Ordinance No. 3710

(Amending or Repealing Ordinances)

CFN=1273 – Boeing Development Agreement
Passed – 9/7/04
Boeing Development Agreement – Authorization
ORDINANCE NO. 3710

AN ORDINANCE of the City Council of the City of Kent, Washington, authorizing the Mayor to enter into a Development Agreement with The Boeing Company for the real property historically known as the Boeing Kent Space Center.

RECITALS

A. Pursuant to RCW 36.70B.170 – 210, the City of Kent and The Boeing Company have negotiated a Development Agreement relating to real property historically known as the Boeing Kent Space Center, and more specifically described in the Development Agreement, a copy of which is attached and incorporated as Exhibit A.

B. The City provided notice of a public hearing on this Development Agreement as required by law. The public hearing on this Development Agreement was held on Tuesday, August 17, 2004, at a regularly scheduled City Council meeting held in the Kent City Hall.

C. After closing the public hearing and discussing the issue, the City Council authorized the Mayor to execute the Pacific Gateway Development Agreement between The Boeing Company and the City of Kent.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Boeing Development Agreement – Authorization
ORDINANCE

SECTION 1. - Council Authorization. The Mayor of the City of Kent is hereby authorized to enter into the attached Development Agreement with The Boeing Company.

SECTION 2. - Ratification. Any act consistent with the authority and prior to the effective date of this resolution is hereby ratified and affirmed.

SECTION 3. - Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 4. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY
PASSED: 7 day of September, 2004.
APPROVED: 8 day of September, 2004.
PUBLISHED: 11 day of September, 2004.

I hereby certify that this is a true copy of Ordinance No. 3710 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOB, CITY CLERK

Boeing Development Agreement – Authorization
DEVELOPMENT AGREEMENT

Between

THE CITY OF KENT and THE BOEING COMPANY

IN COOPERATION:
City of Kent, The Boeing Company (d.b.a. Boeing Realty Corporation), Perkins Coie LLP (legal counsel for the Boeing Company),
Barghausen Consulting Engineers, Inc. (consultant for Boeing Realty Corporation)

AUGUST 2004
PACIFIC GATEWAY DEVELOPMENT AGREEMENT

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<td>1. Pacific Gateway Development Agreement</td>
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<th>Grantor(s) (Last name first, then first name and initials):</th>
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<td>1. The Boeing Company</td>
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<tr>
<th>Legal description (abbreviated: i.e. lot, block, plat or section, township, range)</th>
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I. PREAMBLE

This DEVELOPMENT AGREEMENT ("Agreement") between THE BOEING COMPANY ("Boeing"), a Delaware corporation, and the CITY OF KENT ("City"), a municipal corporation of the State of Washington, is entered into pursuant to the authority of RCW 36.70B.170 through .210, under which a local government may enter into a development agreement with an entity having ownership or control of real property within its jurisdiction.

II. RECITALS

A. Boeing is the owner of certain real property historically known as the Boeing Kent Space Center (the "Property"), located in the City of Kent, King County, Washington and more particularly described in EXHIBIT 1, attached hereto and by this reference made a part hereof.

B. On May 2, 2002, the City issued approval with conditions for a 9-lot short subdivision (see EXHIBIT 6 attached) of an approximately 67-acre portion of the Property commonly known as Pacific Gateway Division II ("Division II"), which short subdivision was recorded on May 6, 2003 at King County, WA (Recording No. 20030506900014) (the "Division II Short Plat"), attached hereto as EXHIBIT 7. The location and extent of Division II is depicted on EXHIBIT 2, attached hereto and by reference made a part hereof.

C. On December 12, 2002, the City issued approval with conditions for a 4-lot short subdivision (See EXHIBIT 9 attached) of an approximately 26-acre portion of the Property commonly known as Pacific Gateway Division III ("Division III"), which short subdivision was recorded on February 13, 2003 at King County, WA (Recording No. 20030213900020) (the "Division III Short Plat"), attached hereto as EXHIBIT 10 and by this reference made a part hereof. The location and extent of Division III is depicted on EXHIBIT 3, attached hereto and by reference made a part hereof.

D. Concurrent with review of this Agreement, Boeing received preliminary approval of a 27-lot binding site plan (See EXHIBIT 11 attached) for the approximately 136 remaining acres of the Property, commonly known as Pacific Gateway Division IV ("Division IV"). The final binding site plan once recorded shall be attached hereto as EXHIBIT 12 (the "Division IV Binding Site Plan") and by this reference made a part hereof. The location and extent of Division IV is depicted on EXHIBIT 4.
E. It is anticipated that Divisions II, III and IV (Property) may be developed or redeveloped (which terms are referenced collectively herein as "development") in portions over an extended period of time. In light of this anticipated long-term buildout, the parties desire to establish required stormwater and transportation improvements necessary to support development of the Property, to vest future permit applications for lots within the Property on a rolling, 5-year basis, and to reach certain other agreements intended to enhance development consistency and predictability among the Divisions. The location and extent of the Property is shown on EXHIBIT 5.

F. Kent City Code 12.04.825(C) requires execution of a development agreement, in accordance with RCW 36.70B.170, for binding site plans that contemplate an extended period of development. The code requires that such agreements shall govern at a minimum, the use and development of the property subject to the binding site plan, including: (1) vesting applicable to subsequent permits; (2) the manner in which each phase of the development will proceed to ensure that the road and utilities necessary to serve each phase of the development are constructed prior to the development of each phase; and (3) expiration of the agreement and all provisions therein. This Agreement is intended to meet the requirements of the code.

NOW, THEREFORE, the City and Boeing agree as follows:

III. AGREEMENT

1. Purpose

The parties acknowledge that this Agreement is premised upon the Division II and III Short Plats, which have been previously approved and recorded, and the Division IV Binding Site Plan, which has been approved concurrent with this Agreement. The Agreement shall be used to implement phased infrastructure development upon the sale of the lots of Division IV, and to address traffic and stormwater improvements related to future expansion, redevelopment, or new development on the Property. The Agreement also has provisions for the vesting of certain development regulations for Divisions II, III and IV.

In order to prepare for the possible future development of the Property while the Property remains in single ownership, Boeing intends to identify and design stormwater and transportation improvements to serve such development during the term of this Agreement in order to provide the City, Boeing, and any future developers of the Property with reasonable certainty regarding these infrastructure needs. The term of this Agreement is intended to be of adequate duration to provide for these established improvements to serve future development while acknowledging that most of the Property is not currently expected to develop outside of Boeing ownership. This
Agreement shall apply to all future development of the Property during the term of the Agreement, as hereinafter defined.

2. Term of Agreement

The "Term" of this Agreement shall be twenty (20) years from the recording date of this Agreement, unless both parties otherwise agree, during the year 2024, to either (a) execute a confirmation of the continuation of this Agreement for an additional twenty (20) years of the Term in substantially the form and content of EXHIBIT 20 attached hereto and by this reference made a part hereof or (b) amend the Agreement as they may deem reasonable and necessary. A confirmation of continuation of this agreement and/or any amendments that relate to an extension of the Term may require a public hearing as in accordance with Section 13 of this Agreement. Termination of this Agreement shall not affect the requirements related to the Binding Site Plan Approval for Division IV, set forth in Sections 7 and 8 herein, which shall survive the termination of this Agreement and continue to govern development with Division IV.

3. Vesting of Development Regulations

Future permit applications for development of the Property shall be reviewed under the development regulations in effect at the time of complete application, except with respect to land use, zoning and site planning regulations. The land use, zoning, and site plan regulations in effect at the time of the effectiveness of this Agreement are attached hereto as EXHIBIT 21 ("Vested Development Regulations"), and future permit applications for development of the Property shall be reviewed pursuant to these regulations as follows: the Vested Development Regulations shall govern development of the Property until December 31, 2009 ("Initial Vesting Period"). Following the Initial Vesting Period, this Agreement establishes vesting for subsequent five-year periods ("Subsequent Five Year Vesting Periods"), starting on January 1 of the first year and ending December 31 of the fifth year, for the duration of the Term. At the beginning of each Subsequent Five Year Vesting Period, the land use, zoning, and site planning regulations in effect as of December 31 of the prior vesting period shall replace EXHIBIT 21 and this Agreement shall be automatically amended with said regulation through the re-recording of this Agreement with the new regulations attached. It shall be the responsibility of Boeing to re-record this Agreement at the beginning of each Subsequent Five Year Vesting Period. The property owner(s) subject to this Agreement may, at any time elect, in its (their) sole discretion, to conform to new development regulations that may from time to time be adopted by the City.

Notwithstanding the foregoing, the City reserves the authority under RCW 36.70B.170(4) to impose new or different regulations to the extent required by a serious threat to public health and safety.
4. Transportation Infrastructure and Mitigation

(a) Credit for Prior Transportation Mitigation

The City acknowledges Boeing’s payment for transportation improvements serving development within the Property made under Local Improvement District Nos. 328 and 340. Except for the southbound right-turn lane at W. Valley and 208th identified in the Division IV MDNS, any future permit applications for development of the Property that generate traffic impacts on South 196th/200th Street from East Valley Highway to Onillia Road and/or West Valley Highway from South 189th Street to South 212th Street shall not be subject to additional mitigation fees for system improvements on these roadways unless, at the time of permit application, the impacts cumulatively exceed, on a trip generation basis, the total trips anticipated by the Traffic Impact Study, as defined in Section 4(d), for future development of the Property. If at the time a complete permit application is submitted, the City has assessed a system development charge for one or more grade separation projects, the Property shall be subject to the assessment. Boeing does not, however, waive, and expressly reserves, the right to challenge the number of trips used by the City to calculate the dollar amount of the system development charge assessed for grade separation projects to the Property.

(b) Division II

The Division II Short Plat was analyzed for environmental impacts pursuant to the State Environmental Policy Act (“SEPA”), which included the evaluation of potential traffic impacts resulting from the assumed build-out of Division II with an additional 1 million square feet of industrial park use over time and resulted in a Mitigated Determination of Nonsignificance (“Division II MDNS”) issued February 26, 2002 (attached hereto as EXHIBIT 8 and by this reference made a part hereof).

The parties acknowledge that the transportation improvements to support the future lot development of Division II have been established through the Division II MDNS (EXHIBIT 8) conditions and the Division II Short Plat conditions of approval (EXHIBIT 6). Following completion of construction of the required transportation improvements and any required inspections and approvals by the City, the conditions of the short plat shall be deemed met and no additional transportation improvements to mitigate total trip generation impacts in the Traffic Impact Study shall be required for future development permit applications, subject to subsection (a) and (d) herein and Section 9 of this Agreement.

Each future development application for the Property shall be required to demonstrate, through an abbreviated traffic study or other acceptable technical document approved by the City, consistency with the Division II MDNS traffic impact analysis to
allow for the City's adoption of the Division II MDNS, or incorporation of a supporting traffic report, to satisfy the City's responsibilities under SEPA for said application. If a determination of consistency is made by the City, all traffic impacts shall be deemed mitigated through the implementation of the Conditions/Mitigating Measures of the Division II MDNS and conditions of approval for Division II Short Plat.

(c) Division III

The parties acknowledge that the Division III Short Plat was categorically exempt from SEPA review. The parties also acknowledge that the Traffic Impact Study (EXHIBIT 14) prepared for the Division IV MDNS included the analysis of cumulative traffic impacts of the development of Division III.

The parties acknowledge that the transportation improvements to support the future lot development of Division III have also been established through the Division III Short Plat conditions of approval (EXHIBIT 9). Following completion of construction of the required transportation improvements and any required inspections and approvals by the City, the conditions of the Division III Short Plat shall be deemed met and no additional transportation improvements to mitigate total trip generation impacts in the Traffic Impact Study shall be required for future development permit applications, subject to subsection (a) and (d) herein and Section 9 of this Agreement.

Each future development application for the Property shall be required to demonstrate, through an abbreviated traffic study or other acceptable technical document approved by the City, consistency with the Division IV MDNS Traffic Impact Study to allow for the City's adoption of the Division IV MDNS, or the incorporation of a supporting traffic report, to satisfy the City's responsibilities under SEPA for said application. If a determination of consistency is made by the City, all traffic impacts shall be deemed mitigated through the implementation of the Conditions/Mitigating Measures of the Division III Short Plat conditions of approval and Division IV MDNS that pertain to development within Division III.

(d) Division IV

The Division IV Binding Site Plan was analyzed for environmental impacts pursuant to SEPA, which included the evaluation of potential traffic impacts resulting from the assumed build-out of Division IV with the potential additional development of 600,000 square feet of industrial park use and the reuse and/or redevelopment of the existing 1.9 million square feet of industrial park use over time and resulted in a Mitigated Determination of Nonsignificance ("Division IV MDNS") issued December 2, 2003 (attached hereto as EXHIBIT 13 and by this reference made a part hereof).
The Division IV MDNS was supported by a Traffic Impact Study attached hereto as EXHIBIT 14 and by this reference made a part hereof ("Traffic Impact Study"). The Traffic Impact Study and the Division IV MDNS identifies required mitigation in two separate forms (a) Recommended Project Improvements and (b) the pro-rate share of the Recommended System Improvements.

Recommended Project Improvements: The Recommended Project Improvements are listed in the Traffic Impact Study and included within Attachment A of the Division IV Binding Site Plan. The completion of the Recommended Project Improvements shall be implemented on a lot-by-lot basis prior to, or in conjunction with, the transfer of any lot outside of the ownership of Boeing, or prior to or in conjunction with the issuance of a "Project Related Building Permit," as defined in Section 7 of this Agreement, in conformance with the schedule set forth on EXHIBIT 11 attached hereto (matrix).

Recommended System Improvements: Boeing shall pay to the City their pro-rated share of the Recommended System Improvements (see Division IV MDNS, mitigating condition #1). This amount shall be paid in full to the City prior to the recording of the Division IV Binding Site Plan. Due to the fact the Traffic Impact Study analyzed potential traffic impacts through the year 2010, during the year 2010, an updated Traffic Impact Study shall be submitted to the City for review and approval based on as then current development regulations, analyzing existing and future trip generation for the next (5) year period. The updated Traffic Impact Study, once reviewed and approved by the City, shall be appended to this Agreement and recorded as a supplement to EXHIBIT 14 hereto and shall remain valid for the succeeding (5) year period. Any additional pro-rated share of any new Recommended System Improvements shall be paid within 90 days of the City's approval of the updated Traffic Impact Study and prior to issuance of any development permit. This traffic study update process shall be completed every five (5) years after 2010, so long as this Agreement remains in effect.

Each future development application for the Property shall be required to demonstrate, through an abbreviated traffic study or other acceptable technical document approved by the City, consistency with the Division IV MDNS Traffic Impact Study to allow for the City's adoption of the Division IV MDNS, or the incorporation of a supporting traffic report, to satisfy the City's responsibilities under the SEPA for said application. The Public Works Director shall have the discretion to determine incremental and total trip generation consistent with the ITE Trip generation Manual (latest ed.) for the purpose of establishing the appropriate trip generation for the specified use of a permit application. If a determination of consistency is made by the City, no additional transportation mitigation will be required so long as the estimated total PM peak hour trip generation of the proposed use remains at or below the 4,902 trips established in the Division IV MDNS on a cumulative basis for the Property as specified in greater detail by EXHIBIT 15 attached hereto and by this reference made a part hereof.
In the event the City determines the impacts of the development for the proposed permit application are not fully mitigated through this consistency analysis, the City may prepare a new threshold determination, or otherwise require additional mitigation, as deemed appropriate at the time of application. If the City determines the payment made as required by this section represents more than the fair share for impacts generated by the property, based on any updated traffic study, the City may credit Boeing for said excess payment.

So long as Boeing holds title to any portion of the Property, Boeing shall provide to the City a cumulative accounting of all then-existing development and Division IV mitigation previously performed at the time of each project permit application, substantially in the form attached hereto as EXHIBIT 16 and by this reference made a part hereof.

In the event the City adopts a Growth Management Act, Ch. 36.70A RCW, impact fee ordinance in conformance with the requirements of RCW 82.02.050 et seq., the City acknowledges that the payments made by Boeing as required by this section are being made for "system improvements reasonably related to the new development," as defined therein, and the property owner(s) of property subject to this Agreement shall not be required to pay traffic impact fees under any new ordinance as prohibited by RCW 82.02.100 provided no additional impacts are revealed in any subsequent updated traffic studies. Provided, however, this impact fee prohibition does not apply to system development charges for grade separation projects provided for in section 4(a).

(e) Traffic Circulation

A conceptual "Traffic Circulation Plan" is attached as EXHIBIT 17 and by this reference made a part hereof, which identifies six access connections to the existing public rights of way and two future internal circulation access routes on 204th and 208th anticipated to serve future development of the Property, and in accordance with Section 7 of this Agreement. For all future development of the Property the six access connections shall be provided consistent with the Traffic Circulation Plan and as supported by the Traffic Impact Study, unless otherwise approved or restricted by the Public Works Director. Project Related Building Permit Applications shall provide access routes and rights-of-way consistent with the Traffic Circulation Plan in conformance with related conditions of the Division IV Binding Site Plan.

5. Stormwater Improvements

(a) Division II

The Division II Short Plat was analyzed for environmental impacts pursuant to SEPA, which included the evaluation of potential stormwater impacts resulting from the
assumed maximum impervious build-out of the Division II with development of an additional 1 million square feet of industrial park use and approximately 53 acres of impervious coverage over time and resulted in a Mitigated Determination of Nonsignificance ("Division II MDNS") issued February 26, 2002 (attached hereto as EXHIBIT 8 and by this reference made a part hereof).

The parties acknowledge that stormwater improvements required by the Division II MDNS and the Division II Short Plat approval, including an on-site public detention/water quality pond system, have been completed and are adequate to support the level of development analyzed in support of the Division II SEPA review. The constructed improvements shall be deemed to satisfy all current and future storm water detention and water quality treatment requirements for all future permit applications, except as otherwise provided in Subsection (d) of this Section.

(b) Division III

The parties acknowledge that the Division III Short Plat was exempt from SEPA review, and that the storm water detention and water quality treatment requirements for the future project permit applications for the potential future development and lot transfer of the Division III shall be governed by the Division III Short Plat conditions of approval (EXHIBIT 9). The parties also acknowledge that the engineering plans addressing stormwater management for the Division IV Binding Site Plan, as set forth in Section 5(c), may include a consolidated solution to stormwater management for both Division IV and Division III.

(c) Division IV

The Division IV Binding Site Plan was analyzed for environmental impacts pursuant to SEPA, which included the evaluation of the potential stormwater impacts resulting from the assumed future maximum impervious build-out of Division IV Binding Site Plan with approximately 123 acres of impervious coverage and the additional new development of 600,000 square feet of industrial park use and the re-use or redevelopment of the 1.9 million square feet of existing industrial park use over time and resulted in a Mitigated Determination of Nonsignificance ("Division IV MDNS") issued December 2, 2003 (attached hereto as EXHIBIT 13 and by this reference made a part hereof).

The parties acknowledge that the stormwater improvements required by the Division IV MDNS and the Division IV Binding Site Plan approval shall govern the stormwater improvements for stormwater quantity control (detention) and quality control (water quality treatment) for future lot build-out (development and redevelopment) for all property governed by the Division IV Binding Site Plan.
Prior to the recording the Division IV Binding Site Plan, Boeing shall submit detailed construction plans to the City (PWD) for review and approval addressing stormwater management for the Division IV in accordance with BSP Conditions B.13. The completion or the stormwater improvements shown on the “approved” plans shall be implemented on a phased construction schedule, as set forth on EXHIBIT 11 attached hereto (matrix) prior to, or in conjunction with, the transfer of any lot outside of the ownership of Boeing, or prior to or in conjunction with issuance of a Project Related Building Permit, as defined in Section 7 of this Agreement.

The “approved” plans shall serve as the required stormwater improvements for stormwater quantity control (detention) and quality control (water quality treatment) for all project permit applications for all future lot development of Division IV, except as otherwise provided in Subsection (d) of this Section.

(d) Water Quality Special Provision

The City may modify the stormwater improvements described in subsection 5.(a), (b), and (c) above and require additional water quality improvements if any of the following circumstances occur during the term of this Agreement:

1) The City reasonably believes, in good faith, that the City's approval of a project permit application under the terms of this Agreement would result in a decision by a State or Federal administrative agency, or a Court of competent jurisdiction, that the City's eligibility for funding, grants, program eligibility or other resources sought by the City would be materially impaired;

2) The City reasonably believes, in good faith, that the City's approval of a project permit application under the terms of this Agreement would result in a decision by a State or Federal administrative agency, or a Court of competent jurisdiction, that the City unlawfully failed to comply with the Endangered Species Act, Clean Water Act, or other State or Federal laws or regulations relating to water quality; or

3) A State or Federal statute or regulation requires the City to adopt stormwater regulations to address cumulative water quality impacts on an area wide or City-wide basis and the City reasonably believes, in good faith, that the City's failure to apply said regulations to the property subject to this Agreement would result in municipal liability for the City. Modifications under this subsection shall only be to the extent necessary to address the applicant’s proportionate share of such cumulative standard.

Any modification or addition to the approved and constructed stormwater improvements that is required as a result of one of the foregoing conditions occurring shall be limited to the minimum necessary to avoid the consequences described herein.
The parties agree that the City shall attempt to, but not be obligated to, provide written notice to Boeing prior to City Council action on a proposed modification when the City believes any of the above circumstances have arisen. Boeing shall have the right, at its sole discretion and expense, to seek recourse from the appropriate administrative or judicial body.

Notwithstanding the foregoing, this Agreement is not intended to relieve Boeing or any property owner subject to this Agreement from compliance with the Clean Water Act, including, but not limited to, regulations requiring retrofitting of existing stormwater facilities to correct nonconforming conditions that do not meet state and/or federal stormwater regulation mandated by state and federal authorities.

6. Boeing Ditch Agreement and Sensitive Areas Ordinance Compliance

Boeing and the City entered an easement agreement relating to the use of property owned by Boeing known as the "Boeing Ditch" or "Boeing Creek," and more particularly described on EXHIBIT B to said agreement, King County Recording No. 20030123000744 ("the Boeing Ditch Agreement"), attached as EXHIBIT 18 hereto and incorporated herein in full by this reference. Said easement was granted to the City for the purpose of allowing for conveyance system improvements, habitat enhancement, riparian plantings, and to establish a stream setback for development on the Property for lots adjacent to the Boeing Creek. Pursuant to the Division II MDNS, the Boeing Ditch Agreement was required to establish compliance with the City's sensitive areas ordinance for future lot development on lots within the Property adjacent to Boeing Creek. Permit applications for lots adjacent to Boeing Creek governed by the Boeing Ditch Agreement shall conform to the requirements of said agreement and no further review or approval under the City's sensitive areas ordinance shall be required for all development that is consistent with said agreement.

7. Phased Division IV Binding Site Plan Framework

The Division IV Binding Site Plan anticipates phased development of property within Division IV over time. Technical documents supporting the Division IV Binding Site Plan and related analysis under SEPA include the identification of transportation infrastructure elements, transportation circulation elements, utility elements and stormwater management elements for Division IV based upon maximum development and redevelopment assumptions to serve each phase. All future permit applications for the Property will be reviewed pursuant to the terms and conditions of this Agreement, the related Approvals, and the SEPA process as that may apply to individual permit applications.
Because development may not occur immediately following the effective date of this Agreement, recording of the final Division IV Binding Site Plan is required within two (2) years of preliminary binding site plan approval and all prerequisite conditions thereto identified in section B of the binding site plan conditions (EXHIBIT 11) shall be completed. A one time one (1) year extension may be granted by the City upon receipt of a written request from Boeing provided such request is submitted prior to the two (2) year expiration.

Prior to, or in conjunction with, the transfer of any lot outside of the ownership of Boeing, or prior to or in conjunction with the issuance of a Project Related Building Permit, the conditions of section C of the BSP-2003-1 (EXHIBIT 11) shall be completed on a lot-by-lot basis according to Attachment A (EXHIBIT 11) (matrix). For purposes of this Agreement, "Project Related Building Permit" shall mean all building permits for development activity associated with a fee conveyance of property from Boeing to a non-Boeing entity. For any building permit, as deemed necessary by the Public Works Director, that is not a Project Related Building Permit the conditions of section C of the BSP-2003-1 shall not apply, except as follows: a) conditions C.9., C.10., and C.11., and only the Recommended Project Improvements (see section 4.(d)) shall be completed on a lot-by-lot basis according to Attachment A (EXHIBIT 11)(matrix) and, b) stormwater improvements shall be completed as required by Attachment A on lot by lot basis or according to an acceptable alternative, approved by the City, to provide onsite detention and water quality improvements on a lot-by-lot basis in accordance with design standards and regulations in affect at the time of submission of a complete building permit application.

8. Minor Adjustments to Division IV Binding Site Plan

Minor adjustments to the Binding Site Plan approval may be authorized by the City per Kent City Code 12.04.840. The following are examples of changes to the Division IV Binding Site Plan that will be deemed by the City to involve a minor adjustment and not require new binding site plan approval under the Kent City Code: a) adjustments of lot lines through the boundary line adjustment process that do not increase the number of resulting lots, b) adjustments in the dimension or location of buildings that do not violate then current setback requirements, zoning code regulations, or uniform codes adopted by the City, c) adjustments that do not result in substantial changes, as determined by the planning manager or public works director, in the design or location of access, parking, circulation, drainage, public utility improvements, or easements, d) minor lot consolidation applications that combine lots, and e) incorporations of changes showing permitted/constructed improvements, including but not limited to, building locations, parking, landscape areas, drive aisles, and the like.
9. Adequacy of SEPA Mitigation

The City acknowledges the previously prepared environmental documents referenced herein for the purposes of satisfying its responsibilities under SEPA for the subject matters covered by this Agreement. To the extent that future impacts associated with new development of the Property are consistent with the identified prior SEPA approvals, no further SEPA mitigation will be required for any future permit applications so long as the City can rely on said environmental documents for the purposes of complying with its responsibilities under SEPA through the adoption of said documents. To the extent practicable, the City will rely on existing SEPA documents to support permit applications in a manner consistent with WAC 197-11-600(4).

10. Notification of Property Transfer Agreement

In conjunction with the transfer of any lot within Division IV, Boeing shall notify the City of said transfer in accordance with the Notification of Property Transfer Agreement attached hereto as EXHIBIT 19 and by this reference made a part hereof and incorporated herein. The City and Boeing shall execute said Notification of Property Transfer Agreement within ten (10) days of the date of this Agreement. For property within Division III, the form of the property transfer notice shall conform to the Division III Short Plat condition of approval (condition A.10), unless the Division III Short Plat has been vacated and then the requirements of this section shall apply to property transfers pertaining to Division III property.

11. Execution, Recording and Effective Date

The City shall cause this Agreement to be executed by its authorized representative, within seven (7) days of its approval by the Kent City Council and receipt of an executed Agreement by the authorized representative of Boeing. Within ten (10) days following mutual execution of this Agreement, the City shall cause this Agreement to be recorded with the Real Property Records Division of the King County Records and Elections Department. This Agreement shall become effective upon recording.

12. Successors and Assigns

This Agreement shall bind and inure to the benefit of Boeing and the City and their successors in interest, and may be assigned to successors in interest to the Property. Consent by the City shall not be required for any transfer of rights pursuant to this Agreement. Upon any such transfer, the transferee shall be entitled to all interests and rights and be subject to all obligations under this Agreement. Upon assignment and assumption by the assignee(s) of all obligations under this Agreement, Boeing shall be released from all obligations under this Agreement as pertain to the particular interest assigned.
13. Amendment

This Agreement shall not be modified or amended without the express written approval of the City and Boeing. Minor amendments to this Agreement shall not, except to the extent otherwise required by law, require notice and a public hearing unless the amendment relates to an extension of the Term or modification of Vested Development Regulations as identified in Section III.3. Notwithstanding the foregoing, the City retains the authority to review and approve minor amendments in an open public meeting if such a minor modification may be of interest or concern to the public.

14. Continuation of Existing Uses

The City acknowledges that the Property contains a number of uses, some of which may be nonconforming at the time future permit applications for redevelopment are submitted to the City. If a future permit application for the redevelopment of a lot on the Property contains a nonconforming use, redevelopment shall comply with Kent City Code section 15.08.100 pertaining to nonconforming development.

AGREED this _____ day of ___________________, 2004.

CITY OF KENT

___________________________________________
By: ________________________________
Its ____________________________

ATTEST:

___________________________________________
By: ________________________________
Its ____________________________

APPROVED AS TO FORM:

___________________________________________
City Attorney
STATE OF WASHINGTON

COUNTY OF ____________

On this __ day of ____________, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared __________________, to me known to be the person who signed as _______________________________ of the CITY OF KENT, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that ______ was duly elected, qualified and acting as said officer of the corporation, that _____ was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

(Signature of Notary)

(Print or stamp name of Notary)
NOTARY PUBLIC in and for the State of Washington
residing at ____________________________
My appointment expires: ____________________________

THE BOEING COMPANY

__________________________________________
By: _______________________________________
Its: Vice President

PACIFIC GATEWAY DEVELOPMENT AGREEMENT – Page 15 of 17 (between The Boeing Company and the City of Kent) (August 9, 2004)
STATE OF WASHINGTON )
COUNTY OF ____________)

On this _____ day of _____________, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared ____________________________, to me known to be the person who signed as ___________________________ of THE BOEING COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that _______ was duly elected, qualified and acting as said officer of the corporation, that ______ was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

________________________________________
(Signature of Notary)

________________________________________
(Print or stamp name of Notary)
NOTARY PUBLIC in and for the State of Washington
residing at ________________________________
My appointment expires: ____________________
EXHIBIT 1

LEGAL DESCRIPTION
PACIFIC GATEWAY DIVISIONS II, III, AND IV
THE PROPERTY

All of Pacific Gateway Division II Short Plat, as recorded under Recording No. 20030506900014, Records of King County, Washington.

AND

All of Pacific Gateway Division III Short Plat, as recorded under Recording No. 20030213900020, Records of King County, Washington.

