it is mounted.
D. The sign is limited to the name of the neighborhood and a Neighborhood logo.
E. The sign may have exterior illumination only.
F. Neighborhood Identification Signs for each Neighborhood will be consistent in size, material, color, mountings and text style.

4.25 Non-Commercial Use Signs: see Community Facilities/Religious Facilities.

4.26 Painted Wall Murals

- A. As a Primary or Secondary Sign: Only the portion of a painted wall mural which contains a logo, trademark or other commercial message shall be governed by the requirements of this Appendix. That portion of the mural which contains a logo, trademark, or other commercial or advertising message shall be governed by Section 4.27, Painted Wall Signs. Wall preparation, anti-graffiti coating, ultra violet coating and plastic coating for murals with southern exposure shall be required. Maintenance shall be required for any portion of the painted mural that is unreadable or unsightly due to weather, sunlight or graffiti.
B. As an Additional Sign: Painted Wall Murals may not be used as Additional Signs

4.27 Painted Wall Signs

- A. As a Primary or Secondary Sign: A painted border shall not be included in the overall dimensional size limitations. Any such sign shall be painted out within thirty (30) days of change in occupancy. Exceptions may be granted to landmark and mural signs that

may be preserved and maintained if they no longer pertain to the present use of the premises. Maintenance shall be required for any portion of the painted wall sign that is unreadable or unsightly due to weather, sunlight or graffiti.

- B. As an Additional Sign: Painted Wall Signs may not be used as Additional Signs

4.28 Pedestrian-Oriented Signs (including Blade Signs)

- A. As a Primary Sign: Pedestrian Oriented/Blade Signs shall not be used as Primary Signs; see Projection Signs.
- B. As a Secondary Sign: Pedestrian Oriented/Blade Signs shall not be used as Secondary Signs.
- C. As an Additional Sign: All pedestrian-oriented signs shall be limited to one (1) sign per business for each façade facing a Circulation facility excluding alleys without pedestrian entries to the business associated with the Pedestrian-Oriented sign.
1. Pedestrian-oriented shall be limited to four (4) square feet maximum per sign face;
 2. Pedestrian-oriented may be externally illuminated; no internal illumination is allowed.
 3. Pedestrian oriented shall be in character with adjacent land use.
 4. Pedestrian oriented that hang or otherwise project over sidewalk or other pedestrian way:
 - a. Minimum clearance shall be eight (8) feet;
 - b. Minimum setback shall be two (2) feet from curb or edge of vehicular surface;
 - c. No projection beyond the awning, canopy, or marquee, if any; and
 - d. No higher than twelve (12) feet.
 5. A business in a multi-business development may display a pedestrian-oriented/blade sign on a wall other than their tenant space when all these conditions apply:
 - a. The tenant's pedestrian entrance is not visible from the Circulation facility;
 - b. The pedestrian-oriented/blade sign is displayed on the multi-business development wall most adjacent to the tenant's pedestrian entrance; and,
 - c. The tenant has approval of multi-business development property owner/manager.

4.29 Projection Signs

- A. As a Primary Sign: If the two sides of a projection sign are parallel or the interior angle of the "V" sign is 90 degrees or less, then only one side of the sign is counted to the maximum sign size; if the interior angle of the "V" sign is greater than 90 degrees, then both sides of the sign are counted to the maximum sign size. The area of the copy may be externally illuminated with appropriate lighting; no internal illumination will be allowed. If the projection sign is mounted on a multi-tenant building, the projection sign shall only be adjacent to that floor of the building where the business is located, unless the building owner provides written permission to the Designated Official allowing the sign to extend beyond the business' leased space. Projection signs shall not extend above the parapet or eave unless the projection sign is for a cinema or theater when it will be limited to 65 ft. Projection signs may extend outward up to seventy-five (75) percent of the width of the abutting sidewalk but no more than six (6) feet from the wall it is mounted on. Minimum clearance of a projection sign from a pedestrian facility shall be eight (8) feet. Thirty (30) percent of the face of a projection sign may rotate.

- B. As a Secondary Sign: The sides of a Secondary Projection Sign must be parallel. The area of the copy may be externally illuminated with appropriate lighting. No internal illumination will be allowed. Secondary Projection signs may extend outward up to seventy-five (75) percent of the width of the abutting sidewalk but no more than six (6) feet from the wall it is mounted on and may be no more than fifteen (15) square feet in sign area. Minimum clearance of a projection sign shall be eight (8) feet.
- C. As an Additional Sign: Projection Signs may not be used as Additional Signs; see Pedestrian Oriented Signs.

4.30 Public service signs - See Service Organization Sign.

4.31 Residential Neighborhood Identification Signs - See Monument Signs, Section 9.6 of this Appendix.

4.32 Service Organization Signs

Service Organizations signs may be allowed in parks, plazas, and other public gathering areas, either on public right-of-way or on private property. Service Organization signs shall not be permitted in residential uses and shall contain no advertising except community events and announcements. Each organization sign, symbol or emblem on a public service sign shall not exceed four (4) square feet in sign area. The signs shall be limited to a maximum of fifty (50) square feet on any one side and shall not exceed ten (10) feet in height.

4.33 Wall Signs

- A. As a Primary and/or Secondary Sign: Signs standing out horizontally from a mansard roof are considered wall signs; however, they may not extend vertically above the top of the mansard. No part of the sign shall extend above the roof.
- B. As an Additional Sign: Only Business Identification signs, Section 3.3.E, may be used as an Additional Signs.

4.34 Window signs; Permanent indoor

- A. As a Primary and/or Secondary Sign: Permanent indoor window signs are those which identify the business, products or services and are intended to be in place more than thirty (30) days.
 1. The combination of all window signs, temporary and permanent, shall not exceed twenty five (25) percent of the total window area. The combination of additional graphics, artwork, photos, decorations shall not exceed an additional twenty five (25) percent, for a total of fifty (50) percent window area, except when a space is empty, unoccupied, or under construction. Then its windows may be fully obscured though art, decoration, graphics etc. Window signs such as open/closed, store hours, address, and other necessary direction and information signs shall be exempt from total area limitations.
 2. Businesses are encouraged to group signage for maximum window exposure.
- B. As an Additional Sign: For each window that a business has facing a Public Space or Circulation facility excluding alleys, and which has not been used as a Primary or Secondary sign, the business may have a Window sign, containing only the business name or its logo; however, the maximum number of Window Signs (primary, secondary, and/or additional) shall not exceed the façade's linear footage divided by 20. (For example, a 60 ft façade could have up to three window signs: 60 linear feet of

façade ÷ 20 per window sign = 3 window signs) Maximum letter or logo height for Additional Window Signs is twelve (12) inches. The Additional Window Signs contribute to the window coverage calculation specified in Section 4.34.A.

5.0 Temporary Signs

5.1 Area, Height Limit & Setback

Individual temporary signs or a series of signs intended to be read or viewed as one (1) sign shall not exceed thirty-two (32) feet in area and six (6) ft in height. Temporary signs shall be set back a minimum of two (2) feet from the property lines of the property on which it is located if such setback is available. The location of temporary signs shall not hinder sight distance for motorists from either intersections or driveways, block pedestrian and bicycle ways. Temporary signs are non-electrical and non-illuminated unless specified otherwise below. Unless listed as Excepted in Section 3.3, all Temporary signs require a permit.

5.2 Location

Temporary signs must be placed on the subject property. Temporary signs are not allowed on or above City street right-of-way unless excepted by Section 6.3 of this Appendix. Signs shall not create a hazard to either pedestrians or motorists as determined by the Designated Official. No Temporary Signs may be placed higher than 65 ft above surrounding grade.

5.3 Time Limit Generally

Temporary signs not otherwise limited in time within the provisions of this Appendix will be limited to a period of one hundred and twenty (120) consecutive days within a Calendar Year.

5.4 Balloons- See Excepted Signs Section 3.3.B of this Appendix.

5.5 Banners - See Excepted Signs Section 3.3.C of this Appendix.

5.6 Construction Purpose, Contractor, and “Coming Soon” signs (Signs not exceeding eight (8) square feet do not require a permit per Excepted Signs, Section 3.3.H of this Appendix.)

Construction Purpose, Contractor, “Coming Soon” signs shall be limited to one (1) per street frontage of site under construction. Signs associated with commercial or mixed uses shall not exceed thirty-two (32) square feet and signs associated with residential only uses shall not exceed eight (8) square feet. The height of any of these signs shall not exceed ten (10) feet. The signs may be posted for the duration of the construction period, which is defined by having an active building permit. The sign(s) must be set back a minimum distance of five (5) feet from the street frontage and ten (10) feet from adjoining properties unless exceptions are made by the Designated Official.

5.7 Event signs for nonprofit organizations: See Special or one-time events sign, Section 5.16 of this Appendix.

5.8 Garage/Yard Sales Signs - See Excepted Signs Section 3.3.L of this Appendix.

5.9 Grand Opening Events

Grand openings are allowed for both new business openings and for new ownerships. The following regulations shall apply to all grand opening events:

- A. All signs not exempted by Section 3.3 of this Appendix shall be briefly described on a single permit for the grand opening period.
- B. All signs shall be located on or above private property.
- C. All signs specifically approved as part of the grand opening event shall be deemed temporary signs per this Appendix and the time period the sign may be displayed will be determined by the Designated Official. A grand opening event period shall not exceed 30 days.
- D. During the period of a grand opening, the total surface area of all signs may equal up to three hundred (300) percent of that which would be allowed as Primary and Secondary signage. There is no limit as to the number of individual signs; provided, however, the restrictions contained in Section 7 of this Appendix (Prohibited Signs and Devices) shall remain in effect.
- E. Flags, clusters of lights and banners are allowed for grand openings.
- F. Search lights, laser lights and large inflatable objects may be allowed with grand opening events with a special events permit issued by the City.
- G. No more than one grand opening event, for the purpose of this definition, may occur for any one business location within any twelve (12) month period, provided that each separate business location within a complex of two or more businesses shall be entitled to a grand opening event separate from the grand opening event for the complex as a whole.

5.10 Holiday Decoration Sign - See Excepted Signs Section 3.3.M of this Appendix.

5.11 Movable sign, Special events A-frame

Special events A-frame movable signs may be allowed to advertise any event for which a “special events permit” has been issued by the City, such as Salmon Days, and to give directions to the event or to event parking. Special events A-frame movable signs shall not exceed six (6) square feet per face and shall not exceed four (4) feet in height. The location of the sign, where allowed by the permit, shall not create a hazard to either pedestrians or motorists by blocking vision or movement of people or vehicles. The location and number of Movable signs shall be described in the permit. The signs may be placed on City property if appropriate but they may not be located in sidewalks, pedestrian facilities, or bikeways. Movable A-frame signs shall be maintained in an aesthetically good condition. Movable signs which are hand-written, have irregular letting, or are on cardboard are prohibited. The signs shall be removed promptly.

5.12 Outdoor Commercial Signs

- A. All temporary outdoor signs shall be wall signs except as allowed by this Appendix.
- B. All temporary outdoor commercial signs shall be located on the side of the building which faces the street frontage.
- C. No more than one (1) temporary outdoor commercial sign may be displayed at any one time by a single business.
- D. Temporary outdoor commercial signs shall not exceed five (5) percent of the individual business’ building face on the street frontage or thirty two (32) square feet, whichever is less.

- E. Any single business shall be permitted a total display period for temporary signs not to exceed sixty (60) days in any one (1) Calendar Year.
- F. An exception may be granted at the discretion of the Designated Official from regulations contained in subsections “a” and “b” of this Section consistent with criteria in Section 9.5, though a modification is not required.

5.13 Outdoor Vendor Signs

This section does not apply if a special event or grand opening permit has been issued.

- A. Outdoor Vendor, carts and trucks (individual or multiple): A vendor cart or truck is permitted a maximum of two primary signs having a combined sign area not exceeding twenty (20) square feet. The signage may be attached to the cart or truck and to any awning, umbrella, or tent providing weather protection for the cart or truck. The design of the signage shall be integrated with the design of the cart or truck, and have a maximum letter size of 18 inches. Separate, detached signs are not permitted.
- B. Outdoor Vendors, yard activities (e.g. Christmas tree lots, fruit stands, farmer’s market): An Outdoor Vendor may have either:
 - 1. One (1) sixteen (16) sq.ft. sign and one (1) movable A-frame sign; or
 - 2. A maximum of two (2) movable A-frame signs.

Movable A-frame signs allowed by Section 5.13 may be displayed only during the hours of 6:00 AM to 9:00 PM or closing, whichever is earlier, on days the vendor displaying such sign(s) is open for business. Temporary outdoor vendors signs must be located on private property. The signs are limited to a maximum of six (6) square feet per face and a height limit of four (4) feet. Such signs are permitted for a duration of not more than sixty (60) days and not more than one hundred twenty (120) days within a one (1) Calendar Year. If a group of vendor carts and/or trucks are located together, each cart or truck may have the signs allowed by Section 5.13.A and may not have the A-frame signs.

5.14 Political signs

Permit requirements and conditions for political signs are shown on Table 1 below. The owner of any political sign is responsible for its removal and compliance with all other provisions of this chapter, or any other law or ordinance regulating the same. The “owner” of a political sign is the permittee, private property owner, or candidate or organization sponsoring the sign message.

- A. Locating Political Signs on the Right-of-Way:
 - 1. Political signs located on the public right-of-way shall comply with the requirements of Table 1 below and the restrictions contained in IMC 18.11.450, Placement.
 - 2. No political sign shall be suspended across any portion of a public right-of-way.
 - 3. Political signs are not permitted on railroad rights-of-way or lands that were previously railroad rights-of-way and now used for public purposes, including where railroad rights-of-way overlap street rights-of-way.
- B. Removal of Political Signs:
 - 1. Ballot Measure/Election: For those political signs promoting a ballot issue or election, political signs must be removed within seven (7) days after the election or event for which the sign is displayed, except that signs promoting the successful candidate in a primary election may remain displayed until seven (7) days following the immediate subsequent general or special election.

2. Public Issue: Political signs promoting a public issue that is not connected to an election or ballot measure and that are required to have permit must be removed one hundred twenty (120) days after initial installation unless the permit is renewed.

Table 1 Political signs: Ballot measure/election and public issue

Conditions	Political Signs That DO NOT Require a Permit		Political Signs That Require a Permit
	On Public Right-of-Way	On Private Property	On Private Property
Sign Size	Maximum up to 4 sq. ft. per face		Greater than 4 sq. ft. per face and not larger than 32 sq. ft. per face
Sign Height	Not more than 6 feet in height		
Two-Sided Signs	Two-sided signs are permitted		
Safety Provisions	Shall not impede vehicular or pedestrian movement or line of sight, pose a safety hazard, or be located on public fences, public retaining walls, utility poles or street sign poles (IMC 18.11.480(W))		Shall not impede vehicular or pedestrian movement or line of sight, pose a safety hazard, or be located on public fences, public retaining walls, utility poles or street sign poles (IMC 18.11.480(W))
Lighting	Signs shall not be lighted		
Moving Signs	Signs shall be stationary		
Location	See IMC 18.11.410(A)		Shall meet safety provisions and be located with property owner's consent
Removal	Ballot Measure/Election: Within 7 days of the election.		Removal not required
	Public Issue: Removed within 120 days of installation		

5.15 Real estate signs, on premises (For Sale/Lease/Rent) (Signs not exceeding six (6) square feet do not require a permit per Excepted Signs, [Section 3.3](#) of this Appendix.)

- A. Residential Property: Signs advertising the commercial sale of lots and/or houses in a subdivision or units (condominiums) may be located on land which is part of the subject development at the entrance of the development; provided, that not more than one (1) such sign no larger than thirty-two (32) square feet in area, and ten (10) feet in height, may be installed at one time at any one entrance. The display of such signs shall be limited to a twelve (12) month period. Prior to the end of the twelve (12) month period, the applicant may request extensions of time, each of which may not exceed six (6) months, otherwise the sign shall be removed.

B. Commercial Property:

Signs advertising commercial or industrial property shall be limited to one (1) single or double faced sign per street frontage. Signs may be displayed only while the building or a portion thereof is actually for sale, rent or lease. The sign(s) may not exceed thirty-two (32) square feet in surface area. If V-shaped, the total surface area shall not exceed thirty-two (32) square feet in area. If freestanding the sign may not exceed six (6) feet in height. Maximum height for wall sign shall be ten (10) feet. Sign shall be located more than ten (10) feet from any intersection of two Circulation facilities, and wholly

on the property for sale or rent. Apartment building “for rent” signs are governed by Subsection A of this Section. Commercial for sale/rent/lease signs shall be limited to a twelve (12) month period. Any extensions shall require a new sign permit.

5.16 Special or One-time Events Sign

Temporary signs promoting a one-time or intermittent drive or event sponsored by a political, civic, seasonal, cultural, philanthropic, educational or religious event or organization are permitted for a period not to exceed thirty (30) days in a six (6) month period. Maximum height for freestanding sign is six (6) feet. See also “Movable sign, Special events A-frame.”

Special or One-time Events Signs shall comply with all restrictions applicable to movable signs as set forth herein.

- A. All signs not exempted by Section 3.3 shall be briefly described on a single permit for the one-time event period.
- B. All signs specifically approved as part of a Special or One-time Event shall be deemed Temporary per this Section 5.0, and are limited to two (2) weeks preceding the event and ten (10) days following the event.
- C. During the period of a one-time event, the total surface area of all signs, banners, and flags may equal up to 300 percent of that which would be allowed as permanent signage. Each banner or flag is limited to thirty-two (32) square feet. There is no limit as to the number of individual signs, banners or flags; provided, however, the restrictions contained in Section 7.0 of this Appendix (Prohibited Signs) shall remain in effect.
- D. Banners must be attached to light standards and may only contain the name and dates of the event and artwork or a logo associated with the event.
- E. Banners may not span the street, unless under special circumstances.

5.17 Temporary Signs For Nonprofit Organizations See: Special or one-time event sign and Movable sign, Special events A-frame.

5.18 Window Signs, Temporary Indoor. See Excepted Signs Section 3.3.CC of this Appendix.

5.19 Model Home and Sales, Rental or Leasing Offices

Model home, sales, rental or leasing office signs, flags and banners shall be permitted on the premises which serves said purpose.

6.0 Signs on Public Rights-of-way and Private Street Corridors

6.1 Scope

Nothing in this Appendix shall be interpreted as controlling public information signs placed on the public rights-of-way or private street corridors by any governmental agency or public utility.

6.2 Placement

Public service directional signs for public buildings, such as public schools, libraries, hospitals and other similar public service facilities, may be placed entirely on public rights-

of-way or private street corridors. No sign shall be allowed in traffic islands, roundabouts, or medians.

6.3 Exceptions

No sign shall be placed on or above the public rights-of-way or within private street corridors with the following exceptions:

- A. Signs defined in Section 6.0 of this Appendix (R-O-W Scope and Placement for public service and governmental agency signs);
- B. Awning signs, per Section 4.7 of this Appendix;
- C. Banners, per Sections 3.3.C and 4.8 of this Appendix;
- D. Flags, per Sections 3.3.K and 4.15 of this Appendix;
- E. Canopy signs, per Section 4.10 of this Appendix;
- F. Grand Opening Event Signs per Section 5.9 of this Appendix;
- G. Marquee signs, per Section 4.19 of this Appendix;
- H. Monument signs per Section 9.6 of this Appendix;
- I. Movable sign, Special Events A-frame per Sections 4.22 and 5.11 of this Appendix;
- J. Outdoor Vendors (carts and trucks or yard activities) per Section 5.13 of this Appendix; however, Outdoor Vendors in public right-of-way shall obtain a Special Use Permit.
- K. Pedestrian oriented/Blade signs per Section 4.28 of this Appendix.
- L. Political signs per Sections 3.3.S and 5.14 of this Appendix;
- M. Projection signs per Section 4.29 of this Appendix;
- N. Real estate signs, off premise residential (residential open-house signs) per Section 3.3.X of this Appendix;
- O. Real estate signs, off premise directional arrows per Section 3.3.Y of this Appendix;
- P. Special or One-time Event Signs per Section 5.16 of this Appendix;
- Q. Wall signs not extending more than twelve (12) inches over the public rights-of-way or private street corridors on structures located on or within twelve (12) inches of the public rights-of-way or private street corridors. This exception applies only eight (8) feet or more above the grade of the public rights-of-way or private street corridors per Section 4.33 of this Appendix.
- R. Permanent Signs allowed on public street right-of-way by an approved Right-of-way Use Permit as described in Circulation (Appendix E). Signs in Private Street Corridors through an approved Sign Permit.