AND

Those portions of Sections 2 and 11, Township 22 North, Range 4 East, Willamette Meridian, City of Kent, King County, Washington, lying Southerly and Easterly of the Plat of Pacific Gateway Business Park, as recorded under Recording No. 20010117000904, Records of King County, Washington, and lying North of South 212th Street and lying West of the West Valley Highway (68th Avenue South);

EXCEPT those portions deeded to the City of Kent as recorded under Recording Nos. 20021216003472 and 20021216003473, Records of King County, Washington;

EXCEPT Pacific Gateway Division II Short, as recorded under Recording No. 20030506900014, Records of King County, Washington;

EXCEPT Pacific Gateway Division III Short Plat, as recorded under Recording No. 20030213900020, Records of King County, Washington.

Pacific Gateway
July 29, 2004
Revised: August 6, 2004

DJS/jss
100591.052.doc
# SHORT SUBDIVISION APPROVAL

**MAY 2, 2002**

**MEMO TO:**  
JAY GRUBB, PE

**NAME OF SHORT PLAT:**  
PACIFIC GATEWAY DIVISION II
SHORT PLAT

**APPLICATION NO:**  
#SP-2000-22  KIVA #2010783

**ACTION OF SHORT PLAT COMMITTEE:**  
APPROVAL WITH CONDITIONS

<table>
<thead>
<tr>
<th>NUMBER OF LOTS APPROVED</th>
<th>Nine Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACTION DATE</td>
<td>May 2, 2002</td>
</tr>
<tr>
<td>EXPIRATION DATE</td>
<td>May 2, 2003</td>
</tr>
<tr>
<td>PLANNER</td>
<td>Kim Marousek</td>
</tr>
</tbody>
</table>

**Findings for Approval of Type II Short Subdivision (5.9 Lots) pursuant to KCC 12.04.490**

The city has determined that appropriate provisions have been made for the public health, safety and general welfare of the community, protection of environmentally sensitive lands and habitats, potable water supplies, sanitary wastes, and other public utilities and services, drainage ways and stormwater detention, neighborhood tot lots, play areas, community parks and recreation schools and school grounds, transit stops, and the connectivity of streets, roads, sidewalks and pedestrian pathways within and between subdivisions and neighborhoods.

The city has considered all other relevant facts of this application and has determined that the physical site characteristics are suitable for platting. The city has determined that the public use and interest will be served by the platting of the short subdivision subject to the following conditions of approval:

**A PRIOR TO RECORDING THE PACIFIC GATEWAY DIVISION II SHORT PLAT**

1. The Owner/Subdivider shall pay all Charges in Lieu of Assessments and/or Latecomer Fees, if any, prior to scheduling the Pre-Construction Conference and/or prior to recording this short plat which ever comes first.
The Owner / Subdivider shall submit and receive approval for engineering drawings from the Department of Public Works, and shall then either construct or bond for the following:

a) A gravity sanitary sewer system to serve all lots.

   The City sewer system shall be extended from the existing City sanitary sewer system and shall be sized to serve all off-site properties within the same service area. In addition, the sanitary sewer system shall be extended across the entire short subdivision as needed to serve adjacent properties within the same service area. In particular, the existing building on lots 6 and 9 are presently serviced by Boeing’s internal sewer system which is considered a private side sewer. With finalizing of this short plat Lots 6 and 9 can be sold off and its present sewer service arrangement would violate City Code. As such these lots and the existing buildings thereon shall be disconnected from the private side sewer system in a manner approved by the City and connected to the City’s sewer system serving this short plat as prescribed and approved by the City (acceptable alternatives must be approved by the Public Works Department).

b) A water system meeting domestic and fire flow requirements for all lots.

   The City water system shall be extended and sized to serve all properties within the same service area. In addition, the water main extension shall be extended across the entire short subdivision as needed to serve adjacent properties within the same service area. In particular the existing building on lots 6 and 9 is serviced off Boeing’s internal water system, which is a private system. Upon finalizing this short plat lots 6 and 9 can be sold off and its present water service would be in violation of City Code. As such the existing water service to lots 6 and 9 and the buildings thereon shall be abandoned in a manner approved by the City and reconnected to the city’s water mains serving this short plat as prescribed and approved by the City (acceptable alternatives must be approved by the Public Works Department).

Existing wells – if any - shall be abandoned in accordance with the requirements of the Department of Ecology.

c) Detailed Drainage Plans meeting the requirements of the City of Construction Standards, and City of Kent Development Assistance Brochure #5: Detailed Drainage Plans. Initial guidance is given in the conditions which follow.

(1) The Owner / Subdivider shall construct an on-site public detention / retention pond system in accordance with the Kent Construction Standards to mitigate for potential impacts to both stormwater runoff quantity and quality. The detention / retention pond storage volume and release criteria shall be that for the Valley, or by using the SBUH hydrograph methodology.

(2) As development occurs within this short subdivision, roof downspouts for each roofed structure (house, garage, carport, etc.) shall be directed to Roof Downspout Infiltration Trenches, or Perforated Stubouts, meeting the requirements of the City of Kent Construction Standards and City of Kent Development Assistance Brochure #5 Roof Downspout.
Infiltration Trench Systems, Downspout Dispersion System, and Perforated Stubout Connections. These roof downspout conveyance and infiltration systems shall include overflow pipes connected to an approved conveyance system. The Detailed Drainage Plans will include an approved detail for the Roof Downspout Infiltration Trench, or Perforated Stubout, and will provide for private stormwater stubouts to each lot for future connection from the Roof Downspout Infiltration Trenches, or Perforated Stubouts. The face of the recorded short plat shall contain the following restriction:

AS A CONDITION OF BUILDING PERMIT ISSUANCE, DEVELOPMENTS CONSTRUCTED ON LOTS OF THIS SHORT SUBDIVISION MUST PROVIDE ROOF DOWNSPOUT INFILTRATION TRENCH (PERFORATED STUBOUT) SYSTEMS PER DETAILS SHOWN ON THE APPROVED STORMWATER PLANS.

(3) The Owner/Subdivider shall submit Landscape Plans for within and surrounding the retention/detention facility to the Planning Department and to the Department of Public Works for concurrent review and approval prior to, or in conjunction with, the approval of the Detailed Drainage Plans. These Landscape Plans shall meet the minimum requirements of the City of Kent Construction Standards, and the stormwater management landscaping requirements contained within City of Kent Development Assistance Brochure #5, Landscape Plans.

(4) The Owner/Subdivider shall execute Declaration of Stormwater Facility Maintenance Covenants for the private portions of the drainage system prepared by the Property Management Section of the Department of Public Works. See City of Kent Development Assistance Brochure #5-17, Declaration of Stormwater Facility Maintenance Covenants, for information on what is contained within this document.

d. An open-to-the-air public stormwater treatment system in accordance with the requirements of the Kent Construction Standards, and published City of Kent Development Assistance Brochures dealing with stormwater treatment, to mitigate for potential impacts to stormwater runoff quality. Acceptable stormwater treatment facilities meeting this requirement in their preferred order include infiltration after pretreatment, biofiltration swales, wet ponds, extended detention ponds, and created wetlands. See City of Kent Development Assistance Brochures #3-1, through #5-15 for additional information on stormwater treatment requirements.

(1) The stormwater treatment system shall be within the approved public stormwater management tract.

(2) Easements for biofiltration swales across private lots will not be acceptable to meet this requirement.

e. A Detailed Grading Plan for the entire short subdivision meeting the requirements of the Uniform Building Code, the City of Kent Construction Standards, and City of Kent Development Assistance Brochure #1-3, Excavation.
and Grading Permits & Grading Plans  Initial guidance for these plans is given below:

(1) These plans will include provisions for utilities, roadways, retention / detention ponds, stormwater treatment facilities.


The Owner/Subdivider shall provide a final jurisdictional wetland determination from the US Army Corps of Engineers (ACE). The Owner/Subdivider will provide a wetland mitigation plan that meets requirements for all jurisdictional wetlands (and/or wetland buffers), if required by the ACE.

Unless otherwise required by the ACE, to the extent that jurisdictional wetlands are delineated, the Owner/Subdivider will grant an easement to the City, in recordable form, on terms and conditions acceptable by the City and the Owner/Subdivider to protect the jurisdictional wetland(s). The easement shall be stated on the face of the recorded plat.

Street Improvement Plans for South 212th Street. These Street Improvement Plans shall meet the requirements of the City of Kent Construction Standards and Development Assistance Brochure #6-2, Private and Public Street Improvements, for a street designated as a Principal Arterial Street Augmented With Bike Lanes by the City of Kent Master Plan of Roadways. Initial guidance for the necessary street improvements is given below.

(1) Provisions for Bike Lanes along the north side of South 212th Street from West Valley Highway to 64th Avenue South. These Bike Lanes may be either an additional 5-feet of asphalt pavement for an in-street Bike Lane along the north side of the street, OR in lieu of the in-street bike lane, a 10-foot wide cement concrete combined pedestrian/bicycle facility, OR a minimum 10-foot combined pedestrian/bicycle facility may be constructed on the opposite side of the Boeing Creek. If located opposite the Creek then a suitable connection (a bridge or culvert at the east end) shall be constructed along South 212th Street on both the east and west end of the bike trail/lane. All pedestrian/bicycle improvements, if constructed by owner/subdivider, shall be placed outside of the 100-foot Boeing Creek easement.

In lieu of designing and constructing the above improvements, the Owner/Subdivider may pay a fee to the City based on an approved construction cost estimate.

The City will construct the above improvements in conjunction with planned improvements to Boeing Creek, immediately adjacent to the existing sidewalk along the North side of South 212th Street.
(2) Provisions to ensure that pedestrians walking along the cement concrete sidewalks are prevented from accidentally falling into the abutting creek. This provision can be met by a handrail or other measures as approved by the Public Works Department. The owner/subdivider may pay a fee to the City based on an approved construction cost estimate in lieu of constructing this improvement.

(3) If the street widening option for providing Bike Lanes is selected by the Owner/Subdivider, then a City approved street lighting system shall be installed.

(4) Traffic Sign and Channelization Plans which will include the necessary HOV pavement markings, and traffic signs, for the north-most traffic lane of South 212th Street, and any channelization revisions deemed appropriate in the mitigation measures identified in the Traffic Impact Study required as a condition of issuing the MDNS issued for ENV 2001-12. A fee in lieu of these improvements may be approved by the Public Works Director.

The City has determined that the Boeing Creek, which flows along the south and east boundaries of the subject short subdivision, suffers from hydraulic capacity restraints inherent to the nature of the underlying soils and certain private stormwater culverts for which their invert elevations are too high. The City's regional stormwater detention facility, the Green River Natural Resource Area, thusly does not function as designed because of these capacity restraints. Further since these culverts, in particular, exist in future public right of way (S 212th St and West Valley Hwy) and due to their age they will affect said streets longevity.

(1) The City has determined that in order for it to get the usual and customary expected life out of the streets and culverts system it would normally get upon acceptance of same the culverts at 66th Ave. and S 208th St. shall be replaced with bridges or approved culverts providing the necessary capacity and hydraulic surface as reviewed and approved by the City. Further the creek upstream and downstream of the respective bridges/culverts shall be reconstructed as determined by the City to accommodate the new hydraulic flow line and for fish passage and use.

(2) As an acceptable alternative the Owner/Subdivider shall install new culverts (dry) at 66th Avenue South and South 212th St and South 208th Street and West Valley Highway, outside the OHWM of the Boeing Creek to accommodate the City's future channel widening project. The City will abandon or remove the existing culverts as part of the planned channel improvement project.

Street Improvement Plans for the new Industrial Street proposed to service this short subdivision. The Street Improvement Plans for South 208th Place shall be designed in conformance with the requirements for an Industrial Street as required by City of Kent Construction Standards, and City of Kent Development Assistance Brochure #6-2, Private and Public Street Improvements, and City of Kent Development Assistance Brochure #6-8, Street Improvement Plans, for a street 44-feet wide. Initial guidance for these street improvements is given below.
(1) Combined curbs & gutters and 5-foot wide cement sidewalks on both sides of the street

(2) A minimum of 44-feet of asphalt pavement (or as otherwise approved by the Public Works Department), as measured from face of curb to face of curb, the two curb lanes will be 15-feet in width and the center lane will be 14-feet in width, except where maneuvering diagrams for WB-60 design vehicles indicate that wider lanes will be required

(3) A public stormwater drainage system, including provisions for conveyance, detention, and treatment facilities

(4) Curb return radii of 60-feet at the intersection of the industrial streets with the two Principal Arterial Streets

(5) That portion of the proposed industrial street which extends westerly to the abutting parcel will include provisions for a temporary cul-de-sac, or a turnaround and/or access easement approved by both the Department of Public Works and the Fire Marshal

(6) Installation of new bridges, or approved stormwater culverts, that will be compatible with the City's Boeing Creek Channel Improvement Project before the entrance onto both of the City's Principal Arterial Streets.

k Street Light Plans for the new Industrial Streets meeting the requirements of the City of Kent Construction Standards, and City of Kent Development Assistance Brochure #6-1, Street Lighting Requirements

3 The face of the recorded short plat shall specifically reserve the necessary strips of land for future private and/or public right-of-way serve the abutting parcel to the north and south of South 208th Place using a declaration approved by the Department of Public Works. The need for said public right-of-way shall be determined by the Public Works Director. The declaration shall include language that specifically guarantees access and utility rights from the private roadway to the public street system for all lots abutting 66th Ave S. The declaration shall also include language to ensure that all development / redevelopment on those lots shall be set back from that reserved strip as if it were public right-of-way. The future dedication shall also include sufficient area for a temporary cul-de-sac turnaround, acceptable to the Fire Marshal and Public Works Director for the northern terminus of 66th Ave South.

a Prior to the City's approval of the location and alignment of this future strip of right-of-way, the Owner / Subdivider shall provide the City with the locations of all overhead loading doors for the existing buildings on Lots 6, and 9, and any other information requested by the City, so that potential traffic impacts upon the future public street may be evaluated and mitigated for as necessary.

4 The Owner / Subdivider shall obtain an approved National Pollutant Discharge Elimination System (NPDES) Permit from the Washington State Department of Ecology before the City issues any permits for construction.
Approval Memo
Pacific Gateway Div II Short Plat
#SP-2000-22 / KIVA #2010783

5 The Owner / Subdivider shall provide to the City of Kent applicable copies of permits required by other agencies for filling on-site wetlands. In addition, all applicable local and federal permits necessary for wetland mitigation shall be obtained prior to filling on-site wetlands.

6 The Owner / Subdivider shall deed all public rights-of-way, and otherwise convey all private and public easements necessary for the construction and maintenance of the required improvements for this short subdivision development and shall suitably convey all public and private easements necessary for the construction, operation and maintenance of these required improvements. Required easements or tract dedications will include a drainage easement for an improved open channel conveyance system along the Boeing Creek from the crossing of the Boeing Creek under 64th Avenue South on the north side of South 212th Street, then easterly along South 212th Street to the west side of West Valley Highway, and from there northerly to the point where the existing creek passes under South 208th Street. The easement for the Boeing Creek shall extend from the South 212th Street and West Valley Highway right-of-ways to the opposite side of the creek one hundred feet from the new right-of-way line.

7 The Easement Agreement between the City and the owner shall be recorded prior to or in conjunction with the tract or easement conveyance required by ENV-2001-12 condition #2.

8 The Owner/Subdivider shall create language acceptable to the City and shown on the face of the short plat that sets forth terms and conditions to prohibit intrusion and protect future plantings within the dedicated easement or tract area adjacent to Boeing Creek.

9 The Owner / Subdivider shall provide the Department of Public Works with a letter from King County Drainage District No. 1 which approves the discharge outlet design and location, grading, and landscaping immediately adjacent to those portions of Mill Creek which are owned or maintained by the District with the first submittal for any Construction Permits.

10 Prior to release of any construction bonds, and prior to the approval of any Building Permits within the subject short subdivision, the Department of Public Works must receive and approve As-Built Drawings meeting the requirements of the City of Kent Construction Standards, and City of Kent Development Assistance Brochure #E-1, As-Built Drawings, for Streets, Street Lighting System, Water, Sewer, Stormwater Drainage Facilities, and all off-site improvements where the locations and/or elevations are deemed critical by the Department of Public Works.

11 Direct access by any lot shall not be permitted onto S 212th Street or West Valley Highway (SR 181) unless otherwise permitted by the Public Works Director except at the existing signalized intersection of 66th Ave South and South 212th Street.

B PRIOR TO THE ISSUANCE OF A BUILDING PERMIT ON ANY LOT IN THE PACIFIC GATEWAY BUSINESS PARK DIVISION II SUBDIVISION (SP-2000-22), THE OWNER/SUBDIVIDER SHALL:

1 Record the Plat

2 Construct, or if approved by the City, bond for all of the improvements required above.
Approval Memo
Pacific Gateway Div II Short Plat
#SP-2000-22 / KJVA #2010783

1. Receive approval of the required As-Built Drawings for Streets, Street Lights, Water, Sewer, Wetland Mitigation Site(s), and Stormwater Management Facilities.

2. Existing landscaping on lots 6 and 9 is provided to satisfy the Kent Code requirements for the Boeing Space Center campus. Any redevelopment of those areas may necessitate the installation of landscaping to meet current code requirements.

3. The existing structures on lots 6 and 9 were constructed as part of the larger space center campus. If the existing buildings on lots 6 and 9 are not razed and changes in ownership of parcels 6 and 9 occur, those parcels will be required to meet current parking code requirements. Parking requirements may be satisfied by a parking easement or other legal encumbrance as approved by the Planning Manager.

RECORDING
The above conditions must be met before the short plat can be finalized and recorded. The short plat does not become effective until such time it is recorded with the King County Auditor's Office. You have twelve months in which to do this. If the short plat is not recorded within twelve months of the above date of approval, it shall become null and void. At the written request of the applicant, Planning Services may grant one extension of not more than twelve months.

When the final map is complete and all conditions have been complied with, bring the map to Planning Services and we will send it through King County for recording (the applicant must pay the recording fee to Planning Services). Planning Services must receive the map in its office at least two weeks prior to the expiration date in order to allow time for proper checking.

APPEAL OF SHORT SUBDIVISION COMMITTEE DECISION (KCC 12.04.250)
The decision of the short subdivision committee shall be final, unless an appeal by any aggrieved party is made to the hearing examiner within fourteen (14) days after the short subdivision committee's decision. The appeal shall be in writing and shall be processed pursuant to chapter 2.32 of the Kent City Code. The decision of the hearing examiner shall represent final action of the city and is appealable only to the superior court. Such appeal must be filed with the superior court within thirty (31) calendar days from the date the decision was issued.

Charlene Anderson, AICP, Acting Planning Manager
Chair, Short Subdivision Committee

Jay Grubb, Contact

Copies mailed to
Dean Falkner, Public Works
Carol Storm, Property Management
Jerry McCaughan, Property Management
Bob Hutchinson, Building Services
Mike Evans, Fire Prevention
John Hodgson, Parks Administration
Frank Grewell, Property Management
Seattle-King County Health Department
Colette Temmin/Joel Ross, Applicant/Owner

Date
5-2-02
EXHIBIT 8

CITY OF KENT

MITIGATED DETERMINATION OF NONSIGNIFICANCE

Environmental Checklist No #ENV-2001-12 Project PACIFIC GATEWAY DIVISION II

Description
The applicant proposes to subdivide 48.5 acres, adjacent to the Boeing Space Center facility, into 9 lots ranging from 2.9 - 7.2 acres in size. The lots will provide for future industrial business park development, with approximately 1,000,000 square feet of building floor area at full build-out. The subdivision will create one Tract (Tract A), for stormwater detention, water quality control and compensatory flood storage. Tract A is approximately 5.5 acres in size. The project will include approximately 25,000 cubic yards of excavation and roughly 30,000 cubic yards of fill. The applicant proposes to fill 0.26 acres of a jurisdictional wetland.

Location
The subject property is located at the northwest intersection of West Valley Highway and South 212th Street and is identified by King County Tax Parcel #1122049088 and a portion of #0222049019. The property is zoned M-1, Industrial Park.

Applicant
Jay Grubb, P.E.
Barghausen Consulting Engineers
18215-72nd Ave S
Kent, WA 98032

Lead Agency City of Kent

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This Determination of Nonsignificance is specifically conditioned on compliance with the conditions and mitigating measures described below. This information is available to the public on request.

There is no comment period for this DNS

X This MDNS is issued under 197-11-340(2). The lead agency will not act on this proposal for 28 days from the date of this decision; this includes a 14-day comment period followed by a 14-day appeal period as provided by WAC 197-11-080. Comments must be submitted by March 12, 2002

Responsible Official Kim Marousek

Position/Title Senior Planner

Address 220 S Fourth Avenue, Kent, WA 98032 Telephone (253) 856-5454

Dated February 26, 2002 Signature

APPEAL PROCESS AN APPEAL OF A DETERMINATION OF NONSIGNIFICANCE (DNS) MUST BE MADE TO THE KENT HEARING EXAMINER WITHIN FOURTEEN (14) FOLLOWING THE END OF THE COMMENT PERIOD PER KENT CITY CODE 11 03 520
CONCLUSIONS/MITIGATING MEASURES

1. The Owner/Subdivider shall provide the City with a queuing analysis and shall propose as supported by the analysis, restriping and signal timing modifications to mitigate project impacts, if any, on queuing storage at the following intersections:
   - West Valley Highway and South 204th Street
   - West Valley Highway and South 208th Street
   - West Valley Highway and South 212th Street
   - South 212th Street and 60th Avenue Southeast
   - South 212th Street and 64th Avenue Southeast
   - South 212th Street and 66th Avenue Southeast

2. The Owner/Subdivider shall convey an area 100-feet northerly and westerly of the South 212th Street and West Valley Highway rights-of-way, respectively, to the City. The purpose of this new easement area will be for conveyance system improvements, habitat enhancement and riparian area plantings. This conveyance may be either an easement or tract. The Owner/Subdivider shall convey the necessary public drainage easement(s) for the Boeing Creek sometimes called the “Boeing Ditch” along the subject development to the City of Kent via documents prepared by the applicant and approved by the City.

3. The Owner/Subdivider shall incorporate Regulatory and Source Control Best Management Practices (BMPs), wherever required by the Washington State Department of Ecology Stormwater Management Manual for the Puget Sound Basin in the final site design to prevent or minimize water pollution during and after construction. The specific Regulatory and Source Control BMPs required for this development may include but are not limited to the following:
   - BMP R0.05 - Spill Control Separator
   - BMP R0 10 - API Separator
   - BMP R0.15 - Coalescing Plate Separator
   - BMP R1 - Stormwater Discharges to Public Sanitary Sewers, Septic Systems, Sumps and Process Treatment
   - BMP R2 - Uniform Fire Code Requirements
   - BMP R3 - Ecology Requirements for Generators of Dangerous Wastes
   - BMP R4 - Minimum Functional Standards for Containers
   - BMP R6 - USEPA Requirements for Underground Tank Storage
   - BMP R7 - USEPA / Ecology Emergency Spill Cleanup Requirements
   - BMP R8 - WSDA Pesticide Regulations
   - BMP R9 - Air Quality Regulations
   - BMP R10 - Ecology Waste Reduction Programs
     - BMP R11 - NPDES Stormwater Permits
   - BMP R12 - Washington State Ground Water Quality Standards
   - BMP SI.10 - Fueling Stations
   - BMP SI 20 - Vehicle/Equipment Washing and Steam Cleaning
   - BMP SI 30 - Loading and Unloading Liquid Materials
   - BMP SI 40 - Liquid Storage in Above-Ground Tanks
   - BMP SI 50 - Container Storage of Liquids, Food Wastes or Dangerous Wastes

4. The Owner/Subdivider shall execute an agreement with the City, in recordable form, that releases the City of claims or causes of action associated with or attributable to the City’s invocation of a moratorium for new or additional water service provided that the City, in adopting the moratorium, is acting in good faith and has used reasonable diligence to obtain necessary water supplies.
### SHORT SUBDIVISION APPROVAL

**DECEMBER 12, 2002**

**MEMO TO:** JAY GRUBB, PE

**NAME OF SHORT PLAT:** PACIFIC GATEWAY DIVISION III

**APPLICATION NO:** SP-2002-1 (KIVA #2020160)

**ACTION OF SHORT PLAT COMMITTEE:** APPROVAL WITH CONDITIONS

<table>
<thead>
<tr>
<th>NUMBER OF LOTS APPROVED</th>
<th>FOUR LOTS</th>
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</thead>
<tbody>
<tr>
<td>ACTION DATE</td>
<td>DECEMBER 12, 2002</td>
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<tr>
<td>EXPIRATION DATE</td>
<td>DECEMBER 12, 2003</td>
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</tbody>
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**PLANNER:** DAMIEN HOOPER

EXHIBITS ATTACHED. Exhibit 1, Summary of Proposed Short Plat

**Findings for Approval of Type I Short Subdivision (2-4 Lots) pursuant to KCC 12.04.180**

The city has determined that appropriate provisions have been made for the public health, safety and general welfare of the community, protection of environmentally sensitive lands and habitat, potable water supplies, sanitary wastes, and other public utilities and services, drainage ways and the connectivity of streets, roads, sidewalks and pedestrian pathways within and between subdivisions and neighborhoods.

The city has considered all other relevant facts of this application and has determined that the physical site characteristics are suitable for platting. The city has determined that the public use and interest will be served by the platting of the short subdivision subject to the following conditions of approval:

**A PRIOR TO RECORDING THE PACIFIC GATEWAY DIV. III SHORT PLAT (SP-2002-1)**

1. The Owner/Subdivider shall pay all Charges in Lieu of Assessments and/or Latecomer Fees, if any, prior to scheduling the Pre-Construction Conference and/or prior to recording this short plat, whichever comes first.

2. The Owner/Subdivider shall execute Declaration of Stormwater Facility Maintenance Covenants for the private portions of the drainage system prepared by the Property Management Section of the Department of Public Works. See City of Kent Development Assurance Brochure #3-17, Declaration of Stormwater Facility Maintenance Covenants, for information on what is contained within this document.
3 The Owner/Subdivider shall indicate on the face of the short plat that the platter shall be responsible for maintenance of the private stormwater collection, conveyance, treatment, and detention system for this short subdivision until the platter provides satisfactory evidence to the Department of Public Works that a Property Owners' Association has been created to perform said obligations. This Association shall be responsible for maintenance of storm drainage facilities located inside this short subdivision, which convey, treat, and detain stormwater originating on parcels outside the boundaries of this short subdivision.

4 Given that the lots within the short plat will remain in the ownership of and use by the Owner/Subdivider for a period of time, is already developed with structures on each proposed lot and no new development is planned that would require access to City services or utilities until one or more of the lots is transferred to a third party, deeds from the Owner/Subdivider to the City for right-of-way will be required at the time lots are transferred to a third party. The Owner/Subdivider shall depict an area adequate to provide for future potential public right-of-way on the face of the short plat including that area for the cul-de-sac turn around. For South 204th Street at least 49 feet of right-of-way shall be denoted through this subdivision; with at least one-half that width being provided along the southern property line for Lot 2. For the cul-de-sac turn around a 51 5-foot right of way radius shall be used to depict its area. Deeding of said rights of way to the City shall occur prior to or in conjunction with the transfer of the lots to an entity not owned or controlled by The Boeing Company, in the sequence outlined below. Furthermore, the rights of any easement granted over, upon, or under rights-of-way which are to be conveyed to the City shall be null and void upon the deed ing of said property to the City.

a) With the transfer of Lot 1 and/or Lot 3 the Owner/Subdivider shall execute and record a Quit Claim Deed to the City for the right-of-way for South 204th Street including that area for the cul-de-sac from 59th Avenue South to the easterly limits of the cul-de-sac.

b) With the transfer of Lot 2 the Owner/Subdivider shall execute and record a Quit Claim Deed to the City for the entire right-of-way for South 204th Street through this subdivision.

c) With the transfer of Lot 4 the Owner/Subdivider will not be required to convey right-of-way for South 204th Street.

Due to the lack of need for a north-south corridor in the vicinity of this plat, the City will not require the reservation of right-of-way adjacent to and east of Lot 2.

5 No new driveway shall be permitted onto 59th Avenue South from any lot of this short subdivision, which does not meet the minimum driveway to driveway separation criteria of the City of Kent Construction Standards. The minimum edge to edge driveway separation distance for an Industrial Collector Arterial Street is 200 feet.

6 No storm drainage from property outside the watershed currently contributing to the existing detention/water quality pond shall be allowed to be conveyed to the existing private pond.

7 Indicate on the short plat map, which buildings or portions thereof are to be retained, and which buildings or portions thereof are to be demolished.
Given that the short plat will remain in the ownership of and use by the Subdivider for a period of time, as already developed with structures on each proposed lot and no new development is planned until one or more of the lots is transferred to a third party, no new parking or landscaping will be required prior to recording. Owner/Subdivider shall provide parking and landscaping easements for each of the four lots in this short subdivision to allow current code requirements be met when appropriate.

The owner shall execute and record a 60-foot wide "no-build" easement between existing buildings on Lot 3 and Lot 4 to maintain compliance with Section 505 of the Uniform Building Code, 1997 edition, pursuant to Kent City Code 14 01 010. The easement must be on the City's standard form for such easements and must be approved by the City's building official.

The Owner/Subdivider shall execute an agreement with the city with terms and conditions approved by the city which obligates the Owner/Subdivider to notify the City of the transfer of any lot within this short plat to any person or entity other than the Owner/Subdivider. This condition shall also be noted on the face of this short plat. This agreement shall further require the Owner/Subdivider upon and in conjunction with the transfer of any lot within this short plat to any person or entity other than the Owner/Subdivider to furnish to the City a notarized document signed by the transferee which acknowledges and understands the conditions and requirements of this short plat and agrees to comply with same. The exact language and terms of this document must meet with the approval of the City. This agreement shall further require Owner/Subdivider to seek vacation of the plat within fifteen (15) years of recording of the subdivision if none of the lots within the subdivision have been transferred to an entity other than the Owner/Subdivider.