6.4 Insurance & Indemnity

Any sign(s) which are allowed to be placed on or over the public right-of-way must comply with the provisions of the City's Sidewalk Use District IMC 12.05.

7.0 Prohibited Signs & Devices

7.1 Listing of Specifically Prohibited Signs and Devices

The following signs or devices are specifically prohibited and violators shall be subject to the penalty provisions set out in Issaquah Municipal Code 1.36.030:

- A. Abandoned signs
- B. Billboards
- C. Blinking or flashing lights. Any sign illuminated by or containing blinking, flashing, intermittent, or moving light or lights, except the time and temperature portion of a sign.
- D. Changeable image signs.

- E. Fuel price signs, movable.
- F. Internally illuminated/backlit awning and canopy signs where light shines through the material.
- G. Illuminated signs that allow beams and illumination upon a street, highway, sidewalk, or that may constitute a traffic hazard or public nuisance.
- H. Large inflatable objects (except with a special events permit or as a holiday sign for a recognized public holiday).
- I. Laser lights and search lights (except with a special events permit)
- J. Monument signs exceeding ten (10) feet in height.
- K. Natural features & Street furniture: Signs, balloons or devices affixed or painted on street furniture, trees, rocks, or other natural features, which do not have a permit as a Permanent Sign.
- L. Parked vehicles, trailers or carts with signs. Signs pertaining to or associated with any business along a public right-of-way which are attached, painted or otherwise affixed to parked vehicles, trailers or carts and are visible from a public right-of-way are prohibited except when the vehicle/trailer is:
 - 1. An authorized government vehicle; or
 - 2. Being temporarily loaded or unloaded; or
 - 3. On private property where the business is located; and:
 - a. Within one hundred (100) feet of the space occupied by the business being promoted; and
 - b. Is parked for a period not exceeding twenty-four (24) consecutive hours; and
 - c. Is promoting a business with a valid City business license.
 - 4. An Outdoor Vendor consistent with the provisions of this Appendix and Temporary Uses in Appendix C (Land Uses).
- M. Posters not associated with music performances, cultural events, movies and live or playhouse theaters.
- N. Readerboards, except for those allowed with noncommercial signs and marquee signs and those which are already in place and are legal nonconforming.
- O. Readerboards, portable.
- P. Real estate; Off premises Commercial, including movable open house signs and directional arrows located on private property or public rights-of-way.
- Q. Reflective material in signage including highly reflective metallic finishes, sequin studded materials or fluorescent colors.
- R. Revolving signs or signs with movable parts except barber poles and numerical signs indicating parts of clocks or thermometers, and except as allowed on Projection Signs Section 4.29.
- S. Roof Signs, except as otherwise allowed in this Appendix.
- T. Strings of pennants, ribbons, streamers, spinners, mylar balloons, or other similar moving or fluttering devices, or moving or revolving devices of a carnival like nature.
- U. Traffic hazard or public nuisance created by signs including:
 - 1. signs with advertising copy which imitate official traffic signs, or signals or use such words as "stop," "look," "danger," "caution," "warnings" or "go slow";
 - 2. signs that may confuse motorists or detract from any legal traffic control device as determined by the Designated Official; and,
 - 3. any sign placed in such a manner that it obscures the vision of a motorist as determined by Designated Official.
- V. Utility or Public street feature; Signs, balloons or devices affixed to or painted on, including: utility poles, street sign poles, traffic signal equipment and poles, garbage

receptacles, benches, bridges, railings, and railing supports, boardwalks, fences, retaining walls, bus shelters (except for those activities and signs allowed under Sections 3.3.D and 3.3.BB) and other types of street furniture, with the following exceptions: Political signs may be located on privately owned fences and privately owned retaining walls in residential areas.

- W. Any off premises sign, including any sign located on any property other than that property on which the business is located, except off premises signs permitted on public right of way per Section 6.0 of this Appendix.

8.0 Non-Conforming Signs

8.1 Classification

Signs in existence at the effective date of the Development Agreement that do not comply with the standards of this chapter shall be deemed legally non-conforming and may continue to exist per Section 8.2, Legal non-conforming signs. Legal non-conforming status may not apply to signs that have received notice of infraction prior to the effective date of the Development Agreement.

8.2 Legal Non-conforming Signs

- A. Nothing in this Section shall relieve the owner or user of a legal non-conforming sign or owner of the property on which such non-conforming sign is located, from the provisions of this Appendix regarding safety, maintenance and repair of signs; provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more non-conforming or the sign may lose its non-conforming status.
- B. Cleaning and Maintenance: Legal non-conforming signs may be removed for cleaning and routine maintenance, i.e. repainting, cleaning, changing of lighting and wiring, and may be replaced without being brought into conformance with this Appendix. Legal non-conforming signs may continue to exist, except as follows, when the sign shall be brought into conformance immediately with this Appendix:
 - 1. Any legal non-conforming sign that undergoes a name change, or has 20% or more of the sign face (except billboards) or structure changed.
 - 2. Any legal non-conforming sign that is damaged in excess of 50% of the original value of the sign.
 - 3. Any legal nonconforming sign that is relocated or replaced.

9.0 Administration & Enforcement

9.1 Maintenance and Removal

No sign shall hereafter be erected or re-erected except as provided by this Appendix and a permit for same has been issued by the Designated Official unless such sign is excepted under Section 3.3 of this Appendix.

- A. Unsafe or Poorly Maintained Signs: All signs, together with all of their supports, braces, guys and anchors, shall be kept in repair and in proper state of preservation including ensuring signs are safe and secure. Furthermore, the display surface of all signs shall be kept neatly painted or posted at all times. If the Designated Official finds that any sign regulated by this Appendix is unsafe, not properly secured, or not maintained and repaired, he/she shall give written notice to the named owner of the sign

and the named owner of the land on which the sign is erected, who shall remove or repair the sign within a specified time from the date of the notice. If the sign is not removed and repaired, the Designated Official shall revoke the permit issued for such sign, as provided in this Appendix, and shall notify the City Attorney's office for appropriate legal action. The situation may additionally be remedied by the City via sign repair or removal, and the sign owner shall be billed for the cost of their removal. The Designated Official may cause any sign which he determines to be a source of immediate peril to persons or property to be removed summarily without notice.

- B. **Expired Signs:** Any sign existing on or after the effective date of this Appendix, which no longer advertises an existing business conducted or product sold on the premises, shall be removed by the owner of the premises upon which such is located after notice. The Designated Official, upon determining that such sign exists, shall notify the owner of the premises in writing to remove the sign within 30 days from the date of such notice. Upon application, the Designated Official may extend the removal requirement for a period not to exceed 90 days.
- C. **Other Violations:** In the event of a violation of any other provisions of this Appendix the Designated Official shall give written notice, specifying the violation, to the holder of the sign permit, or, if no permit exists, to the named owner of the land where the sign is erected, to correct the violation or remove such a sign. Non-conforming temporary signs located on public right-of-way may be removed without notice.

9.2 Recovery of Removed Signs

All signs removed by the City shall be available for recovery by the owner of such sign for a period of two (2) weeks, after which they will be destroyed.

- A. Recovery of any sign removed by the City shall be subject to payment of a sign recovery fee in accordance with the City's adopted fee schedule
- B. The City shall not be responsible for damages or loss during removal or storage.

9.3 Violations of this Appendix

Violations of any portion of the these sign standards shall be subject to the code enforcement and penalty provisions set out in Issaquah Municipal Code, Chapter 1.36.

9.4 Administration

- A. **Responsibility:** The ultimate responsibility for any sign shall be borne by the legal owner of the property on which the sign is located. The Designated Official may require when necessary that the property owner or agent be party to or applicant for any required sign permit.
- B. **Right of Entry:** Whenever necessary to make an inspection to enforce any of the provisions of this Appendix, or whenever the Designated Official has reasonable cause to believe that there exists any sign or any condition which makes such sign unsafe, the Designated Official may enter the premises or building on which such sign is located at all reasonable times to inspect the sign or to perform any duty imposed on him by this Appendix; provided, that if such building or premises on which the sign is located is occupied, he shall first present proper credentials and request entry; and if such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Designated Official shall have recourse to every remedy provided by law to secure entry. No owner or occupant or any other person having charge, care, or control of any building or premises shall fail or neglect, after

proper request is made as provided in this Appendix, to promptly permit entry therein by the Designated Official or his authorized representative for the purpose of inspection and examination pursuant to this Appendix.

C. Inspections:

1. All signs controlled by this Appendix shall be subject to periodic inspection by the Designated Official. Records of all such inspections shall be kept in the files of the Permit Center.
 - a. Prior to mounting the sign on the building elevation, an applicant shall contact the Permit Center for a sign inspection to determine that the sign(s) is the same as that shown on the approved plan.
 - b. Signs requiring phased assembly should be inspected once fully mounted on the wall.
2. Footing inspections shall be made by the Designated Official for all signs having footings.

9.5 Administrative Modification of Standards

Adjustments to specific provisions of this Appendix shall be through an Administrative Modification, pursuant to Permitting (Appendix O).

A. Specific Criteria for an Administrative Modification to this Appendix: This chapter may be adjusted administratively when the Designated Official determines all the following Criteria are met:

1. The modification will be equal to, or superior in, fulfilling the purpose and intent of the sign regulations, Goals (Appendix A), and Design Guidelines (Appendix B);
2. The granting of such modification will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the subject property;
3. No modification may be granted that would increase the number of signs allowed by this Appendix or that would allow a type of sign which is prohibited by this Appendix.
4. The proposal does not negatively impact any safety features of the project nor create any hazardous features.

D. Conditions: Conditions may be imposed upon the grant of any Administrative Modification. Unless otherwise specified, the Administrative Modification shall be subject to all plans, specifications, and conditions set forth in the application.

9.6 Case by case modifications: The following potential modifications were identified for consideration on a case by case basis:

1. **Additional Signs Facing I-90:** Section 4.1.F limits buildings adjacent and facing I-90 to one primary sign, regardless of the number of tenants or businesses located in the building. However, the Designated Official may consider allowing the building owner to divide the total allowable square footage of primary sign, as calculated in Section 4.2.A, between multiple tenants or businesses. This will not be considered an increase in the number of signs as prohibited in Section 9.5.A.3 as the sum of all primary signs that may be allow by this Case by Case Modification shall not exceed the total allowable square footage for a primary sign on this particular façade.
2. **Extension of Time Limits for Grand Opening or Special/One-time Event signs:** Sections 5.9 and 5.16. The Designated Official may allow the extension of these sign

permits based on the length and significance of the event.

3. **Removal of Signs:** The Designated Official may consider allowing certain business signs, such as Corporate Identification Signs or other Permanent Primary signs, to remain when a business no longer occupies a space, contrary to other provisions of this Appendix. The purpose of allowing the signs to remain past the date when they are to be removed would be to maintain the appearance of a Neighborhood in the Project and to encourage economic activity in the Neighborhood, prior to the occupancy of the space, especially when the business or building faces major roads. The signs related to unoccupied spaces shall not remain indefinitely.
4. **Monument/Freestanding Signs:** While these signs are necessary now and during the period the Project shifts from suburban to urban, they are not consistent with the ultimate form envisioned at Buildout for this community. In a dense, mixed use community, there isn't usually the land available or need for these signs. Thus, they are being considered similarly to the Interim/Transition provisions (Appendix M). The Master Developer may apply for Monument signs with an accompanying plan for how these signs will eventually change and/or comply with the ultimate Goals (Appendix A) and Design Guidelines (Appendix B) for the Project. These signs shall comply with all the Permanent Sign standards listed in Section 4.
 - a. **Individual Business:** An individual business located on a separate lot and not legally part of a multi-business development may use one monument sign as either a primary sign or a secondary sign; it will not be allowed as an Additional Sign. The sign may not be located closer than two feet from any property line. The overall height of the sign shall not exceed ten (10) feet. No more than one (1) monument sign may be erected for any one (1) business. No sign may obstruct the view of motor vehicle operators entering or leaving any parking area, service drive, private driveway, street, alley or other thoroughfare.
 - b. **Multi-Business Development:** Monument signs are permitted for the purpose of identifying the development and the tenant or occupants of any multi-business development. A development shall mean one or more buildings under a common development scheme or common ownership. One (1) monument sign may be erected for the purpose of identifying the development and some or all of the tenants or occupants of the development at each point of vehicle entrance from public right-of-way to such development. A monument sign shall not exceed ten (10) feet in height and one hundred (100) square feet total for all faces with a maximum of fifty (50) square feet for any one face. Neither the portion of the sign structure providing support nor the frame shall be counted in determining the square footage of the sign. Information displayed for any individual business shall not exceed the business name and logo. The area of the monument sign shall be deducted when calculating the area allowed for wall mounted signs for the development or business; it will not be allowed as an Additional sign. Each sign shall be located at least two (2) feet from any vehicle entrance. No sign shall obstruct the view of motor vehicle operators entering or leaving any parking area, service drive, private driveway, street, alley, or other thoroughfare.
 - c. **Multifamily Areas Identification signs:** For multi-family residential areas, other than duplexes, one (1) permanent externally illuminated building identification sign consistent with the Project character and landscape as established in the Design Guidelines (Appendix B) shall be permitted for each street frontage. These signs

may be up to two (2) square feet in size for each residential unit, but in no case may a sign area be greater than thirty-two (32) square feet and shall not exceed ten (10) feet in height. The sign shall not be located in the right-of-way or pose a traffic visibility problem, shall not be closer than two feet to the property line or back of curb, whichever is farther, shall only have the name of the project, a logo or graphic, and/or an address. Natural features such as boulders may be used.

- d. Lighting: Lighting for freestanding/monument signs shall be consistent with the Design Guidelines (Appendix B), specifically the Signs and Lighting sections.

APPENDIX M – Interim/Transition

- 1.0 Purpose and Intent
- 2.0 Applicability
- 3.0 Goals
- 4.0 Criteria
- 5.0 Minimum Standards

1.0 Purpose and Intent

The Rowley Development Agreement has established a vision for the creation of two neighborhoods that will be consistent with the vision of the Central Issaquah Plan and will add to the overall diversity and strength of the Issaquah community. The City has recognized that while this Development Agreement establishes a bright endpoint for these neighborhoods, the transition from existing uses to the ultimate development form will take some time, and will require steps that would, if viewed in a vacuum, likely be inconsistent with the ultimate guidelines of this Agreement.

The City has included this Appendix to account for the likely scenario by which these neighborhoods will redevelop – piecemeal and, at times, with temporary uses. As Hyla

Building Reuse



Crossing and Rowley Center properties evolve, an effort will be made to support existing business and/or public services. As tenants grow and evolve, the Master Developer will work to serve their needs in a different location or through the development of a new building. The Master Developer’s properties serve a variety of users, uses and needs of the community; without an interim measure, these services would be lost.

The City and the Master Developer recognize infill and redevelopment projects requiring adjustment of standards on a case-by-case basis becomes a burdensome process and a barrier to reinvestment. To address this, these Interim/Transitional Standards have been included specifically to facilitate the redevelopment of these neighborhoods with the express intent of attaining the Goals and Guidelines (Appendices A and B, respectively) contained in this Agreement. All new Interim/Transitional Buildings will be reviewed by the Architectural Review Committee.

2.0 Applicability

The provisions of this Appendix are applicable to all development applications meeting the criteria listed in Section 4.0 of this Appendix. Change of Use, so long as the building entitlement does not increase by more than ten percent (10%), is exempt from the requirements of this Appendix M. For Interim/Transitional uses, the Master Developer is

encouraged to achieve consistency with the Appendices of this Agreement. Main Body Section 21.3 of this Agreement provides additional direction on the applicability of this Appendix.

3.0 Goals

3.1 Promote Economic Viability and Vitality

Redevelopment and infill efforts in these areas are especially challenged by parcels that may be encumbered with underutilized or outdated structures, irregular lot configurations, and the need for appropriate transitions between land uses. These areas suffer a number of barriers to redevelopment, including competition with new development, the cost of demolition, and a relative lack of neighborhood amenities compared with other potential areas of development.

To retain and promote the expansion of existing businesses in these areas and attract vibrant new businesses as old ones vacate, the proposed Standards



incorporate flexibility with an expectation that there will be land uses that will be developed to facilitate the transition of the neighborhoods to their ultimate form. It is the intent of these Standards to foster infill and redevelopment in a manner that contributes to and upgrades the older, established character of Hyla Crossing and Rowley Center.

3.2 Consistency with the Central Issaquah Plan

The vision for the Central Issaquah Plan is one of redeveloping existing suburban properties with more compact, walkable developments. As the Plan has not been completed at the time of drafting this Agreement, it is unclear what tools will be developed to facilitate the transition of existing uses for the balance of the Central Issaquah Plan Districts. It is foreseeable that the Master Developer will also benefit from the redevelopment tools contained in the Plan. Until those tools are developed and agreed upon by the Master Developer, the Standards listed in Section 5.0 of this Appendix apply.

3.3 Achieve a Balance Between Clear, Quantitative Standards and Creativity in Design

Many of the most interesting urban places have developed over time with few regulations in place. Neighborhoods do not develop over night; it takes a substantial amount of time to foster good community and ensure an authentic sense of place.

Over regulation can foster homogeneous and bland developments that lack character and soul. Allowing interim uses to sidestep some of the traditional development requirements will encourage alternative design solutions that will

result in a better, richer neighborhood during the redevelopment phase. It also enables the character of the neighborhood to grow and facilitates more creative design in the long run.

3.4 Allow Flexibility

The Design Guidelines (Appendix B) have been developed for the complete redevelopment of a portion of a neighborhood. Anticipating the renovation or rehabilitation of existing structures and buildings as a transitional step will require the relaxation of some standards, while maintaining core principles.

The Neighborhoods already contain buildings of a flexible nature (flex space). Although uses within these buildings may change over time, these buildings will continue to operate as part of their Neighborhood until they are replaced by a new building.

4.0 Criteria

4.1 Primary Criteria

A land use application will be considered “Interim/Transitional” if it meets any of the following criteria:

- 4.1.1 The proposal allows for an existing business to remain as part of the Project.
- 4.1.2 The proposal facilitates an incubator, local niche, Pop-Ups, or Public/Quasi-Public uses.
- 4.1.3 The proposal includes residential or live/work spaces.
- 4.1.4 The proposal includes critical area improvements consistent with Appendix J (Critical Areas).

4.2 Additional Criteria

In addition to meeting the Primary Criteria listed in Section 4.1, all of the following criteria must be met:

- 4.2.1 The proposal shall include a transition plan identifying whether the use will be short-term (0-5 years), mid-term (5-10 years) or long-term (10+ years), and will indicate how the property will evolve to meet the exempted portions of this agreement.
- 4.2.2 The proposal shall not exceed 5,000 sf (either stand alone or as part of an expansion) for new temporary buildings.
- 4.2.3 The proposal shall not result in an unwanted adverse visual impact (i.e. unscreened surface parking, unscreened HVAC or utility pedestals, etc.) to Gilman Blvd.
- 4.2.4 The proposal shall include some landscaping, as jointly agreed by the Designated Official and the Master Developer.
- 4.2.5 The total amount of new transitional uses within a Neighborhood cannot reach more than 25% of the total Neighborhood developable properties unless it can be demonstrated by the Master Developer that the addition of

further transitional uses would benefit the neighborhood or the community.