The Owner/Subdivider shall bond for the cost for the preparation of the engineering drawings, as required in Section B of these conditions. If no transfer of lots has occurred, and the improvements deemed necessary as a result of Section B conditions have not been constructed within five years of the recording of this short subdivision, then the Owner/Subdivider shall update engineering drawings for approval by the Public Works Department. Further where portions of the existing private sewer, water and drainage facilities are included as part of the approved engineering plans prior to the construction of these facilities and/or acceptance of same by the City the Owner/Subdivider shall re-inspect same to insure that they are still in satisfactory condition for the City to accept. The City shall have sole discretion in determining their acceptability. Should they not be acceptable the Owner/Subdivider shall in good faith make them acceptable by the City and submit engineering plans therefore to the City for review and approval.

The Owner/Subdivider shall grant to the City any and all on-site/off-site utility easements necessary as determined by the City to service this subdivision. Included therein shall be any access easements that the City determines necessary to get to and from these facilities and its public rights of way.

Provide a Fire Prevention approved turn around at the easterly terminus of the new 30-foot private access easement between lot 3 and lot 4.

Within Six Months after Recording of this Short Subdivision

Given that the short plat will remain in the ownership of and use by the Subdivider for a period of time, as already developed with structures on each proposed lot with utilities serving each lot, and no new development is planned that would require access to City.
services or utilities until one or more of the lots is transferred to a third party,
improvements are required in compliance with the sequence outlined. The
Owner/Subdivider shall submit engineering drawings/information to the Department of
Public Works for review and approval of the following items:

a. An off-site public gravity sanitary sewer system extending to the short plat to
serve all lots.

The City sanitary sewer system shall be designed and constructed to serve the
entire short subdivision as well as all off-site properties within the same service
area. It is recognized that the proposed lots are presently being served via a
private system. Whether said private sewer system meets or can be brought
into compliance with City standards will be subject to the Owner/Subdivider
satisfactorily demonstrating same to the City's Public Works Department. The
final decision on said acceptability shall rest solely with the Public Works
Department.

b. An off-site public water system extending to the short plat and meeting domestic
and fire flow requirements for all lots. It is recognized that a private water system
presently services the proposed lots. Whether said private system meets or can
be brought into compliance with City standards shall be subject to the
Owner/Subdivider satisfactorily demonstrating same to the City's Public Works
and Fire Departments. The final decision on said acceptability shall rest solely
with the Public Works Department under consultation with the Fire Department.

c. Detailed Drainage Plans meeting the requirements of the City of Kent
Construction Standards, and City of Kent Development Assistance Brochure #3-
3, Detailed Drainage Plans. It is recognized that a private storm drainage
collection and detention system presently services this proposed short plat and
the lots therein. Further it is recognized that storm drainage services to the short
plat and the lots therein may continue to be provided by this private system upon
the Owner/Subdivider demonstrating same to the City's Public Works
Department that said system has adequate flow capacity to serve the lots and is in
satisfactory condition to do so. The final decision on the adequacy of the
existing private storm drainage system will rest solely with the Public Works
Department. If improvements to the existing private storm drainage system are
deemed necessary, then the following conditions would also apply:

(1) The Owner/Subdivider shall enhance the off-site public or on-site private
detention/retention pond systems in accordance with the Kent
Construction Standards as they exist at the time compliance with this
condition is required to mitigate for potential impacts, if any, to both
stormwater runoff quantity and quality due to any construction required
through the construction of S 204th St or any other redevelopment
of properties on this short subdivision.

For the purposes of computing stormwater detention requirements, the
existing impervious surfaces, including rooftops and pavement, shall be
assigned the corresponding runoff curve number for the pre-development
runoff rate, unless other standards/requirements are adopted by the Kent
City Council city wide, or as required by other governmental agencies
with jurisdiction.
The Owner/Subdivider shall submit Landscape Plans for within and surrounding the retention/detention facility to Planning Services and to the Department of Public Works for concurrent review and approval prior to, or in conjunction with, the approval of the Detailed Drainage Plans. These Landscape Plans shall meet the minimum requirements of the City of Kent Construction Standards, and the stormwater management landscaping requirements contained within City of Kent Development Assistance Brochure #5, Landscape Plans. Landscape Plans are not to be used to show required Street Trees.

Street Improvement Plans for South 204th Street. These Street Improvement Plans shall meet the requirements of the City of Kent Construction Standards, and City of Kent Development Assistance Brochures #6-2, Private and Public Street Improvements, and #6-8, Street Improvement Plans, or the latest versions thereof at the time this condition becomes effective for a street designated as an Industrial Street by the City of Kent Master Plan of Roadways. Initial guidance for the necessary street improvements is given below:

1. Combined concrete curbs & gutters and 6 1/2 foot cement concrete sidewalks on both sides of the street
2. A minimum of 32-feet of asphalt pavement as measured from the face of curb on one side of the street to the face of curb on the other street
3. A minimum curb return radius of 50-feet at the intersection with 59th Avenue South
4. A minimum curb radius of 45-feet for the cul-de-sac constructed between 59th Avenue South and 62nd Avenue South at that location approved by Public Works. Construct an interim cul-de-sac initially in accordance to the approval of the Public Works Department. If the ownership of Lot 2 has not transferred to an entity other than the Boeing Company within 15 years after recordation of this plat, the Owner/Subdivider shall construct a cul-de-sac turn around in accordance to city standards in effect at said time. Further upon the transfer of ownership of Lot 2 to an entity other than the Boeing company the Owner/Subdivider shall submit engineering plans to the City for review and approval for a fully improved cul-de-sac turn around to city standards along with performance bond for the construction of same. The amount of said bond along with the terms and conditions of the instrument shall be subject to review and approval the Public Works Department
5. Unless additional asphalt concrete pavement width is provided for parking along this industrial street, this minimum width industrial street shall have appropriate traffic signs installed which clearly designate these industrial streets where no parking, stopping or standing will be permitted
6. The existing connections to the parking lots constructed along 59th Avenue South are too close to the intersection of this new public street with 59th Avenue South Prior to obtaining an approved access for this private street, the parking lot driveway connections on both the north and south sides of this new public street shall be eliminated.
(7) A City-approved street lighting system

(8) Public stormwater conveyance, detention and treatment facilities. The storm drainage from public right-of-way shall be kept separated from storm drainage from private property unless the private stormwater detention/retention, Tract X, is deeded to the City as a public stormwater facility. Public storm drainage shall be conveyed to the public right of way on 99th Avenue South or any other point of discharge deemed acceptable to the Public Works Department.

(9) Street Trees installed within the 3-foot buffer strips behind the backs of both sidewalks. These Street Trees shall be located at least 30-feet from street lights, and the species shall be selected from the Approved Street Tree List contained within City of Kent Development Assistance Brochure #14, City of Kent Street Trees.

(10) A franchise agreement will be required for any private facilities (i.e., private storm drainage facilities) that are located within the proposed public rights-of-way at the time of deeding the right of way to the City.

e If the 30’ private access easement between Lot 3 and Lot 4 is to be developed as a Private Industrial Street this street shall be designed in conformance with the requirements for a Private Residential Street as required by City of Kent Construction Standards, and City of Kent Development Assistance Brochure #6-7, Private and Public Street Improvements and City of Kent Development Assistance Brochure #6-8, Street Improvement Plans for a private street at least 32-feet wide, unless otherwise approved by the Director of Public Works. Initial guidance for these street improvements is given below.

(1) Curbs & gutters or thickened asphalt pavement sections at each edge of the asphalt pavement for the private street.

(2) A minimum of 32-feet of asphalt concrete pavement, measured from edge of pavement to edge of pavement, or from face of curb to face of curb.

(3) A 5-foot wide cement concrete sidewalk constructed along both sides of the street.

(4) An approved truck cul-de-sac, or turnaround at its terminus, unless otherwise determined by the City Fire Marshal.

(5) A private stormwater drainage system. The storm drainage runoff from private property shall be conveyed to the existing private detention pond at the north end of this proposed short subdivision. The private stormwater conveyance, treatment and detention facilities shall be modified as necessary to comply with Kent City Codes regarding construction and redevelopment.

(6) Unless additional asphalt concrete pavement width is provided for parking, this minimum width private industrial street shall have...
pavement markings and traffic signs installed which clearly designate these private industrial streets, where no parking will be permitted.

4\) The existing connections to the parking lots constructed along 59th Avenue South are too close to the intersection of this private street with 59th Avenue South. Prior to obtaining an approved access for this private street, the parking lot driveway connections on both the north and south sides of this private street shall be eliminated.

2 The Owner/Subdivider shall submit and receive approval for a Detailed Tree Plan, meeting the requirements of the Kent Zoning Code, and City of Kent Development Assurance Brochure #3, Detailed Tree Plans, prior to the issuance of any Construction Permits for the short subdivision. Grading Plans cannot be approved by the Department of Public Works without an approved Detailed Tree Plan. Detailed Tree Plans are not to be confused with required Street Tree Plans, which have an entirely different purpose.

C PRIOR TO, OR IN CONJUNCTION WITH, THE TRANSFER OF ANY LOT OUTSIDE OF THE OWNERSHIP OF THE BOEING COMPANY, OR PRIOR TO OR IN CONJUNCTION WITH THE ISSUANCE OF A BUILDING PERMIT FOR WHICH A SEPA THRESHOLD DETERMINATION IS REQUIRED ON ANY LOT TO ANY ENTITY OTHER THAN THE BOEING COMPANY, WHICHEVER OCCURS FIRST, WITHIN THE PACIFIC GATEWAY BUSINESS PARK DIVISION III SUBDIVISION (SP-2002-1), THE OWNER/SUBDIVIDER SHALL:

1 Record the Plat

2 Obtain City approval of engineering drawings itemized under Section B, and provide to the City a performance bond in the amount approved by the City for the installation of the required improvements. The terms and conditions of the performance bond shall be subject to review and approval by the City. Prior to said construction all existing infrastructure denoted in the approved plans as becoming public facilities shall be re-inspected for acceptability by the City. Should any of said existing facilities not be acceptable as determined solely by the City, the Owner/Subdivider shall bring same up to City Standards and resubmit plans therefore accordingly. All required improvements shall be completed within one year of the transfer.

3 Submit plans to the Public Works Department for review and approval, showing how all lots will be served by public utilities (on site) and access. Any required improvements, as deemed necessary by the Public Works Department, shall be designed and submitted to the City for review and approval along with a performance bond in the amount and terms approved by the City for their installation for prior to the transfer. Required improvements for the lot(s) being transferred shall be completed within one year of the transfer. All required easements shall be granted in conjunction with the transfer.

4 Provide mailboxes as approved by the United States Postal Service and Department of Public Works.

5 Existing landscaping on lots 1 through 4 was installed pursuant to the development of the Space Center site. Redevelopment of the lots may necessitate the installation of landscaping to meet current code requirements, if it is determined that the existing landscaping is inadequate.
Existing parking on lots 1 through 4 was provided pursuant to the development of the Space Center site. Redevelopment of any of these lots may necessitate additional parking requirements, not necessarily limited to the number of spaces, if it is determined that the existing parking is inadequate.

Prior to release of any construction bonds, and prior to, or in conjunction with, the approval of any Building Permits within the subject short subdivision, the Department of Public Works must receive and approve As-Built Drawings meeting the requirements of the City of Kent Construction Standards, and City of Kent Development Assistance Brochure #E-1, As-Built Drawings, for Streets, Street Lighting System, Water, Sewer, Stormwater Drainage Facilities, and all off-site improvements where the locations and/or elevations are deemed critical by the Department of Public Works.

Deed rights-of-way as outlined in Condition A 4.

Provide proper notice to the City in accordance with the agreement executed pursuant to Condition A 10 of this decision.

The above conditions must be met before the short plat can be finalized and recorded. The short plat does not become effective until such time it is recorded with the King County Auditor's Office. You have twelve months in which to do this. If the short plat is not recorded within twelve months of the above date of approval, it shall become null and void. At the written request of the applicant, Planning Services may grant one extension of not more than twelve months.

When the final map is complete and all conditions have been complied with, bring the map to Planning Services and we will send it through King County for recording (the applicant must pay the recording fee to Planning Services). Planning Services must receive the map in their office at least two weeks prior to the expiration date in order to allow time for proper checking.

The decision of the short subdivision committee shall be final, unless an appeal by any aggrieved party is made to the hearing examiner within fourteen (14) days after the short subdivision committee's decision. The appeal shall be in writing and shall be processed pursuant to chapter 2.32 of the Kent City Code. The decision of the hearing examiner shall represent final action of the city and is appealable only to the superior court. Such appeal must be filed with the superior court within thirty (30) calendar days from the date the decision was issued.

Charlene Anderson, AICP, Planning Manager
Chair, Short Subdivision Committee

Copies mailed to:
Dean Falkner, Public Works
Frank Grewell, Property Management
Jerry McCaughan, Property Management
Bob Hutchinson, Building Services
Mike Evans, Fire Prevention
John Hodgson, Parks Administration
Seattle-King County Health Department
Jay Grubb, Barghausen Consulting
Steven Barker, Owner's Representative
Summary of Proposed Short Plat, Pacific Gateway Division III, 
SP-2002-1/ KIVA 2020160, Subdivision Committee Meeting

The proposed plat is located within the property owned by Boeing known as the Kent Space Center. It is currently developed with buildings and related improvements, with various uses, on each of the proposed lots. The plat is being proposed to allow for possible redevelopment and/or sale of the lots, although no specific plan for such redevelopment is well defined at the present time.

Buildings may be retained, reconstructed, or demolished over time, depending on future uses, but no specific buildings on any of the proposed lots are scheduled for demolition or reconstruction at this time. Each of the proposed lots is served by utilities, has access to public streets and transportation systems in the City, and contains parking and landscaping. No vegetation exists on any of the lots, with the exception of maintained landscaping. Each of the lots is greater than 1 acre in size, the current City minimum for industrial park property. The proposed plat will utilize an existing stormwater pond on an identified "Tract X" to serve stormwater purposes for the lots within the new plat. The property contains no critical areas, and the proposed plat has been determined by the City's responsible SEPA official to be categorically exempt from environmental review.

As the approval of the plat will not create any immediate need for the connection to City utility services, nor any immediate need for public streets, no such improvements are being proposed in conjunction with plat approval. However, in the event Boeing sells any of the lots, certain improvements will be proposed to assure each lot is served by necessary public services without relying on Boeing's internal network of utility services. Other code requirements, such as those related to pedestrian connections and the like, are expected to be addressed in future development permits if such permits are submitted to the City for approval in conjunction with any lot redevelopment. It is also anticipated, depending on any future redevelopment, that additional stormwater or other utility improvements could be required. However, until such improvements are identified as being needed, i.e., the upgrading of the existing storm pond, no such improvements are proposed for the short plat.

We believe the staff recommended conditions reflect the relevant facts and support the conditions presented. With respect to the record before you, we request you take into consideration all documents submitted by Boeing in the application process and as set forth here today. With this record, the staff recommendation adequately recommends the inclusion of conditions designed to address the uniqueness of the proposed plat, i.e., for existing developed property held under single ownership by a property owner rather than a property developer.
EXHIBIT 11

COMMUNITY DEVELOPMENT
Fred N. Saltersrom, Director
PLANNING SERVICES
Charlene Anderson, AICP, Manager
Phone 253-856-5454
Fax 253-856-6454
Address 220 Fourth Avenue S
Kent, WA 98032-5098

PLANNING SERVICES

BINDING SITE PLAN COMMITTEE
APPROVAL
Approved on DECEMBER 23, 2003

FILE: PACIFIC GATEWAY DIVISION IV
BINDING SITE PLAN
#BSP-2003-1, KIVA #2033096

APPLICANT: Jay Grubb, P E.
Barghausen Consulting Engineers
18215 72nd Ave South
Kent, WA 98032

REQUEST: Binding site plan approval to segregate approximately 136 acres into 27 industrial lots

PLANNER: Kim Marousek / Damien Hooper

DESCRIPTION OF PROPOSAL

The applicant is requesting approval of a Binding Site Plan for Pacific Gateway Division IV. Ordinance 3664 amended Chapter 12.04 of the Kent City Code to add provisions for binding site plans within the industrial and commercial lands of the City. This binding site plan will segregate the 136 acre Boeing Space Center property into approximately 27 industrial lots. The binding site plan would establish 16 lots with buildings currently in place and 11 vacant lots.

The Boeing Company is also proposing to enter into a Development Agreement with the City to allow for a phased implementation/construction of required infrastructure, including but not limited to stormwater facilities and transportation improvements contingent upon the sale of the individual lots within the Binding Site Plan. This Development Agreement must be approved by the Kent City Council at a separate hearing.
II. LOCATION

The site is located west of West Valley Highway (SR 1B1) between South 212th Street and South 199th Place, generally the northeast and southwest quadrants of property bounded by West Valley Highway, South 212th Street, 59th Place South and South 199th Place. The properties are identified as King County Tax Parcels #022204-9019, 9062, 9063, 9066, 9067, 9068 within a portion of Section 2, Township 22N, Range 4E Willamette Meridian.

III. DECISION

Upon review of the merits of this request and the criteria for granting Binding Site Plan approval, the Bindings Site Plan Committee APPROVES the proposed Pacific Gateway Div IV Binding Site Plan (#BSP-2003-1, KIVA #2033096) as depicted on the site plan map with the following conditions.

A GENERAL CONDITIONS OF APPROVAL

1. The Owner/Developer shall implement all mitigation measures as required by the Mitigated Determination of Non-Significance for SEPA Checklist #ENV-2003-23 for Pacific Gateway Business Park Division IV in the manner required by the Development Agreement.

2. The following conditions of this Binding Site Plan (BSP) apply upon lot development, redevelopment, or lot transfer as further specified in Attachment A (mainx), specific BSP conditions, and the Development Agreement.

3. The Owner/Developer shall execute a Development Agreement, pursuant to RCW 36.70B.170, with the City of Kent as required by KCC 12.04.825.C.

B PRIOR TO, OR IN CONJUNCTION WITH, RECORDING THE PACIFIC GATEWAY DIVISION IV BINDING SITE PLAN (BSP-2003-1)

1. The Owner/Developer shall execute and record the Development Agreement as referenced in A3. The Development Agreement shall be referenced on the face of the BSP.

2. The Owner/Developer shall pay all Charges in Lieu of Assessments and/or Latecomer Fees, if any, prior to scheduling the Pre-Construction Conference and/or prior to recording this
BSP, whichever comes first or as otherwise stipulated in the Development Agreement.

3 The Owner/Developer shall execute Declaration of Stormwater Facility Maintenance Covenants for the private portions of the drainage system prepared by the Property Management Section of the Department of Public Works. See City of Kent Development Assistance Brochure #5-17, Declaration of Stormwater Facility Maintenance Covenants, for information on what is contained within this document.

4 The Owner/Developer shall indicate on the face of the BSP that said owner/developer shall be responsible for maintenance and operation of the private stormwater collection and conveyance systems, as well as the treatment and detention systems for the binding site plan until deeded or dedicated to the City. In lieu of the Owner/Developer obligation herein, the Owner/Developer may provide satisfactory evidence to the Department of Public Works that a Property Owner's Association has been created to perform said obligations. The terms and conditions contained within the Property Owner's Association document shall be subject to review and approval by the Department of Public Works.

5 The Owner/Developer shall depict on the face of the BSP an area adequate to provide for future potential public right-of-way for South 204th Street and South 208th Street as Industrial/Commercial Streets that will provide future public access from West Valley Highway (68th Avenue South) to 59th Place South. Consistent with the approved Traffic Study and approved amendments thereto, said future rights-of-way shall be conveyed to the City as specified in Attachment A and as specified in the Development Agreement. Prior to any such dedication or deeding to the City, the said rights-of-way shall be established through easements for private access and private utilities to serve the abutting lots Redevelopment or development of those lots fronting and abutting the easement shall observe that same building and yard setback distances from the edge of the said easement as a public right of way. Further, prior to the dedication or deeding of the rights-of-way to the City, all private easements noted herein shall be extinguished and the rights-of-way shall be provided to the City free of any encumbrances.
6 The Owner/Developer shall depict on the face of the BSP an area adequate to provide for future potential private and/or public right of way for 66th Avenue S. to serve the abutting parcels of the BSP. Said future right of way shall be conveyed to the City as specified in Attachment A and as specified in the Development Agreement. Prior to any such dedication, said right-of-way for 66th Avenue South shall be established through easements for access and utility setback restrictions. Redevelopment or development of those lots fronting and abutting the easement shall observe the same building and yard setback distances from the edge of the said easement as a public right of way. The reservation and setback restriction may be released by joint agreement of owners of the affected lots and upon City of Kent approval of other access and utility provisions.

7 Direct vehicular access shall not be permitted to West Valley Highway or South 212th Street from abutting lots.

8 Indicate on the BSP map, which buildings or portions thereof, at the time of final BSP recordation, are to be retained, and which buildings or portions thereof are to be demolished.

9 Owner/Developer shall identify the areas on the face of the BSP for each lot to provide for parking and landscaping easements, if needed to allow current code requirements to be met when a lot transfer occurs.

10 The Owner/Developer shall execute and record a 60-foot-wide "no-build" easement, or otherwise meet the UBC requirements, between existing buildings on lots as needed to maintain compliance with Section 505 of the Uniform Building Code, 1997 edition, pursuant to Kent City Code 14.01.010, or successor building codes. The easement must be in the City's standard form for such easements and must be approved by the building official. In addition, the Owner/Developer shall either (a) obtain and record such easement on the land immediately north of the twenty-five (25) foot by twenty-five (25) foot canopy on the north side of Building 18-43 or (b) demolish and remove all parts of said canopy within sixty (60) feet of the northerly property line or (c) otherwise bring Building 18-43 into compliance with the 1997 Uniform Building Code or successor building codes.
Approval
Pacific Gateway Div IV BSP
#BSP-2003-1 KIVA #2033096

11. The Owner/Developer shall execute an agreement with the City with terms and conditions that obligate the Owner/Developer to notify the City of the transfer of any lot within this BSP to any person or entity other than the Owner/Developer in conformance with the Development Agreement. This condition shall also be noted on the face of this BSP.

12. The Owner/Developer shall grant any and all on-site/off-site private and/or public utility and access easements necessary as determined by the City to serve this BSP. Included therein shall be any access easements that the City determines necessary to get to and from these facilities from public rights-of-way.

13. The Owner/Developer shall submit "Engineering Plans" for review and approval addressing stormwater management for this BSP. The Engineering Plans must meet the minimum requirements of the City of Kent Construction Standards and 2002 City of Kent Surface Water Design Manual (KSWDM). See Chapter 2 of KSWDM for detailed submittal requirements. Further, the required "Engineering Plans" shall be sufficiently detailed, as determined by Public Works, to conclude that the stormwater collection and conveyance system(s), the water quality facilities and the storage detention facilities will function appropriately and that adequate property is set aside for these systems.

14. The Owner/Developer shall, on the face of the BSP, depict an area in the form of a tract(s) intended to accommodate stormwater quantity control (detention) and quality control (water quality treatment) for future lot development or redevelopment for the entire BSP. The location and size of the said tract(s) shall be determined with the City’s approval of the Engineering Plans submitted by the Owner/Developer pursuant to Condition 8.13. The tract(s) and any tract improvements shall be conveyed to the City, at the sole discretion of the Public Works Director, for public purposes in association with future lot transfers to any party outside of the ownership of the Owner/Developer as set forth in the Development Agreement. If said tracts remain private, a property ownership association shall be formed to maintain and operate the stormwater facilities. A maintenance and operation agreement shall be required for any private facilities and shall be approved by the Public Works Department. The tract improvements as described in the Development Agreement shall be completed within one year of any lot transfer or as required in conjunction
C PRIOR TO, OR IN CONJUNCTION WITH, THE TRANSFER OF ANY LOT OUTSIDE OF THE OWNERSHIP OF THE BOEING COMPANY, OR PRIOR TO OR IN CONJUNCTION WITH THE ISSUANCE OF A PROJECT RELATED BUILDING PERMIT TO ANY ENTITY OTHER THAN THE BOEING COMPANY OR AS OTHERWISE STIPULATED IN THE DEVELOPMENT AGREEMENT WITHIN THE PACIFIC GATEWAY DIVISION IV (BSP-2003-1):

1. The Owner/Developer shall record the BSP and satisfy all prerequisite conditions thereto within the time frame specified in the Development Agreement, the BSP conditions and/or Attachment A.

2. The Owner/Developer shall submit detailed construction plans to the Public Works Department for review and approval, showing how affected lots will be served by public utilities and access. This shall include the disconnection of the existing water services (domestic and fire) and the existing sanitary sewer from the Owner/Developer's private infrastructure and reconnection to public utilities. This may also include the extension of public infrastructure improvements to the said lot(s) to be transferred in accordance with Attachment A, the Development Agreement and/or as deemed necessary by the Public Works Department at the time of transfer. Any required improvements shall be designed and submitted to the City for review and approval in conformance with the Development Agreement and applicable regulations, along with a performance bond, in the amount and terms approved by the City, for their installation. Required improvements for the lot(s) being transferred shall be completed within one year of the transfer or as required in conjunction with a development permit, as deemed necessary by Public Works, whichever comes first. All required easements and/or deeds shall be granted in conjunction with the transfer, and as required by Condition B 12

3. Existing landscaping on the lots of this BSP was installed pursuant to the development of the Space Center site. Redevelopment of the lots may necessitate the installation of landscaping to meet current code requirements, if it is determined that the existing landscaping is inadequate.
4 Existing parking on the lots of this BSP was provided pursuant to the development of the Space Center site. Redevelopment of any of these lots may necessitate additional parking requirements, not necessarily limited to the number of spaces, if it is determined that the existing parking is inadequate.

5. Prior to release of any construction bonds, and prior to, or in conjunction with, the approval of any Building Permits within the subject BSP, the Department of Public Works must receive and approve As-Built Drawings meeting the requirements of the City of Kent Construction standards, and City of Kent Development Assistance Brochure #E-1, As-Built Drawings, for: Streets; Street Lighting System; Water; Sewer; Stormwater Drainage Facilities; and all off-site improvements where the locations and/or elevations are deemed critical by the Department of Public Works.

6. Deed rights-of-way as outlined in Condition B.5 and as stipulated in Attachment A and/or the Development Agreement. At the time the said rights-of-way are deeded to the City, the Owner/Developer shall either demonstrate to the satisfaction of the Public Works Department that the existing roadway improvements meet the City standards for Industrial/Commercial Streets as set forth in Condition B.5, or improve South 204th Street and South 208th Street correcting any deficiencies to meet the Industrial/Commercial Street standards.

7. Deed rights-of-way as outlined in Condition B.6 and as stipulated in Attachment A and/or the Development Agreement.

8. As a condition of building permit issuance, developments constructed on lots of this BSP must provide roof downspout infiltration trench (perforated stub-out) systems per details shown on the approved stormwater plans.

9. As stipulated in Attachment A, S 199th Place/West Valley Highway. The owner/developer shall construct an additional 400 foot east bound left-turn lane, exclusive of taper, and modifications to the signal phasing as determined appropriate by the Public Works Director.

10. As stipulated in Attachment A, S 208th/West Valley Highway. The owner/developer shall construct a minimum 200 foot southbound right-turn lane, exclusive of taper, and modification
Approval
Pacific Gateway Div IV BSP
#BSP-2003-1 KIVA #2033096

of the eastbound approach to add an eastbound right-turn lane and convert the eastbound through lane to a shared left-through lane. Also, remove the crosswalk on the north leg and modify the signal phasing as determined appropriate by the Public Works Director.

11. As stipulated in Attachment A, S 212th Street/59th Place South. The owner/developer shall construct an additional 400 foot southbound left-turn lane, exclusive of taper, and modifications to the signal as determined appropriate by the Public Works Director.

12. The Owner/Developer shall coordinate with King County METRO regarding provisions for mass transit. This may include providing access through the site to transit areas, providing bus shelters and/or providing transit information areas. Generally, the improvement/dedication shall be coordinated with the City and METRO, in conjunction with each building permit application associated with this Binding Site Plan.

13. Any private utilities that lie within a potential public right-of-way such as that for S 204th Street, S 208th Street, or 66th Ave S shall be removed from said right-of-way upon dedication or deeding of the right-of-way to the City. For those private utilities that the City may allow to remain in place, the Developer/Owner shall obtain a franchise agreement from the City. This franchise agreement shall be subject to terms and conditions as deemed necessary by the City.

Dated this 23rd day of December, 2003

[Signature]
CHARLENE ANDERSON, AICP
Planning Manager
# ATTACHMENT A

Pacific Gateway
Division IV BSP-2003-1
By lot Schedule of Improvements
December 6, 2003

<table>
<thead>
<tr>
<th>LOT</th>
<th>PUBLIC R/W DEDICATION (STREETS)</th>
<th>STREET AND ACCESS IMPROVEMENTS</th>
<th>STORMWATER SYSTEM IMPROVEMENTS</th>
<th>SANITARY SEWER IMPROVEMENTS</th>
<th>WATER SYSTEM (FIRE/DOMESTIC) IMPROVEMENTS</th>
<th>LANDSCAPE IMPROVEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Deed r/w on 59th PL S to meet condition C.10 of BSP</td>
<td>Widen 59th Place S per condition C.10 of BSP, Submit engineering plans thereof to the Public Works Department for review and approval</td>
<td>In conjunction with Development Permit on Lot 1, construct stormwater detention/water quality pond in Tract Z per approved Engineering Plans and extend conveyance pipe from said lot to storm tract</td>
<td>In conjunction with Development Permit connect to public sanitary sewer per City standards (BSP Condition C.2)</td>
<td>In conjunction with Development Permit connect to public water system per City standards (BSP Condition C.2)</td>
<td>N/A</td>
</tr>
<tr>
<td>2</td>
<td>Deed r/w on 59th PL S to meet condition C.10 of BSP</td>
<td>Widen 59th Place S per condition C.10 of BSP, Submit engineering plans thereof to the Public Works Department for review and approval</td>
<td>In conjunction with Development Permit construct stormwater detention/water quality pond in Tract Z per approved Engineering Plans and extend conveyance pipe from said lot to storm tract</td>
<td>In conjunction with Development Permit connect to public sanitary sewer per City standards (BSP Condition C.2)</td>
<td>In conjunction with Development Permit connect to public water system per City standards (BSP Condition C.2)</td>
<td>N/A</td>
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Kent, Washington
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<th>SANITARY SEWER IMPROVEMENTS</th>
<th>WATER SYSTEM (PRE/DOMESTIC) IMPROVEMENTS</th>
<th>PARKING AND LANDSCAPE IMPROVEMENTS</th>
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<tbody>
<tr>
<td>3</td>
<td>N/A</td>
<td>Confirm access easement exist serving Lot 3 from South 212th Street along the north lot line.</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Z per approved Engineering Plans and extend conveyance pipe from said lot to storm tract.</td>
<td>In conjunction with transfer sewer said lot from private sewer and connect to public facilities. Design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2).</td>
<td>In conjunction with transfer, the lot shall be severed from the private water facilities and reconnected to public facilities. Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C.2.).</td>
<td>Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B.9.). In conjunction with development permits, parking and landscaping shall be brought into conformance with code requirements (BSP Condition C.3 and C.4.).</td>
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<td>4</td>
<td>Owner/Developer to deed sufficient RW as determined by the Public Works Department along S 208th St and West Valley Hwy, In accordance with condition C.9 of BSP</td>
<td>Confirm easements exist for access (BSP Condition C.2.)</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Z per approved Engineering Plans and extend conveyance pipe from said lot to storm tract.</td>
<td>N/A</td>
<td>N/A</td>
<td>In conjunction with development permits, parking and landscaping shall be brought into conformance with code requirements (BSP Condition C.3. and C.4.)</td>
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<tr>
<td>5</td>
<td>Owner/Developer shall deed R/W along S 59th Pl S and S 212th St for the improvements associated per condition C.10 of BSP.</td>
<td>Improve/construct South 200th Street to city standards for commercial/industrial street from westerly terminus within Pacific Gateway Division II to S 59th Pl S. Submit engineering plans therefore to the Public Works Department for review and approval of BSP condition C.6.</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Z per approved Engineering Plans and extend conveyance pipe from said lot to storm drain.</td>
<td>Dedicate Tract Z to the City of Kent if required, or otherwise comply with condition B.14</td>
<td>In conjunction with transfer sewer said lot from private sewer and connect to public facilities.</td>
<td>Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscaping code requirements, or provide off-site easements to meet the same (BSP Condition B.9).</td>
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<tr>
<td>6</td>
<td>Owner/Developer shall deed R/W along S 20th PI S and S 212 St for the improvements associated per condition C.10 of the BSP</td>
<td>Submit engineering plans to the Public Works Department for review and approval of the improvements denoted in condition C.10 of BSP and construct same.</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Z per approved Engineering Plans and extend conveyance pipe from said lot to storm tract.</td>
<td>In conjunction with transfer, sever said lot from private sewer and connect to public facilities. Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2.)</td>
<td>In conjunction with transfer, the lot shall be severed from the private water facilities and reconnected to public facilities. Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C.2.).</td>
<td>Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B.9.).</td>
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In conjunction with development permits, parking and landscaping shall be brought into conformance with code requirements (BSP Condition C.3 and C.4.).
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| 7   | Owner/Developer shall deed R/W along 208th Pl S and S 212 St for the improvements associated per condition C.10 of the BSP. | Improve/construct South 208th Street to city standards for commercial/industrial street from westerly terminus within Pacific Gateway Division II to 59th Pl S. Submit engineering plans to the Public Works Department for review and approval (BSP Condition C.6). | In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Z per approved Engineering Plans and extend conveyance pipe from said lot to storm drain. | In conjunction with transfer, sewer and lot be severed from the private water facilities and reconnected to public facilities. Sewer Design and Aseemen arrangements to be approved by PWD prior to transfer (BSP Condition C.2.). | In conjunction with transfer, the lot shall be severed from the private water facilities and reconnected to public facilities. Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C.2.). | Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition C.8.). In conjunction with development permits, parking and landscaping shall be brought into conformance with code requirements (BSP Condition C.3 and C.4.)
<p>|     | Deed R/W for South 208th Street from West margin of Pacific Gateway Division II, to 59th Place South | | | | | |</p>
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<td>8</td>
<td>Owner/Developer shall deed RW along 59th Pl S and S 212nd St for the improvements associated per condition C.10 of BSP.</td>
<td>Improve/construct South 208th Street to city standards for commercial/industrial street from the easel property line of Lot 8 to S 212th Pl S. Submit engineering plans thereof to the Public Works Department for review and approval. (BSP Condition C.8)</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract X, Pacific Gateway Div III, per approved Engineering Plans and extend conveyance pipe from said lot to storm drain.</td>
<td>In conjunction with transfer sewer as said lot from private sewer and connect to public facilities Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2)</td>
<td>In conjunction with transfer, the lot shall be severed from the private water facilities and reconnected to public facilities Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C.2).</td>
<td>Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B.9).</td>
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<td>Deed RW for South 208th Street from 59th Place South to the east margin of Lot 8.</td>
<td>Deed Tract X, Div. III, to the City of Kent if required, or otherwise comply with condition B.14 of BSP.</td>
<td>Confirm easements exist for access (BSP Condition C.2).</td>
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<td>In conjunction with development permits, parking and landscaping shall be brought into conformance with code requirements (BSP Condition C.3. and C.4).</td>
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<td>Deed RW along West Valley Hwy and S 208th St for the improvements associated per condition C.9 of BSP.</td>
<td>Submit engineering plans to the Public Works Department for review and approval for the improvements associated with condition C.9 of BSP and construct same.</td>
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<td>9</td>
<td>Owner/Developer to deed RW along 59th PI S and S 212 St for the improvements associated per condition C.10 of BSP.</td>
<td>Improve/construct South 206th Street to city standards for commercial/industrial street form the westerly terminus within Pacific Gateway Division II to 59th PI S. Submit engineering plans to the Public Works Department for review and approval. (BSP Condition C.6)</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract X, Pacific Gateway Div III, per approved Engineering Plans and extend conveyance pipe from said lot to storm drain.</td>
<td>In conjunction with transfer sewer said lot from private sewer and connect to public facilities. Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2).</td>
<td>In conjunction with transfer sewer, the lot shall be severed from the private water facilities and reconnected to public facilities. Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C.2).</td>
<td>Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B.9).</td>
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<td>Deed RW for South 208th Street from West margin of Pacific Gateway Division II to 59th Place South</td>
<td>Confirm easements exist for access (BSP Condition C.2)</td>
<td>Dedicate Tract X, Div III, to the City of Kent if required, or otherwise comply with condition B.14.</td>
<td>Dedicate Tract X to the City of Kent if required, or otherwise comply with condition B.14.</td>
<td></td>
<td>In conjunction with development permits, parking and landscaping shall be brought into conformance with code requirements (BSP Condition C.3 and C.4).</td>
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<tr>
<td></td>
<td>Deed RW along West Valley Hwy and S 209th St for improvements associated per condition C.9 of BSP.</td>
<td>Submit engineering plans to the Public Works Department for review and approval for the improvements associated with condition C.9 of BSP and construct same</td>
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</table>

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Kent, Washington
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<tr>
<td></td>
<td>• N/A</td>
<td>• Confirm easements exist for access (BSP Condition C.2.)</td>
<td>• In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract X, Pacific Gateway Div. III, per approved Engineering Plans and extend conveyance pipe from said lot to storm tract.</td>
<td>• In conjunction with Development Permit connect to public sanitary sewer per City standards (BSP Condition C.2.)</td>
<td>• In conjunction with Development Permit connect to public water system per City standards (BSP Condition C.2.)</td>
<td>• N/A</td>
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<td>10</td>
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<td>• Dedicate Tract X, Div. III, to the City of Kent if required, or otherwise comply with condition B.14</td>
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<td>• N/A</td>
<td>• Confirm easements exist for access (BSP Condition C.2.)</td>
<td>• In conjunction with transfer sewer said lot from private sewer and connect to public facilities. Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2.).</td>
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<td>• In conjunction with transfer, the lot shall be severed from the private water facilities and reconnected to public facilities. Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C.2.).</td>
<td>• Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B.9.)</td>
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<td>• Dedicate Tract X, Div. III, to the City of Kent if required, or otherwise comply with condition B.14</td>
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<tr>
<td><strong>12</strong></td>
<td>Deed R/W for South 204th Street from West Valley Hwy to 59th Place South</td>
<td>• Improve/construct South 204th Street to city standards for commercial/industrial street for West Valley Highway to 59th Place S Submit engineering plans therefore to the Public Works Department for review and approval BSP Condition C 6</td>
<td>• In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract X, Pacific Gateway Div. III, per approved Engineering Plans and extend conveyance pipe from said lot to storm tract.</td>
<td>• In conjunction with transfer sewer said lot from private sewer and connect to public facilities. Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C 2) (Refer to KIVA 2030961)</td>
<td>• In conjunction with transfer, the lot shall be severed from the private water facilities and reconnected to public facilities Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C 2)</td>
<td>• Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B 9)</td>
</tr>
<tr>
<td><strong>13</strong></td>
<td>Deed R/W for South 204th Street from West Valley Hwy to 59th Place South</td>
<td>• Confirm access easements exist (BSP Condition C 2) • South 204th Street improvements to be determined by PWD prior to transfer Design and construct (or bond) required improvements, if any (BSP Condition C 6).</td>
<td>• In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract X, Pacific Gateway Div. III, per approved Engineering Plans and extend conveyance pipe from said lot to storm tract.</td>
<td>• In conjunction with transfer sewer said lot from private sewer and connect to public facilities. Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C 2)</td>
<td>• In conjunction with transfer, the lot shall be severed from the private water facilities and reconnected to public facilities Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C 2) (Refer to KIVA 2030961)</td>
<td>• Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B 9).</td>
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<td>14</td>
<td>Deed RW for South 204th Street from West Valley Hwy to 59th Place South</td>
<td>Confirm easements exist for access (BSP Condition C.2.)</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Y per approved Engineering Plans and extend conveyance pipe from said lot to storm tract</td>
<td>In conjunction with transfer sewer said lot from private sewer and connect to public facilities Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2.)</td>
<td>In conjunction with transfer, the lot shall be severed from the private water facilities and reconnected to public facilities Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C.2.)</td>
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<td>15</td>
<td>Deed RW for South 204th Street from West Valley Hwy to 69th Place South</td>
<td>South 204th Street improvements to be determined by PWD prior to transfer. Design and construct (or bond) required improvements, if any (BSP Condition C.8.)</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Y per approved Engineering Plans and extend conveyance pipe from said lot to storm tract</td>
<td>Dedicate Tract Y to the City of Kent if required, or otherwise comply with condition B.14 of BSP</td>
<td>In conjunction with Development Permit connect to public sanitary sewer per City standards (BSP Condition C.2)</td>
<td>Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B.6.)</td>
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<td>• Deed R/W for South 204th Street from West Valley Hwy to 59th Place South</td>
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In conjunction with Development Permit connect to public water system per City standards (BSP Condition C.2)
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<td>18</td>
<td>Dead R/W for South 204th Street from West Valley Hwy to 59th Place South</td>
<td>South 204th Street improvements to be determined by PWD prior to transfer. Design and construct (or bond) required improvements, if any (BSP Condition C 6 )</td>
<td>In conjunction with Development Permit, construct stormwater detention/quality pond in Tract Y per approved Engineering Plans and extend conveyance pipe from said lot to storm tracts. Dedicate Tract Y to the City of Kent if required, or otherwise comply with Condition B 14</td>
<td>In conjunction with Development Permit connect to public sanitary sewer per City standards (BSP Condition C.2.)</td>
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<td>Dead R/W for South 204th Street from West Valley Hwy to 59th Place South</td>
<td>South 204th Street improvements to be determined by PWD prior to transfer. Design and construct (or bond) required improvements, if any (BSP Condition C 6 )</td>
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<td>In conjunction with transfer sewer said lot from private sewer and connect to public facilities. Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2 )</td>
<td>In conjunction with transfer, the lot shall be severed from the private water facilities and reconnected to public facilities. Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C.2.)</td>
<td>Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B 9 )</td>
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<td>Deed RW for South 204th Street from West Valley Hwy to 59th Place South</td>
<td>South 204th Street improvements to be determined by PWD prior to transfer. Design and construct (or bond) required improvements, if any. (BSP Condition C.6.) Confirm access easements exist (BSP Condition C.2.) Owner/Developer to deed RW for 68th Avenue is deemed necessary by PWD (BSP Condition C.6.).</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Y per approved Engineering Plans and extend conveyance pipe from said lot to storm tract.</td>
<td>In conjunction with transfer sewer said lot from private sewer and connect to public facilities. Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2.).</td>
<td>In conjunction with transfer, the lot shall be sever from the private water facilities and connected to public facilities. Water Design and service arrangements to be approved by PWD prior to transfer (BSP Condition C.2.).</td>
<td>Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B.9.). In conjunction with development permits, parking and landscaping shall be brought into conformance with code requirements (BSP Condition C.3 and C.4.)</td>
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<td>Deed RW for South 204th Street from West Valley Hwy to 59th Place South</td>
<td>South 204th Street improvements to be determined by PWD prior to transfer. Design and construct (or bond) required improvements, if any. (BSP Condition C.6.) Confirm access easements exist for access (BSP Condition C.2.) Provide adequate emergency vehicle access as deemed necessary by Fire Prevention Department and PWD</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Y per approved Engineering Plans and extend conveyance pipe from said lot to storm tract.</td>
<td>In conjunction with transfer sewer said lot from private sewer and connect to public facilities. Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2.).</td>
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<td>Owner/Developer to deed R/W along South 199th Street for the improvements associated per Condition C.8 of BSP.</td>
<td>Confirm easements exist for access (BSP Condition C.2).</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract X, Pacific Gateway Div. III, per approved Engineering Plans and extend conveyance pipe from said lot to storm tract. (Refer to KIVA 2030961).</td>
<td>In conjunction with transfer sewers said lot from private sewer and connect to public facilities. Sewer design and arrangements to be approved by PWD prior to transfer (BSP Condition C.2).</td>
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<td>Confirm easements exist for access (BSP Condition C.2).</td>
<td>Construct improvements to per condition C.8.</td>
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<td>R/W for 66th Avenue South to be determined by Public Works Director (PWD) prior to transfer (BSP Condition B.6.)</td>
<td>• Confirm easements exist for access (BSP Condition C.2.)</td>
<td>• In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract Y per approved Engineering Plans and extend conveyance pipe from said lot to storm track.</td>
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<td>Owner/Developer shall deed R/W along South 199th Street for the improvements associated per condition C.8 of BSP.</td>
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<td>• Construct improvements identified in Condition C.8.</td>
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<td>In conjunction with development permits, parking and landscaping shall be brought into conformance with code requirements (BSP Condition C.3 and C.4.).</td>
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<td>• In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract X, Div. IV, per approved Engineering Plans and extend conveyance pipe from said lot to storm track.</td>
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<td>Owner/Developer to demonstrate that sufficient area exists on site to meet parking and landscape code requirements, or provide off-site easements to meet the same (BSP Condition B.9).</td>
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<td>R/W for 66th Avenue South to be determined by PWD prior to transfer (BSP Condition B.6).</td>
<td>Extent of improvements for 66th Avenue South to be determined by PWD, design and construct (or bond) prior to transfer</td>
<td>In conjunction with Development Permit, construct stormwater detention/water quality pond in Tract X, Div. IV, per approved Engineering Plans and extend conveyance pipe from said lot to storm tract.</td>
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OWNER/DEVELOPER TO DEMONSTRATE THAT SUFFICIENT AREA EXISTS ON SITE TO MEET PARKING AND LANDSCAPE CODE REQUIREMENTS, OR PROVIDE OFF-SITE EASEMENTS TO MEET THE SAME (BSP CONDITION B.9).
EXHIBIT 12

Recorded Div IV BSP

To Be Inserted After Recording
**EXHIBIT 13**

**CITY OF KENT**

**MITIGATED DETERMINATION OF NONSIGNIFICANCE**

<table>
<thead>
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<th>Environmental Checklist No</th>
<th>Project</th>
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<tr>
<td>#ENV-2003-23</td>
<td>PACIFIC GATEWAY</td>
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<tr>
<td>KIVA #2022100</td>
<td>BUSINESS PARK DIV IV</td>
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**Description**

The applicant proposes to segregate 136 acres into 27 industrial lots through the binding site plan process. The lots will range from 1.67 to 13.46 acres in size. Much of the land being subdivided through this request is currently developed with buildings. The proposed lot lines have been established such that each existing building will be on its own separate lot. In addition, there will be approximately 19 vacant industrial lots as well as three separate tracks for stormwater detention and water quality facilities.

**Location**

The subject site is bordered to the south by S 217th Street, to the west by 59th Place South, to the north by South 199th Street and to the east by West Valley Highway. The property is zoned M-1, Industrial Park.

**Applicant**

Jay Grubb
Borg Hansen Consulting
18215 - 72" Ave S
Kent, WA 98032

**Lead Agency**

City of Kent

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS.

This DNS is issued under 197-11-340(2). The lead agency will not act on this proposal for 28 days from the date of this decision. This includes a 14-day comment period followed by a 14-day appeal period as provided by WAC 197-11-680. Comments must be submitted by December 16, 2003.

**Responsible Official**

Ken Marousek, AICP

**Position/Title**

Principal Planner/SEPA OFFICIAL

**Address**

220 S Fourth Avenue, Kent, WA 98032

**Dated**

December 2, 2003

**Signature**

---

**APPEAL PROCESS**

An appeal of a determination of nonsignificance (DNS) must be made to the Kent Hearing Examiner within fourteen (14) following the end of the comment period per Kent City Code 11.03.520

**CONDITIONS/MITIGATING MEASURES.**

1. The Owner/Developer has provided the City with a Traffic Impact Study (TIS) to identify the existing and future level of service (LOS) for the adjacent intersections identified in the Staff Report for this development and the existing and future V/C ratios for the adjacent City streets in the roadway network.

That TIS identified what improvements are necessary to provide a LOS better than "F". The TIS also identified what improvements are necessary to mitigate for the adjacent streets which do not meet the V/C requirements of Chapter 12.11 of the Kent City Code. Upon agreement by the City with the basic findings of that TIS and of the mitigation measures recommended in the conditionally approved TIS, implementation and/or construction of the following mitigation measures shall be the conditional requirement of the issuance of the respective development permit.
As specified in the Development Agreement for this proposal, the Owner / Developer shall pay to the City of Kent their pro-rata share of the Recommended System Improvements identified in the October 15, 2003 Addendum to the PGBP-IV Traffic Impact Study Mitigation Recommendation, Kent, Washington, TENW Project No. 2299, as modified slightly by the City of Kent. Those improvements are as follows:

a. South 212th Street / 64th Avenue South. The northbound left-turn lane at this intersection is expected to exceed storage (200 feet) both with and without the project (475 feet with project). This project is expected to generate increase the existing queue at this location by 125 feet. Therefore, the Owner / Developer shall either extend the existing left turn lane by 125-feet, or contribute a pro-rata share of 45.45% of the total construction cost to provide a total extension of the left turn lane(s) of 475-feet.

b. South 106th Street / West Valley Highway. This project will contribute to the need for the construction of an eastbound right-turn lane. The Owner / Developer shall either construct, or contribute a pro-rata share (7.34%) toward the cost of this improvement.

c. Meeker Street / West Valley Highway. The northbound left-turn lane at this intersection is expected to exceed the available storage both with and without the project. The removal of an existing traffic island will accommodate the 525 feet of queue storage needed by 2010. The Owner / Developer shall pay a pro-rata share of 18.75% of the total construction cost toward this improvement.

d. South 212th Street / 42nd Avenue South. The improvement at this intersection includes providing additional westbound left-turn capacity, as approved by the City of Kent Public Works Department. The Owner / Developer's pro-rata share toward this improvement is 0.34% of the total construction and implementation cost.

e. South 208th Street / East Valley Highway. The recommended improvement at this location is to modify the east / west phasing to provide additional left-turn capacity as approved by the City of Kent Public Works Department. The Owner / Developer's pro-rata share toward this improvement is 5.18% of the total cost of construction and implementation.

f. South 106th Street / East Valley Highway. The recommended improvements at this location include modifying the existing left-turn lane to facilitate an eastbound right-turn "overlap" phase and modification of the east / west phasing to accommodate left-turn phasing as approved by the Public Works Department. The Owner / Developer's pro-rata share is 6.87% of the total cost of implementation.

g. Wilts Street / West Valley Highway. The recommended improvements at this location include extending the existing right-turn lane to the southbound SR-167 off ramp, and modifying the traffic signal to add intersection capacity as approved by the Public Works Department. The Owner / Developer's pro-rata share for this improvement is 1.26%.

In conjunction with a lot transfer, development or re-development of an affected lot, the Owner / Developer shall install a wildlife passable fence at the edge of the wetland / creek buffer. Additionally, informational signs, approved by the Department of Public Works, shall be placed at the wetland / creek buffer edge to inform and educate owners and nearby residents about these natural areas. Signs shall be installed at a rate of one (1) sign per parcel adjacent to the critical area. For large parcels, including public facilities and rights of way, signage shall be installed at a rate of one (1) sign per 150-feet.

Prior to or in conjunction with the recording of the final binding site plan, the Owner / Developer shall grant a Sensitive Area Tract or Easement to the City to permanently protect the critical area. This Sensitive Area Tract or Easement shall be consistent with the creek and creek buffer map contained with the approved topographic and boundary survey provided for this project and shall extend 50 feet landward from the ordinary high water line on Mill Creek. The Owner / Developer shall provide a legal description of said easement or tract prepared by a licensed land surveyor, prior to issuance of any Construction Permits. The Sensitive Area Tract or Easement shall be deeded or granted to the City for drainage utility purposes for which said purposes shall take priority over all other rights and restrictions (present or future) encumbering the described property. In addition, the following language for the Sensitive Area Tract or Easement shall be included on the face of the recorded binding site plan.
SENSITIVE AREA TRACTS / EASEMENTS

DEDICATION OF A SENSITIVE AREA TRACT / EASEMENT CONVEYS TO THE PUBLIC A BENEFICIAL INTEREST IN THE LAND WITHIN THE TRACT. THIS INTEREST INCLUDES THE PRESERVATION OF NATIVE VEGETATION FOR ALL PURPOSES THAT BENEFIT THE PUBLIC HEALTH, SAFETY AND WELFARE, INCLUDING CONTROL OF SURFACE WATER AND EROSION, MAINTENANCE OF SLOPE STABILITY, VISUAL AND AURAL BUFFERING, AND PROTECTION OF WATER QUALITY, PLANT ECOLOGY AND WILDLIFE HABITAT. THE SENSITIVE AREA TRACT / EASEMENT IMPOSES UPON ALL PRESENT AND FUTURE OWNERS AND OCCUPIERS OF THE LAND SUBJECT TO THE TRACT / EASEMENT THE OBLIGATION, ENFORCEABLE ON BEHALF OF THE PUBLIC BY THE CITY OF KENT, TO LEAVE UNDISTURBED ALL TREES AND OTHER VEGETATION WITHIN THE TRACT. THE VEGETATION WITHIN THE TRACT MAY NOT BE CUT, PRUNED, COVERED BY FILL, REMOVED OR DAMAGED WITHOUT APPROVAL IN WRITING FROM THE CITY OF KENT.

THE COMMON BOUNDARY BETWEEN THE TRACT / EASEMENT AND THE AREA OF DEVELOPMENT ACTIVITY MUST BE MARKED OR OTHERWISE FLAGGED TO THE SATISFACTION OF THE CITY OF KENT PRIOR TO ANY CLEARING, GRADING, BUILDING CONSTRUCTION OR OTHER DEVELOPMENT ACTIVITY. THE REQUIRED MARKING OR FLAGGING SHALL REMAIN IN PLACE UNTIL ALL DEVELOPMENT ACTIVITIES IN THE VICINITY OF THE SENSITIVE AREA TRACT ARE COMPLETED.

NO BUILDING FOUNDATIONS, STRUCTURES, FILL OR OBSTRUCTIONS (INCLUDING, BUT NOT LIMITED TO DECKS, PATIOS, OUTBUILDINGS AND OVERHANGS) ARE ALLOWED WITHIN 15 FEET OF THE SENSITIVE AREA TRACT / EASEMENT BOUNDARY, UNLESS OTHERWISE APPROVED BY THE CITY.

THE CITY OF KENT RESERVES THE RIGHT TO INSTALL PUBLIC UNDERGROUND UTILITIES WITHIN THIS SENSITIVE AREA TRACT, AND TO ENTER AND PERFORM DRAINAGE SYSTEM MAINTENANCE, BUT IS REQUIRED TO RESTORE OR ENHANCE THE SENSITIVE AREAS DISTURBED UPON THE COMPLETION OF THE UNDERGROUND CONSTRUCTION, AND/OR DRAINAGE SYSTEM MAINTENANCE.
October 15, 2003

Frank Spanier
City of Kent Public Works
220 Fourth Avenue S
Kent, Washington 98032-5895

Subject: Addendum to PGBP-IV Traffic Impact Study
Mitigation Recommendation
Kent, Washington
TENW Project No. 2299

Dear Mr. Spanier,

Per your request, this letter provides an Addendum to the Pacific Gateway Business Park (PGBP) – IV traffic impact study dated August 6, 2003. This Addendum is necessary to document our recommendations for mitigation associated with the redevelopment potential of the PGBP-IV site.

Per your comments, since our submittal on August 6, 2003, an additional 1.2 million square feet of industrial park development proposed on the PGBP-I site has been approved by the City. Please note, our August 6, 2003 study adequately addresses the cumulative impacts of the redevelopment of the PGBP-IV site, including the additional 1.2 million square feet on the PGBP-I site.

However, with the approval of the 1.2 million square feet on the PGBP-I site, these trips should be included in the 2010 baseline traffic volumes instead of merely being treated as a cumulative impact. As we discussed, the result of this change is that the 2010 baseline volumes have increased and thus, the remaining cumulative impacts of the PGBP-IV redevelopment on the transportation system has decreased as compared to the results as presented in our August 6, 2003 report.

Taking into consideration this change in impact, the following summarizes the updated recommendations for the project and system improvements associated with the PGBP-IV redevelopment project.

**Recommended Project Improvements**

Project improvements were defined as improvements providing direct access to or from the PGBP-IV redevelopment site that are needed due to a direct impact from future potential redevelopment, as defined in the PGBP-IV traffic impact study. The listed improvements are recommended to be completed with the development of certain lots to be identified in the Development Agreement.
S 199th Place/West Valley Highway (Intersection #2)

The recommended improvement at this location is the construction of an additional 400 foot eastbound left-turn lane. In addition, modifications to the signal phasing are recommended to include east/west split phasing.

S 208th Street/West Valley Highway (Intersection #4)

The recommended improvement at this location is the construction of a 100 foot southbound right-turn lane and modification of the eastbound approach to add an eastbound right-turn lane and convert the eastbound through lane to a shared left-thru lane. Also remove the crosswalk on the north leg, and modify the signal phasing to include east/west split phasing.

S 212th Street/59th Place S (Intersection #8)

The recommended improvement at this location is the construction of an additional 400 foot southbound left-turn lane. In addition, modifications to the signal phasing are recommended to include north/south split phasing.

Recommended System Improvements

The following improvements are considered system-related improvements that are needed with or without the potential redevelopment of the PGBP-IV site, but the potential redevelopment will contribute to the need for these improvements. This conclusion is based on the fact that the increase in volumes at these locations is primarily due to the increase in background traffic. If the City or others plan to build the improvements listed, it would be appropriate for the project to pay its pro-rata share of the cost of the improvement. The attached table provides the updated pro-rata share percentages based on the additional 1.2 million square feet being approved on the PGBP-I site. The costs of the system improvements will be identified in the Development Agreement.

S 212th Street/64th Avenue S (#7)

The northbound left-turn lane at this intersection is expected to exceed the available storage (200 feet) both with and without the project (475 feet with project). The project is expected to increase the queue at this location by 125 feet. Therefore, it is recommended that the project either extend the left-turn lane by 125 feet or contribute its pro-rata share (45.45% = 125/275) toward the construction of the ultimate improvement at this location.

S 196th Street/West Valley Highway (#9)

The recommended improvement at this location is the construction of an eastbound right-turn lane. If the City or others plan to build this improvement, it would be appropriate for the project to pay its pro-rata share (730%) of the cost of the improvement.
Meeker Street/West Valley Highway (#15)

This northbound left-turn lane at this intersection is expected to exceed the available storage both with and without the project. The City should consider removing the traffic island for the northbound left-turn to accommodate 525 feet of queue storage. If the City or others plan to complete this improvement, it would be appropriate for the project to pay its pro-rata share (1.87%) of the cost of the improvement.

S 212th Street/42nd Avenue S (#16)

The recommended improvement at this location includes extending the westbound left-turn lane to provide 550 feet of queue storage. If the City or others plan to build this improvement, it would be appropriate for the project to pay its pro-rata share (0.34%) of the cost of the improvement.

S 208th Street/East Valley Highway (Intersection #21)

The recommended improvements at this location are to modify the east/west phasing to include permitted left-turn phasing and to extend the southbound left-turn lane to provide 475 feet of queue storage. If the City or others plan to build this improvement, it would be appropriate for the project to pay its pro-rata share (5.18%) of the cost of the improvement.

S 196th Street/East Valley Highway (Intersection #29)

The recommended improvements at this location include modification of the traffic signal to facilitate an eastbound right-turn "overlap" phase and modification of the east/west phasing to include permitted left-turn phasing. If the City or others plan to build these improvements, it would be appropriate for the project to pay its pro-rata share (6.87%) of the cost of the improvements.

Wils Street/West Valley Highway (Intersection #30)

The recommended improvements at this location include modifying the traffic signal and providing channelization improvements to facilitate a westbound right-turn "overlap" phase. If the City or others plan to build these improvements, it would be appropriate for the project to pay its pro-rata share (1.26%) of the cost of the improvements.

We would be happy to discuss the information presented in this letter with you further if you have any questions.