5.0 Minimum Standards

- 5.1 All Parking and vehicular surfaces are paved.
- 5.2 The number of Parking spaces, per Appendix F (Parking), is provided.
- 5.3 All life/safety requirements are met.
- 5.4 Signage requirements are met.
- 5.5 Proposal meets ARC requirements.
- 5.6 Pedestrian facilities/access is considered.
- 5.7 No modification of Appendix J (Critical Areas) is necessary.

APPENDIX N –Economic Development

“Economic vitality is a community’s capacity to be economically competitive, resilient, and attractive to private and public enterprise. A community with economic vitality enables its citizens to enjoy jobs in balance with a quality of life that sets the standards for long-term sustainability.”

-Issaquah’s Economic Vitality Taskforce, 2005-06

1.0 Purpose and Intent

2.0 Tools for Economic Vitality

N-1 Project Costs

1.0 Purpose & Intent

The purpose of this Appendix is to establish a strategy for developing economic development incentives for the Project. Economic development incentives, non-financial and financial, can include a broad range of tools ranging from expedited planning and permitting processes to direct and indirect funding. The benefits to the community include implementation of the vision for the Central Issaquah Plan area, increase in tax base, diversification of tax base, job creation, business retention and expansion.

2.0 Tools for Economic Vitality

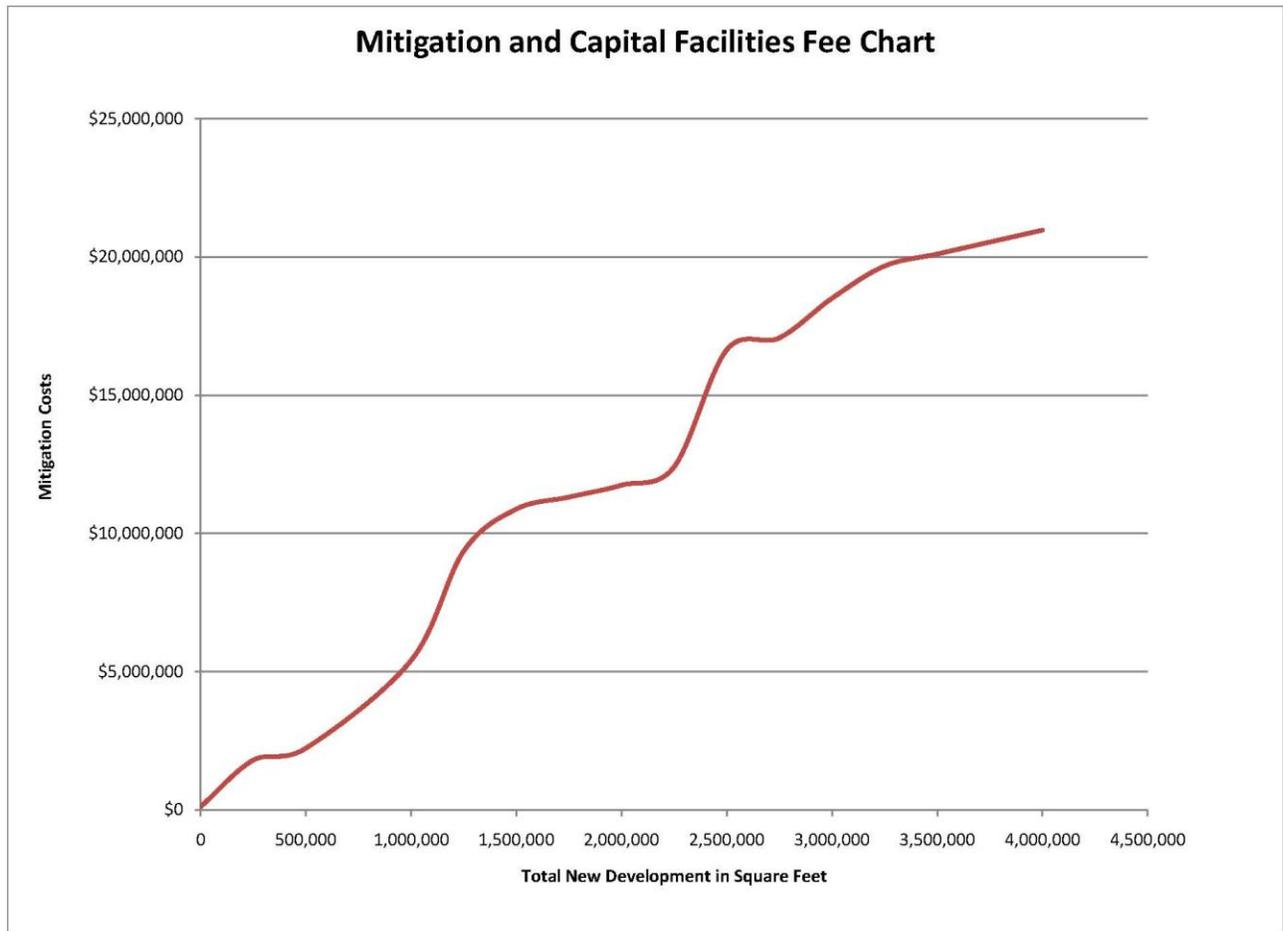
In addition to the incentives located in other portions of this Agreement, the Parties agree on the following:

- 2.1 As the development standards within the Agreement are fixed for the Term of this Project, any Land Use permit approval shall remain valid until the Buildout Period has expired.
- 2.2 Building Permit expirations shall follow the requirements in Issaquah’s current Municipal Code except that any expired permit not exceeding one (1) year past the expiration date may be renewed under the same permit number for a period of one (1) additional year. Drawings shall be resubmitted reflecting current building codes except that work already completed and approved shall not be required to be brought up to current code. The fee for renewal shall be based on valuation of remaining work. Normal plan review and permit fees apply. The building official may extend the renewal date beyond one (1) year for up to two (2) years based on size, complexity and project phasing. No permits shall exceed five (5) years from the original date of issuance.
- 2.3 Land use permits, as approved through provisions of Appendix O (Permitting) shall remain valid for the Term of the Development Agreement.
- 2.4 The Master Developer may submit a request to construct five (5) stories of wood frame construction over a two story concrete platform. Approval would be based on the design approval by the Building Official as a code alternative.
- 2.5 The City will be a Project partner seeking out win-win opportunities to help the Master Developer reach full Buildout of the Project.
- 2.6 Timing and triggers of Development Fees and/or Infrastructure Improvements and/or Community Benefits may be adjusted by the Designated Official following the Purpose and Process identified in Section 6.2 of Appendix O (Permitting) in order to help facilitate re-development and investment in the community. The Designated Official shall consider the

infrastructure and mitigations necessary for the project as illustrated in Exhibit N-1 as part of the decision-making process.

- 2.7 Economic tools and incentives developed through the Central Issaquah Plan or subsequent economic initiatives may be available for use, at the discretion of the Master Developer, so long as the Development Agreement did not already provide alternative benefit to the Master Developer. If that benefit had occurred, then the Designated Official shall have the discretion to determine whether the incentive in its entirety or any portion may be applied.

Exhibit N-1 Project Mitigation and Infrastructure Costs



APPENDIX O –Processing of Implementing Approvals & Modification of Standards (Permitting)

Section 1.0	Purpose and Intent
Section 2.0	Application Procedures & Establishment of Authority
Section 3.0	Land Use Permits
Section 4.0	Construction Permits
Section 5.0	Appeals
Section 6.0	Modification of Standards
Exhibit O-1	Notice Requirements

1.0 Purpose & Intent

The process described in this Appendix establishes permit application review and the processes for modification of Development Agreement Standards. The goal is to facilitate future project approvals so long as they are in the SEPA Project Envelope and consistent with Development Agreement.

1.1 Permit Establishment

The Project is governed by the following permits:

Land Use Permits

The occupation or utilization of land as allowed by the City of Issaquah, upon issuance of written governmental approval. Land Use Permits include Site Development Permits, the division or consolidation of property, Home Occupations and Boundary Line Adjustments.

Utility Permits

The broad category of permits used to construct non-building improvements. Utility Permits include: clearing, grading, landscaping, plaza construction, street construction, trail construction, the construction of parking, etc.

Building Permits

The governmental approval necessary to construct a building or other significant structure and other activities, as required under IMC 16.

Other Permits

Any permit or decision not described by the above-listed categories. Other permits include, but are not limited to: Sign Permits, Critical Area Studies, Administrative Decisions, etc.

1.2 Process Objectives

The preferred process for reviewing and approving the Designated Official's portion of land use and construction permits for the Project is one that is intended to eliminate the submittal/ design review/ redesign/ review redesign process. The preferred process is consensual, collaborative, interactive, adaptive, accessible, reasonable, creative in problem solving, innovative, non-bureaucratic, and therefore more efficient. The goal is

to create a team of City and applicant members, who through the involvement of key decision-makers, open mindedness, communication, innovation, and exploration are able to develop a synergy that achieves the vision of the project. This develops from early contact with the Designated Official to discuss the process and project, as well as early meetings with the Designated Official, such as the recommended optional meetings described below. The applicant's choice to not utilize the optional meetings described below may result in a less efficient review process and the inability of the Designated Official to meet the proposed review process objectives described in the first two sentences above.

2.0 Application Procedures & Establishment of Authority

2.1 Pre-Application Meeting

Applicants must hold a project feasibility meeting with the Designated Official prior to each land use permit submittal. The meeting should take place prior to detailed work by an engineer, architect, or planner. The purpose of this meeting is to eliminate as many potential problems as possible in order for the application to be processed without delay or undue expense. At this meeting, the Designated Official shall make available all pertinent information as may be on file relating to the Project. Discussion topics at this meeting should include policies, agreements, and regulations related to the Project, including but not limited to:

Features of the proposed development, and the rationale behind them;

- The Rowley Development Agreement and all amendments;
- The City of Issaquah Comprehensive Plan;
- Master Drainage Plan;
- Applicable Administrative Minor Modifications and Action Memos
- Utility Standards for sewer, water, and, roads;
- Confirming water availability;
- Applicable City or other regulations;
- Required environmental documents;
- Required City or other permits;
- Development plans from adjacent parcels so connectivity and adjacent land use relationships may be discussed.

2.2 Architectural Review Committee

As with other projects zoned Urban Village and governed by a detailed development agreement, this Project is governed by the Rowley Architectural Review Committee (ARC), as established through the CC&Rs dedicated on this property. The ARC is a private group which consists of design professionals, residents, and business people that are appointed by the Master Developer per the Declarations of CC&Rs who review all land use and some construction permit applications reviewing for consistency with the Design Guidelines (Appendix B). Membership of the ARC shall avoid conflicts of interest, e.g. current residential parcel builder reviewing the work of another current residential parcel builder and shall strive to provide an objective view of each project.

The ARC's approval letter, including the conditions of approval, must be submitted to the Designated Official when the application is submitted for City review and approval. Upon prior written approval by the ARC and the Designated Official, concurrent review by the two entities may be permitted, if both the ARC and the Designated Official agree that concurrent review will not impede their review. Enforcement of the ARC's standards, conditions, and suggestions are the responsibility of the Rowley Master Association and its ARC, as applicable.

2.3 Urban Village Development Commission

A public Commission comprised of members appointed by the Mayor and organized and managed by the Designated Official, shall make decisions on Site Development Permits as specified in this Appendix O. The Urban Village Development Commission reviews subsequent development standards and guidelines not adopted as part of the Development Agreements. The Commission will also be included in any major administrative revisions to the Guidelines that may occur after their adoption.

They conduct a planning-level review of specified land use actions within the projects for conformance with policies, goals and objectives contained in City of Issaquah's Comprehensive Plan and in the adopted development agreement. These reviews shall result in a decision or recommendation by the Commission in accordance with Section 3.14. Commission procedures and membership shall be governed by a set of bylaws or rules.

2.4 Designated Official

As defined in Section 29 of the Main Body of this Agreement.

2.5 Plan Required

For all improvements authorized and/or regulated by this Agreement, the Master Developer or its designee will submit a plan and application for permit. The submittal requirements will be on file with the Designated Official and will be made available upon request. All plans shall be prepared by a professional qualified in the design of the improvements desired, as determined by the Designated Official. The submittal shall include all permanent surficial, below ground and above ground features including necessary utilities such as vaults, pedestals, and fire hydrants. If landscaping is required as part of a proposed project, the Landscape Plan must be applied for with the Construction or Building Plans, as applicable. Building Permit applications shall include all necessary plans, elevations, details, notes, reports, calculations, etc. necessary for a complete application as required in IMC 16.04 and 18.01.050.

2.6 Submittal of Applications

2.6.1 Submittal Types

Type	Submitted to:	Administered by:
Land Use	Permit Center	Designated Official
Building Permits	Permit Center	Building Official
Utility Permits	Permit Center	Designated Official

2.6.2 Complete Application Decision

2.6.2.1 Basis

As used in this Appendix for applications other than Building Permits, “complete” shall mean the materials submitted that are sufficiently complete to allow continued processing and review by the City, even though additional information may be requested or modifications may be subsequently requested. The determination that an application or modification request is complete shall not preclude the City from requesting additional information or studies, nor does a determination of completeness mean that the City necessarily agrees with the conclusions and recommendations included in the application or modification materials. If the application or modification request is deemed complete under [Section 2.6.2.2](#), review by the Building Official (if Building Permit) and Designated Official shall begin.

2.6.2.2 Completeness Decision

Within fourteen (14) calendar days of receiving a land use application or modification request, the Designated Official shall determine if the information contained in the application or modification request submitted by the applicant is complete, including the necessary SEPA documents. If the application or modification request is deemed incomplete, it shall be returned to the applicant within fourteen (14) calendar days with written documentation of the inadequacies. Once the application is resubmitted, the City will have fourteen (14) calendar days to deem the re-submittal complete.

If the Designated Official does not notify the applicant within fourteen (14) calendar days of receipt of an application or modification request, it shall be deemed complete, and review shall proceed. The timelines listed in [Section 2.8](#) shall only commence once the application has been deemed complete.

2.6.3 Public Notice

2.6.3.1 Required

The City shall follow the noticing requirements identified in Exhibit O-1 (Noticing Requirements). All applications for permit or decisions pursuant to this Appendix O (Permitting) shall be posted on the City’s webpage, as determined by the Designated Official.

2.6.3.2 Not Required

Public notice is not required on the following applications or similar type applications as determined by the Designated Official: Lot Consolidations, Administrative Minor Modifications, Confirmation of Applicant Elections,

Home Occupations and Critical Area Studies. Public notice is also not required for Building Permits, Utility Permits, or Other Permits.

2.6.3.3 Requirements

See Exhibit O-1 (Noticing Requirements).

2.6.4 Comment Letter

2.6.4.1 Timing

For any application allowed by this Appendix, the Designated Official must, following the determination that an application is complete, conduct and complete his or her review, and furnish the applicant with written comments (Comment Letter). Until the applicant provides acceptable written response to all comments, the review timeline is placed on hold.

If a SEPA determination is required for any application, that determination shall be part of the administrative review, and the applicable subsequent time periods per the Issaquah Municipal Code governing the SEPA action shall be followed.

If requested by the Designated Official or the applicant, a meeting shall be held no later than a seven-day period following the issuance of the Comment Letter. At this meeting the Designated Official shall indicate the basis and/or reasoning for each written comment and shall accurately set forth any oral commitments made to the applicant.

If no comments are provided, or conditions or additional information are requested by the City, then no Comment Letter is necessary.

2.6.4.2 Contents

The Comment Letter required for Land Use and Construction Permits shall address the following:

1. Conformance of the application materials with the policies, agreements, guidelines, standards, and regulations relating to the Project, Federal Government, the State of Washington, King County, and City of Issaquah;
2. Any additional conditions that must be satisfied, and any corrections and additional information that must be provided for review of the proposed development; and
3. Any recommendations that the Designated Official believes will assist the project in meeting the goals, guidelines, and vision of the Project.

2.6.4.3 Preparation

The Comment Letter is prepared by the Designated Official or in the case of Building Permits, by the Designated Official and Building Official for their respective portions.

2.7 Studies and Other Subsidiary Activities and Review Timelines

2.7.1 Critical Areas Studies (as defined in Appendix J, Critical Areas Regulations) and specialty studies are handled with the following timelines:

2.7.1.1 Critical areas or specialty studies will be peer reviewed by an expert employed or on contract with the City and will be processed as an Administrative Action except that the number of days to the Comment Letter will be 21 days, except in the following situations, when the time will be negotiated between the Designated Official and applicant:

- the study area is greater than one acre; or,
- review of the study requires additional consultants with specialized technical expertise that are not currently under contract with the City or Master Developer.

2.7.1.2 The timelines and review process for other subsidiary activities, such as studies other than geotechnical or critical area, are established by the permit with which they are connected.

2.8 Review Timelines

Permit	Hearing	Decision Body	ARC Review	Review Target*
Short Plat	No	Designated Official	No	45 days
Site Development Permit (≤150,000 sf)	No	Designated Official	Yes	45 days
Site Development Permit (>150,000 sf)	Yes	Commission	Yes	90 days
Lot Line Adjustment	No	Designated Official	No	45 days
Lot Consolidation	No	Designated Official	No	45 days
Critical Area Studies	No	Designated Official	No	21 days
Home Occupations (IMC 18.07.470)	No	Designated Official	No	45 days
Preliminary Plat	Yes	Hearing Examiner	No	120 days
Final Plat	No	Hearing Examiner	No	60 days
Administrative Modification	No	Designated Official	No	21 days
Major Modification	Yes	City Council	No	160 days
Sign Permit	No	Designated Official	Yes	10 days
Utility Permits	No	Designated Official	depends on Permit	40 days
Required Community Space Amenity	Yes	Commission	Yes	90 days
Change of Use	No	Building Official	No	21 days
Building Permit	No	Building Official	Yes	Varies

*All timelines are in Calendar days and do not include the 14-day Completeness Review

2.9 Permit Decision

Following review of the permit, the Designated Official and/or Building Official shall issue a written decision for approval, approval with conditions, or denial of the application or modifications, within the time periods and procedures specified above. As part of this process, the Designated Official and/or Building Official shall route applications to other City Departments that may have an interest in the application and assume responsibility for coordination of comments.

The written decision shall indicate the basis and reasoning for any denial of an application or for the imposition of any condition and shall be transmitted to the applicant within three (3) working days of its issuance. If a SEPA determination is required for any Administrative Action, the provisions of Appendix R (SEPA) Section 4.2 shall be followed.

Following a written decision, a 14-day Appeal Period shall be observed. Land Use Decisions shall be valid for the Term of the Development Agreement and shall not expire.

2.10 Time Periods

2.10.1 Any time period can be extended through mutual agreement between the applicant and the Designated Official. Unless specified otherwise, all times given in this Appendix shall be calendar days. If the deadline for a particular action falls on a weekend or holiday, the deadline shall be moved to the following business day.

2.10.2 If in response to a City comment or request for additional information, conditions, or corrections, the applicant submits materials or responses that are beyond the scope of the comment or request, then the decision time period shall begin anew as a new application, as to those materials or responses that are beyond the scope of the comment or request. If the material submitted is substantially or wholly changed, the resubmittal will be treated as an entirely new application.

2.10.3 Land Use permit approvals shall be in effect for the duration of the Term of the Development Agreement.

2.10.4 Other agencies have authority over some portions of implementing approvals that can impact development, e.g., Department of Health, Department of Ecology, Department of Natural Resources, Department of Transportation. The City does and can not control these other agencies, their needs, and their review times; the applicant has to obtain the approval from these other agencies in a timely manner. In no way will the impacts of the lack of approvals or their impact on an applicant's schedule, be the responsibility of the City.

2.10.5 No Damages. The City shall not be subjected to damage claims or liability for missing the timelines set forth in this Appendix O (Permitting), but rather the Master Developer remedy shall be the refund of fees as provided herein. The

Master Developer shall waive the refund if the Master Developer fails to request the refund in writing within thirty (30) calendar days after the target deadline is missed which gave rise to the claim; provided, if a refund request is timely given by the Master Developer at any stage in a particular application process, no additional requests of a missed target timeline is required, and refunds shall be due, for missed deadlines at any subsequent stage of City processing on that particular application.

2.11 Maintenance, Securities & Guarantees

2.11.1 Public & Private Improvements

- A. All Utility Permits require the applicant to post with the City a performance guarantee in a form approved by the Designated Official, equal to 150 percent of the total costs of the improvements permitted with a minimum of \$25,000 posted as a cash deposit; or, equal to 150 percent of the estimated cost to restore the site should construction not be completed per the terms of the permit.
- B. The performance guarantee shall be replaced with a maintenance guarantee for public improvements once the construction has been deemed complete by the Designated Official. The maintenance guarantee will be 50 percent of the performance amount and posted for 1 year to cover defects.
- C. Corrective Measures: If any portion of the guaranteed improvements is found to be defective during the maintenance period, the Designated Official shall notify the applicant of the required corrective action. If the applicant fails to take corrective measures within 60 days, the Designated Official may utilize the posted guarantee to correct the damaged or defective improvements.
- D. At the end of the maintenance period, the Designated Official shall return the remaining guarantee to the applicant.
- E. As with the other Urban Villages, at the discretion of the Master Developer, the Designated Official may accept the revolving cash deposit in lieu of small guarantees and to take the place of the individual cash deposit.

2.11.2 Landscaping

- A. All landscaping and necessary irrigation systems shall be installed per approved plan in a safe, healthy and attractive manner. To insure this occurs, the applicant shall provide a performance guarantee, in a form approved by the Designated Official, equal to 150 percent of the total costs of the improvements permitted. This guarantee shall be provided prior to permit issuance.
- B. Following installation to insure that all plant material used is maintained in a healthy and attractive manner through its establishment period, the applicant shall provide a surety in the amount of 50% of the value of the plant material and irrigation installed for a period of two (2) years.
- C. Corrective measures: If any portion of the approved landscaping dies or is not maintained in a healthy manner, the Designated Official shall provide the applicant with a correction letter. If corrective actions are not taken within 60 days, the Designated Official may utilize the guarantee provided to restore

which may include the replacement of landscaping, weeding, litter removal or other activities deemed necessary by the Designated Official to restore the area to permit condition.

- D. At the end of the establishment period, the Designated Official shall return the remaining deposit to the applicant.
- E. All landscaping permitted through this Agreement shall be maintained in perpetuity, unless removed per the provisions of Appendix G (Landscaping); or, replaced through subsequent permit approval.

2.11.3 Critical Area Improvements

Refer to Section 13 in Appendix J (Critical Area Standards) for bonding requirements.

2.11.4 Optional Project Guarantee

At the request of the Master Developer, the Designated Official may consider other forms of project guarantee. Optional guarantees have been approved for both Issaquah Highlands and Talus.

2.11.5 Surety Reduction

The City may relieve or retire portions of performance bonds when portions of facilities have been completed and no longer pose a completion or performance risk for the City. Partial relief is at the discretion of the City.

2.12 Fees

Applicants shall pay all City permitting fees due at the time of application. A list of current permit fees is available at the City's Permit Center.

2.13 Enforcement

Unless otherwise specifically provided in this Agreement, all necessary Enforcement actions caused by violations of this Agreement shall be subject to the applicable code enforcement and penalty provisions set forth in the Issaquah Municipal Code at the time of infraction.

2.14 Plan Revision

All significant revisions to an approved Permit shall be shown on a revised Permit application and submitted to the Designated Official. Plan revisions shall include the same level of detail as in the approved plan. Minor plan revisions may be processed as a part of the approved plan set. Significant revisions shall require the submittal of a new permit application. A revised plan must be approved prior to construction of the revised plan elements. The Designated Official shall determine what constitutes a major or minor plan revision.

3.0 Land Use Permits

Land Use Permits are required for all planned, above-grade structures or improvements occupying land within the Project not covered by other permits. Land Use permits may, as determined by the Designated Official, be processed concurrently with either Building or Utility Permits.

4.0 Construction Permits

4.1 Building Permits

Building permits are reviewed by both the Designated Official and the Building Official as well as other appropriate City departments as determined by either the Designated Official and/or the Building Official. Building Department review timelines are based on staffing and permit workload. The applicant is encouraged to schedule a pre-submittal meeting with the Building Department a minimum of six (6) months prior to anticipated Building Permit submittal.

4.2 Utility Permits

Permits for non-Building construction (i.e. roads, wet utilities, grading, clearing, landscaping, etc.)

4.2.1 Procedures

The time periods and procedures for the submittal and review of Utility Permits are specified in [Section 2.0](#) of this Appendix.

4.2.2 Utility Structure Construction

Utility structures that are facilities with regular entry permitted to persons, such as pump stations and similar structures, require a Utility permit and a Building Permit as well as a Site Development Permit (SDP). The Utility Permit and the SDP may be applied for and reviewed concurrently, at the discretion of the Master Developer.

4.2.3 Permit Issuance for Utility Permits

Once the plans have been approved by the Designated Official, the permit shall be issued within seven (7) calendar days. The permit consists of an approved set of drawings that have been signed by the Designated Official and other relevant members of the City; any permit conditions will be written onto the approved drawing set.

4.2.4 Field Change

After a Utility Permit has been issued, changes in the field to the approved plans may be permitted. Field changes are allowed when, in the opinion of the Designated Official's site representative (i.e. field engineer, landscape inspector, etc.), the change is:

1. Consistent with the approved design intent;
2. Allowed by the Engineer in Responsible Charge;
3. Will not involve a change in cost to the Applicant or is approved in writing by the Applicant;
4. Does not impact and does not need to be reviewed by other City disciplines (i.e. engineering, landscape architecture, planning, or administration);
5. Does not require the Architectural Review Committee's approval, and
6. Will not negatively impact any adjacent properties.

4.2.5 Design Change

After a Utility Permit has been issued, any changes to the approved plans that do not meet all the criteria for approval as a Field Change, require the submittal and approval of a Design Change by the Designated Official. Design Changes shall be processed in 5 days following ARC sign off (if necessary), unless additional information is requested to render a decision.

4.2.6 As-builts

For the following types of Utility Permits, As-builts that comply with the City's requirements must be furnished by the applicant and accepted by the Designated Official prior to the City accepting the facility: roads, water, sewer, stormwater, landscape (e.g. associated with public roads, trails, parks), or other utility facility (e.g. reservoir, pump station). As-builts must be provided to the City at a scale and a format determined by the Designated Official. Section 4.3 (Electronic Information) of this Appendix for related information.

4.3 Electronic Information

All utility as-builts, as well as some land use permits, must be submitted to the City in an electronic format for inclusion in the City's mapping. The following types of approved land use permits must be provided to the City at a scale and a format determined by the Designated Official: short plat, site development permit, lot line adjustment, lot consolidation, preliminary plat, and final plat. The Designated Official may add other types of permits to this list if they are necessary for City mapping and record keeping. See Section 4.2.6 of this Appendix for information on as-builts.

5.0 Appeals

5.1 Appeals of Building Permits

Appeals of any building permits shall be to the Hearing Examiner per the current City code in effect.

5.2 Appeals of Utility or Other Permits

There shall be no administrative appeal of any utility permits authorized by this Appendix. Any appeal or review of construction permits shall be governed by applicable state law.

5.3 Appeals of Land Use Permits

5.3.1 Criteria

Appeals of any land use decision are permitted to be filed only by the applicant, the Designated Official, property owners within three hundred (300) feet of the proposed action, or other persons claiming to be directly harmed by the proposed action. Any appeal shall be in writing and shall clearly and specifically:

- a. Include specific statements as to how the requested approval is inconsistent with or beyond the Project Envelope established through the Development Agreement.

- b. Identify the decision being appealed and the alleged errors in that decision;
- c. State specific reasons why the decision should be reversed or modified;
- d. State the harm suffered or anticipated by the appellant as a result of the decision, and the relief sought; provided that if the appellant is a group or organization, the harm to any one or more members of the group or organization must be stated; and
- e. State the desired outcome of the appeal.

The scope of the appeal hearing and decision shall be based solely on matters or issues raised in the statement of appeal.

Within fourteen (14) calendar days after the date of filing of an appeal, the Hearing Examiner (except when the Hearing Examiner's decision is being appealed, then the review of criteria shall occur at the appeal's hearing) shall determine whether the statement of appeal satisfies the four requirements for a valid appeal stated above and whether the appropriate fees, if any, have been paid. If the Hearing Examiner determines that the appeal requirements have been met and the requisite fees have been paid, then the appeal shall be accepted and a date assigned for an appeal's public hearing. If the Hearing Examiner determines that a statement of appeal does not satisfy the above criteria; or, that the requisite fees have not been paid; or, that the appeal period has expired, then the Hearing Examiner shall dismiss the appeal and issue a written notice and mail it to the appellant, the applicant, and the Designated Official.

5.3.2 Timelines and Decision Makers

The following table briefly identifies the entity that will hear the appeal. More specific information describing timelines and process are provided below.

ORIGINAL DECISION MAKER	APPEALS DECISION MAKER	APPEAL FILING PERIOD	APPEAL DECISION PERIOD	SUBMIT TO
Designated Official Building Official	Hearing Examiner	14 days	30 days*	Permit Center
Building Official		(refer to Section 5.3.4.5)		
Commission	Hearing Examiner	14 days	30 days*	Permit Center
Hearing Examiner	City Council	14 days	40 days**	City Clerk
City Council	Superior Court	21 days	NA	Superior Court

* After the hearing.

** After filing of the appeal

5.3.3 Fees

All appeals must be accompanied by payment of any required appeal fee. Appeal fees are available in the Permit Center. Failure to pay the fee at the time of appeal submittal or prior to the final date of appeal submittal as specified, will result in the dismissal of the appeal.

5.3.4 Process

All appeals must meet the following timelines and processes. Public notice shall be provided as specified in the Issaquah Municipal Code. Before being considered a valid appeal, any appeal of a land use permit must meet the criteria established in this Appendix.

5.3.4.1 Appeals of Administrative Land Use Permit: A statement of appeal of all or any portion of a permit must be filed with the Permit Center within fourteen (14) calendar days after the Designated Official issues the decision; or, within fourteen (14) calendar days of a Commission decision. An open- or closed-record public hearing, as appropriate, to be conducted and decided pursuant to Issaquah Municipal Code regulations governing open-record appeal hearings, shall be held by the Hearing Examiner or the City Council, as appropriate. The Hearing Examiner shall issue his or her decision within ten (10) Calendar days after the hearing.

5.3.4.2 Appeals of Hearing Examiner Actions: An appeal of all or any portion of a Hearing Examiner decision must be filed with Permit Center within fourteen (14) calendar days after the Hearing Examiner issues his or her decision and mails it to the applicant. The City Council shall decide the appeal, at a closed record hearing, within thirty (30) days after the appeal is filed. The closed record will be that created before the Hearing Examiner.

5.3.4.3 Appeals of City Council Actions: The Council's decision shall be final, unless a timely appeal is filed in superior court. Any appeal of an action governed by the Land Use Petition Act, RCW ch. 36.70C, must be filed in superior court within the time provided in that act. An action not governed by the Land Use Petition Act must be appealed by filing a petition for a writ of review in superior court within twenty-one (21) days after the date of the City Council's decision on the appeal or action.

5.3.4.4 Appeals of SEPA Decisions: Appeals of SEPA decisions shall be regulated by the Issaquah Municipal Code.

5.3.4.5 Appeal of Building Official Actions: Appeals of Building Official Decisions shall be consistent with the provisions of IMC 1.32.

6.0 Modifications To Development Standards And Design Guidelines

Adopted Development Standards and Design Guidelines may be modified by the Master Developer and the City using the following processes:

6.1 Action Memos

The purpose of an Action Memo is to document an action or interpretation of the Designated Official to provide a record or direction for future actions. By way of example, an Action Memo may be used in the following situations:

- a. Clarify or interpret the intent of an existing Development Agreement standard or

- guideline; or,
- b. Resolve a conflict between existing standards and/or guidelines; or,
- c. Resolve a conflict between existing standards and/or guidelines and City standards when a City standard is invoked ; or,
- d. Document administrative rules and procedures; or,
- e. Document a specific decision-making process or rationale used with an application, for reference as future policy; or,
- f. Other changes that the Designated Official determines are consistent with the intent of Action Memos, as established above.

Action Memos are Administrative Decisions issued by the Designated Official and are the functional equivalent of Interpretations issued pursuant to IMC 18.01.050. General Action Memos that are applicable both to current and future use of the Development Agreement shall be distributed to all parties (i.e. current and future Project Builders) and Master Developer. Action Memos regarding specific applications or situations shall be distributed to the affected parties, as well as the Master Developer, though broader distribution is permissible if appropriate. A comprehensive catalogue of all Action Memos shall be maintained by the Designated Official, and be made available to interested parties. Action Memos and Administrative Decisions issued pursuant to this Agreement shall have the same effect and be enforceable as a provision of IMC Chapter 18.

6.2 Administrative Modifications

Any modification that does not meet the description of an Action Memo (as described in [Section 6.1](#)), or meet the criteria as described below in [Section 6.3](#) (Major Modification that require Council approval), will be considered an Administrative Modification.

6.2.1 Authority

Unless otherwise specified, the Designated Official may vary the specific requirements of the Development Agreement as an Administrative Modification, pursuant to the procedures set forth in this Appendix.

6.2.2 Purpose

The purpose and intent of Administrative Modification is to provide for flexibility that is compatible with the Project character and vision established in the Goals (Appendix A) and Design Guidelines (Appendix B), without permitting an adjustment that negatively impacts the Project or surrounding uses. The proposed modification will be reviewed against the Criteria established in the Appendix in which the provision to be modified is located, or if no Criteria are provided in the Appendix, then against the Flexibility Objectives located in the Main Body, [Section 21.1](#).

6.2.1 Process

Through Administrative Review the Designated Official has the authority to make decisions regarding Administrative Modification. The Designated Official shall consider the application information regarding the approval criteria which has been provided by the applicant. The Designated Official's decision on the Administrative Modification of

standards is final unless appealed, as provided in Appendix O (Permitting) of this Agreement.

6.3 Major Modifications

Any Major Modification to the Development Agreement shall be decided by the City Council and must have the concurrence of the Master Developer. Major Modifications shall be limited to the following requests:

- Increase in Entitlement.
- Changes to Project Boundaries (excluding designated Expansion Parcels (**Figure 3**)).
- Changes to approved land uses or increases in Building Heights beyond what is allowed in Appendix C (Land Use).
- Change to the Term.
- Changes to the procedures listed in this Appendix O (Permitting).
- Changes to Required Project Elements (Section 5.2 of the Main Body).

Exhibit O-1 Noticing Requirements

The following represents the minimum noticing requirements for this Agreement. The City may, at its sole discretion, elect to add or modify these noticing requirements.

	AMM	SDP	LLA	PP	FP	SP
Notice of Application - Adj Property Owners & Parties of Record	no	Yes	Yes	Yes	yes	Yes
Notice of Meeting – Adj Property Owners & Parties of Record	no	yes	no	yes	yes	no
Notice of Decision – Adjacent Property Owners	no	no	no	no	no	no
Notice of Decision – Parties of Record	yes	yes	yes	yes	yes	yes
Notice of Decision – Applicant	yes	yes	yes	yes	yes	yes
Legal Notice to Paper	no	yes	no	yes	yes	no
Site posting	no	yes	no	yes	no	no
Notice on website	yes	yes	yes	yes	yes	yes

AMM – Administrative Minor Modification

SDP – Site Development Permit

LLA – Lot line Adjustment

PP – Preliminary Plat

FP – Final Plat

SP – Short Plat

APPENDIX P – Capital Facilities

Section 1.0 Purpose and Intent

Section 2.0 Scope

Section 3.0 Capital Facility Fee Obligation and Timing of Service

1.0 Purpose and Intent

The purpose of this Capital Facilities Plan is to ensure that Rowley Properties contributes its fair share of facilities and/or services related to police, fire and emergency medical, general government, and parks in the City of Issaquah. These services shall meet the City of Issaquah’s level of service standards while not diminishing the level of service to other areas of the City. The City of Issaquah has developed methods based on specific City data to estimate capital facilities needs and will require Rowley Properties to provide, or assess Rowley Properties a Capital Facility Fee to cover the initial costs of such services. For the Purpose of this Agreement, “Capital Facility Fees”, “Development Fees”, and “Impact Fees” are used interchangeably. In addition to the Fee Obligations contained in this Appendix P, the following obligation will be required and are further described in other appendices:

- Transportation Impact Fee (Appendix Q, MTF)
- Water/Sewer Connection Charges (Appendix I, Utilities)
- Permitting & Appeal Fees (Appendix O, Permitting).

The fees for police, fire and emergency medical, schools and general government are based on existing City regulations regarding these capital facility needs per multifamily units, and commercial and office square footage.

The Parks fee is based on existing City regulations but was adjusted to reflect the Required Community Spaces and was applied to the entire entitlement (both residential and non-residential). A more complete accounting is provided in Appendix D (Community Spaces), **Exhibit D-1**. The negotiated Park Fee includes the requirement of the Master Developer to:

- A. Provide two Neighborhood Parks, one in Rowley Center and one in Hyla Crossing neighborhoods, as defined in Appendix D: Community Spaces; and
- B. Provide the Tibbetts Trail, as defined in Appendix D: Community Spaces; and;
- C. Pay \$0.32 per square foot for all new development as a Park Impact Fee.

2.0 Scope

The provisions of this Appendix shall apply to the capital facilities related to the provision of the following urban services: police, fire, general government, and parks (including trails). Schools are a Capital Facility to which Rowley Properties has a Capital Facility Fee Obligation; and, the timing and fee of that obligation is regulated by this Appendix, unless changed by an agreement between the Master Developer, the City and the Issaquah School District. Other necessary facilities, such as water reservoirs and utility infrastructure are not included in this Appendix, as they are basic requirements for the Project. Transportation impact fees are administered through

Appendix Q (Master Transportation Financing Agreement), and water fees and sewer fees are administered through Appendix I (Utilities).

This Capital Facilities Plan reflects planning and analysis by the City and the Master Developer and addresses the following:

- a) Identification and timing of the Project Capital Facilities;
- b) Tracking the “per unit” and “lump sum” fees in lieu of Facilities to be received by the City from the Master Developer for the Rowley C/F; and,
- c) Identification of the Master Developer obligations to install the Project Capital Facilities where needed under this Plan.

3.0 Capital Facility Fee Obligation and Timing of Services

Table 1 identifies the per unit fee of the particular Project Capital Facilities to be provided during the buildout period. School fees have also been listed in Table 1 and are based upon the Issaquah School District’s annual Capital Improvement Plan (CIP). The costs for “per unit” and “per square foot” are taken from the City’s Impact and Mitigation Fee Table, dated February 1, 2011, and shall annually (January 1) be adjusted by the amount of increase or decrease in the following indexes: Fire Impact Fees shall be based on the Building Cost Index (BCI) January to January increase or decrease and Police and General Government Fees shall be based on the Construction Cost Index (CCI) January to January increase or decrease. The annual adjustment shall begin in January 2012, and be done each January until the end of this Agreement. For this Agreement, School fees shall be used as adopted annually by the City of Issaquah, based on the Issaquah School District’s annual Capital Improvement Plan, unless other agreements are made between the Master Developer and Issaquah School District.