Sincerely,
Transportation Engineering Northwest, LLC

Jeff Haynie, P E
Principal
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<th>Intersection</th>
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<th>2010 Baseline¹</th>
<th>Percent Increase</th>
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EXHIBIT 16
Pacific Gateway Business Park-IV
Kent, Washington

Traffic Impact Study

Prepared for:

Prepared by:

Transportation Engineering NorthWest, LLC

15625 Mainland Way Suite H, P.O. Box 821, Renton, WA 98057 - Office (425) 485-4553 - Fax (425) 708-5729
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FINDINGS AND CONCLUSIONS

The proposed Pacific Gateway Business Property Division IV (PGBP-IV) project includes the development of approximately 2.5 million square feet of office space on land within the existing Boeing Space Center Campus. Approximately 1.9 million square feet of existing uses (office, manufacturing, and storage) would be redeveloped. Therefore the net increase in building area as a result of PGBP-IV is approximately 600,000 square feet.

As part of the PGBP-IV redevelopment, S 204th Street and S 208th Street are proposed to be extended to S 59th Place. This would provide an east-west link through the PGBP-IV site between West Valley Highway and S 59th Place. Per the request of the City of Kent, a future analysis was also completed with PGBP-IV and an additional 1.2 million square feet of industrial park use on PGBP-I.

Trip Generation. The full redevelopment of the PGBP-IV site is estimated to generate a total of 11,172 net new weekday daily vehicle trips, of which 1,476 trips are estimated to occur during the a.m. peak hour (1,356 entering, 120 exiting) and 1,297 trips are estimated to occur during the p.m. peak hour (125 entering, 1,172 exiting). A trip generation credit was taken for the existing uses to be redeveloped. The analysis included in this report does not take into account potential trip reductions from a successful TMP program. Therefore, the analysis included in this report could be considered somewhat conservative.

Intersection Operational Analysis. A p.m. peak hour level of service (LOS) analysis was conducted for the horizon year 2010 at 30 signalized study intersections, one roundabout, and two unsignalized study intersections. Twelve of the 30 signalized study intersections are expected to operate at LOS E or LOS F in 2010 without the PGBP-IV redevelopment. A total of 13 signalized study intersections are expected to operate at LOS E or F in 2010 with the PGBP-IV redevelopment. A detailed discussion of the future year 2010 LOS results at the signalized intersections is included on page 30 and in table 4 on page 31. A detailed discussion of the year 2010 LOS results at the roundabout at 42nd Ave S/S 216th Street and the unsignalized intersections on 59th Place S is included on page 32.

Concurrency. Transportation Concurrency was measured in five of the City's Mobility Management Zones (MMZs). Each of the five MMZs analyzed are expected to operate better than the City's acceptable arterial threshold upon full redevelopment in the year 2010. Therefore, the Division IV development was determined to meet the City's concurrency standards. In addition, it should be noted that Boeing has contributed several million dollars towards multiple corridor projects to help work towards the goal of improved mobility throughout the City.

Transportation Engineering Northwest

August 6, 2003
Percent of Project Trips at Study Intersections. At the study intersections adjacent to the PGBP-IV site, the trips generated by the PGBP-IV redevelopment are estimated to account for between approximately five and twenty percent of the total entering traffic during the p.m. peak hour in 2010. However, project trips are expected to decrease to between one and ten percent of the total entering traffic in 2010 at the study intersections outside a one block radius of the PGBP-IV site.

Queuing Analysis. Vehicle queuing during the p.m. peak hour was analyzed for 2010 conditions with and without the full redevelopment of PGBP-IV at the 30 signalized study intersections. There are 41 movements (at 20 of the 30 signalized study intersections) that are anticipated to exceed the available queue storage in 2010 without the PGBP-IV development and 42 movements (at 22 of the 30 signalized study intersections) that are anticipated to exceed the available queue storage in 2010 with full redevelopment of PGBP-IV. A detailed discussion of the year 2010 queuing analysis is included on pages 35 and 36.

Improvements for Consideration. Per the City of Kent, signalized intersections expected to operate at LOS E or F and left-or right-turn lanes with queues estimated to exceed the existing storage in 2010 with full redevelopment of PGBP-IV were identified. Tables 8 and 9 on pages 37 through 42 provide a complete summary of the improvements that were considered to improve operations at the study intersections meeting these criteria.

Feasible Intersection Improvements. The criteria used to determine the feasibility of an improvement was primarily based on whether or not right of way would be required from others for the improvement. Table 10 on page 43 summarizes the intersection improvements that were determined to be feasible at intersections expected to operate at LOS E or F or with queues expected to exceed the existing storage in 2010 with full redevelopment of PGBP-IV.

Recommended Improvements. Recommendations for project and system improvements with the full redevelopment of PGBP-IV were developed based on the list of feasible intersection improvements. Project improvements were defined as improvements providing direct access to or from the PGBP-IV site and are recommended upon full redevelopment of PGBP-IV at the following intersections:

- 62nd Ave S/S 196th Street (Intersection #1)
  Extend the dual northbound left-turn lanes to accommodate the anticipated 525 foot queue (per lane)

- West Valley Hwy/S 199th Place (Intersection #2)
  Construct an additional eastbound left-turn lane. In addition, modify the signal phasing to include east/west split phasing.
It is recommended that one of the following potential improvements be implemented at this location:

a) Construct a southbound right-turn lane, modify the eastbound approach to add an eastbound right-turn lane, and convert the eastbound through lane to a shared left-thru lane. Also remove the crosswalk on the north leg, and modify the signal phasing to include east/west split phasing.

OR

b) Provide an internal connection between S 204th Street and S 208th Street on the PGBP-IV site. This would allow exiting vehicles destined northbound to exit at either S 204th Street or S 208th Street.

It is recommended that these intersections be monitored as redevelopment of the PGBP-IV site continues to determine if/when a signal may be appropriate in the future.

System improvements were defined as improvements not specifically related to the full redevelopment of PGBP-IV where the increase in traffic volumes at the intersection is primarily due to the increase in background traffic. A contribution from PGBP-IV is recommended at the following intersections if improvements are built by the City or others:

- **64th Ave/SIS 212th Street (Intersection #7)**
  Either extend the northbound left-turn lane by 125 feet or contribute a pro-rata share (45 percent = 125'/275') toward the construction of the ultimate improvement (475' left-turn pocket) at this location.

- **West Valley Hwy/S 196th Street (Intersection #9)**
  Construct an eastbound right-turn lane. If the City or others plan to build this improvement, it would be appropriate for the project to pay its pro-rata share (7.6%) of the cost of the improvement.

- **West Valley Highway/Meeker Street (Intersection #15)**
  The project is not expected to increase the queue for the northbound left-turn, which is expected to exceed the available storage in 2010. Therefore, no specific improvement is recommended by the project at this location. However, the City should consider removing the traffic island for the northbound left-turn to accommodate 525 feet of queue storage.
- **East Valley Hwy/S 208th Street (Intersection #21)**
  Modify the east/west phasing to include permitted left-turn phasing and extend the southbound left-turn lane to provide 475 feet of queue storage. If the City or others plan to build this improvement, it would be appropriate for the project to pay its pro-rata share (5.3%) of the cost of the improvements.

- **East Valley Hwy/S 196th Street (Intersection #29)**
  Modify the traffic signal to facilitate an eastbound right-turn “overlap” phase and modify the east/west phasing to include permitted left-turn phasing. If the City or others plan to build these improvements, it would be appropriate for the project to pay its pro-rata share (7.0%) of the cost of the improvements.

- **West Valley Hwy/Willis Street (Intersection #30)**
  Modify the traffic signal and provide channelization improvements to facilitate a westbound right-turn “overlap” phase. If the City or others plan to build these improvements, it would be appropriate for the project to pay its pro-rata share (5.7%) of the cost of the improvements.

**Additional Analysis.** Per the request of the City of Kent, two additional development scenarios were analyzed:

- 2010 with PGBP-IV and an additional 1.2 million sf industrial park use on PGBP-I.
- 2010 with PGBP-IV and an additional 1.2 million sf industrial park use on PGBP-I and restricted access (access to and from the PGBP-IV development would be limited to the intersections of West Valley Highway/S 204th Street (#3) and 64th Avenue S/S 212th Street (#7)).

**With PGBP-IV and an Additional 1.2M sf Industrial Park on PGBP-I.** There are two additional signalized study intersections that are anticipated to operate at LOS E or F with PGBP-IV and an additional 1.2 million sf on PGBP-I when compared to 2010 with PGBP-IV only. LOS improvements for consideration were identified at these additional two intersections to improve operations with PGBP-IV and an additional 1.2 million sf on PGBP-I. The LOS improvements are summarized in table 14 on page 57.

There are 17 movements (which were anticipated to exceed the available queue storage with PGBP-IV only) for which the 95th percentile queues are expected to increase as a result of the full redevelopment of PGBP-IV and an additional 1.2 million sf on PGBP-I. These movements are expected to exceed the available storage with or without the additional 1.2 million sf on PGBP-I. Improvements for consideration were identified to improve these locations with PGBP-IV and an additional 1.2 million sf on PGBP-I. These improvements for consideration are summarized in table 15 on pages 58 through 59.
With PGBP-IV and an Additional 1.2M sf Industrial Park on PGBP-I with Access Restrictions. For the scenario in which access to and from the PGBP-IV site would be restricted to the signalized intersections of West Valley Highway/S 204th Street (#3) and 64th Avenue/S 212th Street (#7), five of the nine study intersections analyzed would be expected to operate at LOS E or F.

As a result of the redistribution of PGBP-IV trips with the access restrictions, there are a number of queue lengths that are anticipated to increase as a result of the access restrictions. The 95th percentile queues for left- and right-turn movements exiting the PGBP-IV site are expected to range from 700 to 2000 feet. The 95th percentile queues for the northbound left-turn at S 196th Street/West Valley Highway and the eastbound left-turn at S 212th Street/West Valley Highway are expected to extend to the adjacent signalized intersections, thus block access for left-turn movements at the adjacent intersections. Therefore, to improve the operations with the restricted access scenario, additional access points with gates would need to be provided to better distribute entering and exiting vehicles to the PGBP-IV site. A detailed discussion of the LOS and queue results with restricted access is included on page 63.
INTRODUCTION

This traffic impact study has been prepared for the Pacific Gateway Business Park Division IV (PGBP-IV) development located in Kent, Washington. The PGBP-IV redevelopment includes the development of approximately 2.5 million square feet (sf) of office space on land within the existing Boeing Space Center Campus. Approximately 1.9 million square feet of existing uses (office, manufacturing, and storage) would be redeveloped with the development of PGBP-IV. Therefore the net increase in building area as a result of PGBP-IV is approximately 600,000 square feet.

This document discloses the estimated traffic conditions both with and without the development of PGBP-IV. The future baseline condition analyzed in this study includes the traffic generated by the proposed PGBP-I (2.4 million square feet of industrial park use), PGBP-II (1.0 million square feet of industrial park use), and PGBP-III (subdivision of one existing tax parcel into four separate lots – no new trips). Per the request of the City of Kent, a future analysis was also completed with PGBP-IV and an additional 1.2 million square feet of industrial park use on PGBP-I.

The PGBP-IV site is located west of West Valley Highway between S 212th Street and S 196th Street in the City of Kent (see figure 1). As part of the PGBP-IV redevelopment, S 204th Street and S 208th Street are proposed to be extended to S 59th Place. This would provide an east west link through the PGBP-IV site between West Valley Highway and S 59th Place. Access to the PGBP-IV site is proposed to be provided via the following existing signalized intersections:

- 62nd Avenue S/S 196th Street (Study Intersection #1)
- West Valley Highway/S 199th Place (#2)
- West Valley Highway/S 204th Street (#3)
- West Valley Highway/S 208th Street (#4)
- 64th Avenue S/S 212th Street (#7)
- 59th Place S/S 212th Street (#8)

Per the request of the City of Kent, an additional analysis was completed for a scenario in which access to the PGBP-IV site would be limited to only the intersections of West Valley Highway/S 204th Street (Intersection #3) and 64th Avenue S/S 212th Street (Intersection #7).
Study Area

Based on discussions with the City of Kent, signalized intersections with 50 or more net new p.m. peak hour trips from the PGBP-IV development were identified as study intersections. Therefore, 30 signalized intersections were identified as study intersections. In addition, the City of Kent requested that one existing roundabout (at 42nd Avenue S/S 216th Street) and the two future on-site intersections on 59th Place S at S 204th Street and S 208th Street be included in the analysis. As a result, a total of 33 intersections were identified as study intersections. The 33 study intersections are shown in figure 2.

Analysis Approach

To analyze future traffic conditions both with and without the PGBP-IV development, the following tasks were undertaken:

- Assessed existing 2003 conditions in the site vicinity through field reconnaissance.
- Documented future planned roadway improvements in the study area.
- Developed weekday a.m. and p.m. peak hour, and daily trip generation estimates based on guidelines outlined in the Institute of Transportation Engineers (ITE), Trip Generation Manual, 6th Edition, 1997.
- Discussed potential Transportation Demand Management strategies.
- Assigned p.m. peak hour trips generated by the PGBP-IV development onto the transportation network.
- Analyzed existing 2003 and future year 2010 level of service (LOS) during the weekday p.m. peak hour at the study intersections.
- Assessed transportation concurrency
- Assessed the percent of p.m. peak hour project trips in the 2010 total entering traffic volumes at the off-site study intersections.
- Analyzed the future 2010 vehicle queues at the study intersections
- Conducted a signal warrant analysis at the future intersections of 59th Place S/S 204th Street and 59th Place S/S 208th Street
- Identified improvements for consideration at study intersections with the development of PGBP-IV.
- Identified feasible intersection improvements at intersections anticipated to operate at LOS E or F in 2010 with the PGBP-IV redevelopment.
- Recommended feasible project and system improvements with the redevelopment of PGBP-IV.
- Assessed cumulative LOS and queuing impacts with the addition of 1.2 million sf of development on the PGBP-I site.
- Identified improvements for consideration at study intersections with the development of PGBP-IV and an additional 1.2 million sf of industrial park on the PGBP-I site.
- Assessed LOS and queuing at the nine study intersections adjacent to the site with PGBP-IV and an additional 1.2 million sf on PGBP-I and access for PGBP-IV restricted to West Valley Highway/S 204th Street and 64th Avenue S/S 212th Street.
- Identified improvements for consideration at study intersections with the development of PGBP-IV and an additional 1.2 million sf on the PGBP-I site and restricted access.
Figure 2
Study Area
Intersections

LEGEND

Transportation Engineering NorthWest

Pacific Gateway Business Park-IV
Kent, Washington

August 6, 2003
Primary Data and Information Sources

- *Puget Sound Trends*, Puget Sound Regional Council, August 2002
- Metro Bus Timetables via Metro/King County Website as of July 2003
- City of Kent PM Peak Hour SYNCHRO network, July 2003.
- *Pacific Gateway Business Park (Kent) – Revised Site Circulation and Access Analysis*, Transportation Planning & Engineering, November 17, 1999
- *Pacific Gateway Business Park – Project 2 traffic study prepared by Transportation Engineering Northwest dated June 1, 2001
- *City of Kent Six-Year Transportation Improvement Program 2003-2008*, City of Kent
- *City of Tukwila Six-Year Transportation Improvement Program 2003-2008*, City of Tukwila
- *City of Kent Commute Trip Reduction Information*, City of Kent Website, July 2003
- City of Kent Traffic Count History, 2001
- Year 2002 and year 2003 p.m. peak hour traffic volume data, Trafficcount and City of Kent.
EXISTING CONDITIONS

Roadway Network

The major roadways within the immediate vicinity of the PGBP-IV site are West Valley Highway, S 212th Street, and the S 196th/200th Street corridor.

In the site vicinity, West Valley Highway is a seven-lane north-south principal arterial with a posted speed limit of 50 miles per hour. Based on City of Kent 2001 traffic counts, West Valley Highway (north of S 204th Street) carries approximately 35,700 vehicles per day (vpd). The West Valley Highway corridor provides a continuous link between the City of Renton to the north and the City of Sumner to the south.

In the site vicinity, S 212th Street is a seven-lane east-west principal arterial with a posted speed limit of 40 miles per hour. Based on City of Kent 2001 traffic counts, S 212th Street (west of 64th Avenue S) carries approximately 25,700 vpd. The S 212th Street corridor provides an east-west connection between I-5 and SR 167. East of West Valley Highway, S 212th Street includes eastbound and westbound High Occupancy Vehicle (HOV) lanes.

In the site vicinity, the S 196th/200th Street corridor is a five-lane east-west minor arterial with a posted speed limit of 35 miles per hour. Based on City of Kent 2001 traffic counts, S 196th Street (west of West Valley Highway) carries approximately 12,400 vpd. The S 196th/200th Street corridor provides an east-west route through the City of Kent between Orillia Road and East Valley Highway.

Peak-Hour Traffic Volumes

Weekday p.m. peak hour traffic volume data was collected in 2002 and 2003 at the 31 existing study intersections (30 signalized and one roundabout). The weekday p.m. peak hour traffic volumes represent the highest hourly volume of vehicles passing through an intersection on a typical weekday during the 4:00 to 6:00 p.m. peak period. Traffic counts conducted in 2001 showed that traffic volumes near the site were approximately 15 to 20 percent lower during the weekday a.m. peak hour when compared to the weekday p.m. peak hour volumes. Therefore, the weekday p.m. peak hour was analyzed in this study because it represents the time period where the combination of background traffic volumes and project-generated traffic volumes are expected to be at their peak.

An annual growth rate of 2 percent was applied to the 2002 traffic volumes to estimate year 2003 p.m. peak hour traffic volumes. The annual growth rate of 2 percent is consistent with the growth rate projected by the Puget Sound Regional...
Council (PSRC) for the Puget Sound region and is also consistent with the growth rate assumed by other projects recently approved by the City of Kent. Figure 3 shows year 2003 p.m. peak hour traffic volumes at the 31 existing study intersections.

Transit Service

King County-Metro Transit provides public transportation services along the PGBP-I site frontage on West Valley Highway and S 196th Street. No transit service is currently provided along the PGBP-I site frontage on S 212th Street. Transit pullouts are located along West Valley Highway at the intersections of S 204th Street, S 208th Street, and S 212th Street serving routes 150, 154, 160, 247, and 918.

Route 150 offers daily service to Auburn, Kent, Southcenter, and downtown Seattle with approximately 15 to 30 minute headways.

Route 154 offers weekday a.m. service from Auburn to Boeing Field and weekday p.m. service from Boeing Field to Auburn. Currently there are only two buses that service this route.

Route 160 offers weekday a.m. service from the Kent East Hill to downtown Seattle and p.m. service from downtown Seattle to the Kent East Hill with approximately 30-minute headways.

Route 247 offers weekday a.m. service from the Overlake area to the Boeing Kent Space Center site and p.m. service from the Boeing Kent Space Center site to the Overlake area with approximately 30-minute headways.

Route 918 offers weekday a.m. service from the Kent Commuter Rail Station to the Boeing Kent Space Center site and p.m. service from the Kent Space Center site to the Kent Commuter Rail Station with approximately 15 to 30 minute headways.

In addition to the fixed routing between the Kent Commuter Rail Station and the North Kent Industrial area, Route 918 also provides Dial-a-Ride Transit (DART) service through Boeing and Center Point between S 208th and S 204th Streets.
<table>
<thead>
<tr>
<th></th>
<th>62nd Ave SIS 196th St</th>
<th>W Valley Hwy/S 199th Pl</th>
<th>W Valley Hwy/S 204th St</th>
<th>W Valley Hwy/S 208th St</th>
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<td>Orillia Rd/S 200th St</td>
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<td>W Valley Hwy/S 228th St</td>
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<td>14</td>
<td>W Valley Hwy/James St</td>
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<tr>
<td>15</td>
<td>W Valley Hwy/Meeker St</td>
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<td>16</td>
<td>42nd Ave SIS 212th St</td>
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</tr>
</tbody>
</table>

**Figure 3**

2003 PM Peak Hour Traffic Volumes at Study Intersections 1-16

Transportation Engineering NorthWest

Pacific Gateway Business Park-IV
Kent, Washington

August 6, 2003
Figure 3
2003 PM Peak Hour Traffic Volumes at Study Intersections 17-33

Pacific Gateway
Engineering
NorthWest

Transportation

Kent, Washington

August 6, 2003
Existing Level of Service (LOS)

A 2003 weekday p.m. peak hour level of service (LOS) analysis was conducted at the 30 signalized study intersections and the existing roundabout. The existing channelization at the study intersections is illustrated in figure 4. Existing signal timing used in the analysis, including phase sequences, minimum pedestrian clearance times, yellow change intervals, and red clearance times was based on information included in the City of Kent’s Synchro network as of July 2003.

Level of service serves as an indicator of the quality of traffic flow and degree of congestion at an intersection or roadway segment. It is a measure of vehicle operating speed, travel time, travel delays, and driving comfort. Level of service is generally described by a letter scale from A to F. LOS A represents free-flow conditions, i.e. motorists experience little or no delays, and LOS F represents forced-flow conditions.

Table 1 summarizes the delay range for each level of service at signalized and unsignalized intersections. The methods used to calculate the levels of service are described in the *Highway Capacity Manual* (Special Report 209, Transportation Research Board, 2000). The LOS reported for signalized intersections is based on the overall average control delay (sec/veh) at the intersection. The LOS at stop-controlled intersections is based on the average control delay (sec/veh) and is reported for each movement.

<table>
<thead>
<tr>
<th>Level of Service</th>
<th>Signalized Intersection</th>
<th>Unsignalized Intersection</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Delay Range (sec)</td>
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</tr>
<tr>
<td>A</td>
<td>≤ 10</td>
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</tr>
<tr>
<td>B</td>
<td>&gt;10 to ≤20</td>
<td>&gt;10 to ≤15</td>
</tr>
<tr>
<td>C</td>
<td>&gt;20 to ≤35</td>
<td>&gt;15 to ≤25</td>
</tr>
<tr>
<td>D</td>
<td>&gt;35 to ≤55</td>
<td>&gt;25 to ≤35</td>
</tr>
<tr>
<td>E</td>
<td>&gt;55 to ≤80</td>
<td>&gt;35 to ≤50</td>
</tr>
<tr>
<td>F</td>
<td>&gt;80</td>
<td>&gt;50</td>
</tr>
</tbody>
</table>


The results reported by Synchro 5.0 software used in our analysis for the signalized study intersections incorporate the effects of a coordinated system of intersections as opposed to analyzing each intersection in isolation.
<p>| | | | |</p>
<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>62nd Ave S/S 196th St</td>
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<td>W Valley Hwy/S 199th Pl</td>
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<tr>
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<tr>
<td>3</td>
<td>W Valley Hwy/S 204th St</td>
<td>4</td>
<td>W Valley Hwy/S 208th St</td>
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<td>W Valley Hwy/S 212th St</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>64th Ave S/S 212th St</td>
<td>8</td>
<td>59th Pl S/S 212th St</td>
</tr>
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<td></td>
<td></td>
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<td>Orillia Rd/S 200th St</td>
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<td>W Valley Hwy/James St</td>
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<tr>
<td>15</td>
<td>W Valley Hwy/Meeker St</td>
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<td>42nd Ave S/S 212th St</td>
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</tr>
</tbody>
</table>

**LEGEND**

- = High Occupancy Vehicle (HOV) Lane
- = Existing Channelization
- = Future Channelization

**Figure 4**

Channelization at Study Intersections 1-16

**Pacific Gateway Business Park-IV**

Kent, Washington

August 8, 2003
Figure 4
Channelization at Study Intersections 17-33

LEGEND

= High Occupancy Vehicle (HOV) Lane
= Existing Channelization
= Future Channelization

Transportation Engineering Northwest

Pacific Gateway Business Park-IV
Kent, Washington

August 6, 2003
The p.m. peak hour LOS analysis results for the signalized study intersections under 2003 conditions are summarized in Table 2. As shown in Table 2, 25 of the 30 signalized study intersections currently operate at LOS D or better during the weekday p.m. peak hour. The remaining 5 study intersections currently operate at LOS E or LOS F. Detailed level of service summary worksheets are provided in Appendix A.

It should be noted that the LOS analysis at the study intersections along S 212th Street between 72nd Avenue S and East Valley Highway (#17, #18, #19, #20) does not include additional capacity provided by the existing eastbound and westbound HOV lanes. The LOS analysis also does not include additional capacity provided by the existing eastbound HOV right-turn lane at S 212th St/SR-167 SB ramps (#25) or the southbound HOV lane at Meeker St/West Valley Highway (#15). Therefore the reported results at these locations could be considered conservative.

The study intersection of 42nd Avenue S/S 216th Street (#31) is controlled with a roundabout. The analysis of the roundabout was based on methodology outlined in the 2000 Highway Capacity Manual (HCM) for roundabouts. The HCM methodology provides guidelines for determining v/c ratio for roundabouts but does not provide guidelines for determining LOS. Therefore, the operations of 42nd Avenue S/S 216th Street were assessed in terms v/c ratios. All approaches are operating with v/c ratios less than 0.60. Detailed worksheets showing volumes and capacity calculations are included in Appendix A.

The unsignalized study intersections 59th Place S/S 204th Street (#32) and 59th Place S/S 204th Street (#33) are future proposed intersections. Therefore, no existing LOS was reported.

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### Year 2003 Signalized Intersection Level of Service Summary – P.M. Peak Hour

<table>
<thead>
<tr>
<th>#</th>
<th>Signalized Intersections</th>
<th>LOS</th>
<th>Delay (sec)</th>
<th>V/C</th>
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<tr>
<td>1</td>
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<td>B</td>
<td>15.8</td>
<td>0.32</td>
</tr>
<tr>
<td>2</td>
<td>West Valley Highway/S 199th Place</td>
<td>A</td>
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<td>0.48</td>
</tr>
<tr>
<td>3</td>
<td>West Valley Highway/S 204th Street</td>
<td>A</td>
<td>9.7</td>
<td>0.62</td>
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<tr>
<td>4</td>
<td>West Valley Highway/S 203rd Street</td>
<td>A</td>
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<td>0.53</td>
</tr>
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<td>D</td>
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<td>0.89</td>
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<tr>
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<td>0.29</td>
</tr>
<tr>
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<td>64th Avenue S/S 212th Street</td>
<td>D</td>
<td>38.8</td>
<td>0.62</td>
</tr>
<tr>
<td>8</td>
<td>59th Place S/S 212th Street</td>
<td>A</td>
<td>9.8</td>
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</tr>
<tr>
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<td>0.86</td>
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<td>0.49</td>
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<td>West Valley Highway/James Street</td>
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<td>West Valley Highway/Meeker Street</td>
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<td>72nd Avenue S/S 212th Street</td>
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<td>18</td>
<td>76th Avenue S/S 212th Street</td>
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<td>SR 167 NB Ramps/S 212th Street</td>
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<td>SR 167 SB Ramps/S 212th Street</td>
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<td>0.95</td>
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<td>0.47</td>
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<td>28</td>
<td>80th Avenue S/S 196th Street</td>
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<td>0.37</td>
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<td>30</td>
<td>Washington Ave/W Valley/Willis St</td>
<td>D</td>
<td>46.1</td>
<td>0.97</td>
</tr>
</tbody>
</table>

1. LOS calculations are based on methodology outlined in the Highway Capacity Manual, 2000
2. For signalized intersections, delay refers to average control delay for the entire intersection, measured in seconds per vehicle
3. V/C = Volume/Capacity ratio
4. Intersections include left-turn movements that may exceed available storage at times. Therefore, the reported LOS may not reflect actual conditions
5. Intersection of Orillia Rd/S 200th St was analyzed as a T-intersection based on the west leg of the intersection being a private drive for only 3 hours.
6. n/a = not available. The V/C ratio was calculated as greater than 1.0. Per the HCM, when counts of actual departure volumes are used (as in existing conditions), the actual V/C ratios cannot be greater than 1.0. If a V/C ratio greater than 1.0 is calculated, it indicates that the intersection operates more efficiently than calculated
7. Analysis does not include additional capacity provided by HOV lanes. Therefore, reported results could be considered conservative
FUTURE ROADWAY CONDITIONS

Planned Transportation Improvements

The purpose of this section is to document the known planned transportation improvements in the study area. There are six known planned transportation improvement projects identified in the study area. Five of the planned improvements were identified in the City of Kent's six-year 2003-2008 Transportation Improvement Program (TIP), and none were identified in the City of Tukwila's six-year 2003-2008 TIP. Additionally, intersection improvements were identified at S 212th Street/SR-167 Northbound Ramps as a result of a proposed development on the north leg of the intersection. Please note, the increased capacity created by the TIP improvements was not considered or used in our analysis. However, the increased capacity as a result of the improvements at S 212th Street/SR-167 Northbound Ramps was included in the future year 2010 level of service analysis.

City of Kent 2003-2008 TIP

- **TIP #11 South 228th Street Corridor – Phase I**
  
  **Description:**
  Construct a new five-lane roadway from SR-526 along Military Rd to approximately Bolger Road, then from Military Road to 54th Avenue S, including a new bridge over the Green River. The project will include the construction of full-width paving, a bridge, concrete curbs, gutters, sidewalks and/or paved shoulders, street lighting, storm drainage, landscaping, utilities and appurtenances. The project may include the installation of traffic signals at Military Road and Lakeside Boulevard. This extension is intended to provide additional east-west capacity over the Green River. Construction is expected to begin in 2003. The funding sources for this project are the City of Kent, Local Improvement District (LID), Transportation Improvement Board (TIB), Freight Mobility Strategic Investment Board (FMSIB) [state], Surface Transportation Program (STP) [federal]. At this time, the project is not funded.

- **TIP #12 72nd Avenue South Extension**
  
  **Description:**
  Construct a new four-lane roadway between South 196th Street and South 200th Street. The project will include the crossing of Mill Creek and construction of full-width paving, concrete curbs, gutter, sidewalks, street lighting, storm drainage, landscaping, utilities and appurtenances. The 72nd Avenue S extension is intended to provide some relief to intersections along West Valley Highway at S 180th Street, S 196th Street, and S 212th.
Street. Construction is expected to begin in 2003. The funding source for this project is the City of Kent. At this time, the project is not funded.