The City and School fees listed in **Table 1** are determined and due upon issuance of a Building Permit. The Capital Facility Fees have been calculated and will be applied to the entire 4,435,100 gross square feet of development, unless otherwise provided for in this Agreement, which will exist in the Hyla Crossing and Rowley Center Neighborhoods. Therefore, as properties redevelop during the Term of this Agreement, the City will calculate Fees based on the difference between the replaced structure and the proposed new structure.

Table 1: Capital Facility Fee Obligations

Land Uses as established in Appendix C: Land Use	Police	Fire	General Gov't	Parks
3.2 Allowed Uses 3.2.1 Residential Use A. Multifamily Residential Attached B. Senior or other specialized housing C. Group Living D. Corporate Housing E. Live/Work or Accessory Residential	\$138 per Multifamily Unit	\$916 per Multifamily Unit	\$70.42 per MF unit	\$0.32 per s.f.
3.2.2 Industrial A. Light Manufacturing B. Research and Development C. Warehousing D. Labs E. Light Industrial	Industrial/Manufacturing \$ 110.51 / 1,000 s.f.	\$ 214.71 / 1,000 s.f.	\$ 44.21 / 1,000 s.f.	\$0.32 per s.f.
3.2.3 Institutional or Public and Quasi Public Services A. Art Gallery or Museum B. Cultural Facilities C. Care facilities D. Community Center E. Government facilities (fire/police station, offices, maintenance site) F. Hospitals G. Church or other religious institutions H. Library I. Memorial Chapel J. Museum K. Private/Public Non-Profit Organizations L. Private Community Organizations/ Foundations M. Social Services Organizations N. Educational Uses: Pre-school, Primary, Secondary or Post-Secondary, Vocational and Technical, College, University, Business O. Religious facilities with or without accessory day care P. Community Spaces including parks, plazas, recreation, trails	<i>Institutions:</i> Church/ Non-Profit \$ 157.72 / 1,000 s.f. Education...\$ 442.05 / 1,000 s.f. Special Public Facilities \$2,265.51 / 1,000 s.f. (Special Public Facilities include: Fire station, law enforcement/other, libraries, postal services, utilities, public – garbage, electric)	<i>Institutions:</i> • Church/Non-Profit \$ 418.67 / 1,000 s.f. • Education \$ 869.55 / 1,000 s.f. • Special Public Facilities \$ 3,349.38 / 1,000 s.f. (Special Public Facilities include: Fire station, law enforcement/other, libraries, postal services, utilities, public – garbage, electric)	\$ 44.21 / 1,000 s.f.	\$0.32 per s.f.

<p>Q. Utilities, Major or Minor R. Bridges and Circulation facilities Bus stop, taxi stop</p>				
<p>3.2.4 Commercial Use A. General Retail B. Live/Work C. Personal Services D. General Commercial E. Entertainment F. Professional Office G. Hospitality H. Medical Clinics I. Veterinary Clinics J. Vehicle Repair and Servicing K. Specialty Retail L. Self-Service Storage M. Home Occupations</p>	<p><i>Non-Residential:</i> Hotel/Motel/ Resort \$ 585.72 / 1,000 s.f.</p> <p><i>Medical:</i> Hospital/Nursing Home \$ 121.56 / 1,000 s.f. Medical/Dental \$ 563.61 / 1,000 s.f.</p> <p><i>Commercial:</i> Office.....\$ 110.51 / 1,000 s.f. Retail.....\$ 817.79 / 1,000 s.f. Leisure Facilities \$ 1,083.02 / 1,000 s.f. Restaurant/Lounge \$ 2,729.66 / 1,000 s.f. Industrial/Manufacturing \$ 110.51 / 1,000 s.f.</p>	<p><i>Non-Residential:</i> Hotel/Motel/Resort \$ 300.58/ 1,000 s.f.</p> <p><i>Medical:</i> Hospital/Nursing Home \$ 10,315.62 / 1,000 s.f. Medical/Dental \$ 7,171.12 / 1,000 s.f.</p> <p><i>Commercial:</i> Office.....\$ 214.71 / 1,000 s.f. Retail.....\$ 687.07 / 1,000 s.f. Leisure Facilities \$ 2,243.66 / 1,000 s.f. Restaurant/Lounge \$ 6,486.57 / 1,000 s.f. Industrial/ Manufacturing \$ 214.71 / 1,000 s.f.</p>	<p>\$ 44.21 / 1,000 s.f.</p>	<p>\$0.32 per s.f.</p>
<p>3.2.4 Temporary Uses A. Festivals B. Vendor carts and trucks C. Fairs, e.g. craft and art D. Markets, e.g. Farmer’s or Flea E. Food stalls F. Christmas tree lot G. Performances and concerts H. Ice skating rink I. Seasonal activities</p>	<p>Fees for permitted Temporary/Interim Uses will be based on the permanent Uses listed in this Table. Fees paid will be credited against future fees owed as the properties transition to other uses.</p>			

For this Agreement, School fees amount shall be the same as said School Impact Fees adopted annually by the City of Issaquah, based on the Issaquah School District’s annual Capital Improvement Plan, unless other agreements are made between the Master Developer and Issaquah School District

APPENDIX Q –Master Transportation Financing Agreement

Section 1.0	Purpose & Intent
Section 2.0	City’s Transportation Concurrency Certificate for Rowley Project
Section 3.0	Transportation Mitigation for the Project
Section 4.0	EIS Mitigations
Section 5.0	Project Phasing
Section 6.0	Developer Contribution
Section 7.0	Development Fees (Impact Fees)
Section 8.0	Administrative Modification of Standards

1.0 Purpose & Intent

1.1 Define the Trip Limit

The mitigation presented herein was determined based on a maximum number of weekday PM Peak Hour trips (4,706);

1.2 Identify Transportation Improvements

To identify transportation improvements to be constructed as specified and required by the terms and conditions of this Appendix Q (collectively, “the Transportation Improvements”). The transportation improvements were determined by the Rowley Environmental Impact Statement; and,

1.3 Establish a Fair-Share Contribution

To establish the Master Developer’s fair-share financial obligation for construction of the Transportation Improvements that will meet the City’s existing transportation concurrency standards and to satisfy the EIS conditions and thus allow construction and occupancy of the entire Project.

1.4 Define Project Phasing

Project phasing will be tied to total trips generated by the re-development of the properties. There exists 2,889 PM Peak Hour vested trips by the Master Developer of which 1,803 remain unused at the time of the adoption of this Agreement. The City will track Project trips with implementing development and will notice the Master Developer of MTFA obligations with each permit. Triggers identified in this Appendix Q are exclusive of the vested trips and the development entitlement they allow. In addition, the Master Developer may apply for the small business exemption as long as the City maintains this benefit.

1.5 Transportation Flexibility

To allow the City flexibility in the selection of transportation improvement projects through the payment of in-lieu-of fees ([Section 6](#)) and Traffic Impact Fees ([Section 7](#)). This flexibility will be used by the City to fund meaningful transportation improvements

that will benefit the City and potentially facilitate the realization of the vision created for the Central Issaquah Plan (if adopted) area which includes this Project.

2.0 City's Transportation Concurrency Certificate for Rowley Project

Concurrency, as one of the goals of the Growth Management Act, is intended to ensure that adequate public facilities are in place to serve new development as it occurs or within a specified time period. For transportation, the GMA requires that improvements or strategies to accommodate development impacts are to be made concurrently with land development. "Concurrent with the development" is defined by the GMA to mean that any needed "improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years."

The transportation analysis prepared for the EIS included potential growth in background traffic from permitted development proposals as well as other potential future growth and evaluated all concurrency intersections for consistency with the City's currently adopted level-of service (LOS D) standard. The analysis also reflects most (though not all) of the transportation improvements included in the City's Six-Year TIP. Therefore, the EIS analysis and the resulting mitigation requirements and strategies satisfy the obligation for transportation concurrency review established in IMC 18.15 and the City's concurrency requirements. No further concurrency review is needed for development consistent with the Development Agreement.

3.0 Transportation Mitigation for the Project

The list of proposed Transportation Improvements has been divided into two parts: 1) the SEPA EIS Mitigations; and, 2) the Project Development Fees. The SEPA Mitigations are further divided into: 1) project to be constructed by the Master Developer; and, 2) contributions to City-sponsored traffic improvements. So long as the total traffic trip ceiling is not exceeded and other provisions of the Agreement are not violated, the Master Developer may allocate Allocated Allowable Development to either Neighborhood at their discretion. Further, so long as the uses are consistent with those listed in Appendix C (Land Use), the Master Developer may develop the Project with kinds, types, and mixes of land uses, at their discretion, and shall be deemed concurrent under IMC 18.15.

4.0 EIS Mitigations

4.1 Developer-Construction.

The following Mitigations shall be constructed by the Master Developer prior to the timing identified within each Mitigation project. Failure to complete the required improvement shall result in the City suspending additional permits until the Mitigation is completed.

4.1.1 NW Gilman Blvd / SR 900 (Intersection #21) – 1) Add an eastbound left turn lane to provide dual eastbound lefts, one thru, & one thru-right lane; 2) Add a westbound right turn lane to provide dual right turn movement; 3) modify signal phasing to provide overlap phase for westbound right turn.

Trigger for Intersection Improvements: Widen eastbound approach when development at Hyla Crossing exceeds 400,000 sf of commercial development.

Widen westbound approach when Rowley Center exceeds 750,000 sf of commercial development.

- 4.1.2 NW Maple Street / SR 900 (Intersection #65)** –Widen the eastbound approach to provide three lanes (left, left-thru & right turn lane), convert the westbound approach to left, left-thru & right turn lane. Modify signal phasing to split the eastbound and westbound phases.

Trigger for Intersection Improvements: When any development on Hyla Crossing connects to Maple Street.

- 4.1.3 NW Gilman Blvd/15th Avenue NW (Intersection #60)** –Signalize when warranted. Convert existing two-way left-turn lane into left turn pockets at the intersection.

Trigger for Intersection Monitoring: Evaluate signal warrants when traffic exiting Rowley Center via 15th Avenue NW exceeds 150 vehicles per hour. This could occur when retail uses that would take access via this driveway exceed 40,000 sf and/or office uses exceed 80,000 sf.

- 4.1.4 NW Mall Street /12th Avenue NW (Intersection #194)** –Signalize when warranted. Convert existing two-way left-turn lane into left turn pockets at the intersection.

Trigger for Intersection Monitoring: Evaluate signal warrants when traffic exiting Rowley Center via 15th Avenue NW exceeds 150 vehicles per hour. This could occur when retail uses that would take access via this driveway exceed 40,000 sf and/or office uses exceed 80,000 sf.

5.0 Project Phasing

The Project has provided mitigation for 4,706 PM Peak Trips. When the project reaches 3,763,800 square feet of Allowable Development, the Master Developer must model or monitor the PM Peak traffic generated by the Project. If it is found that the mitigated Trip Limit has not been reached, the Master Developer may continue to develop the Project up to the maximum Allowable Development as entitled through this Agreement. However, if the total traffic generation has been reached or will likely be reached before the project reaches its maximum buildout, the Master Developer may employ any or all of the following measures:

- 5.1 Provide additional Mitigation**
- 5.2 Provide additional Development Fees**
- 5.3 Limit future Land Uses to reduce existing traffic**
- 5.4 Implement an approved Traffic Management Plan consistent with the provisions of IMC 18.09.120:**

18.09.120 Transportation Management Plan (TMP).

A TMP is a contract between the City and a property owner or manager or an employer or group of employers stating that the employer(s) will provide

education, opportunities, and employee incentives for ride sharing, parking incentives and other transportation alternatives. The TMP also addresses the responsibility of the property owner or manager or employer(s) for monitoring the success of the TMP, and reporting the annual results to the City. The purpose of requiring a TMP for certain uses and all projects over a specific size/density is to promote the use of transportation alternatives which lessen traffic congestion, lessen the impact on the City's air quality, and use the City's existing infrastructure more efficiently.

6.0 Developer Contribution.

The Master Developer shall pay the City of Issaquah to mitigate its impact to off-site intersections as a SEPA mitigation, consistent with the intent of IMC 18.15.210 to: A. Comply with the State Growth Management Act (GMA) by “prohibiting development approval if the development causes the level-of-service on a transportation facility to decline below the standards adopted in the transportation element of the Comprehensive Plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development”; and B. Implement the transportation goals and policies adopted in the City's Comprehensive Plan; and C. Support alternative modes of transportation including sidewalks and trails, bicycle lanes and transit; and, per the Table included in this Section 6, as adjusted annually by the amount of increase or decrease in the Engineering News Record (ENR) Construction Cost Index for the Seattle area. Mitigation payments shall be administered by the City in accordance with the timing identified within each Mitigation project. The City may, at its discretion, allocate the money collected to other transportation system improvements, including improvements for transit or non-motorized facilities.

Failure to make payments per the schedule included in this Section shall result in the City suspending additional permits until the payments are made, unless otherwise approved by the Designated Official. Once paid, the Master Developer shall no longer have any responsibility for the identified transportation improvement.

¹ ID#	Intersection	Description of Mitigation Measure	Payment in Lieu of Construction
Payment made by 2013, Q1.			
170	NW Gilman Blvd / NW Juniper St	Contribute to City's project to signalize intersection to improve the trail crossing (TIP Project Number T-26: Three Trails Crossing Intersection Improvements). Add southeast-bound right turn pocket on Gilman Blvd	\$85,800
Payments made when total new development exceeds 1.3 million gross square feet			
10	SE 62 nd St / E Lake Samm Pkwy	Add eastbound right-turn pocket.	\$94,600
12	SE Black Nugget Rd / Issaquah-Fall City Rd	Add southbound right turn pocket with overlap phase, and optimize cycle length (140 sec)	\$75,100
		Total This Phase	\$169,700
Payments made when total new development exceeds 2.2 million gross square feet			
34	SE 58 th St / Issaquah. Fall City Rd	Add eastbound right turn pocket	\$23,300
51	NW Gilman Blvd / Maple St NW	Modify signal phasing to add overlap phase for northbound right turn; and re-optimize splits.	\$12,900
26	Front St / NW Gilman Blvd	Add eastbound right turn pocket	\$101,700
59	NW Gilman Blvd / 12 th Ave NW	Widen south leg to provide shared northbound left-thru plus right turn lane; optimize cycle length and splits.	\$91,600
		Total This Phase	\$229,500

¹ ID#	Intersection	Description of Mitigation Measure	Payment in Lieu of Construction
Payments made when total new development exceeds 3.3 million gross square feet			
11	Issaquah-Fall City Rd / E Lake Samm Pkwy	Restripe and/or shift and slightly widen west leg to provide three lanes on the eastbound approach (left, thru and right).	\$9,600
16	2 nd Ave SE / Front St S	Restripe westbound approach as left AND left-thru-right to allow a dual-left turn movement (no widening proposed on this approach). Widen/modify south leg of intersection to provide 2 southbound lanes to accept dual left turn. Merge lanes back to one lane at a 35:1 taper	\$123,100
17	SW Newport Wy / Front St	Add southbound right turn pocket by converting outside parking lane (remove curb bulb). Add parking on north side of Newport Way adjacent to residence.	\$61,400
28	Newport Wy NW / NW Maple St	Widen the southwest leg of Newport Way NW to provide three northeast-bound approach lanes: a short left turn pocket (50 feet long), a thru-only lane, and a right-turn-only lane. Change the signal phasing at the intersection from split phasing for Newport Way NW/10th Avenue NW to conventional phasing with concurrent protected left turn phases.	\$72,700
61	Newport Wy NW / SR 900	Modify signal phasing to provide eastbound right turn overlap phase and optimize corridor. Extend right turn pocket (by 100 additional feet) to make the overlap phase more effective.	\$45,400
62	SE 62 nd St / 4 th Ave NW	City should consider mitigation for No Action condition. Potential option is to add eastbound right turn pocket; or could reconfigure intersection as roundabout.	\$33,800
79	NW Gilman Blvd / 4 th Ave W	Modify signal phasing to provide southwest-bound right turn overlap phase.	\$12,900
		Total This Phase	\$358,900
		TOTAL ALL OFF-SITE MITIGATION	\$843,900

¹ Tabular information derived from KPFF Design and Construction Cost Drawings.

7.0 Development Fees (Impact Fees)

The Master Developer shall, consistent with the provisions of this Section 7, provide Development payments to the City (as anticipated by IMC 3.71 to implement the requirements in RCW 36.70A.070 that cities establish level of service standards for arterial and transit routes and ensure that these standards are met or that funding of adequate improvements is assured before new development is approved and to also to implement the provisions in RCW 82.02.050 through 82.02.100 that authorizes cities to impose and collect impact fees to partially fund public facilities to accommodate growth) in accordance with the timing identified below. Failure to provide the required payments shall result in the City suspending additional permits until the Mitigation is provided.

- 7.1 \$1,000,000 (one million) by January 1st, 2015 (may be extended to December 31st, 2018 if re-development has not commenced; or, as determined by the Designated Official)
- 7.2 \$1,000,000 (one million) when non-residential development exceeds 2.5 million gross square feet.
- 7.3 \$0.50 (fifty cents) per gross square foot of non-residential, occupied development for all development in excess of 2.5 million gross square feet.

8.0 Administrative Modification of Standards

The mitigations and fees listed herein were determined using City regulations and schedules in effect at the time of the adoption of this Agreement.

Aside from the specific provision listed above, modification approval must be based on a determination that the modification is consistent with the purpose and intent of this Appendix. The following approval criteria shall be used, in conjunction with Appendix O (Permitting), to determine whether an Administrative Modification shall be granted:

- 8.1 The modification(s) will be equal to, or superior in, fulfilling the intent and purpose of this Appendix;
- 8.2 The modification(s) does not negatively impact the abutting property owners in a significant manner;
- 8.3 The modification(s) does not create significant additional impacts on public services;
- 8.4 The modification is in keeping with newly adopted LOS standards and,
- 8.5 The granting of the modification(s) does not negatively impact any safety features of the project nor create any hazardous features.

APPENDIX R –SEPA Compliance for Implementing Approvals

Section 1.0	Project Envelope Defined
Section 2.0	Planned Action Ordinance
Section 3.0	Implementing Approvals Defined
Section 4.0	SEPA Process for Project Implementing Approvals
Exhibit R-1	Planned Action Ordinance

1.0 Project Envelope Defined

The Project and impacts analyzed in the 2011 Hyla Crossing and Rowley Center Planned Action EIS include all permitting, approvals, and construction that are part of the Project Envelope. The “Project Envelope” means and includes:

- A. Allowable Development within the Project and Approved Rowley Expansion Areas of the uses permitted in Appendix C (Land Use), at the maximum densities and intensities allowed under this Agreement;
- B. Master Developer’s Authorized Modifications under Appendix O (Permitting);
- C. Project mitigations as identified in Appendix S (EIS Mitigations); and,
- D. specifically excludes the following limited Project Components:
 - 1. New 297 water reservoir;
 - 2. Replacement of SR900 boardwalk and relocation of SR900 wetlands; and,
 - 3. Direct stormwater discharge to Lake Sammamish.

Those items contained in Section 1.D of this Appendix R will require SEPA evaluation prior to their permitting and construction.

2.0 Planned Action Ordinance

Attached as **Exhibit R-1** to this Appendix, the City approved a Planned Action Ordinance (Ordinance 2639) pursuant to RCW 43.21C.031 and WAC 197-11-164 in order to streamline the SEPA review process and achieve permitting efficiencies for this complex redevelopment project.

3.0 Implementing Approvals Defined

The Implementing Approvals for the Project mean and include any permit, license, or other approval issued by the City in order to develop the Project in accordance with this Development Agreement and that have been analyzed in the Rowley Project EIS, including but not limited to: preliminary and final plats, grading and other site clearing approvals for the residential and nonresidential development, site development permits, installation of on-site and off-site infrastructure as described in this Agreement and the Exhibits and not specifically identified in Section 1.C, and building permits up to the maximums within the Project. These permits and approvals are collectively denominated “Implementing Approvals” for the buildout of the Project.

4.0 SEPA Process for Project Implementing Approvals

Upon receipt of any application for an Implementing Approval within the Project, the City shall undertake SEPA compliance in accordance with SEPA, RCW 43.21C.031(1), and applicable SEPA implementing regulations, WAC Ch. 197-11, and IMC 18.10.010 through 18.10.330, and, to the extent not inconsistent with such laws and regulations, as follows:

4.1 Step 1 – Project Envelope Determination

The Designated Official shall determine if the requested Implementing Approval is within the Project Envelope. The Designated Official may request the applicant to provide reasonable information to the extent needed to determine whether the requested Implementing Approval is within the Project Envelope.

- A. If the requested Implementing Approval is so determined as being within the Project Envelope, then the existing Rowley Project EIS shall be utilized, the City shall issue a DNS in conjunction with the land use permit and no further SEPA checklist or threshold determination is required (*see* WAC 197-11-600(4)(a));
- B. If the application is beyond the Project Envelope, then a threshold determination shall be required under Step 2 below.

4.2 Step 2 – Threshold Determination

If the requested Implementing Approval exceeds the Project Envelope, then the City shall prepare a new SEPA threshold determination, taking into account the existing Rowley Project EIS and the governing Development Standards under this Agreement which address environmental mitigation for the Rowley Project. Any studies or other information requested by the City from the applicant shall relate only to those potential adverse impacts not adequately covered by the existing Rowley Project EIS. The City shall, to the fullest extent possible, issue a determination of nonsignificance (DNS) or a mitigated DNS (MDNS), or shall utilize an addendum or incorporate the prior Rowley Project EIS, except that a supplemental Rowley Project EIS (SEIS) shall be required if the conditions in Step 3 are present. The City’s approval of “Administrative Minor Modifications” under Appendix O (Permitting) shall not be deemed a significant change requiring any new SEPA threshold determination.

4.3 Step 3 – Supplemental Environmental Impact Statement (SEIS)

If an SEIS is required, the City shall limit the scope thereof to the impacts which required the SEIS to be prepared (i.e., the City shall utilize a focused scope and EIS). The City shall prepare an SEIS in either of the two following events:

- A. In the event there are substantial changes to the Project such that the proposal, including the Project Envelope, described in the Rowley Project EIS is likely to have significant adverse environmental impacts not previously analyzed and that cannot be mitigated through the Development Standards applicable to the Project (or revisions to those Development Standards under Appendix O, Permitting); or
- B. In the event there is new information indicating that the Project is likely to have a significant adverse environmental impact not previously analyzed in the Project EIS and that cannot be mitigated through the Development Standards applicable to the Rowley Project (or revisions to those Development Standards under Appendix O, Permitting).

4.4 Step 4 – Modified Development Standards

If the SEIS discloses that additional mitigation is required to avoid imminent public health and safety hazards, then the Development Standards applicable to the Project may be modified pursuant to the procedure set forth in Appendix O (Permitting).

Exhibit R-1 Planned Action Ordinance

ORDINANCE NO. 2639

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, ESTABLISHING A PLANNED ACTION FOR THE Hyla CROSSING AND ROWLEY CENTER PROJECT PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT

WHEREAS, the State Environmental policy Act (SEPA) and implementing rules provide for the integration of environmental review with land use planning and project review through designation of “Planned Actions” by jurisdictions planning under the Growth Management Act (“GMA”); and

WHEREAS, the City has adopted a Comprehensive Plan complying with the GMA; and,

WHEREAS, the City has prepared an urban village plan for the Hyla Crossing and Rowley Center area, referred to as the Planned Action Area; and,

WHEREAS, the City has prepared an environmental impact statement (EIS) for the Hyla Crossing and Rowley Center Project which identifies impacts and mitigation measures associated with planned development in the area; and,

WHEREAS, the City and applicant have prepared a Hyla Crossing and Rowley Center Development Agreement (Development Agreement) which establishes mitigating measures based on analysis contained in the EIS; and,

WHEREAS, the City has determined that the measures contained in the Development Agreement provide adequate mitigation for all significant, adverse environmental impacts identified in the EIS and protects the environment; and,

WHEREAS, designation of a Planned Action expedites the permitting process for subsequent, implementing projects whose impacts have been previously addressed in a Planned Action EIS, and thereby encourages desired growth and economic development; and,

WHEREAS, the Hyla Crossing and Rowley Center Project is deemed to be appropriate for designation of a Planned Action.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. - Purpose. The City Council declares that the purpose of this ordinance is to:

A. Designate the Hyla Crossing and Rowley Center Planned Action Area as a Planned Action for purposes of environmental review and permitting of subsequent,

implementing projects pursuant to the State Environmental Policy Act (SEPA), RCW 43.21C.031;

B. Determine that the EIS prepared for the urban village meets the requirements of a Planned Action EIS pursuant to SEPA;

C. Establish criteria and procedures, consistent with state law, that will determine whether subsequent, implementing projects qualify as Planned Actions;

D Streamline and expedite the land use review and approval process for qualifying projects by relying on the environmental impact statement (EIS) completed for the Planned Action; and

E. Apply the Development Agreement and this Ordinance to address the impacts of future development contemplated by the Planned Action.

SECTION 2. - Findings. The City Council finds as follows:

A. The City is subject to the requirements of the Growth Management Act, RCW 36.70A, and is located within an Urban Growth Area;

B. The City has adopted a Comprehensive Plan complying with the GMA, and amended the Comprehensive Plan to establish an Urban Village Land Use Designation for the Hyla Crossing and Rowley Center area, effective January 3, 2011 (Ordinance 2602) as part of the 2010 Comprehensive Plan Amendments;

C. The City has prepared an EIS for the Hyla Crossing and Rowley Center area and finds that this EIS adequately addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action Area;

D. The City and the applicant have entered into the Hyla Crossing and Rowley Center Development Agreement, which addresses the development standards, guidelines and requirements, review processes and EIS mitigating measures for the Planned Action Area;

E. The mitigation measures identified in the Planned Action EIS and incorporated in Development Agreement, together with additional development standards, guidelines and regulations included the Development Agreement, will adequately mitigate significant adverse environmental impacts from development within the Planned Action area;

F. The Development Agreement and Planned Action EIS identify the location, type and amount of development that is contemplated by the Planned Action;

G. Future projects that are implemented consistent with the Planned Action will protect the environment, benefit the public and enhance economic development within the City;

H. The City has provided numerous opportunities for meaningful public involvement in the proposed Planned Action; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments;

I. The Hyla Crossing and Rowley Center Project is not an essential public facility as defined by RCW 36.70A.200(1). Future improvements to state highways within the planned action area are not eligible for review or permitting as Planned Actions. However, such future proposals may use the information contained in the Planned Action EIS, consistent with SEPA;

J. The Planned Action Area is a defined area that is smaller than the overall City boundaries; and,

K. Public services and facilities are adequate to serve the proposed Planned Action, with implementation of mitigation measures identified in the EIS and included in the Development Agreement.

SECTION 3. - Procedures and Criteria for Evaluating and Determining Projects as Planned Actions.

A. *Planned Action Area.* The Planned Action designation shall apply to the area shown in the Development Agreement, Main Body Figure 1.

B. *Environmental Document.* A Planned Action determination for a site-specific implementing project application shall be based on the environmental analysis contained in the Draft EIS issued by the City on August 31, 2011 and the Final EIS published on November 28, 2011. The Draft and Final EISs together shall comprise the Planned Action EIS. The mitigation measures contained in the Development Agreement are based upon the findings of the Planned Action EIS and shall, along with all development standards, guidelines and requirements contained in the Development Agreement provide the framework that the City will use to impose appropriate conditions on qualifying Planned Action projects.

C. *Planned Action Designated.* Land uses and activities described in the Planned Action EIS, subject to the thresholds described in subsection 3.D and the mitigation measures contained in the Development Agreement are designated Planned Actions or Planned Action Projects pursuant to RCW 43.21C.031. A development application for a site-specific project located within the Hyla Crossing and Rowley Center planned action area shall be designated a Planned Action if it meets the criteria set forth in subsection 3.D of this ordinance and applicable laws, codes, development regulations and standards of the City.

D. *Planned Action Qualifications.* The following thresholds shall be used to determine if a site-specific development proposed within the Hyla Crossing and Rowley Center Planned Action Area is contemplated by the Planned Action and has had its environmental impacts evaluated in the Planned Action EIS:

(1) Land Use. The following general categories/types of land uses, which are listed in the Development Agreement, are considered Planned Actions:

- (a) Residential uses;
- (b) Industrial uses;
- (c) Institutional or Quasi-Public uses;
- (d) Commercial uses;
- (e) Temporary uses;
- (f) Parking facilities;
- (g) Recreation; and,
- (h) Related Project Utilities.

(2) Development Thresholds.

(a) The Planned Action contemplates a mix of development, including residential, office, retail, restaurant, entertainment, hotel, and light industrial uses, totaling a maximum of 4,435,100 square feet of occupied building area.

Land Use	Development Amount
Mixed use, as listed in Subsection 3.D.(1), above	4,435,100 square feet of occupied building area including up to 1,763 residential units

(b) If future development proposals in the Hyla Crossing and Rowley Center Planned Action area exceed the development thresholds specified in this ordinance, further environmental review may be required pursuant to WAC 197-11-172. In addition, if proposed development would alter the assumptions and analysis in the Planned Action EIS, further environmental review may be required.

(3) Building Height. Building height shall not exceed the standards evaluated in the EIS without additional environmental review.

(4) Transportation.

(a) *Trip Ranges & Thresholds*. The number of total PM peak hour trips shall not exceed 4,706, consistent with the analysis of Alternative 2 (60% commercial and 40% residential) in the EIS. Uses or activities that would exceed these maximum trip levels will require additional SEPA review.

(b) *Transportation Level of Service*. The transportation mitigation identified in the DEIS and FEIS, and included in the development agreement Appendix Q (MTFA) mitigates transportation impacts of the proposed development and generally maintains the City's adopted Level of Service D.

(c) *Off-Site Mitigation.* As provided in the Development Agreement, in order to mitigate transportation-related impacts, all Planned Action Projects shall pay a traffic impact mitigation fee to participate in and pay a proportionate share of off-site improvements.

(d) *Director Discretion.* The Director of Public Works Engineering shall have discretion to determine incremental and total trip generation, consistent with the latest edition of Institute of Traffic Engineers (ITE) Trip Generation Manual or an alternative manual accepted by the Director at his or her sole discretion, for each project permit application proposed under this Planned Action.

(5) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of impacts to any of the elements of the environment analyzed in the Planned Action EIS, or that causes significant impacts to an element of the environment that was not considered in the Planned Action EIS, would not qualify as a Planned Action.

E. Planned Action Review Criteria.

(1) The City's Designated Official may designate as "Planned Actions", pursuant to RCW 43.21C.030, applications that meet all of the following conditions:

(a) the proposal is located within the Planned Action Area identified in Development Agreement, Figure 1 (Main Body);

(b) the proposed uses and activities are consistent with those described in the Planned Action EIS and Section 3.D of this ordinance;

(c) the proposal is within the Planned Action thresholds and other criteria of Section 3.D of this ordinance;

(d) the proposal is consistent with the City of Issaquah Comprehensive Plan;

(e) the proposal's significant adverse environmental impacts have been identified in the Planned Action EIS;

(f) the proposal's significant impacts have been mitigated by application of the measures identified in Development Agreement (and other applicable City regulations) together with any modifications or variances or implementing permits that may be required;

(g) the proposal complies with all applicable local, state and/or federal laws and regulations; and, the City's Designated Official determines that adequate mitigation is included; and,

(h) the proposal is not an essential public facility as defined by RCW 36.70A.200(1).

(2) The City shall base its decision on review of a SEPA checklist, or an alternative form approved by the Department of Ecology, and review of the application and supporting documentation.

(3) A proposal that meets the criteria of this section shall be considered to qualify and be designated as a Planned Action, consistent with the requirements or RCW 43.21C.030, WAC 197-11-164 et seq, and this ordinance.

F. Effect of Planned Action

(1) Designation as a Planned Action project means that a qualifying proposal has been reviewed in accordance with this ordinance and found to be consistent with its development parameters and thresholds, and with the environmental analysis contained in the Planned Action EIS.

(2) Upon determination by the City's Designated Official that the proposal meets the criteria of Section 3.D and qualifies as a Planned Action, the proposal shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA.

G. Planned Action Permit Process. Applications for Planned Actions shall be reviewed pursuant to the following process.

(1) Development Agreement. The City and applicant have entered into a development agreement for all development in the Planned Action area which provides a framework for review of proposals for development in the Planned Action Area. The development agreement addresses topics that may properly be considered in a development agreement consistent with RCW 36.70B.170 et seq., including goals, design guidelines, land use, community space, circulation, parking, landscaping, sustainability, utilities, critical areas, housing, signage, interim/transition, economic development, permitting, capital facilities, a master transportation financing agreement (MFTA), SEPA, and EIS mitigation.

(2) Development applications shall meet all applicable requirements of the Development Agreement. Applications for Planned Actions shall be made on forms provided by the City and shall include a SEPA checklist, or an approved Planned Action checklist.

(3) The City's Designated Official or designee shall determine whether the application is complete as provided in the Development Agreement.

(4) If the application is for a project within the Planned Action Area defined in Development Agreement, Figure 1 (Main Body), the application will be reviewed to determine if it is consistent with the criteria of this ordinance and thereby qualifies as a Planned Action Project. The City's Designated Official shall notify the applicant of his/her decision. If the project is determined to qualify as a Planned Action, it shall proceed in accordance with the applicable permit review procedures specified in the Development Agreement. No SEPA threshold determination, EIS or additional SEPA

review shall be required. The decision of the SEPA Responsible Official regarding qualification as a Planned Action shall be final.

(5) Public notice and review for projects that qualify as Planned Actions shall be tied to the underlying permit. The review process for the underlying permit shall be as provided in the Development Agreement Appendix O (Permitting). If notice is otherwise required for the underlying permit, the notice shall state that the project has qualified as a Planned Action. If notice is not otherwise required for the underlying permit, no special notice is required by this ordinance.

(6) If a project is determined to not qualify as a Planned Action, the City's Designated Official shall so notify the applicant and prescribe a SEPA review procedure consistent with the City's SEPA regulations and the requirements of state law. The notice shall describe the elements of the application that result in failure to qualify as a Planned Action.

(7) Projects that fail to qualify as Planned Actions may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet their SEPA requirements. The SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

SECTION 4. - Monitoring and Review.

A. The City shall monitor the progress of development in the designated Planned Action Area to ensure that it is consistent with the assumptions of this ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Hyla Crossing and Rowley Properties Planned Action Area.

B. Consistent with the provisions of Section 23.1.5 of the Main Body of the Development Agreement, the City's Designated Official shall initiate a review of this Planned Action Ordinance to determine the continuing relevance of its assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures. The review shall be complete prior to the end of each calendar year identified above. Based upon this review, the City may propose amendments to this ordinance or may supplement or revise the Planned Action EIS.

SECTION 5. - Conflict. In the event of a conflict between this Ordinance or any mitigation measure imposed thereto, and any ordinance or regulation of the City, the provisions of this ordinance shall control EXCEPT that the provision of any International Code shall supersede.

SECTION 6. - Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or its application be declared to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the

constitutionality or validity of the remaining portions of this ordinance or its application to any other person or situation.

SECTION 7. - Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as provided by law.

Passed by the City Council of the City of Issaquah, the 19th day of December, 2011.

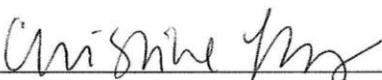
Approved by the Mayor of the City of Issaquah, the 20th day of December, 2011.

APPROVED



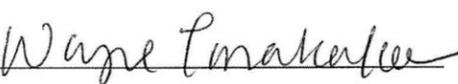
AVA FRISINGER, MAYOR

ATTEST/AUTHENTICATED:



CHRISTINE L. EGGERS, CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PUBLISHED: December 28, 2011
EFFECTIVE DATE: January 2, 2012
ORDINANCE NO.: 2639/AB 6338

I hereby certify that this is a true copy of Ordinance No. 2639 passed by the City Council of the City of Issaquah, Washington, and approved by the mayor of the City of Issaquah as hereon indicated.

Ara Frisinger
CITY CLERK, Christine [Signature]

APPENDIX S – Environmental Mitigation and Other Project Requirements

Section 1.0 Purpose and Intent

Section 2.0 Mitigation Measures and Significant Unavoidable Adverse Impacts

Table 1.2 Summary of Mitigation Measures and Significant Unavoidable Adverse Impacts

- Water Resources
- Critical Areas/Plants and Animals
- Land and Shoreline Use
- Aesthetics/Light and Glare
- Transportation
- Construction Impacts
- Air Quality and CHG Emissions

1.0 Purpose and Intent

The purpose of this Section is to establish direction and timing for the mitigation of environmental impacts and construction activity that will occur as a result of development and that are not addressed in other appendices.

The environmental mitigation measures are found in the planned action DEIS (August 2011) and FEIS (November 2011) and include:

- a. mitigation for water resources;
- b. mitigation for critical areas, plants and animals through protection and enhancement of vegetative and wildlife habitat;
- c. mitigation for land and shoreline use; and
- d. mitigation of the aesthetic and view impacts.

The EIS is the basis for the environmental mitigation sections of this Appendix, and can provide further information regarding the purpose of each type of mitigation. Other appendices that include EIS mitigation measures include Appendix I – Utilities (Stormwater Management), Appendix J – Critical Areas and Appendix Q - Master Transportation Financing Agreement (transportation and traffic impacts).

2.0 Mitigation Measures and Significant Unavoidable Adverse Impacts

The following information was excerpted directly from the EIS. For clarity on any references or capitalized terms, please refer to the EIS.

Table 1-2 presents the mitigation measures and significant unavoidable adverse impacts that were identified in the DEIS. New or updated mitigation measures that have been identified since issuance of the DEIS are indicated in underline. Mitigation measures that have been all or partially eliminated from the proposal since the issuance of the DEIS are indicated in strikethrough. It should be noted that the format of the mitigation measures has changed slightly since issuance of the DEIS so that the measures more closely align with the language that is anticipated to be included in the Development Agreement (i.e.

passive language has been changed to active language where more prescriptive mitigation will be required and is proposed). These format changes are not highlighted in **Table 1-2**. Further modifications to and additional mitigation measures could be added to the Development Agreement adopted by the applicant and the City.

The mitigation measures listed in **Table 1-2** are categorized as “Required by Code, Laws, and Regulations”, “Proposed by the Applicant” and “Other Possible” mitigation measures. The applicant has agreed to implement all of the mitigation measures listed as “Proposed by the Applicant” (other mitigation measures that the applicant has volunteered to implement, including those anticipated to be defined in the Development Agreement, beyond the required mitigation). Implementation of the mitigation measures identified as “Required by Code, Laws, and Regulations” and “Proposed by the Applicant” is expected to reduce impacts to less than significant levels. The “Other Possible” measures are additional actions that could be undertaken to further mitigate environmental impacts or provide additional site amenities; at this point, the applicant has not agreed to implement these measures. Implementation of the “Other Possible” mitigation measures would not be required to reduce the impacts of the project to less than significant levels.

Table 1-2 also includes a breakdown of the general timing of when the mitigation measures would likely occur: “Prior to Construction”, “During Construction”, and “During Operation”. These are considered general timeframes given the long-term, phased approach of this redevelopment. Also, the construction mitigation measures could be general or specific to a development project or site area, depending on the environmental element. The specific timing for mitigation measures will be specified in the adopted Development Agreement.