Note:
As a conservative measure the future year 2010 analysis included in this report does not include the redistribution of background traffic due to the proposed 72nd Avenue S extension.

- **TIP #13 South 228th Street Extension Railroad Grade Separation Project**
  Description:
  Construct grade separations of both the Burlington Northern Santa Fe Railroad's and Union Pacific Railroad's mainline tracks at South 228th Street. The project will allow a seamless connection between major freight handlers and their destinations and will support freight moving through Kent to Sea-Tac Airport, various ports, and the freeway system. The project will include the construction of bridge structures and/or underpasses, full-width paving, concrete curbs, gutters, sidewalks, street lighting, utilities, and appurtenances. This project is intended to improve level of service on other key east-west arterials, such as Meeker Street, which will result in improved freight mobility. Construction is expected to begin in 2003. The funding sources for this project are the City of Kent, Freight Action Strategy for Everett-Seattle-Tacoma Corridor (FAST), Freight Mobility Strategic Investment Board (FMSIB) [state], Burlington Northern/Santa Fe Railroad, and Union Pacific/Southern Pacific Railroad. At this time, the project is not funded.

- **TIP #19 South 212th Street Pavement Rehabilitation Project**
  Description:
  Remove and rehabilitate the existing roadway pavement to add additional service life to the asphalt roadway between the Green River bridge and West Valley Highway (SR 181). This project will include the removal and replacement of the upper two inches of the existing asphalt pavement in the curb lanes in both directions; and a full-width asphalt pavement overlay of the entire roadway. This project will also include the selective replacement of catch basin inlets and driveway approach aprons, and sections of concrete curbs and gutters. Construction is expected to begin in 2004. The funding sources for this project are the Surface Transportation Program (STP) [federal] and the City of Kent. The project is currently funded.
• **TIP #20 South 212th Street Grade Separation Project**
  **Description:**
  Construct grade separations of both the Burlington Northern Santa Fe Railroad's and Union Pacific Railroad's mainline tracks at South 212th Street. The project will support the increased number of trains resulting from the re-opening of the BNSF Railroad's Stampede Pass line and increased activity through the Ports of Seattle and Tacoma, as well as the commuter rail operations of the RTA. The project will ultimately include the construction of bridge structures, full-width paving, concrete curbs, gutter, sidewalks, street lighting, utilities and appurtenances. Construction is expected to begin in 2008. The funding sources for this project are the City of Kent, Freight Mobility Strategic Investment Board (FMSIB) [state], Surface Transportation Program (STP) [federal], and the Burlington Northern/Santa Fe Railroad and Union Pacific/Southern Pacific Railroad. At this time, the project is currently not funded.

**Other Planned Transportation Improvements**

• **South 212th Street/SR-167 Northbound Ramps**
  **Description:**
  The South 212th Street Retail development is a planned project located on the north leg of the intersection of S 212th Street/SR-167 Northbound Ramps. Planned improvements at this intersection as a result of the South 212th Street Retail project include channelization and signal phasing improvements.

  **Note:**
  The future year 2010 analysis included in this report includes the planned channelization and signal phasing improvements at this intersection.
DETERMINATION OF FUTURE CONDITIONS

Trip Generation

Net new weekday daily, a.m. peak hour, and p.m. peak hour trip generation associated with the PGBP-IV redevelopment was calculated based on methodology included in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6th edition. To determine the net trips associated with full redevelopment of PGBP-IV, trips from the existing uses to be redeveloped were estimated and then subtracted from trips estimated to be generated by the proposed future uses.

The proposed PGBP-IV development includes a total of approximately 2.5 million square feet of office development. The project would likely be developed in five sub-divisions located within the PGBP-IV site. The sub-divisions were established based on the anticipated access routes for each sub-division. Appendix B includes a figure that defines the boundaries for each sub-division and the anticipated access routes.

The trips associated with the existing land uses to be redeveloped were estimated based on trip rates associated with the entire Boeing Kent Space Center facility (approximately 3 million square feet). The existing uses to be redeveloped include a total of approximately 1.9 million square feet (1.2 million square feet of office use, 600,000 square feet of manufacturing use, and 80,000 square feet of warehouse use).

Trip generation equations documented in the ITE Trip Generation manual were used in the trip estimate for both the future proposed use and the existing on-site uses based on Figure 3.1 Recommended Procedures for Selecting Between Trip Generation Average Rates and Equations included in the ITE Trip Generation Handbook. The trip generation for the PGBP-IV development is summarized in table 3.
As shown in Table 3, the PGBP-IV full redevelopment is estimated to generate a total of 11,172 net new weekday daily vehicle trips of which 1,476 trips are estimated to occur during the a.m. peak hour (1,356 entering, 120 exiting) and 1,297 trips are estimated to occur during the p.m. peak hour (125 entering, 1,172 exiting). Detailed trip generation worksheets are included in Appendix C.

**Transportation Demand Management**

The Commute Trip Reduction Law applies to employers with 100 or more full-time employees at a single worksite who are scheduled to begin their workday between 6:00 a.m. and 9:00 a.m. on two or more weekdays. Affected employers are required to implement programs that encourage employees to reduce their proportion of single-occupant vehicle commute trips (SOV rate), as well as vehicle-miles traveled per employee (VMT).

The law does not mandate what or how many transportation demand management (TDM) elements the worksites should use. That is left to the discretion of the worksite, although the employer may be required to enhance its program in subsequent years if the site’s SOV rate and/or VMT indicate that there has been no progress made in achieving goals or if there is an apparent lack of "good faith"
effort" on the part of the employer to ensure the program's success. The following are typical TDM elements:

- Parking Management
- Financial Incentives/Subsidies
- Alternative Work Schedules
- Telework
- Fleet Vehicles for CTR
- Site Amenities

A TDM program should be considered to reduce the number of employees traveling by SOV. It should be noted that the trip generation estimate for the full redevelopment of PGBP-IV does not take into account potential trip reductions from a successful TDM program. Therefore, the analysis included in this report could be considered conservative.

Trip Distribution and Assignment

The net change in p.m. peak hour trips generated by the PGBP-IV development on the study intersections was determined by subtracting the trips associated with full use of the existing uses to be redeveloped (entitled trips) from the estimated trips generated by the proposed uses on PGBP-IV.

The distribution of the trips from the proposed uses was based on information included in the Pacific Gateway Business Park - Kent Revised Site Circulation and Access Analysis. Based on the study, approximately 20 percent of traffic generated from the site would originate or be destined to the north, 20 percent would originate or be destined to the south, 25 percent would originate or be destined to the east, and 35 percent would originate or be destined to the west. The local distribution of project trips assumes the extension of S 204th Street and S 208th Street from West Valley Highway to 59th Place S.

Figure 5 shows the assignment of the net change in the p.m. peak hour trips generated by the full redevelopment of PGBP-IV onto the roadway network through the study area intersections. Some of the study intersections shown in Figure 5 show a net decrease in trips (i.e. 64th Avenue S/S 212th Street) as a result of the PGBP-IV development. This is due to the difference in the distribution of entitled trips and the estimated future trips associated with the PGBP-IV site. The distribution of PGBP-IV trips assumes the extension of S 204th Street and S 208th Street from West Valley Highway to 59th Place S. These new connections would provide additional access points to and from the PGBP-IV site which do not exist today.
Figure 5
Assignment of Net New P.M. Peak Hour Trips at Study Intersections 1-16
Figure 5
Assignment of Net New P.M. Peak Hour Trips at Study Intersections 17-33

Transportation Engineering Northwest

Pacific Gateway Business Park-IV
Kent, Washington

August 8, 2003
Future Traffic Volumes

Future year 2010 baseline traffic volumes used in the analysis were estimated based the sum of: a) existing traffic volumes with an annual 2 percent growth rate to the horizon year 2010, b) future pipeline projects identified by the City of Kent, and c) trips associated with full use of existing buildings on the Boeing Space Center site.

The annual growth rate of 2 percent used to estimate growth in background traffic is consistent with the growth rate projected by the Puget Sound Regional Council (PSRC) for the Puget Sound region and is also consistent with the growth rate assumed by other projects approved by the City of Kent.

The future pipeline projects included in the 2010 baseline traffic volumes include:

- PGBP-I (2.4 million square feet of industrial park)
- PGBP-II (1.0 million square feet of industrial park)
- PGBP-III (no new square feet)
- Polygon Multifamily Development (67 units)

Based on the July 2003 traffic counts that were conducted at the entrances to the Boeing Kent Space Center site, the existing site currently generates 1,055 p.m. peak hour trips, with less than full occupancy or utilization. However, it is our understanding that this is considered a short-term trend for purposes of analysis given the cyclic nature of current uses on the site. Therefore, ITE Trip Generation Manual was used to estimate the number of trips that could be generated by the existing site. If fully occupied, the existing uses would be expected to generate a total of 2,862 p.m. peak hour trips. The difference in the ITE trip estimate (2,862 trips) and the actual counts conducted in July 2003 (1,055 trips) was then added to the study intersections to establish 2010 baseline conditions (1,807 trips added). The distribution of p.m. peak hour trips associated with full use of the existing buildings on the Boeing Space Center site (1,807 trips) are summarized in Appendix D.

Figure 6 illustrates the projected future year 2010 p.m. peak hour baseline traffic volumes without the PGBP-IV development at the study intersections.
Future year 2010 p.m. peak hour traffic volumes with the PGBP-IV development were estimated by adding the net change in p.m. peak hour trips (figure 5) to the 2010 baseline traffic volumes (figure 6). Adjustments to the distribution of the PGBP PGBP-II project trips were made to reflect the current plan for PGBP-II which includes the assumption that the area north of S 208th Street (approximately 30 percent of the area) may no longer have access to the intersection of 66th Avenue S/S 212th St. These trips that were shifted from 66th Avenue S to 59th Place S. Figure 7 illustrates the year 2010 p.m. peak hour traffic volumes with the PGBP-IV development.
Figure 6: 2010 Baseline P.M. Peak Hour Traffic Volumes at Study Intersections 1-16

Note: See last page 24 for discussion on how 2010 Baseline Traffic volumes were estimated.

Pacific Gateway
Business Park IV
Kent, Washington

Transportation Engineering Northwest
**Figure 6**

2010 Baseline P.M. Peak Hour Traffic Volumes at Study Intersections 17-33

Pacific Gateway
Business Park-IV
Kent, Washington

August 6, 2003

### Transportation Engineering Northwest
<table>
<thead>
<tr>
<th></th>
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<th>W Valley Hwy/S 196th Pl</th>
<th>W Valley Hwy/S 204th St</th>
<th>W Valley Hwy/S 208th St</th>
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<th>64th Ave S/S 212th St</th>
<th>59th Pl S/S 212th St</th>
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<table>
<thead>
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<th>W Valley Hwy/James St</th>
<th>W Valley Hwy/Meekeer St</th>
<th>42nd Ave S/S 212th St</th>
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<tbody>
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<td><img src="image15.png" alt="Image" /></td>
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</table>

**Figure 7**
2010 P.M. Peak Hour Traffic Volumes with PGBP-IV at Study Intersections 1-16

Pacific Gateway Business Park-IV
Kent, Washington

*August 6, 2020*
## Figure 7

2010 P.M. Peak Hour Traffic Volumes with PGBP-IV at Study Intersections 17-33

**Pacific Gateway Business Park-IV**
Kent, Washington

Transportation Engineering Northwest

<table>
<thead>
<tr>
<th>Sequence</th>
<th>Intersection</th>
<th>Peak Hour Traffic Volumes</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>72nd Ave S/S 212th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>18</td>
<td>70th Ave S/S 212th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>19</td>
<td>77th Ave S/S 212th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>20</td>
<td>E Valley Hwy/S 212th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>21</td>
<td>E Valley Hwy/S 208th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>22</td>
<td>I-5 NB Ramps S/188th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>23</td>
<td>I-5 SB Ramps S/188th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>24</td>
<td>SR 167 NB/S 212th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>25</td>
<td>SR 167 SB/S 212th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>26</td>
<td>58th Pl S/S 196th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>27</td>
<td>72nd Ave S/S 196th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>28</td>
<td>80th Ave S/S 196th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>29</td>
<td>E Valley Hwy/S 196th St</td>
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</tr>
<tr>
<td>30</td>
<td>Washington Ave/Willis St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>31</td>
<td>42nd Ave S/S 216th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>32</td>
<td>59th Pl S/S 204th St</td>
<td>![Traffic Diagram]</td>
</tr>
<tr>
<td>33</td>
<td>59th Pl S/S 208th St</td>
<td>![Traffic Diagram]</td>
</tr>
</tbody>
</table>
Future Levels of Service

Future year 2010 level of service was analyzed at the 30 signalized study intersections and the roundabout with and without the PGBP-IV development. Additionally, the operations at the proposed unsignalized intersections of 59th Place S/S 204th Street and 59th Place S/S 208th Street were analyzed under 2010 with project conditions. The channelization used in the future year LOS analysis is illustrated in figure 4.

The results of the horizon year 2010 LOS analysis at the signalized study intersections with and without the PGBP-IV development are summarized in table 4. As shown in table 4, 12 of the 30 signalized study intersections are expected to operate at LOS E or LOS F in 2010 without the PGBP-IV development. A total of 13 signalized study intersections are expected to operate at LOS E or F in 2010 with the PGBP-IV full redevelopment.

As previously noted, the distribution of PGBP-IV trips assumes that S 204th Street and S 208th Street would be extended from West Valley Highway to 59th Place S on the PGBP-IV site. Traffic volumes at 64th Ave S/S 212th Street are thus expected to decrease as the new connections would provide additional access points to and from the PGBP-IV site which do not exist today. Therefore, the intersection of 64th Ave S/S 212th Street (#7) is expected to improve from LOS E to LOS D in 2010 with the PGBP-IV redevelopment. The intersections of West Valley Hwy/S 199th Place (#2) and West Valley Hwy/S 208th Street (#4) are anticipated to degrade from LOS B and LOS C, respectively, to LOS F with the PGBP-IV redevelopment in 2010. Detailed level of service summary worksheets are provided in Appendix A.
### Year 2010 Signalized Intersection Level of Service Summary – P.M. Peak Hour

<table>
<thead>
<tr>
<th>#</th>
<th>Signalized Intersections</th>
<th>2010 Baseline Conditions</th>
<th>2010 With PGBP-IV</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>LOS(^a)</td>
<td>Delay(^b) (sec)</td>
</tr>
<tr>
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<td>62(^a) Avenue S/S 196(^b) Street</td>
<td>C</td>
<td>26.2</td>
</tr>
<tr>
<td>2</td>
<td>West Valley Highway/S 199(^b) Place</td>
<td>B</td>
<td>16.7</td>
</tr>
<tr>
<td>3</td>
<td>West Valley Highway/S 204(^b) Street</td>
<td>C</td>
<td>31.5</td>
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<tr>
<td>4</td>
<td>West Valley Highway/S 208(^b) Street</td>
<td>C</td>
<td>22.5</td>
</tr>
<tr>
<td>5</td>
<td>West Valley Highway/S 212(^b) Street</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>6</td>
<td>66(^b) Avenue S/S 212(^b) Street</td>
<td>A</td>
<td>9.6</td>
</tr>
<tr>
<td>7</td>
<td>64(^b) Avenue S/S 212(^b) Street</td>
<td>E</td>
<td>59.0</td>
</tr>
<tr>
<td>8</td>
<td>59(^b) Place S/S 212(^b) Street</td>
<td>C</td>
<td>26.7</td>
</tr>
<tr>
<td>9</td>
<td>West Valley Highway/S 196(^b) Street</td>
<td>E</td>
<td>70.4</td>
</tr>
<tr>
<td>10</td>
<td>Orillia Road/S 200(^b) Street</td>
<td>E</td>
<td>63.8</td>
</tr>
<tr>
<td>11</td>
<td>West Valley Highway/Todd Blvd</td>
<td>B</td>
<td>10.6</td>
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<td>12</td>
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<td>A</td>
<td>7.0</td>
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<td>13</td>
<td>West Valley Highway/S 228(^b) Street</td>
<td>B</td>
<td>17.9</td>
</tr>
<tr>
<td>14</td>
<td>West Valley Highway/James Street</td>
<td>D</td>
<td>48.5</td>
</tr>
<tr>
<td>15</td>
<td>West Valley Highway/Meeker St(^f)</td>
<td>F</td>
<td>93.4</td>
</tr>
<tr>
<td>16</td>
<td>42(^b) Avenue S/S 212(^b) Street</td>
<td>B</td>
<td>19.9</td>
</tr>
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<td>C</td>
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</tr>
<tr>
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<td>76(^b) Avenue S/S 212(^b) Street(^f)</td>
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</tr>
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<td>19</td>
<td>77(^b) Avenue S/S 212(^b) Street</td>
<td>A</td>
<td>9.8</td>
</tr>
<tr>
<td>20</td>
<td>East Valley Highway/S 212(^b) Street(^f)</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>21</td>
<td>East Valley Highway/S 208(^b) Street</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>22</td>
<td>I-5 NB Ramps/S 188(^b) Street</td>
<td>F</td>
<td>&gt; 100</td>
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<td>23</td>
<td>I-5 SB Ramps/S 188(^b) Street</td>
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<td>95.7</td>
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<tr>
<td>24</td>
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<tr>
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<td>58(^b) Place S/S 196(^b) Street</td>
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</tr>
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<td>27</td>
<td>72(^b) Avenue S/S 196(^b) Street</td>
<td>A</td>
<td>7.4</td>
</tr>
<tr>
<td>28</td>
<td>80(^b) Avenue S/S 196(^b) Street</td>
<td>B</td>
<td>11.3</td>
</tr>
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<tr>
<td>30</td>
<td>Washington Ave/Willis St</td>
<td>E</td>
<td>65.7</td>
</tr>
</tbody>
</table>

---

\(^a\) LOS calculations are based on methodology outlined in the Highway Capacity Manual, 2000

\(^b\) LOS is the Level of Service, delay refers to average control delay for the entire intersection, measured in sec/vehicle.

\(^c\) VIC = Volume-Capacity ratio

\(^d\) Intersection includes left-turn movements that may exceed available storage at times. Therefore the reported LOS may not reflect actual conditions.

\(^e\) Intersection of Orillia Road/S 200\(^b\) St was analyzed as a T-intersection based on the west leg of the intersection being a private way for only three homes.

\(^f\) Analysis does not include additional capacity provided by HOV lanes. Therefore, reported results could be considered conservative.

---

Transportation Engineering NorthWest 31 August 6, 2003
Future operations of the roundabout at the intersection of 42nd Avenue S/S 216th Street (#31) were analyzed for 2010 conditions with and without the PGBP-IV redevelopment. In 2010 without PGBP-IV, all approaches are expected to operate with v/c ratios less than or equal to 0.83. In 2010 with the PGBP-IV development, all approaches are expected to operate with v/c ratios less than or equal to 0.88. Detailed worksheets showing volumes and capacity calculations are included in Appendix A.

Future operations at the two proposed unsignalized on-site intersections were analyzed and summarized in Table 5 below. As shown in Table 5, the stop-controlled westbound left-turn movements at both intersections are expected to operate at LOS F in 2010 with the PGBP-IV redevelopment. The westbound right-turn at 59th Place S/S 204th Street is also anticipated to operate at LOS F in 2010 with the PGBP-IV full redevelopment.

<table>
<thead>
<tr>
<th>#</th>
<th>Stop-Controlled Intersection</th>
<th>2010 With PGBP-IV</th>
<th>Delay² (sec)</th>
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<td></td>
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<tr>
<td></td>
<td>Southbound Left A</td>
<td>9.1</td>
<td></td>
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<tr>
<td></td>
<td>Westbound Left F</td>
<td>98.2</td>
<td></td>
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<tr>
<td></td>
<td>Westbound Right F</td>
<td>58.1</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>59th Place S/S 208th Street</td>
<td></td>
<td></td>
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<td></td>
<td>Southbound Left A</td>
<td>8.2</td>
<td></td>
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<tr>
<td></td>
<td>Westbound Left F</td>
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<tr>
<td></td>
<td>Westbound Right B</td>
<td>13.4</td>
<td></td>
</tr>
</tbody>
</table>

¹ LOS = Level of Service  
² Delay = Control Delay in Seconds per Vehicle.
Concurrency

Transportation Concurrency was measured in five of the City's Mobility Management Zones (MMZs). The capacities of each of the arterials crossing the MMZ boundaries and in the vicinity of critical intersections and links were totaled to develop a MMZ arterial capacity. Similarly, the estimated traffic volumes crossing the boundaries and in the vicinity of critical intersections were totaled. The ratio of volume to capacity was then developed and compared to the arterial threshold for the MMZ. Table 6 provides a summary of this assessment. As shown, each of the five MMZs analyzed are expected to operate better than the City's acceptable arterial threshold. Therefore, the PGBP-IV redevelopment meets the City's concurrency standards. Detailed concurrency calculations are included in Appendix E.

It should be noted that Boeing has contributed several million dollars towards multiple corridor projects to help work towards the goal of improved mobility throughout the City.

Table 6
Concurrency Assessment
With PGBP-IV

<table>
<thead>
<tr>
<th>Mobility Management Zone</th>
<th>Arterial Threshold (v/c)</th>
<th>2010 with PGBP-IV (v/c)</th>
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<td>0.80</td>
<td>0.63</td>
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<tr>
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<td>0.62</td>
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<td>5</td>
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<td>0.51</td>
</tr>
<tr>
<td>10</td>
<td>1.00</td>
<td>0.63</td>
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</table>

Note:
1. Arterial threshold per City of Kent Municipal Code section 12.17.100 Mobility Management Zones and Standards

Percent of Project Trips at Study Intersections

The estimated p.m. peak hour traffic volumes generated by PGBP-IV development were summarized, along with the total entering volumes at the 31 off-site study intersections in 2010 with the PGBP-IV redevelopment. Table 7 summarizes the percent of project trips in the total entering volumes under 2010 p.m. peak hour conditions with the PGBP-IV redevelopment.
Table 7
Year 2010 Traffic Volumes - P.M. Peak Hour

<table>
<thead>
<tr>
<th>#</th>
<th>Signalized Intersections</th>
<th>2010 With PGBP-IV</th>
<th>Traffic generated by PGBP-IV</th>
<th>Percent of Project Trips</th>
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<tr>
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<td>West Valley Highway/S 199th Place</td>
<td>5,621</td>
<td>571</td>
<td>10.2%</td>
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<td>3</td>
<td>West Valley Highway/S 204th Street</td>
<td>5,233</td>
<td>90</td>
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<td>4</td>
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<td>5,150</td>
<td>748</td>
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<td>7,114</td>
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<td>3,045</td>
<td>-168</td>
<td>-5.5%</td>
</tr>
<tr>
<td>7</td>
<td>64th Avenue S/S 212th Street</td>
<td>4,004</td>
<td>-615</td>
<td>-15.4%</td>
</tr>
<tr>
<td>8</td>
<td>59th Place S/S 212th Street</td>
<td>4,142</td>
<td>247</td>
<td>6.0%</td>
</tr>
<tr>
<td>9</td>
<td>West Valley Highway/S 196th Street</td>
<td>6,422</td>
<td>488</td>
<td>7.6%</td>
</tr>
<tr>
<td>10</td>
<td>Orihia Road/S 200th Street</td>
<td>5,534</td>
<td>407</td>
<td>7.4%</td>
</tr>
<tr>
<td>11</td>
<td>West Valley Highway/Todd Blvd</td>
<td>4,459</td>
<td>284</td>
<td>6.4%</td>
</tr>
<tr>
<td>12</td>
<td>West Valley Highway/S 190th Street</td>
<td>4,304</td>
<td>284</td>
<td>6.6%</td>
</tr>
<tr>
<td>13</td>
<td>West Valley Highway/S 228th Street</td>
<td>4,937</td>
<td>190</td>
<td>3.8%</td>
</tr>
<tr>
<td>14</td>
<td>West Valley Highway/James Street</td>
<td>4,786</td>
<td>151</td>
<td>3.2%</td>
</tr>
<tr>
<td>15</td>
<td>West Valley Highway/McKee Street</td>
<td>4,743</td>
<td>90</td>
<td>1.9%</td>
</tr>
<tr>
<td>16</td>
<td>42nd Avenue S/S 212th Street</td>
<td>4,010</td>
<td>14</td>
<td>0.3%</td>
</tr>
<tr>
<td>17</td>
<td>72nd Avenue S/S 212th Street</td>
<td>3,422</td>
<td>133</td>
<td>3.9%</td>
</tr>
<tr>
<td>18</td>
<td>76th Avenue S/S 212th Street</td>
<td>3,587</td>
<td>133</td>
<td>3.7%</td>
</tr>
<tr>
<td>19</td>
<td>77th Avenue S/S 212th Street</td>
<td>3,474</td>
<td>114</td>
<td>3.3%</td>
</tr>
<tr>
<td>20</td>
<td>East Valley Highway/S 212th Street</td>
<td>6,075</td>
<td>225</td>
<td>3.7%</td>
</tr>
<tr>
<td>21</td>
<td>East Valley Highway/S 208th Street</td>
<td>3,462</td>
<td>182</td>
<td>5.3%</td>
</tr>
<tr>
<td>22</td>
<td>I-5 NB Ramps/S 188th Street</td>
<td>5,974</td>
<td>407</td>
<td>6.8%</td>
</tr>
<tr>
<td>23</td>
<td>I-5 SB Ramps/S 188th Street</td>
<td>5,057</td>
<td>217</td>
<td>4.3%</td>
</tr>
<tr>
<td>24</td>
<td>SR 167 NB Ramps/S 212th Street</td>
<td>4,648</td>
<td>78</td>
<td>1.7%</td>
</tr>
<tr>
<td>25</td>
<td>SR 167 SB Ramps/S 212th Street</td>
<td>4,059</td>
<td>119</td>
<td>2.9%</td>
</tr>
<tr>
<td>26</td>
<td>58th Place S/S 196th Street</td>
<td>2,765</td>
<td>468</td>
<td>16.9%</td>
</tr>
<tr>
<td>27</td>
<td>72nd Avenue S/S 196th Street</td>
<td>2,112</td>
<td>244</td>
<td>11.6%</td>
</tr>
<tr>
<td>28</td>
<td>80th Avenue S/S 196th Street</td>
<td>2,278</td>
<td>241</td>
<td>10.6%</td>
</tr>
<tr>
<td>29</td>
<td>East Valley Highway/S 196th Street</td>
<td>3,189</td>
<td>223</td>
<td>7.0%</td>
</tr>
<tr>
<td>30</td>
<td>Washington Ave/Willis St</td>
<td>5,489</td>
<td>70</td>
<td>5.7%</td>
</tr>
<tr>
<td>31</td>
<td>42nd Ave S/S 216th St</td>
<td>1,320</td>
<td>75</td>
<td>1.3%</td>
</tr>
</tbody>
</table>

1Total traffic entering the intersection during the peak hour with the PGBP-IV redevelopment in the year 2010
2Total number of trips generated by the PGBP-IV redevelopment estimated to enter the intersection
3The percent of project trips generated by PGBP-IV in the 2010 with PGBP-IV traffic volumes.
As shown in Table 7, at the study intersections adjacent to the PGBP-IV site, the trips generated by the PGBP-IV redevelopment are estimated to account for between approximately five and twenty percent of the total entering traffic at the study intersections during the p.m. peak hour in 2010. However, project trips are expected to decrease to between one and ten percent of the total entering traffic in 2010 at the study intersections outside a one-block radius of the PGBP-IV site.

Traffic volumes at two of the study intersections (66th Avenue S/S 212th Street and 64th Avenue S/S 212th Street) are expected to decrease with the development of PGBP-IV. This is due to the difference in the distribution of existing trips and the future trips associated with the PGBP-IV site layout. The distribution of PGBP-IV trips assumes the extension of S 204th Street and S 208th Street from West Valley Highway to 59th Place S. These new connections would provide additional access points to and from the PGBP-IV site which do not exist today.

**Queuing Analysis**

Per the request of the City, the adequacy of left-turn and right-turn queue storage was assessed at the 30 signalized study intersections. Per the City’s request, the queue lengths were rounded to the nearest 25 feet. A summary of the anticipated 95th percentile queue lengths for left-turn and right-turn movements at the 30 signalized study intersections and the queue calculation worksheets are included in Appendix F.

As shown in Appendix F, there are 41 movements (at 20 of the 30 signalized study intersections) that are anticipated to exceed the available queue storage in 2010 without the PGBP-IV development and 42 movements (at 22 of the 30 signalized study intersections) that are anticipated to exceed the available queue storage in 2010 with the PGBP-IV development. A discussion of these movements and potential improvements is included in the “Improvements for Consideration” section on the following page.

As previously stated, the LOS results for the signalized intersections were calculated using the Synchro 5.0 software which is based on methodologies presented in the HCM, 2000 Edition, and incorporates the effects of a coordinated system of intersections. However, for locations where left-turn and right-turn queues are expected to exceed the available storage, the LOS results do not reflect the additional delay associated with potential blockage of the adjacent through lane. A footnote has been included in the LOS tables shown in this report to help understand which locations this is expected to occur. The LOS results for the intersections that are expected to experience queue spillover should be used with caution.

Please note, our analysis of queuing represents a condition that is only expected to be exceeded 5 percent of the time and does not represent the conditions
throughout the entire peak hour. This condition is typically used in the design of turn lanes and is considered standard practice.

Per the request of the City of Kent, vehicle queues were also estimated at the two proposed unsignalized intersections on 59th Place S at S 204th St and S 208th St based on Highway Capacity Manual methodology. A summary of the anticipated 95th percentile queue lengths for left-turn and right-turn movements at the two unsignalized intersections is included in Appendix F. Since these are future proposed intersections, it is anticipated that the future channelization would be designed to accommodate the anticipated queues.

Signal Warrant Analysis

Per the request of the City of Kent, a signal warrant analysis was completed at the future intersection of 59th Place S/S 204th Street and 59th Place S/S 208th Street. Signal warrants were based on guidelines included in the US Department of Transportation/Federal Highway Administration, Manual of Uniform Traffic Control Devices (MUTCD).