There is some duplication of mitigation measures under the various elements of the environment listed in **Table 1-2**. This is necessary in order to clearly indicate how specific impacts will be addressed (i.e. the required stormwater control system will address impacts on both water resources and critical areas, and as such is included under both elements).

**Table 1-2
SUMMARY OF MITIGATION MEASURES
AND SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS**

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
Water Resources			
<u>Mitigation Measures Required by Code, Laws, and Regulations</u>			
<ul style="list-style-type: none"> Prepare a Master Drainage Plan (MDP) consistent with the guidelines described in the <i>King County Master Drainage Planning for Large or Complex Site Development</i>. The approved MDP will be provided in Appendix I (Utilities) of the Development Agreement. (Required by: the City of Issaquah's <i>2009 Addendum to the 2009 King County Surface Water Design Manual</i> (2009 KCSWDM)) 	X		
<ul style="list-style-type: none"> Use Best Management Practices (BMP's) during construction to control erosion and sedimentation. (Required by the City of Issaquah's <i>2009 Addendum to the 2009 KCSWDM</i>; <u>if a Construction Stormwater General Permit is needed for the project, BMPs required by the Washington State Department of Ecology (Ecology) will be followed.</u>) 		X	
<ul style="list-style-type: none"> Prepare and implement a temporary erosion and sedimentation control plan (TESCP). Sediment control measures will be implemented to meet the maximum turbidity discharge limits established by the City of Issaquah's <i>2009 Addendum to the 2009 KCSWDM</i> (see the Construction Impacts section of this table for details on TESCP). (Required by the City's <i>2009 Addendum to the 2009 KCSWDM</i>, as well as the Ecology Construction Stormwater General Permit, if needed) 	X	X	
<ul style="list-style-type: none"> Prepare and implement a Stormwater Pollution and Prevention Spill Plan in accordance with the City of Issaquah's <i>2009 Addendum to the 2009 KCSWDM</i> and the Ecology Construction Stormwater General Permit (if needed), to prevent and minimize chances of accidental release of chemicals from construction equipment/activity. (Required by the City's <i>2009 Addendum to the 2009 KCSWDM</i> and the Ecology Construction Stormwater General Permit, if needed) 	X	X	
<ul style="list-style-type: none"> Under Stormwater Management Scenario 2, impacts to water resources (i.e. wetlands, Tibbetts Creek, and Lake Sammamish) during construction and operation of the conveyance line and outfall in Sammamish Cove Park will be analyzed through a separate SEPA process for that portion of the project. Further environmental review under SEPA will be required prior to issuance of any applicable permits and approvals for the conveyance system and outfall. 	X		
<ul style="list-style-type: none"> Design and install the permanent stormwater management in accordance with the City's <i>2009 Addendum to the 2009 KCSWDM</i> and Appendix I (Utilities) of the Development Agreement. 	X	X	

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<u>Mitigation Measures Proposed by the Applicant</u>			
<ul style="list-style-type: none"> • Even though the site is not located in a Critical Aquifer Recharge Area, apply Best Management Practices (BMPs) to protect groundwater quality, per the City of Issaquah Critical Aquifer Recharge Area regulations, including: appropriate storage and handling facilities for any hazardous materials that may be used at the site and <u>documentation of imported clean, fill material to prevent the introduction of contaminants into groundwater.</u> <p><u>(Per the City of Issaquah Critical Aquifer Recharge Area (CARA) regulations – IMC 18.10.796, even though the site is not located in a CARA)</u></p>	X	X	X
<ul style="list-style-type: none"> • Expand the Tibbetts Creek floodplain from the existing condition and provide stream enhancement in the southernmost portion of the creek in the Hyla Crossing Area, consistent with the Tibbetts Creek Greenway Plan. <u>The southern major enhancements will be completed prior to occupancy of any redevelopment of parcels 7450900380, 7450900370, or 7450900360. See FEIS Table 3.2-1 and Figure 3.2-1 for details on existing and proposed stream buffer widths.</u> 	X	X	
<ul style="list-style-type: none"> • Adhere to the buffer protection requirements of the Group B wellhead protection area in the Hyla Crossing Area. Land uses in the Hyla Crossing Area will be compatible with the Group B wellhead protection area and activities that could potentially contaminate the area will not be permitted. 			
<ul style="list-style-type: none"> • Develop and implement a landscape management plan to minimize the impact of landscape chemicals on water quality. <u>The management plan will include education and outreach for the on-site grounds-keeping staff.</u> 			X
<ul style="list-style-type: none"> • <u>Leachable metals (i.e. copper and galvanized metals) will not be used in areas exposed to weather and a covenant will be recorded prohibiting future use of leachable metals onsite in order to preserve water quality. As a result, enhanced water quality treatment will not be required.</u> 		X	
<ul style="list-style-type: none"> • <u>The Development Agreement will include a provision indicating that future wells will be prohibited and existing wells abandoned onsite in order to protect groundwater resources.</u> 	X		
<u>Other Possible Mitigation Measures</u>			
<ul style="list-style-type: none"> • Base flow (the natural flow of the creek that typically results from groundwater and precipitation) rates in Tibbetts Creek could be maintained with a control valve and in Tributary 0170 with a flow splitter. 		X	X
<ul style="list-style-type: none"> • Appropriate Low-Impact Development (LID) techniques could be included in the Master Drainage Plan in order to infiltrate stormwater and maintain stream base flows. 	X		
<ul style="list-style-type: none"> • <u>Additional water quality treatment could be provided, including through the use of filter media, water quality swales or created wetlands, and/or stormwater infiltration, to further improve water quality.</u> 		X	

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<u>Significant Unavoidable Adverse Impacts</u>			
<ul style="list-style-type: none"> With implementation of the required/proposed mitigation measures, no significant impacts to water resources would be expected during construction and operation of the Hyla Crossing and Rowley Center Project. Under existing conditions, the Rowley Properties site is largely developed; however, existing stormwater management facilities (i.e. stormwater flow control and water quality treatment facilities) are very limited. Under Alternatives 1 and 2, redevelopment would include provision of temporary and permanent stormwater management systems per the City of Issaquah's <i>2009 Addendum to the 2009 KCSWDM</i>. These systems would provide greater stormwater quantity and quality control than under existing conditions. 			
Critical Areas/Plants and Animals			
<u>Mitigation Measures Required by Code, Laws, and Regulations</u>			
<ul style="list-style-type: none"> Avoid and minimize critical area impacts to the extent possible. No fill of wetlands or relocation of streams are proposed as part of the project on the Rowley Properties site as defined in this EIS. Temporary critical areas impacts, such as disturbance and possible erosion and sedimentation, will be addressed by restoring the affected areas to the same or an improved condition, in accordance with the Issaquah Critical Areas Ordinance and other applicable state and federal regulations. 		X	
<ul style="list-style-type: none"> Maintain existing vegetated buffers adjacent to interior on-site Wetland A and existing vegetated buffers adjacent to the off-site ditch wetlands along I-90 (Wetlands B and E) and SR-900 (Wetlands F, G, H, ,I and J), as under existing conditions. 	X	X	X
<ul style="list-style-type: none"> Implement a TESCP and SWPPS per the City of Issaquah's <i>2009 Addendum to the 2009 KCSWDM</i>. All clearing and grading will be in accordance with the City of Issaquah Clearing & Grading Code (Chapter 16.26), as amended by the Development Agreement, and applicable permit conditions, codes, ordinances, and standards. These measures are intended to reduce impacts on critical areas on and in the vicinity of the site. 		X	
<ul style="list-style-type: none"> Install a permanent stormwater management system per the City's <i>2009 Addendum to the 2009 KCSWDM</i> and as outlined in the MDP. Water quality treatment and flow control will minimize potential impacts on critical areas and aquatic resources on and in the vicinity of the site. <u>The MDP will be provided in Appendix I (Utilities) of the Development Agreement.</u> 		X	
<ul style="list-style-type: none"> Tibbets Creek and/or associated buffer areas disturbed for construction of the stormwater conveyance route that crosses under I-90 (under Stormwater Scenario 2) would be restored after construction. 			
<ul style="list-style-type: none"> Should Stormwater Scenario 2 be proposed for stormwater management for the project, further environmental review under SEPA, including wetland delineation, would be required prior to issuance of any applicable permits and approvals for the conveyance system and outfall to Sammamish Cove Park. 			

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<ul style="list-style-type: none"> • Vegetation that would be disturbed at Sammamish Cove Park for installation of the stormwater management system conveyance pipe to Lake Sammamish (under Stormwater Scenario 2) would be restored to the same or improved condition following construction. 			
<ul style="list-style-type: none"> • Install outdoor lighting that will meet the intent of the Issaquah Municipal Code Section 18.07.107 that includes Critical Area Light Spillover Limits. <u>Outdoor lighting will be addressed in Appendix B (Design Guidelines) of the Development Agreement in order to ensure the mixed-use, urban nature of this development is appropriate and at the same time recognizes the sensitivity of the natural environment to light spillover.</u> 			X
<ul style="list-style-type: none"> • Preserve and enhance the Tibbetts Greenway (the existing approximately 10-acre Greenway will be expanded by approximately 1.4 acres with proposed redevelopment) as addressed in Appendix J (Critical Areas) of the Development Agreement. 	X	X	
<u>Mitigation Measures Proposed by the Applicant</u>			
<ul style="list-style-type: none"> • At some point in the redevelopment process, complete improvements to the southern and northern ends of the Greenway, as shown on Exhibit 16 of the approved Hyla Crossing MSP (see DEIS Appendix B for Exhibit 16). At the southern end, floodplain capacity will be increased, two- to three buildings (on parcels 7450900380, 7450900370, or 7450900360) will be removed, impervious surface areas removed, non-native vegetation removed, and the stream corridor restored with native plants and in-stream log structures. <p>At the northern end, non-native vegetation will be removed and native vegetation planted (these improvements will occur with or without the stream relocation on the adjacent Mull Property <u>and will be addressed in Appendix J (Critical Areas) of the Development Agreement.</u> Areas containing critical areas and their associated buffers will be protected during construction of these parcels. <u>See FEIS Table 3.2-1 and Figure 3.2-1 for details on existing and proposed stream buffer widths.</u></p>		X	
<ul style="list-style-type: none"> • With redevelopment, the applicant proposes to provide a stream buffer and building setback adjacent to Tibbetts Creek consistent with Exhibit 16 to the approved Hyla Crossing MSP (see DEIS Appendix B for Exhibit 16). The stream buffer and building setback will be the same or greater width than what is currently being provided onsite. <u>The City and the applicant will consider including more restrictive stream buffer and building setback requirements in the Development Agreement, as appropriate.</u> 	X	X	X
<ul style="list-style-type: none"> • <u>Along with expansion, enhancement, and other improvements to the northernmost buffer section near Poplar Way, portions of the existing buffer adjacent to Tibbetts Creek that are currently less than 10 feet wide will be increased to an average of 10 feet wide and re-vegetated, and, portions of the existing buffer that are currently approximately 10 feet wide will be maintained at an average width of 10 feet as an interim measure until the creek is relocated onto the adjacent Mull property. See FEIS Table 3.2-1 and Figure 3.2-1 for details on existing and proposed stream buffer widths.</u> 		X	
<ul style="list-style-type: none"> • Configure the northern end of 19th Avenue NW between Tibbetts Creek and 19th Avenue NW to enable fire egress and to provide an adjacent multi-modal trail, thereby reducing traffic, pollutants and disturbance on 		X	

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
the creek and associated wetlands.			
<ul style="list-style-type: none"> Provide a total of approximately 12.9 acres of proposed green space onsite with redevelopment; additional green space could be provided throughout the site within the redevelopment areas and circulation areas/public realm. Overall, green space provided with redevelopment will be intended to meet or exceed existing conditions, <u>as addressed in Appendix D (Community Space) and Appendix J (Critical Areas) of the Development Agreement.</u> 		X	
<ul style="list-style-type: none"> Implementation of either Stormwater Scenario 1 or 2 will result in improvements to Tibbetts Creek over existing conditions, including addressing: flashy and erosive hydrologic conditions, increased erosion/sedimentation, higher nutrient loads, increased input of contaminants and habitat fragmentation. 		X	
<ul style="list-style-type: none"> All three stormwater outfall locations will be subject to further environmental review under SEPA prior to issuance of any applicable permits and approvals (for the conveyance system and outfall). 			
<ul style="list-style-type: none"> Plan construction activities in the Hyla Crossing Area to protect fish and wildlife by avoiding critical time periods (i.e. breeding, rearing, or migration periods) as much as possible and as prescribed by any applicable permit conditions. 	X	X	
<ul style="list-style-type: none"> Locate trails through the Hyla Crossing Area and across Tibbetts Creek to avoid sensitive habitat areas as much as is possible. The majority of the trails through wetlands will be on elevated boardwalks or crossings to minimize impacts on critical areas. <u>Trails through buffers will be constructed with pervious materials, and the trail (boardwalk) through wetlands will be located at the narrowest crossing points.</u> 	X	X	
<ul style="list-style-type: none"> Provide landscaping throughout the Hyla Crossing and Rowley Center Areas, <u>as addressed in Appendix B (Design Guidelines) and Appendix G (Landscaping) of the Development Agreement.</u> <p>Landscaped areas and other green space provided with redevelopment will be planted with native species, as possible to support wildlife habitat and minimize maintenance.</p>		X	
<ul style="list-style-type: none"> Under either Stormwater Scenario 1 or 2, stormwater will be infiltrated to the extent feasible and/or stored in scaled back detention facilities for release in a dispersed fashion over a more extended time period to support summertime low flows. Release stormwater runoff less than or equal to ½ of the 2-year historical flow rates to surface waters at the natural discharge locations to help maintain stream base flows important for aquatic resources. 			X
<u>Other Possible Mitigation Measures</u>			
<p>(0) A long-term stewardship program for natural green spaces and critical areas could be created. This program could include stewardship goals and objectives for the care of the Tibbetts Creek Greenway, as well as overall, long-term goals for the ecological health and habitat value of Tibbetts Creek and associated Greenway areas. <u>It could also address the history of the site/City of Issaquah and the evolution of the creek from Drainage District #4 (associated with Issaquah's agriculture history).</u></p>			X

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
(1) Stormwater infrastructure could be used to augment low flow in Tibbetts Creek to benefit fish and wildlife habitat.			X
(2) Under either Stormwater Scenario 1 or 2, stormwater will be infiltrated to the extent feasible and/or store in scaled back detention facilities for release in a dispersed fashion over a more extended time period to support summertime low maintain base flows between storm events.			
<u>Significant Unavoidable Adverse Impacts</u>			
(3) Redevelopment under Alternatives 1 and 2 would include some unavoidable impacts to critical areas and wildlife. Removal of vegetation, habitat fragmentation, and decreased vegetative screening of Tibbetts Creek and wetlands would result from construction of the proposed trails/boardwalk in the Tibbetts Greenway. Increased human activity and trail use associated with more dense urban development could also impact sensitive animal species living in or traveling through the Greenway. Overall, however, no significant impacts to critical areas, plants, animals or water quality in streams or Lake Sammamish would be expected with implementation of the required/proposed mitigation measures.			
Land and Shoreline Use			
<u>Mitigation Measures Required by Code, Laws, and Regulations</u>			
<ul style="list-style-type: none"> As part of the Proposed Actions, present a Development Agreement for approval between the City of Issaquah and Rowley Properties. The Development Agreement <u>and proposed Urban Village zoning</u> will identify implementing land use regulations for the site which will include regulations related to building height and design. 	X		
<ul style="list-style-type: none"> Create specific development regulations and design guidelines as part of the Development Agreement; future development will be reviewed for conformance with these regulations/guidelines. Address the mixed-use, urban nature of this redevelopment with the design guidelines to ensure that new land uses are supportive and/or complementary to existing retained uses onsite and existing uses in the site vicinity. 	X		
<ul style="list-style-type: none"> Establish land use regulations (zoning and design standards) to mitigate and plan for land use, height and scale impacts through the new <u>Urban Village</u> zoning for the Rowley Properties site and Development Agreement. 	X		
<ul style="list-style-type: none"> Include a periodic review and update procedure in the Development Agreement to review the success of the Development Agreement. 	X		
<ul style="list-style-type: none"> Additional mitigation measures related to views, transportation, and construction are identified in the Aesthetics/Light and Glare, Transportation and Parking, and Construction Impacts portions of this table to lessen overall impacts from redevelopment of the site. 	X		
<u>Mitigation Measures Proposed by the Applicant</u>			
<ul style="list-style-type: none"> Phase redevelopment over time, consistent with market demands, and as addressed in the Development Agreement and applicable regulations and 		X	

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
standards to reduce the intensity of land use impacts at a given time.			
<u>Other Possible Mitigation Measures</u>			
<ul style="list-style-type: none"> • <u>The Development Agreement could include a provision to ensure that mixed-use development will be provided on the site. Specifically, development of the initial 2,500,000 square feet of commercial uses in the Hyla Crossing and Rowley Center Project could require the development of at least 500 residential units. Additional residential units could also be required to coincide with commercial development beyond 2,500,000 square feet.</u> 	X	X	
<u>Significant Unavoidable Adverse Impacts</u>			
<p>(4) Redevelopment under Alternatives 1 and 2 would result in the intensification of development on the Rowley Properties site and increased site activity levels. At full build-out, the site would transition to a new mixed-use neighborhood with commercial, residential, and retail uses. Alternatives 1 and 2 could result in the displacement of some existing uses <u>and/or incorporation of these uses into the project</u>. Over the long-term, the land use character of the site would change from a historically commercial and light industrial site to a new mixed-use development.</p> <p>Significant adverse land use impacts would not be anticipated under Alternatives 1 and 2. It is assumed that redevelopment would occur consistent with the adopted standards, guidelines and regulations for the Rowley Properties site, including the Development Agreement between the City of Issaquah and Rowley Properties, Inc., as well as the Planned Action Ordinance.</p> <p>The No Action Alternative would not result in the transition of the site to a mixed-use neighborhood, due to the fact that residential uses are not allowed under the existing zoning. The No Action Alternative would result in continued commercial uses on the site and no new housing units. However, the City of Issaquah's vision or Guiding Principles for the Central Issaquah Area anticipate future mixed-use development.</p>			
Aesthetics/Light and Glare			
<u>Mitigation Measures Required by Code, Laws, and Regulations</u>			
<ul style="list-style-type: none"> • As part of the Proposed Actions, a Development Agreement will be presented for approval between the City of Issaquah and Rowley Properties, Inc. in order for the project to qualify under the Planned Action Ordinance. Identify implementing land use regulations for the site, including regulations related to building height and design, in the Development Agreement. 	X		
<ul style="list-style-type: none"> • Provide lighting associated with construction activities that will be in accordance with City of Issaquah regulations, which limit construction activities during nighttime hours, thus limiting construction lighting impacts. <p>(Required by Issaquah Municipal Code 16.35.010)</p>		X	

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<ul style="list-style-type: none"> • Provide outdoor lighting that will meet the intent of the Issaquah Municipal Code that includes Critical Area Light Spillover Limits. Outdoor lighting would be designed to be consistent with the applicable the applicable provision of the City of Issaquah outdoor lighting requirements (IMC 18.07.107) will be addressed in Appendix B (Design Guidelines) of the <u>Development Agreement</u> in order to ensure that the mixed-use, urban nature of the redevelopment is appropriate and at the same time sensitive to the natural environment. 	X		
<u>Mitigation Measures Proposed by the Applicant</u>			
<ul style="list-style-type: none"> • Retain a portion of the site in community space (<u>approximately 16.8 acres of proposed community space</u>), including <u>two public parks</u>, riparian vegetation associated with the Tibbetts Greenway area and landscaping, to soften the aesthetic character of overall site redevelopment. <u>The specific timing that community space will be provided will be specified in the Development Agreement.</u> 		X	
<ul style="list-style-type: none"> • <u>Include lighting guidelines in the Development Agreement, such as:</u> <ul style="list-style-type: none"> - <u>All streets could be well lit for safety and security purposes, meeting standards equal to or greater than those typically required by the City of Issaquah.</u> - <u>Lighting for building exteriors and circulation routes at the perimeter of the site could be designed with sensitivity to surrounding areas. Fixtures could be sited in a manner to avoid glare into the surrounding areas.</u> - <u>Informal path and trail lighting could be required to not exceed a certain maximum height. Use of bollard and ground lighting could be encouraged as an alternative to pole lighting.</u> - <u>Exterior lighting features at the perimeter of the site could utilize appropriate shields to reduce light spillage and security lighting could be directed away from adjacent areas.</u> 	X		
<ul style="list-style-type: none"> • <u>Include development standards and design guidelines in the Development Agreement specific to building heights, setbacks, modulation and materials, and provisions for implementation of design guidelines over the long-term redevelopment period.</u> 	X		
<ul style="list-style-type: none"> • <u>Include design guidelines regarding the distance between buildings (including tower structures) in the Development Agreement (Appendix B, Design Guidelines) to allow for view corridors through the Rowley Properties site.</u> 	X		
<u>Other Possible Mitigation Measures</u>			
<ul style="list-style-type: none"> • Further provisions for the establishment of view corridors through the site could be made. For example, potential view corridors could be provided along existing street rights-of-way, such as NW Gilman Boulevard, SR-900, 12th Avenue NW and NW Maple Street. Potential redevelopment along these streets could frame views towards the surrounding hillsides, including portions of the Issaquah Alps (Tiger Mountain, Squak Mountain, and Cougar Mountain). 	X		
<u>Significant Unavoidable Adverse Impacts</u>			
(S) The site has historically been and continues to be a developed site			

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<p>(it is not in an undeveloped, natural condition). Redevelopment under Alternatives 1 and 2 would substantially change the aesthetic character of the site from suburban low-rise commercial and light industrial development to a compact higher density, mixed-use urban development with a range of building heights, up to a maximum of 200- or 150-feet in certain locations. Changes in character would occur incrementally over the 20-year build-out period. Under the No Action Alternative, redevelopment would reflect a change in visual character to a more densely developed suburban commercial area.</p> <p>Redevelopment under the EIS alternatives would alter certain existing views within the vicinity of the site. The aesthetic/visual changes that would result from redevelopment of the site over the build-out period could be perceived by some to be significant; however, perception regarding such changes would ultimately be based on the subjective opinion of the viewer.</p> <p>Redevelopment on the site under the EIS alternatives would result in an increase in light and glare on the site and in the surrounding community (i.e. from automobiles, as well as potentially from windows and building materials). With implementation of the required/proposed mitigation measures listed above, no significant light and glare impacts would be anticipated.</p>			
Transportation			
<u>Mitigation Measures Required by Code, Laws, and Regulations</u>			
<ul style="list-style-type: none"> • Prepare a <i>Construction Management Plan</i> that documents the following construction practices: <ul style="list-style-type: none"> - Truck haul routes to and from the site. To the extent possible trucks will be directed to access the site vicinity via SR-900. - Peak hour restrictions for construction truck traffic and how those restrictions will be communicated and enforced. - Truck staging areas (e.g., locations where empty or full dump trucks will wait or stage prior to loading or unloading). - Construction employee parking areas. - Road or lane closures needed during utility construction or relocation, roadway construction, or building construction. If any arterial street is affected by a partial or full closure, the contractor will also prepare a Maintenance of Traffic Plan detailing temporary traffic control, channelization, and signage measures. - Mechanism for notifying community if road or lane closures will be required. - Sidewalk and/or bus stop closures and relocations 	X		
<ul style="list-style-type: none"> • <u>Construct near-site improvements. The developer will construct the following improvements in accordance with the timing identified in the Development Agreement for each Mitigation project.</u> <ul style="list-style-type: none"> - <u>NW Gilman Blvd / SR-900 (Intersection #21) – 1) Add eastbound left turn lane to provide dual eastbound lefts, one thru, & one thru-right lane; 2) Add westbound right turn lane to provide dual right turn movement; 3) modify signal phasing to provide overlap phase for westbound right turn.</u> 		Timing in accordance with the Development Agreement, based on each level of development (see FEIS Appendix A for details)	

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<ul style="list-style-type: none"> - <u>NW Maple Street / SR-900 (Intersection #65) – Widen eastbound approach to provide three lanes (left, left-thru & right turn lane), convert westbound approach to left, left-thru & right turn lane. Modify signal phasing to split the eastbound and westbound phases.</u> - <u>NW Gilman Blvd/15th Avenue NW (Intersection #60) – Signalize when warranted. Convert existing two-way left-turn lane into left turn pockets at the intersection.</u> - <u>NW Mall Street /12th Avenue NW (Intersection #194) – Signalize when warranted. Convert existing two-way left-turn lane into left turn pockets at the intersection.</u> 			
<ul style="list-style-type: none"> • <u>Pay for off-site intersection improvements. Make mitigation payments to be administered by the City in accordance with the timing identified in the Development Agreement for each of the following projects. Payment in lieu of construction will be considered full mitigation of the project's impacts.</u> <ul style="list-style-type: none"> - <u>NW Gilman Blvd /NW Juniper St (Intersection #170) – Contribute to City's project to signalize intersection to improve the trail crossing (TIP Project Number T-26: Three Trails Crossing Intersection Improvements). Add southeast-bound right turn pocket on Gilman Boulevard. \$85,800</u> - <u>SE 62ndSt /E Lake Sammamish Pkwy (Intersection #10) – Add eastbound right-turn pocket.\$94,600</u> - <u>SE Black Nugget Rd / Issaquah-Fall City Rd (Intersection #12) – Add southbound right turn pocket with overlap phase, and optimize cycle length (140 sec). \$75,100</u> - <u>SE 58thSt /Issaquah Fall City Rd (Intersection #34) – Add eastbound right turn pocket. \$23,300</u> - <u>NW Gilman Blvd /Maple St NW (Intersection #51) – Modify signal phasing to add overlap phase for northbound right turn; and re-optimize splits. \$12,900</u> - <u>Front St / NW Gilman Blvd (Intersection #26) – Add eastbound right turn pocket. \$101,700</u> - <u>NW Gilman Blvd /12thAve NW (Intersection #59) – Widen south leg to provide shared northbound left-thru plus right turn lane; optimize cycle length and splits. \$91,600</u> - <u>Issaquah-Fall City Rd / E Lake Sammamish Pkwy (Intersection #11) – Restripe and/or shift and slightly widen west leg to provide three lanes on the eastbound approach (left, thru and right). \$9,600</u> - <u>2ndAve SE / Front St S (Intersection #16) – Restripe westbound approach as left AND left-thru-right to allow a dual-left turn movement (no widening proposed on this approach). Widen/modify south leg of intersection to provide 2 southbound lanes to accept dual left turn. Merge lanes back to one lane at a 35:1 taper. \$123,100</u> 		<p>Timing in accordance with the Development Agreement, based on each level of development (see FEIS Appendix A for details)</p>	

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<ul style="list-style-type: none"> - <u>SW Newport Wy / Front St (Intersection #17) – Add southbound right turn pocket by converting outside parking lane (remove curb bulb). Add parking on north side of Newport Way adjacent to residence. \$61,400</u> - <u>Newport Wy NW / NW Maple St (Intersection #28) – Widen the southwest leg of Newport Way NW to provide three northeast-bound approach lanes: a short left turn pocket (50 feet long), a thru-only lane, and a right-turn-only lane. Change the signal phasing at the intersection from split phasing for Newport Way NW/10thAvenue NW to conventional phasing with concurrent protected left turn phases . \$72,700</u> - <u>Newport Wy NW / SR 900 (Intersection #61) – Modify signal phasing to provide eastbound right turn overlap phase and optimize corridor. Extend right turn pocket (by 100 additional feet) to make the overlap phase more effective. \$45,400</u> - <u>SE 62ndSt / 4thAve NW (Intersection #62) – City should consider mitigation for No Action condition. Potential option is to add eastbound right turn pocket; or could reconfigure intersection as roundabout. \$33,800</u> - <u>NW Gilman Blvd / 4thAve W (Intersection #79) – Modify signal phasing to provide southwest-bound right turn overlap phase. \$12,900</u> <p><u>Total of all off-site mitigation = \$843,900</u></p>			
<ul style="list-style-type: none"> • <u>Pay Transportation Impact Fee. Make development payments to the City of \$2,000,000 plus \$0.50 (fifty cents) per gross square foot of non-residential development for all new development in excess of 2.5 million gross square feet according to timing requirements outlined in the Development Agreement.</u> 	Timing in accordance with the Development Agreement, based on each level of development (see FEIS Appendix A for details)		
<ul style="list-style-type: none"> • <u>Implement a Transportation and Parking Management Plan. The developer will implement education and incentive programs to reduce vehicle trips and encourage use of alternative transportation modes. The program elements will be determined by monitoring trips at the site. The number of trips generated by the Preferred Alternative will be limited through an agreement with the City of Issaquah to the level previously evaluated in the DEIS as the Alternative 2 - 60/40 Mix Scenario. The Transportation and Parking Management Plan along with the trip limits and monitoring requirements will be addressed in the Development Agreement.</u> 			X
<p><u>Mitigation Measures Proposed by the Applicant</u></p>			
<ul style="list-style-type: none"> • <u>Include design features in the mixed-use redevelopment to enhance pedestrian connections through and adjacent to the site, particularly along walking routes that lead to the Issaquah Transit Center or a potential future transit station along I-90 (possibly at 12th Avenue NW). This would include sidewalks or walking paths, landscaping, and pedestrian-scale lighting.</u> 	Measures to be included as part of project design and implementation (see FEIS Appendix A for details)		
<ul style="list-style-type: none"> • <u>Provide truck access for all buildings. Where possible, service drives will be created to the side or back of buildings to provide access to loading docks. Truck access and loading requirements within the site will be</u> 	Measures to be included as part of project design and implementation (see FEIS Appendix A for details)		

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<u>determined for individual building applications. On-street loading areas could also be provided along the internal private streets and signed for commercial vehicles only.</u>			
<u>Significant Unavoidable Adverse Impacts</u>			
<ul style="list-style-type: none"> The proposed Hyla Crossing and Rowley Center Project would generate traffic and increase congestion at many intersections. Mitigation is required/proposed for all intersections that would meet the criteria for a “probable significant impact.” However, some of these improvement options may improve the traffic operations of an intersection, but could adversely impact other elements, such as the pedestrian environment, landscaping opportunities, and/or the general character of the surrounding area. Some of the improvement options may also not be possible without other impacts to local access or sensitive environmental areas. As a result, the City could determine that some improvements are not desirable or feasible and may prefer an alternate approach to mitigation. This could result in some location-specific impacts not being fully mitigated at the point of congestion, which could be considered a significant unavoidable adverse impact. <p>One of the suggested mitigation measures is to restripe the privately-owned approach (SE 64th Place) at the Issaquah-Fall City Road/East Lake Sammamish Parkway intersection (#11). Other alternative mitigation measures were tested, and no other reasonable options exist to return intersection operations to the No Action level. If the private owner does not agree to the restriping plan, then the Hyla Crossing and Rowley Center projects would have a Significant Unavoidable Adverse Impact at this location.</p>			
Construction Impacts			
<u>Mitigation Measures Required by Code, Laws, and Regulations - Earth</u>			
<ul style="list-style-type: none"> Use Best Management Practices (BMPs), during construction to control erosion and sedimentation. <p>(Required by the City of Issaquah’s <i>2009 Addendum to the 2009 KCSWDM</i>; if a <u>Construction Stormwater General Permit</u> is needed for the project, BMPs required by the <u>Washington State Department of Ecology</u> will be followed).</p>		X	
<ul style="list-style-type: none"> Prepare Stormwater Pollution Prevention and Spill Plans (SWPPS) and Temporary Erosion and Sedimentation Control Plans (TESCP) that outline BMPs that will be implemented during construction to prevent soil erosion and/or contain erosion onsite to prevent impacts to local streams and lakes. Examples of these BMPs could include: <ul style="list-style-type: none"> Prevention (0) Limit disturbance to areas where construction is imminent. (1) Determine staging areas for temporary stockpiles of excavated soils. (2) Provide temporary cover for cut slopes and soil stockpiles during periods of inactivity. Temporary cover could consist of durable plastic sheeting that is securely anchored to the ground surface or straw mulch. 	X	X	

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<p>(3) Establish permanent cover over exposed areas that would not be disturbed for a period of 30 days or more by seeding in conjunction with a mulch cover or appropriate hydroseeding.</p> <p><u>Containment</u></p> <p>(0) Install a silt fence along the downslope margin of areas that would be disturbed. The silt fence should be in place before clearing and grading is initiated.</p> <p>(1) Construct shallow drainage swales to intercept surface water flow and route the flow away from the construction area to a stabilized discharge point. Surface water would not be allowed to discharge at the top or onto the face of steep slopes.</p> <p>(2) Provide on-site sediment retention for collected runoff.</p> <p>(Required per the City of Issaquah's 2009 Addendum to the 2009 KCSWD)</p>			
<ul style="list-style-type: none"> Perform site-specific geotechnical studies to assess geotechnical hazards and associated risk during the design and permitting process. If analysis indicates settlement magnitudes that would structurally impair buildings, the hazard and associated risk will be mitigated by supporting the buildings on pile foundations or ground conditions that are improved to be more resistant to liquefaction using ground improvement technologies, such as vibrated stone columns. 	X		
<ul style="list-style-type: none"> Design structures in accordance with current local building codes or best practices to address the potential for structural impacts due to ground shaking during an earthquake. 	X		
<p><u>Proposed Mitigation Measures – Earth</u></p>			
<ul style="list-style-type: none"> Conduct a detailed geotechnical study to determine if HDD pipe installation techniques would be appropriate for the stormwater conveyance pipe to Lake Sammamish (under Stormwater Management Scenario 2) based on the existing soil and groundwater conditions. Recommendations could include: <ul style="list-style-type: none"> If HDD techniques are determined to be suitable, careful planning, design and construction by individuals experienced in HDD techniques would be required. Monitoring for surface displacements during HDD pipe installation, both subsidence and heave, would be implemented for settlement-sensitive areas below which the bore is advanced. Monitoring of bentonite slurry pressures during HDD pipe installation would be performed to ensure that pressures do not exceed overburden stresses. 			
<p><u>Mitigation Measures Required by Code, Laws, and Regulations – Air Quality</u></p>			
<ul style="list-style-type: none"> Ensure that site development and construction activities will comply with applicable Puget Sound Clean Air Agency (PSCAA) regulations regarding demolition activities and fugitive dust emissions, including: wetting of exposed soils, covering or wetting of transported earth materials, washing of truck tires and undercarriages prior to travel on public streets, and prompt cleanup of any materials tracked or spilled onto public streets. 		X	

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<ul style="list-style-type: none"> If hazardous materials (i.e. asbestos, lead-containing paint, etc.) are encountered on the Rowley Properties site during redevelopment, all construction activities will comply with the applicable requirements and regulations regarding the removal and disposal of hazardous materials, including the approval of an asbestos/demolition notification permit and/or a notice of abatement from the PSCAA. 		X	
<u>Other Possible Mitigation Measures – Air Quality</u>			
<ul style="list-style-type: none"> The applicant could work with adjacent property owners <u>and remaining on-site tenants</u> to devise a construction plan that minimizes construction-related impacts (including dust, air emissions, noise, and vibration). 	X		
<u>Mitigation Measures Required by Code, Laws, and Regulations – Noise</u>			
<ul style="list-style-type: none"> Limit construction activities to standard construction hours, as identified in the <i>City of Issaquah Municipal Code</i> (7:00 AM to 6:00 PM). If construction is required outside of the standard construction hours, approval will be requested from the City of Issaquah prior to the commencement of work outside of these hours. <p>(Required by Issaquah Municipal Code 16.35.010)</p>		X	
<u>Other Possible Mitigation Measures – Noise</u>			
<ul style="list-style-type: none"> Building debris could be processed offsite during the demolition process. 		X	
<ul style="list-style-type: none"> As possible, during the demolition process certain building materials could be recycled onsite or these materials could be transported to a proper facility for reuse offsite. 		X	
<ul style="list-style-type: none"> As necessary, portable sound barriers could be used around generators, compressors, tieback drill rigs, etc. 		X	
<ul style="list-style-type: none"> As needed, temporary sound barriers could be constructed and placed around construction site areas. 		X	
<ul style="list-style-type: none"> If it is determined that pile foundations are required for redevelopment on the Rowley Properties site, drilled piles could be utilized and the use of driven piles could be limited in order to reduce the potential noise impacts associated with the construction of pile foundations. 		X	
<u>Significant Unavoidable Adverse Impacts</u>			
<ul style="list-style-type: none"> Redevelopment under the EIS alternatives would result in some temporary construction-related earth, air quality, noise, and land use impacts that would be unavoidable. However, these impacts would be temporary in nature and with the implementation of the required/proposed mitigation measures, no significant construction-related impacts would be expected during redevelopment on the Rowley Properties site. 			
Air Quality and GHG Emissions			
<u>Mitigation Measures Required by Code, Laws, and Regulations</u>			

Mitigation Measures and Significant Unavoidable Adverse Impacts	Prior to Construction	During Construction	During Operation
<ul style="list-style-type: none"> • <u>Meet all applicable standards related to building operations, including PSCAA regulations.</u> 			X
<ul style="list-style-type: none"> • <u>Implement a Transportation Management Plan for the Rowley Properties site to help reduce vehicle trips and associated vehicle emissions.</u> 			X
<u>Mitigation Measures Proposed by the Applicant</u>			
<ul style="list-style-type: none"> • <u>Create a pedestrian-oriented mixed-use neighborhood, which encourages non-motorized transportation and results in fewer vehicle trips to and from the site, thereby reducing GHG emissions</u> 	X		
<ul style="list-style-type: none"> • <u>Implement the following as part of the Development Agreement to demonstrate the commitment to sustainability:</u> <ul style="list-style-type: none"> - <u>The Hyla Crossing and Rowley Center Project should look to address the three constituent parts of sustainability: environmental, economic, and sociopolitical;</u> - <u>A voluntary approach to sustainability will be adopted, which will allow the flexibility to seize opportunities and grow its outreach over time; and,</u> - <u>A continued dialogue will be maintained during the development process that will allow for the City and Rowley Properties to exchange information that will benefit the project and the community.</u> 	X		
<ul style="list-style-type: none"> • <u>Incorporate the framework in “One Planet Living” as part of the Development Agreement to provide guidance for the project and a comprehensive approach towards sustainability.</u> 	X		
<u>Other Possible Mitigation Measures</u>			
<ul style="list-style-type: none"> • <u>Development could incorporate LEED or other low-impact/sustainable design features into the design of proposed buildings on the site to reduce the demand for energy and reduce the amount of GHG emissions. Such features have not been identified at this time, but could include architectural design features; sustainable building materials; use of energy efficient products; natural drainage/green roof features; use of native plants in landscaping; and/or, other design features.</u> 	X	X	
<u>Significant Unavoidable Adverse Impacts</u>			
<ul style="list-style-type: none"> • <u>With implementation of the required/proposed mitigation measures, significant impacts on air quality during operation of the project would not be expected.</u> <p><u>Redevelopment of the Rowley Properties site would result in an increase in GHG emissions and demand for energy relative to existing conditions, similar to any major development. Scientific research and analysis tools sufficient to determine a numerical threshold of significant impacts for GHG emissions and energy use are not available at this time. The proposed redevelopment would include features that would reduce GHG emissions and climate change (i.e. the pedestrian oriented, mixed-use nature of the proposed development would reduce vehicular trips). As a result, per person GHG emissions would be expected to be less than under existing conditions/suburban development.</u></p>			