Future traffic volumes used in the analysis were based on the estimated 2010 p.m. peak hour volumes with PGBP-IV shown in figure 7. The only traffic volumes available applicable to signal warrants were the p.m. peak hour traffic volumes therefore, the signal warrant analyzed included MUTCD Warrant 3 - Peak Hour. MUTCD Warrant 3 - Peak Hour, is based on peak hour volumes on the major and minor streets. The estimated 2010 p.m. peak hour volumes on the major street of S 59th Place is approximately 1,100 vehicles - total of both approaches. The minor street approach of S 204th Street is estimated to include 613 p.m. peak hour trips and the minor street approach of S 208th Street is estimated to include 627 p.m. peak hour trips. Based on MUTCD Figure 4C-3 – Warrant 3, Peak Hour, these volumes would satisfy this warrant. Signal warrant worksheets are included in Appendix G.

Improvements for Consideration

Per the City of Kent, signalized intersections expected to operate at LOS E or F (13 intersections), and left- or right-turn lanes with queues estimated to exceed the available storage (42 turn lanes) in 2010 with the full redevelopment of PGBP-IV were identified and are summarized in the following tables 8 and 9. Improvements that may improve operations were also identified for consideration at these locations. Level of service calculations with the improvements for consideration are included in Appendix H.
### Table 8
Signalized Intersections Expected to Operate at Level of Service E or F With PGBP-IV

<table>
<thead>
<tr>
<th>Signalized Intersection</th>
<th>LOS</th>
<th>Delay</th>
<th>V/C</th>
<th>LOS</th>
<th>Delay</th>
<th>V/C</th>
<th>Improvement for Consideration/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>#2 S 199th Place/West Valley Highway</td>
<td>B</td>
<td>16.7</td>
<td>0.88</td>
<td>F</td>
<td>86.8</td>
<td>1.17</td>
<td>Construct additional eastbound left-turn lane and modify existing phasing to include split phasing. The applicant has paid several million dollars into improvements on West Valley Highway through an LID.</td>
</tr>
<tr>
<td>#4 S 208th St/West Valley Highway</td>
<td>C</td>
<td>22.5</td>
<td>0.92</td>
<td>F</td>
<td>&gt;100</td>
<td>1.15</td>
<td>Construct southbound right-turn lane: Existing disciplined requested to be relocated prior to construction of improvement, which is in current City plan. Also construct eastbound right-turn lane, convert southbound thru lane to shared left-thru lane, modify eastwest phasing to include split phasing, and remove crosswalk on north leg of intersection.</td>
</tr>
<tr>
<td>#5 S 212th St/West Valley Highway</td>
<td>F</td>
<td>&gt;100</td>
<td>1.25</td>
<td>F</td>
<td>&gt;100</td>
<td>1.25</td>
<td>No feasible at grade improvements available at this location. The applicant has paid significant dollars into improvements on West Valley Highway through an LID.</td>
</tr>
<tr>
<td>#6 S 196th St/West Valley Highway</td>
<td>E</td>
<td>70.4</td>
<td>1.10</td>
<td>F</td>
<td>82.2</td>
<td>1.14</td>
<td>Construct eastbound right-turn lane. The applicant has paid several million dollars into improvements on West Valley Highway and S 196th Street through LID.</td>
</tr>
<tr>
<td>#10 Orilla Rd/209th St</td>
<td>E</td>
<td>63.8</td>
<td>1.09</td>
<td>F</td>
<td>&gt;100</td>
<td>1.25</td>
<td>No feasible at grade improvements available at this location.</td>
</tr>
<tr>
<td>#15 Medlar St/West Valley Highway</td>
<td>F</td>
<td>95.3</td>
<td>1.18</td>
<td>F</td>
<td>99.6</td>
<td>1.20</td>
<td>Construct eastbound right-turn lane. May require additional right-of-way.</td>
</tr>
<tr>
<td>#20 S 212th St/East Valley Highway</td>
<td>F</td>
<td>&gt;100</td>
<td>1.29</td>
<td>F</td>
<td>&gt;100</td>
<td>1.34</td>
<td>Construct second southeastbound left-turn lane. May require additional right-of-way.</td>
</tr>
<tr>
<td>#21 S 208th St/East Valley Highway</td>
<td>F</td>
<td>&gt;100</td>
<td>4.37</td>
<td>F</td>
<td>&gt;100</td>
<td>4.35</td>
<td>Modify eastwest phasing to include permitted left-turn phasing.</td>
</tr>
<tr>
<td>#22 S 188th St/SB NB Ramp</td>
<td>F</td>
<td>&gt;100</td>
<td>1.49</td>
<td>F</td>
<td>&gt;100</td>
<td>1.63</td>
<td>Intersections with highway of state significance. Therefore, not applicable — disclosure only.</td>
</tr>
</tbody>
</table>

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Table 8 (continued)
Signalized Intersections Expected to Operate at Level of Service E or F With PGBP-IV

<table>
<thead>
<tr>
<th>Signallzed Intersection</th>
<th>2010 Baseline</th>
<th>2010 With PGBP-IV</th>
<th>Improvements Outlined Below</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOS</td>
<td>Delay</td>
<td>VIC</td>
</tr>
<tr>
<td>235 S 188th St/55th SB</td>
<td>F</td>
<td>95</td>
<td>1.38</td>
</tr>
<tr>
<td>225 S 212th St/SR 167 SB</td>
<td>F</td>
<td>&gt;100</td>
<td>1.19</td>
</tr>
<tr>
<td>279 S 196th St/East Valley Highway</td>
<td>E</td>
<td>67</td>
<td>1.02</td>
</tr>
<tr>
<td>310 Wiltz St/West Valley Highway</td>
<td>E</td>
<td>65</td>
<td>1.11</td>
</tr>
</tbody>
</table>

Notes:
1. Per City of Kent, intersections with highways of state significance (HSS) are not subject to LOS/concurrency standards — disclosure only.
2. Analysis does not include additional capacity provided by HOV lanes therefore, reported results could be considered conservative.
### Table 9
Locations with Queues Exceeding Available Storage With PGBP-IV

<table>
<thead>
<tr>
<th>Signalized Intersection</th>
<th>Movement</th>
<th>Existing OR (ft)</th>
<th>2010 Baseline (per lane)</th>
<th>2010 With PGBP-IV (per lane)</th>
<th>Change with PGBP-IV</th>
<th>Improvement for Consideration/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1 S 196th SW62nd Ave S</td>
<td>Eastbound Right</td>
<td>145</td>
<td>175</td>
<td>225</td>
<td>50</td>
<td>Storage for eastbound right-turn movement not critical to operations of intersection. Queue exceeding storage area may spill into eastbound through lane. Extend northbound left-turn lanes to include 525' of storage (each lane).</td>
</tr>
<tr>
<td></td>
<td>Northbound Left (main)</td>
<td>400</td>
<td>300</td>
<td>525</td>
<td>225</td>
<td></td>
</tr>
<tr>
<td>#2 S 199th FW/West Valley Highway</td>
<td>Northbound Left</td>
<td>150</td>
<td>100</td>
<td>175</td>
<td>75</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
<tr>
<td>#3 S 204th SW/West Valley Highway</td>
<td>Eastbound Left</td>
<td>140</td>
<td>625</td>
<td>175</td>
<td>-450</td>
<td>Queue storage to be provided with design of approach on the PGBP-IV site.</td>
</tr>
<tr>
<td>#4 S 208th SW/West Valley Highway</td>
<td>Eastbound Left</td>
<td>150</td>
<td>475</td>
<td>725</td>
<td>250</td>
<td>To improve the level of service, dual eastbound left-turn lanes should be considered. This improvement would result in an eastbound left-turn queue of 530 feet per left-turn lane. Queue storage to be provided with design of approach on the PGBP-IV site.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Provide internal connection between S 204th Street and S 208th Street on the PGBP-IV site, which would allow exiting vehicles destined northbound to exit at either S 204th St or S 208th St. This improvement would result in an eastbound left-turn queue of 350' and an eastbound left-turn queue of 450' at S 204th SW/West Valley Hwy. Queue storage to be provided with design of approach on the PGBP-IV site.</td>
</tr>
<tr>
<td>#5 S 212th SW/West Valley Highway</td>
<td>Westbound Left</td>
<td>220</td>
<td>350</td>
<td>350</td>
<td>0</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
<tr>
<td>#6 S 212th SW/64th Ave S</td>
<td>Northbound Left</td>
<td>200</td>
<td>350</td>
<td>475</td>
<td>125</td>
<td>Landscaped traffic island could be modified to provide 475' storage to accommodate future queues</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td>60</td>
<td>350</td>
<td>325</td>
<td>-25</td>
<td>Restranger S 212th Street between 64th Ave S and 65th Ave S to include a TWLTL. Queue would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
</tbody>
</table>

Note: 1. Per ROW 46-611 290, 300 feet of queue allowed to store in two way left-turn lane (TWLTL).
### Table 9 (continued)

<table>
<thead>
<tr>
<th>Signalized Intersection</th>
<th>Movement</th>
<th>Existing Storage (ft)</th>
<th>2010 Baseline</th>
<th>2010 With PGBP-IV</th>
<th>Change with PGBP-IV</th>
<th>Improvement for Consideration/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>49 S 156th St/West Valley Highway</td>
<td>Eastbound Left</td>
<td>200</td>
<td>175</td>
<td>350</td>
<td>175</td>
<td>For EB, WB, NB and SB: Left-turn lanes extend into existing center two way left-turn lane (TWLTL). Queues would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td>200</td>
<td>500</td>
<td>475</td>
<td>-25</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Northbound Left</td>
<td>220</td>
<td>425</td>
<td>275</td>
<td>-150</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Southbound Left</td>
<td>200</td>
<td>225</td>
<td>225</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>#10 Orillia Rd/S 200th St</td>
<td>Southbound Left (dual)</td>
<td>300</td>
<td>325</td>
<td>375</td>
<td>50</td>
<td>Dual SB left-turn lanes currently exist. Extension of dual SB left-turn lanes may require additional right of way.</td>
</tr>
<tr>
<td>#13 S 228th St/West Valley Hwy</td>
<td>Eastbound Right</td>
<td>70</td>
<td>100</td>
<td>100</td>
<td>0</td>
<td>Storage for eastbound right-turn movement not critical in operations of intersection. Queues exceeding storage area may spillover into eastbound through lane.</td>
</tr>
<tr>
<td></td>
<td>Westbound Right</td>
<td>90</td>
<td>100</td>
<td>100</td>
<td>0</td>
<td>Queue exceeding storage area (less than one vehicle) would be accommodated by taper</td>
</tr>
<tr>
<td>#14 James St/West Valley Hwy</td>
<td>Westbound Left</td>
<td>220</td>
<td>225</td>
<td>250</td>
<td>25</td>
<td>Queue exceeding storage area (approximately one vehicle) would be accommodated by taper</td>
</tr>
<tr>
<td></td>
<td>Southbound Left (dual)</td>
<td>340 (per lane)</td>
<td>450 (per lane)</td>
<td>475 (per lane)</td>
<td>25 (per lane)</td>
<td>Dual SB left-turn lanes currently exist. Extension of dual SB left-turn lanes may require additional right of way.</td>
</tr>
<tr>
<td>#15 Midway St/West Valley Hwy*</td>
<td>Eastbound Left</td>
<td>250</td>
<td>300</td>
<td>300</td>
<td>0</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td>225</td>
<td>375</td>
<td>400</td>
<td>25</td>
<td>Providing additional WB left-turn storage may require right of way for roadway widening</td>
</tr>
<tr>
<td></td>
<td>Northbound Left</td>
<td>310</td>
<td>525</td>
<td>525</td>
<td>0</td>
<td>NB left-turn storage limited by traffic island. Traffic island may be removed to accommodate queue.</td>
</tr>
</tbody>
</table>

Note:
1. Per RCW 46.61.290, 300 feet of queue allowed to stack in two way left-turn lane (TWLTL.)
2. Analysis does not include additional capacity provided by HOV lanes; therefore, reported results could be considered conservative.

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<table>
<thead>
<tr>
<th>Signalized Intersection</th>
<th>Movement</th>
<th>Existing Storage (ft)</th>
<th>Change with PGBP-IV</th>
<th>Improvement for Consideration/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>#16 S 212th &amp; 80th Ave S</td>
<td>Eastbound  Right</td>
<td>170 250</td>
<td>235 25</td>
<td>Storage for eastbound right-turn movement not critical to operations of intersection. Queue exceeding storage area may spill over into eastbound through lane</td>
</tr>
<tr>
<td></td>
<td>Westbound  Left</td>
<td>400 400</td>
<td>550 150</td>
<td>Providing additional WB left-turn storage may require right-of-way for roadway widening. Queue exceeding storage area (less than one vehicle) would be accommodated by taper</td>
</tr>
<tr>
<td></td>
<td>Northbound  Right</td>
<td>140 125</td>
<td>150 25</td>
<td></td>
</tr>
<tr>
<td>#18 S 212th &amp; 80th Ave S</td>
<td>Westbound  Left</td>
<td>145 300</td>
<td>275 -25</td>
<td>WB left-turn storage limited by EB left-turn storage for adjacent driveway</td>
</tr>
<tr>
<td></td>
<td>Northbound  Left</td>
<td>165 225</td>
<td>225 0</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
<tr>
<td>#19 S 212th &amp; 80th Ave S</td>
<td>Southbound  Left</td>
<td>170 200</td>
<td>200 0</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
<tr>
<td>#20 S 212th &amp; East Valley Hwy</td>
<td>Eastbound  Left</td>
<td>390 425</td>
<td>425 0</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
<tr>
<td></td>
<td>Northbound  Left</td>
<td>250 475</td>
<td>475 0</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
<tr>
<td></td>
<td>Southbound  Left</td>
<td>250 575</td>
<td>575 0</td>
<td>SB left-turn storage limited by existing railroad tracks</td>
</tr>
<tr>
<td>#21 S 208th &amp; East Valley Hwy</td>
<td>Southbound  Left</td>
<td>315 1,000</td>
<td>1,000 0</td>
<td>To improve the level of service, modifying the arterial planning to include permitted left-turn phasing should be considered. This improvement would result in a southbound left-turn queue of 775'. Re-route left-turn lane to provide 435' of queue storage. TWLTL exists beyond turn lane. Queue would extend less than 300' into TWLTL - therefore OK.</td>
</tr>
<tr>
<td>#22 S 118th &amp; SB 5NB Ramps</td>
<td>Eastbound  Left</td>
<td>175 400</td>
<td>375 -25</td>
<td>EB left storage limited by WB left-turn storage for 1-S SB ramps</td>
</tr>
<tr>
<td></td>
<td>Westbound  Right</td>
<td>70 2,125</td>
<td>2,450 325</td>
<td>Queue exceeding storage area would spill over into westbound through lane. (2 through lanes exist)</td>
</tr>
<tr>
<td></td>
<td>Northbound  Left</td>
<td>315 500</td>
<td>500 0</td>
<td>Queue exceeding storage area would be accommodated by single lane off-ramp</td>
</tr>
</tbody>
</table>

Note
1 Per RCW 46 61 290, 300 feet of queue allowed to store in two way left-turn lane (TWLTL) |
2 Analysis does not include additional capacity provided by HOV lanes therefore, reported results could be considered conservative |
Table 9 (continued)
Locations with Queues Exceeding Available Storage With PGBP-IV

<table>
<thead>
<tr>
<th>Signalized Intersection</th>
<th>Movement</th>
<th>Existing Storage (#)</th>
<th>2010 Baseline</th>
<th>2010 With PGBP-IV</th>
<th>Change with PGBP-IV</th>
<th>Improvement for Consideration/Causement</th>
</tr>
</thead>
<tbody>
<tr>
<td>233 S 18th St/5 SB Ramps</td>
<td>Eastbound Right</td>
<td>115</td>
<td>1,850</td>
<td>1,875</td>
<td>25</td>
<td>Queue exceeding storage area can store in eastbound cash lane (right-turn only to Military Road or to SB 1-5 on-ramp) at adjacent intersection to the west (Military Rd/S/S 18th Street)</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td>170</td>
<td>800</td>
<td>900</td>
<td>100</td>
<td>WB left storage limited by EB left-turn storage for U-5 NB ramps.</td>
</tr>
<tr>
<td></td>
<td>Southbound Left</td>
<td>215</td>
<td>775</td>
<td>100</td>
<td>25</td>
<td>Queue exceeding storage area would be accommodated by single lane off-ramp</td>
</tr>
<tr>
<td>224 S 212th St/SR-167 NB Ramps</td>
<td>Northbound Right</td>
<td>315</td>
<td>475</td>
<td>500</td>
<td>25</td>
<td>Queue exceeding storage area would be accommodated by single lane off-ramp</td>
</tr>
<tr>
<td></td>
<td>Southbound Left (Dual)</td>
<td>155 (per lane)</td>
<td>250 (per lane)</td>
<td>250 (per lane)</td>
<td>0 (per lane)</td>
<td>Private property Owner decision in future to provide storage to accommodate future queues</td>
</tr>
<tr>
<td>238 S 196th St/50th Ave S</td>
<td>Southbound Left</td>
<td>125</td>
<td>150</td>
<td>150</td>
<td>0</td>
<td>Queue exceeding storage area would be accommodated by taper</td>
</tr>
<tr>
<td>229 S 196th St/East Valley Hwy</td>
<td>Westbound Left</td>
<td>220</td>
<td>225</td>
<td>225</td>
<td>0</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL. — therefore OK.</td>
</tr>
<tr>
<td>380 Washington Ave/Willis St</td>
<td>Westbound Left</td>
<td>225</td>
<td>275</td>
<td>275</td>
<td>0</td>
<td>Westbound left-turn queue limited by SR-167 southbound ramps</td>
</tr>
<tr>
<td></td>
<td>Westbound Right</td>
<td>225</td>
<td>825</td>
<td>825</td>
<td>0</td>
<td>Westbound right-turn queue limited by SR-167 southbound ramps</td>
</tr>
</tbody>
</table>

Note 1: Per RCW 46.61.290, 320 feet of queue allowed to store in two way left-turn lane (TWLTL)
Feasible Intersection Improvements

Table 10 summarizes the intersection improvements included in tables 8 and 9 that were determined to be feasible at study intersections expected to operate at LOS E of LOS F or with queues expected to exceed the existing storage in 2010 with PGBP-IV. The criteria used to determine the feasibility of an improvement was primarily based on whether or not right of way may be required from others.

<table>
<thead>
<tr>
<th>Int. #</th>
<th>Location</th>
<th>Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>S 195th St/61st Ave S</td>
<td>Extend northbound dual left-turn lanes to include 525' of storage (each lane).</td>
</tr>
<tr>
<td>2</td>
<td>S 195th St/West Valley Highway</td>
<td>Construct additional eastbound left-turn lane and modify east/west phasing to include split phasing</td>
</tr>
<tr>
<td>3</td>
<td>S 204th St/West Valley Highway</td>
<td>Queue storage on eastbound approach to be designed with the full redevelopment of PGBP-IV</td>
</tr>
<tr>
<td>4</td>
<td>S 208th St/West Valley Highway</td>
<td>Construct southbound right-turn lane. Construct eastbound right-turn lane, convert eastbound shared thru-right lane to shared left-turn lane, modify east/west phasing to include split phasing, and remove crosswalk on north leg of intersection. Queue storage on eastbound approach to be designed with the full redevelopment of PGBP-IV. OR: Provide internal connection between S 204th Street and S 208th Street on the PGBP-IV site, which would allow exiting vehicles destined northbound to exit at either S 204th St or S 208th St. Queue storage on eastbound approach to be designed with the full redevelopment of PGBP-IV.</td>
</tr>
<tr>
<td>5</td>
<td>S 212th St/64th Ave S</td>
<td>Modify landscape traffic island on south leg of intersection to provide 475' of queue storage for the northbound left-turn movement.</td>
</tr>
<tr>
<td>6</td>
<td>S 196th St/West Valley Highway</td>
<td>Construct eastbound right-turn lane.</td>
</tr>
<tr>
<td>15</td>
<td>Meeker Street/West Valley Hwy</td>
<td>Remove traffic island for northbound left-turn to accommodate 525' of queue storage.</td>
</tr>
<tr>
<td>21</td>
<td>S 208th St/East Valley Highway</td>
<td>Modify east/west phasing to include permitted left-turn phasing. Re-stripe southbound left-turn lane to provide 475' of queue storage.</td>
</tr>
<tr>
<td>29</td>
<td>S 196th St/East Valley Highway</td>
<td>Modify east/west phasing to include permitted left-turn phasing. Add eastbound right-turn &quot;overlap&quot; phase.</td>
</tr>
<tr>
<td>30</td>
<td>Willis St/West Valley Highway</td>
<td>Modify signal and provide channelization improvements to allow westbound right-turn &quot;overlap&quot; phasing.</td>
</tr>
</tbody>
</table>
Additional intersections where LOS and queue improvements were considered but determined to not be feasible are discussed below.

**LOS Improvements**

*Meeker Street/West Valley Highway (Intersection #15)*

The improvement for consideration of an eastbound right-turn lane to improve LOS at Meeker Street/West Valley Highway was determined to be not feasible due to right of way constraints. The redevelopment of PGBP-IV is expected to account for less than 2 percent of the total entering volumes at the intersection in 2010 with PGBP-IV. Therefore, the effect of the PGBP-IV redevelopment is not expected to be significant.

*S 212th Street/East Valley Highway (Intersection #20)*

Constructing a second southbound left-turn lane at S 212th Street/East Valley Highway was determined to be not feasible due to right of way constraints. The redevelopment of PGBP-IV is expected to account for less than 4 percent of the total entering volumes at the intersection in 2010 with PGBP-IV. Therefore, the effect of the PGBP-IV redevelopment is not expected to be significant.

**Queue Improvements**

*James Street/West Valley Highway (Intersection #14)*

The improvements for consideration to provide additional queue storage at for the southbound left-turn lanes at James Street/West Valley Highway was determined to be not feasible due to potential right of way constraints. The redevelopment of PGBP-IV is expected to increase the 95th percentile southbound left-turn queue by 25 feet (approximately one vehicle) per lane compared to the queue under 2010 baseline conditions. Therefore, the increase in queue length as a result of the PGBP-IV redevelopment is not expected to be significant.

*Meeker Street/West Valley Highway (Intersection #15)*

The improvement to provide additional queue storage at Meeker Street/West Valley Highway for the westbound left-turn was determined to be not feasible due to potential right of way constraints. The 95th percentile queue for the westbound left-turn is anticipated to increase by 25 feet as a result of the PGBP-IV redevelopment. The project is not expected to add any trips to the westbound left-turn movement. Therefore, the increase in queue length as a result of the PGBP-IV redevelopment is not expected to be significant.
S 212th Street/42nd Ave S (Intersection #16)

The improvement to provide additional queue storage for the westbound left-turn at S 212th Street/42nd Ave S was determined to be not feasible due to potential right of way constraints. The full redevelopment of PGBP-IV is expected to increase the westbound left-turn queue by 150 feet compared to the year 2010 baseline queue. The trips associated with the full redevelopment of PGBP-IV are anticipated to account for less than one percent of the total entering traffic volumes at this intersection in 2010 with PGBP-IV.

Highways of State Significance

The following intersections are located along highways of state significance (HSS).

- S 188th Street/I-5 NB Ramps (#22)
- S 188th Street/I-5 SB Ramps (#23)
- S 212th Street/SR-167 NB Ramps (#24)
- S 212th Street/SR-167 SB Ramps (#25)

Based on discussions with the City of Kent, these intersections are not subject to LOS or concurrency standards.
Recommended Improvements

Recommended Project Improvements

Project improvements were defined as improvements providing direct access to or from the PGBP-IV site. The following provides a discussion of the feasible improvements that are considered project improvements. The listed improvements are recommended to be completed with the full redevelopment of PGBP-IV. In addition to the recommended improvements listed below, it is also recommended that the queue storage at all approaches exiting the PGBP-IV site be designed to accommodate the anticipated 95th percentile queues in 2010 with the full redevelopment of PGBP-IV.

62nd Avenue SIS 19th Street (Intersection #1)

With the full redevelopment of PGBP-IV, it is anticipated the northbound left-turn movement would exceed the available storage at this intersection (400 feet per lane). With the full redevelopment of PGBP-IV, the estimated northbound left-turn queue is 525 feet per lane. Therefore, the northbound dual left-turn lanes are recommended to be extended to accommodate the anticipated 525 foot queue (per lane).

S 199th Place/West Valley Highway (Intersection #2)

This intersection is expected to operate at LOS B without the proposed project and LOS F with the proposed project in 2010. The recommended improvement at this location is the construction of an additional eastbound left-turn lane. In addition, modifications to the signal phasing are recommended to include east/west split phasing.

S 209th Street/West Valley Highway (Intersection #4)

This intersection and is expected to operate at LOS C without the proposed project and LOS F with the proposed project in 2010. There are two potential improvements to be considered at this location. It is recommended that one of the following be implemented:

a) The construction of a southbound right-turn lane and modification of the eastbound approach to add an eastbound right-turn lane and convert the eastbound through lane to a shared left-thru lane. Also remove the crosswalk on the north leg, and modify the signal phasing to include east/west split phasing.

b) Provide an internal connection between S 204th Street and S 208th Street on the PGBP-IV site, which would allow exiting vehicles destined northbound to exit at either S 204th Street or S 208th Street.
S 204th Street/59th Place S and S 208th Street/59th Place S (#32 & #33)

These intersections currently do not exist and are proposed in the future with the full redevelopment of PGBP-IV. The westbound stop controlled movements at these intersections are expected to operate at LOS F. A peak hour signal warrant analysis was completed at these intersections and it was determined that both intersections would meet the peak hour warrant based on the estimated 2010 traffic volumes. However, the satisfaction of a single signal warrant in itself does not necessitate the installation of a traffic signal. Therefore, we recommend these intersections be monitored as redevelopment of the PGBP-IV site continues to determine if/when a signal may be appropriate in the future.

Recommended System Improvements

The following improvements are considered system improvements, not project improvements specifically related to the full redevelopment of PGBP-IV. This conclusion is based on the fact that the increase in volumes at these locations is primarily due to the increase in background traffic. If the City or others plan to build the improvements listed, it would be appropriate for the project to pay its pro-rata share of the cost of the improvement.

S 212th Street/64th Avenue S (#7)

The northbound left-turn lane at this intersection is expected to exceed the available storage (200 feet) both with and without the project (475 feet with project). The project is expected to increase the queue at this location by 125 feet. Therefore, it is recommended that the project either extend the left-turn lane by 125 feet or contribute its pro-rata share (45 percent = 125'/275') toward the construction of the ultimate improvement at this location.

S 196th Street/West Valley Highway (#9)

This intersection is expected to operate at LOS E without the proposed project and LOS F with the proposed project in 2010. The recommended improvement at this location is the construction of an eastbound right-turn lane. If the City or others plan to build this improvement, it would be appropriate for the project to pay its pro-rata share (7.6%) of the cost of the improvement.
Meeker Street/West Valley Highway (#15)

This northbound left-turn lane at this intersection is expected to exceed the available storage (310 feet) both with and without the project (525 feet with the PGBP-IV redevelopment). The project is not expected to increase the queue at this location, therefore, no specific improvement is recommended by the project at this location. However, the City should consider removing the traffic island for the northbound left-turn to accommodate 525 feet of queue storage.

S 205th Street/East Valley Highway (Intersection #21)

This intersection currently operates at LOS D and is expected to operate at LOS F with or without the proposed project in 2010. The recommended improvements at this location are to modify the east/west phasing to include permitted left-turn phasing and to extend the southbound left-turn lane to provide 475 feet of queue storage. If the City or others plan to build this improvement, it would be appropriate for the project to pay its pro-rata share (5.3%) of the cost of the improvements.

S 196th Street/East Valley Highway (Intersection #29)

This intersection currently operates at LOS C and in 2010 is expected to operate at LOS E without the proposed project and LOS F with the proposed project. The recommended improvements at this location include modification of the traffic signal to facilitate an eastbound right-turn “overlap” phase and modification of the east/west phasing to include permitted left-turn phasing. If the City or others plan to build these improvements, it would be appropriate for the project to pay its pro-rata share (7.0%) of the cost of the improvements.

Willis Street/West Valley Highway (Intersection #30)

This intersection currently operates at LOS D and in 2010 is expected to operate at LOS E with or without the proposed project. The recommended improvements at this location include modifying the traffic signal and providing channelization improvements to facilitate a westbound right-turn “overlap” phase. If the City or others plan to build these improvements, it would be appropriate for the project to pay its pro-rata share (5.7%) of the cost of the improvements.
**ADDITIONAL ANALYSIS**

Per the request of the City of Kent, two additional development scenarios were analyzed which included:

- 2010 With PGBP-IV and an Additional 1.2 Million SF of Industrial Park Use on PGBP-I

- 2010 With PGBP-IV and an Additional 1.2 Million SF of Industrial Park Use on PGBP-I and Restricted Access (access limited to 204th Avenue S/West Valley Highway and 64th Avenue S/212th Street).

The analysis for the two additional development scenarios assumed the same 2010 baseline traffic volumes used in the previous analysis.

**ANALYSIS WITH PGBP-IV AND AN ADDITIONAL 1.2 MILLION SF ON PGBP-I**

A traffic impact study was prepared for the additional 1.2 million sf of industrial park on PGBP-I and is dated July 28, 2003. Per the City's request, an analysis was completed to assess the cumulative impacts of the proposed PGBP-IV redevelopment with an additional 1.2 million sf of industrial park on the PGBP-I site.

To establish the future 2010 traffic volumes with PGBP-IV and an additional 1.2 million sf on the PGBP-I site, the distribution of p.m. peak hour project trips from the additional 1.2 million sf included in the July 28, 2003 traffic study (869 trips) were added to the traffic volumes shown in Figure 7 (2010 PM Peak Hour Volumes with PGBP-IV). Figure 8 includes the 2010 p.m. peak hour volumes with PGBP-IV and an additional 1.2 million sf on PGBP-I. These volumes were then used to assess LOS, concurrency, queuing, and disclose improvements for consideration.
<table>
<thead>
<tr>
<th>1</th>
<th>62nd Ave SIS 196th Pl</th>
<th>2</th>
<th>W Valley Hwy S 199th Pl</th>
<th>3</th>
<th>W Valley Hwy S 204th St</th>
<th>4</th>
<th>W Valley Hwy S 208th St</th>
</tr>
</thead>
<tbody>
<tr>
<td>67</td>
<td>37</td>
<td>2,300</td>
<td>38</td>
<td>0</td>
<td>20</td>
<td>158</td>
<td>9</td>
</tr>
<tr>
<td>763</td>
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<td>476</td>
<td>174</td>
<td>0</td>
<td>1,835</td>
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<td>0</td>
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<tr>
<td>100</td>
<td>23</td>
<td>113</td>
<td>132</td>
<td>125</td>
<td>112</td>
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<table>
<thead>
<tr>
<th>5</th>
<th>W Valley Hwy S 212th St</th>
<th>6</th>
<th>65th Ave SIS 212th St</th>
<th>7</th>
<th>64th Ave SIS 212th St</th>
<th>8</th>
<th>59th Pl SIS 212th St</th>
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<tbody>
<tr>
<td>128</td>
<td>92</td>
<td>2,100</td>
<td>13</td>
<td>1,335</td>
<td>17</td>
<td>48</td>
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<td>28</td>
<td>89</td>
<td>1,838</td>
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<td>90</td>
<td>1,310</td>
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<td>25</td>
<td>80</td>
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</table>

<table>
<thead>
<tr>
<th>9</th>
<th>W Valley Hwy S 196th Pl</th>
<th>10</th>
<th>Orillia Rd S 200th St</th>
<th>11</th>
<th>W Valley Hwy Todd Blvd</th>
<th>12</th>
<th>W Valley Hwy S 190th St</th>
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<tbody>
<tr>
<td>14</td>
<td>1,870</td>
<td>59</td>
<td>440</td>
<td>347</td>
<td>349</td>
<td>457</td>
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<td>327</td>
<td>130</td>
<td>169</td>
<td>125</td>
<td>612</td>
<td>130</td>
<td>169</td>
<td>125</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>13</th>
<th>W Valley Hwy S 228th St</th>
<th>14</th>
<th>W Valley Hwy James St</th>
<th>15</th>
<th>W Valley Hwy Meeker St</th>
<th>16</th>
<th>42nd Ave SIS 212th St</th>
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</thead>
<tbody>
<tr>
<td>330</td>
<td>2,680</td>
<td>127</td>
<td>179</td>
<td>116</td>
<td>112</td>
<td>202</td>
<td>94</td>
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<td>288</td>
<td>128</td>
<td>179</td>
<td>116</td>
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<td>202</td>
<td>94</td>
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<td>257</td>
<td>370</td>
<td>150</td>
<td>220</td>
<td>150</td>
<td>112</td>
<td>202</td>
<td>94</td>
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<tr>
<td>051</td>
<td>160</td>
<td>150</td>
<td>220</td>
<td>150</td>
<td>112</td>
<td>202</td>
<td>94</td>
</tr>
</tbody>
</table>

Figure 8
2010 P.M. Peak Hour Traffic Volumes
With PGBP-IV
and additional 1.2M sf on PGBP-1
at Study Intersections 1-16

Pacific Gateway
Business Park-IV
Kent, Washington

Transportation Engineering Northwest

August 9, 2003
<table>
<thead>
<tr>
<th>No.</th>
<th>Intersection</th>
<th>Figure 8</th>
<th>Pacific Gateway Business Park-IV</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>72nd Ave SIS 212th St</td>
<td>2010 P.M. Peak Hour Traffic Volumes With PGBP-IV and additional 1.2M sf on PGBP-I at Study Intersections 17-33</td>
<td>Kent, Washington</td>
</tr>
<tr>
<td>18</td>
<td>76th Ave SIS 212th St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>77th Ave SIS 212th St</td>
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<td>20</td>
<td>E Valley Hwy/S 212th St</td>
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<tr>
<td>21</td>
<td>E Valley Hwy/S 208th St</td>
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</tr>
<tr>
<td>22</td>
<td>I-5 NB Ramps/S 188th St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>I-5 SB Ramps/S 188th St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>SR 167 NB/S 212th St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>SR 167 SB/S 212th St</td>
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<td>26</td>
<td>58th Pl/S 196th St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>72nd Ave SIS 196th St</td>
<td></td>
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</tr>
<tr>
<td>28</td>
<td>80th Ave SIS 196th St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>E Valley Hwy/S 196th St</td>
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<td>30</td>
<td>Washington Ave/Willis St</td>
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</tr>
<tr>
<td>31</td>
<td>42nd Ave S/S 216th St</td>
<td></td>
<td></td>
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<tr>
<td>32</td>
<td>59th Pl S/S 204th St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>59th Pl S/S 208th St</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Transportation Engineering Northwest
Future Levels of Service

Future year 2010 level of service was analyzed at the 30 signalized study intersections, the roundabout, and the two future unsignalized intersections for conditions with PGBP-IV and an additional 1.2 million sf on the PGBP-I site. The channelization used in the LOS analysis was the same as the channelization illustrated in figure 4.

The results of the horizon year 2010 LOS analysis with PGBP-IV and with an additional 1.2 million sf on the PGBP-I site are summarized in table 11. The results of LOS analysis with PGBP-IV only are also summarized in table 11 for comparison purposes.

As shown in table 11, 13 of the 30 signalized study intersections are expected to operate at LOS E or LOS F in 2010 with PGBP-IV only. The following two additional intersections are expected to degrade to LOS E or F with the development of PGBP-IV and the additional 1.2 million sf on PGBP-I:

- 59th Place S/S 212th Street (#3)
- West Valley Highway/James Street (#14)

Therefore, a total of 15 signalized study intersections are expected to operate at LOS E or F with PGBP-IV and the additional 1.2 million sf on PGBP-I in the horizon year 2010. Detailed level of service summary worksheets are provided in Appendix A.
Table II
Year 2010 Signalized Level of Service Summary
With PGBP-IV and an Additional 1.2M sf on PGBP-I - P.M. Peak Hour

<table>
<thead>
<tr>
<th>#</th>
<th>Signalized Intersections</th>
<th>2010 with PGBP-IV</th>
<th>2010 with PGBP-IV + 1.2 million square feet on PGBP-I</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>LOS(^1)</td>
<td>Delay(^2) (sec)</td>
</tr>
<tr>
<td>1</td>
<td>62(^{nd}) Avenue S/S 196(^{th}) Street</td>
<td>C</td>
<td>33.8</td>
</tr>
<tr>
<td>2</td>
<td>West Valley Highway/S 196(^{th}) Place</td>
<td>F</td>
<td>86.8</td>
</tr>
<tr>
<td>3</td>
<td>West Valley Highway/S 204(^{th}) Street</td>
<td>C</td>
<td>18.8</td>
</tr>
<tr>
<td>4</td>
<td>West Valley Highway/S 208(^{th}) Street</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>5</td>
<td>West Valley Highway/S 212(^{nd}) Street</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>6</td>
<td>66(^{th}) Avenue S/S 212(^{nd}) Street</td>
<td>A</td>
<td>6.6</td>
</tr>
<tr>
<td>7</td>
<td>64(^{th}) Avenue S/S 212(^{nd}) Street</td>
<td>D</td>
<td>41.6</td>
</tr>
<tr>
<td>8</td>
<td>59(^{th}) Place S/S 212(^{nd}) Street</td>
<td>D</td>
<td>36.3</td>
</tr>
<tr>
<td>9</td>
<td>West Valley Highway/S 196(^{th}) Street</td>
<td>F</td>
<td>82.2</td>
</tr>
<tr>
<td>10</td>
<td>Orillia Road/S 206(^{th}) Street(^1,4)</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>11</td>
<td>West Valley Highway/Todd Blvd(^1)</td>
<td>B</td>
<td>11.3</td>
</tr>
<tr>
<td>12</td>
<td>West Valley Highway/S 190(^{th}) Street</td>
<td>A</td>
<td>8.1</td>
</tr>
<tr>
<td>13</td>
<td>West Valley Highway/S 228(^{th}) Street</td>
<td>B</td>
<td>18.3</td>
</tr>
<tr>
<td>14</td>
<td>West Valley Highway/James Street(^4)</td>
<td>D</td>
<td>52.7</td>
</tr>
<tr>
<td>15</td>
<td>West Valley Highway/McKee St(^4)</td>
<td>F</td>
<td>99.6</td>
</tr>
<tr>
<td>16</td>
<td>42(^{nd}) Avenue S/S 212(^{nd}) Street</td>
<td>D</td>
<td>22.2</td>
</tr>
<tr>
<td>17</td>
<td>72(^{nd}) Avenue S/S 212(^{nd}) Street</td>
<td>C</td>
<td>29.5</td>
</tr>
<tr>
<td>18</td>
<td>76(^{th}) Avenue S/S 212(^{nd}) Street(^1,4)</td>
<td>C</td>
<td>30.5</td>
</tr>
<tr>
<td>19</td>
<td>77(^{th}) Avenue S/S 212(^{nd}) Street(^1,4)</td>
<td>A</td>
<td>9.9</td>
</tr>
<tr>
<td>20</td>
<td>East Valley Highway/S 212(^{nd}) Street(^1,4)</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>21</td>
<td>East Valley Highway/S 208(^{th}) Street</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>22</td>
<td>I-5 NB Ramps/S 188(^{th}) Street</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>23</td>
<td>I-5 SB Ramps/S 188(^{th}) Street</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>24</td>
<td>SR 167 NB Ramps/S 212(^{nd}) Street(^4)</td>
<td>D</td>
<td>42.7</td>
</tr>
<tr>
<td>25</td>
<td>SR 167 SB Ramps/S 212(^{nd}) Street</td>
<td>F</td>
<td>&gt; 100</td>
</tr>
<tr>
<td>26</td>
<td>58(^{th}) Place S/S 196(^{th}) Street</td>
<td>B</td>
<td>14.5</td>
</tr>
<tr>
<td>27</td>
<td>72(^{nd}) Avenue S/S 196(^{th}) Street</td>
<td>B</td>
<td>15.2</td>
</tr>
<tr>
<td>28</td>
<td>80(^{th}) Avenue S/S 196(^{th}) Street</td>
<td>A</td>
<td>9.3</td>
</tr>
<tr>
<td>29</td>
<td>East Valley Highway/S 196(^{th}) Street</td>
<td>F</td>
<td>87.6</td>
</tr>
<tr>
<td>30</td>
<td>West Valley Highway/Will's St(^1)</td>
<td>E</td>
<td>70.2</td>
</tr>
</tbody>
</table>

\(^1\) LOS calculations are based on methodology outlined in the Highway Capacity Manual, 2000
\(^2\) For signalized intersections, delay refers to average control delay for the entire intersection, measured in sec/vehicle
\(^3\) V/C = Volume/Capacity ratio
\(^4\) Intersection includes left-turn movements that may exceed available storage at times. Therefore the reported LOS may not reflect actual conditions.

Transportation Engineering NorthWest

August 6, 2003
Future operations of the roundabout at the intersection of 42nd Avenue S/S 216th Street (#31) were also analyzed for 2010 conditions with PGBP-IV and with an additional 1.2 million sf on PGBP-I. In 2010 with PGBP-IV only, all approaches are expected to operate with v/c ratios less than or equal to 0.88. In 2010 with PGBP-IV and an additional 1.2 million sf on PGBP-I, all approaches are expected to operate with v/c ratios less than or equal to 0.90. Detailed worksheets showing volumes and capacity calculations are included in Appendix A.

Future operations at the two proposed unsignalized intersections on 59th Place S were analyzed and summarized in table 12 below. As shown, the stop controlled westbound left-turn movements at both intersections are expected to operate at LOS F with PGBP-IV and with or without an additional 1.2 million sf on PGBP-I. In addition, the westbound right-turn movement at 59th Place S/S 204th Street is also expected to operate at LOS F with PGBP-IV and with or without an additional 1.2 million sf on PGBP-I.

<table>
<thead>
<tr>
<th>#</th>
<th>Stop-Controlled Intersection</th>
<th>2010 with PGBP-IV</th>
<th>2010 with PGBP-IV + 1.2 million square feet on PGBP-I</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Delay (sec)</td>
<td>Delay (sec)</td>
</tr>
<tr>
<td>32</td>
<td>59th Place S/S 204th Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Southbound Left</td>
<td>A 9.1</td>
<td>A 9.4</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td>F 98.2</td>
<td>F &gt; 100</td>
</tr>
<tr>
<td></td>
<td>Westbound Right</td>
<td>F 58.1</td>
<td>F 81.6</td>
</tr>
<tr>
<td>33</td>
<td>59th Place S/S 208th Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Southbound Left</td>
<td>A 8.2</td>
<td>A 8.4</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td>F &gt; 100</td>
<td>F &gt; 100</td>
</tr>
<tr>
<td></td>
<td>Westbound Right</td>
<td>B 13.4</td>
<td>B 14.6</td>
</tr>
</tbody>
</table>

1 LOS = Level of Service  
2 Delay = Control Delay in Seconds per Vehicle

August 6, 2003
Concurrenty

Transportation concurrency was measured in five of the City's Mobility Management Zones (MMZs). The capacities of each of the arterials crossing the MMZ boundaries and in the vicinity of critical intersections and links were totaled to develop a MMZ arterial capacity. Similarly, the estimated traffic volumes crossing the boundaries and in the vicinity of critical intersections were totaled. The ratio of volume to capacity was then developed and compared to the arterial threshold for the MMZ. Table 13 provides a summary of this assessment. As shown, each of the five MMZs analyzed are expected to operate better than the City's acceptable arterial threshold. Therefore, the full redevelopment of PGBP-IV and an additional 1.2 million sf on PGBP-I meets the City's concurrency standards. Detailed concurrency calculations are included in Appendix E.

It should be noted that Boeing has contributed several million dollars towards multiple corridor projects to help work towards the goal of improved mobility throughout the City.

Table 13
Concurrenty Assessment
With PGBP-IV and an Additional 1.2M sf on PGBP-I

<table>
<thead>
<tr>
<th>Mobility Management Zone</th>
<th>Arterial Threshold (v/c)</th>
<th>2010 with PGBP-IV + 1.2 million square feet on PGBP-I (v/c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>0.80</td>
<td>0.66</td>
</tr>
<tr>
<td>3</td>
<td>0.80</td>
<td>0.64</td>
</tr>
<tr>
<td>5</td>
<td>0.80</td>
<td>0.54</td>
</tr>
<tr>
<td>9</td>
<td>0.80</td>
<td>0.51</td>
</tr>
<tr>
<td>10</td>
<td>1.00</td>
<td>0.64</td>
</tr>
</tbody>
</table>

Note:
1 Arterial threshold per City of Kent Municipal Code section 12.11.100 Mobility Management Zones and Standards: v/c = volume/capacity ratio.

August 6, 2003
Queuing Analysis

Per the request of the City, the adequacy of left-turn and right-turn queue storage was assessed at the 30 signalized study intersections with PGBP-IV and with an additional 1.2 million sf on PGBP-I. Per the City's request, the queue lengths were rounded to the nearest 25 feet. A summary of the anticipated 95th percentile queue lengths for left-turn and right-turn movements at the 30 signalized study intersections is included in Appendix F. The queue calculation worksheets are also included in Appendix F.

As shown in Appendix F, there are 42 movements (at 22 of the 30 signalized study intersections) that are anticipated to exceed the available queue storage in 2010 with PGBP-IV and with or without an additional 1.2 million sf on PGBP-I.

Per the request of the City of Kent, vehicle queues were also estimated at the two proposed unsignalized intersections on 59th Place S at S 204th St and S 208th St based on Highway Capacity Manual methodology. A summary of the anticipated 95th percentile queue lengths for left-turn and right-turn movements at the two unsignalized intersections with PGBP IV and an additional 1.2 million sf on PGBP-I is included in Appendix F. Since these are future proposed intersections, it is anticipated that the future channelization would be designed to accommodate the anticipated queues.

Improvements for Consideration

LOS improvements for consideration, in addition to those identified in table 8 were identified at LOS E or F study intersections with PGBP-IV and an additional 1.2 million sf on PGBP-I. The additional improvements for consideration are shown in table 14. Level of service calculations are included in Appendix H.
Table 14
Additional Intersections Expected to Operate at Level of Service E or F
With PGBP-IV and an additional 1.2M sf on PGBP-I

<table>
<thead>
<tr>
<th>Signalized Intersection</th>
<th>2010 With PGBP-IV</th>
<th>2010 With PGBP-IV and Additional 1.2M of Industrial Park on PGBP-I</th>
<th>Improvement for Consideration/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1 S. 212th St/59th Pls</td>
<td>D 36.3 0.95</td>
<td>D 49.7 0.98</td>
<td>Construct additional southbound left turn lane and modify signal phasing to include north/south right phasing.</td>
</tr>
<tr>
<td>#14 James St/West Valley Highway</td>
<td>D 52.7 1.09</td>
<td>D 47.7 1.04</td>
<td>Construct southbound right-turn lane. May require additional right of way.</td>
</tr>
</tbody>
</table>

There are seventeen movements (at 13 study intersections) with improvements for consideration identified in table 9 for which the 95th percentile queues are expected to increase with the full redevelopment of PGBP-IV and an additional 1.2 million sf on PGBP-I. The movements where queues are expected to increase are summarized in table 15. There are 25 other movements (identified in table 9) that are not expected to increase as a result of the full redevelopment of PGBP-IV and an additional 1.2 million sf of industrial park on PGBP-I.

*Intentionally left blank*
## Table 15
Additional Storage Required at Locations with Queues Exceeding Available Storage With PGBP-IV and an additional 1.2M sf on PGBP-I

<table>
<thead>
<tr>
<th>Signalized Intersection</th>
<th>Movement</th>
<th>Existing Storage (ft²)</th>
<th>PM Peak Hour 95th Percentile Queue Demand (ft²)</th>
<th>2010 with PGBP-IV</th>
<th>2018 With PGBP-IV and Additional 1.2M sf</th>
<th>Change with Add'l 1.2M sf</th>
<th>Improvement for Consideration Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1 S 196th St/62nd Ave S</td>
<td>Eastbound Right¹</td>
<td>145</td>
<td>225</td>
<td>275</td>
<td>50</td>
<td>Storage for eastbound right-turn movement not critical to operations of intersection</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Northbound Left (dual¹)</td>
<td>400 (per lane)</td>
<td>525 (per lane)</td>
<td>700 (per lane)</td>
<td>115 (per lane)</td>
<td>Extend dual left-turn lanes to provide 700' of storage (each lane)</td>
<td></td>
</tr>
<tr>
<td>#2 S 195th St/West Valley Highway</td>
<td>Northbound Left¹</td>
<td>150</td>
<td>175</td>
<td>250</td>
<td>75</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK¹</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Westbound Left¹</td>
<td>60</td>
<td>325</td>
<td>350</td>
<td>25</td>
<td>Modify landscaped traffic island to provide 500' of storage.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>200</td>
<td>475</td>
<td>500</td>
<td>Modify landscaped traffic island to provide 500' of storage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>#9 S 194th St/West Valley Highway</td>
<td>Eastbound Left¹</td>
<td>200</td>
<td>350</td>
<td>475</td>
<td>125</td>
<td>For EB, WB, and NB left-turn lanes extend into existing center two way left-turn lane (TWLTL). Queue would extend less than 300' into TWLTL - therefore OK¹</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Westbound Left¹</td>
<td>200</td>
<td>475</td>
<td>500</td>
<td>25</td>
<td>Dual SB left-turn lanes currently exist. Extension of dual SB left-turn lanes may require additional right of way</td>
<td></td>
</tr>
<tr>
<td>#10 Crillie Rd/S 200th St</td>
<td>Southbound Left (dual¹)</td>
<td>300</td>
<td>375</td>
<td>400</td>
<td>25</td>
<td>Dual SB left-turn lanes currently exist. Extension of dual SB left-turn lanes may require additional right of way</td>
<td></td>
</tr>
<tr>
<td>#14 James St/West Valley Highway</td>
<td>Southbound Left (dual¹)</td>
<td>340 (per lane)</td>
<td>410 (per lane)</td>
<td>425 (per lane)</td>
<td>25 (per lane)</td>
<td>Dual SB left-turn lanes currently exist. Extension of dual SB left-turn lanes may require additional right of way</td>
<td></td>
</tr>
<tr>
<td>#15 Merker Street/West Valley Highway</td>
<td>Eastbound Left¹</td>
<td>250</td>
<td>300</td>
<td>325</td>
<td>25</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK¹</td>
<td></td>
</tr>
<tr>
<td>#18 S 213th St/Chevron Avenue S</td>
<td>Northbound Left¹</td>
<td>365</td>
<td>225</td>
<td>250</td>
<td>25</td>
<td>Left-turn lane extends into existing TWLTL. Queue would extend less than 300' into TWLTL - therefore OK¹</td>
<td></td>
</tr>
</tbody>
</table>

Note: ¹Movement also identified as deficient with development of PGBP-IV only
## Table 15 (continued)

### Additional Storage Required at Locations with Queues Exceeding Available Storage

<table>
<thead>
<tr>
<th>Signalized Intersection</th>
<th>Movement</th>
<th>Existing Storage (ft³)</th>
<th>2010 With PGBP-IV and Additional 1.2M sf Industrial Park on PGBP-I</th>
<th>Change with AD1 1.2M sf</th>
<th>Improvement for Consideration/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>#20 S 212th St/East Valley Hwy</td>
<td>Northbound Left⁴</td>
<td>250</td>
<td>475</td>
<td>500</td>
<td>25</td>
</tr>
<tr>
<td>#21 S 30th St/East Valley Hwy</td>
<td>Southbound Left⁴</td>
<td>315</td>
<td>1,000</td>
<td>1,825</td>
<td>25</td>
</tr>
<tr>
<td>#22 S 18th St 54th St NB Ramps</td>
<td>Westbound Right⁴</td>
<td>70</td>
<td>2,450</td>
<td>2,700</td>
<td>25</td>
</tr>
<tr>
<td>#23 S 18th St 54th St SB Ramps</td>
<td>Westbound Left²</td>
<td>170</td>
<td>900</td>
<td>925</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Southbound Left²</td>
<td>215</td>
<td>800</td>
<td>815</td>
<td>25</td>
</tr>
<tr>
<td>#30 Washington Ave/Wells St</td>
<td>Westbound Right⁴</td>
<td>235</td>
<td>825</td>
<td>850</td>
<td>25</td>
</tr>
</tbody>
</table>

**Note:**

¹Movement also identified as deficient with development of PGBP-IV only

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_Traffic Impact Study_
ANALYSIS WITH RESTRICTED ACCESS

Per the request of the City of Kent, an additional analysis at the study intersections adjacent to the project site (study intersections #1 - #9) was completed for a scenario in which access to and from the PGBP-IV site would be restricted to the signalized intersections of West Valley Hwy/S 204th St and 64th Ave S/S 212th St.

Future 2010 p.m. peak hour traffic volumes used in the analysis included trips from the scenario with PGBP-IV and an additional 1.2 million square feet of industrial park on PGBP-I. The net trip assignment of PGBP-IV project trips with restricted access is shown in figure 9. Figure 10 includes the total 2010 p.m. peak hour traffic volumes with PGBP-IV and access restrictions.

Future Levels of Service and Queuing

The future year 2010 LOS at the nine signalized study intersections adjacent to the site under the restricted access scenario is summarized in table 15. As shown, five of the nine study intersections are expected to operate at LOS E or F without access restrictions. With access restrictions, three intersections would continue to operate at LOS E or LOS F, two intersections would improve from LOS F to LOS B, one intersection would degrade from LOS C to LOS F, and one intersection would degrade from LOS D to LOS F. The detailed level of service calculations are included in Appendix A.

<table>
<thead>
<tr>
<th>Signalized Intersections</th>
<th>2010 With PGBP-IV and 1.2M of Industrial Park on PGBP-I</th>
<th>2010 With PGBP-IV and 1.2M of Industrial Park on PGBP-I and Restricted Access</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010 With PGBP-IV</td>
<td>2010 With PGBP-IV and 1.2M of Industrial Park on PGBP-I and Restricted Access</td>
</tr>
<tr>
<td></td>
<td>LOS^1 Delay^2 (sec) V/C^3</td>
<td>LOS^1 Delay^2 (sec) V/C^3</td>
</tr>
<tr>
<td>1 62nd Avenue S/S 195th Street</td>
<td>D 43.8 0.77 C 29.1 0.71</td>
<td></td>
</tr>
<tr>
<td>2 West Valley Highway/S 199th Place^4</td>
<td>F &gt; 100 1.27 B 18.3 0.84</td>
<td></td>
</tr>
<tr>
<td>3 West Valley Highway/S 204th Street^4</td>
<td>C 21.0 0.93 F &gt; 100 1.77</td>
<td></td>
</tr>
<tr>
<td>4 West Valley Highway/S 208th Street^4</td>
<td>F &gt; 100 1.18 B 18.2 0.87</td>
<td></td>
</tr>
<tr>
<td>5 West Valley Highway/S 212th Street^4</td>
<td>F &gt; 100 1.30 F &gt; 100 1.38</td>
<td></td>
</tr>
<tr>
<td>6 66th Avenue S/S 212th Street</td>
<td>A 6 3 0.47 A 6 7 0.58</td>
<td></td>
</tr>
<tr>
<td>7 64th Avenue S/S 212th Street^4</td>
<td>D 44.2 1.01 F &gt; 100 1.31</td>
<td></td>
</tr>
<tr>
<td>8 59th Place S/S 212th Street</td>
<td>E 55.9 1.09 E 57.7 1.13</td>
<td></td>
</tr>
<tr>
<td>9 West Valley Highway/S 196th Street^4</td>
<td>F 99.6 1.18 F &gt; 100 1.66</td>
<td></td>
</tr>
</tbody>
</table>

^1LOS calculations are based on methodology outlined in the Highway Capacity Manual, 2000.
^2For signalized intersections, delay refers to average control delay for the entire intersection, measured in sec/vehicle.
^3V/C = Volume/Capacity ratio
^4Intersection includes left-turn movements that may cause available storage at times. Therefore the reported LOS may not reflect actual conditions.
## Figure 9
Assignment of Net New P.M. Peak Hour Trips with Restricted Access

<table>
<thead>
<tr>
<th>1</th>
<th>62nd Ave S/S 196th St</th>
<th>2</th>
<th>W Valley Hwy/S 199th Pl</th>
<th>3</th>
<th>W Valley Hwy/S 204th St</th>
<th>4</th>
<th>W Valley Hwy/S 208th St</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td>(25)</td>
<td></td>
<td>(2)</td>
<td></td>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td>119</td>
<td>(114)</td>
<td>(242)</td>
<td></td>
<td>(50)</td>
<td></td>
<td>(110)</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td>(2)</td>
<td></td>
<td>(2)</td>
<td></td>
<td>(2)</td>
<td></td>
</tr>
</tbody>
</table>

### LEGEND

- **35** - Net increase in P.M. Peak Hour Trips
- **35** - Net decrease in P.M. Peak Hour Trips

---

Transportation Engineering NorthWest

Pacific Gateway Business Park-IV

Kent, Washington

August 8, 2009
Figure 10
2010 P.M. Peak Hour Traffic Volumes With PGBP-IV and additional 1.2M sf on PGBP-I with Restricted Access

Transportation Engineering Northwest

Pacific Gateway Business Park-IV
Kent, Washington

August 6, 2003
Vehicle queues were also determined with the restricted access scenario. As a result, 14 movements at the nine study intersections are expected to exceed the existing available storage. A summary of the anticipated 95th percentile queue lengths for left-turn and right-turn movements at the nine signalized study intersections and the queue calculation worksheets are included in Appendix F.

In 2010 with the restricted access scenario, the signalized intersections of West Valley Highway/S 204th Street (#3) and 64th Avenue S/S 212th Street (#7) are anticipated to degrade from LOS C and LOS D, respectively, to LOS F during the p.m. peak hour. The intersections of West Valley Highway/S 196th Street (#9), West Valley Highway/S 212th Street (#5) and 59th Ave S/S 212th Street (#8) are also anticipated to operate at LOS E or F with the access restrictions in 2010.

Given the redistribution of PGBP-IV trips with the access restrictions, there are some queue lengths that are anticipated to improve as a result of access restrictions. However, there are a number of anticipated queue lengths that would increase as a result of the access restrictions. The 95th percentile queue for eastbound left-turns exiting the site at S 204th Street is estimated to increase from 175 feet without access restrictions to over 2,000 feet with access restrictions. At 64th Ave S, the queue for southbound left-turns exiting the site is estimated to be 900 feet (150 feet without access restrictions) and the southbound right-turn queue exiting the site is estimated to be 700 feet (75 feet without access restrictions).

Additionally, the queue for the eastbound left-turn at S 212th Street/West Valley Highway is estimated to increase from 300 feet without access restrictions to 675 feet which would extend to near the 66th Ave S on S 212th Street and block the turn pocket for westbound left-turns into 66th Ave S. The queue for the northbound left-turn at S 196th Street/West Valley Highway is estimated to be 1000 feet with access restrictions compared to 250 feet without access restrictions. Therefore, the northbound left-turn queue would extend to S 199th Place on West Valley Highway and block the turn pocket for southbound left-turns into S 199th Place.

To improve the operations with the restricted access scenario, additional access points with gates would need to be provided to better distribute entering and exiting vehicles to the PGBP-IV site.
EXHIBIT 15
Pacific Gateway Business Park Transportation Entitlement

<table>
<thead>
<tr>
<th>Entitlement</th>
<th>PM Peak Hour Trips</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Uses</td>
<td>2,862</td>
<td>As documented in PGBP-IV TIA (6/6/03)</td>
</tr>
<tr>
<td>PGBP-I</td>
<td>NA</td>
<td>No longer part of PGBP site</td>
</tr>
<tr>
<td>PGBP-II</td>
<td>743</td>
<td>As documented in PGBP-II TIA (5/1/01)</td>
</tr>
<tr>
<td>PGBP-III</td>
<td>NA</td>
<td>No new trips generated</td>
</tr>
<tr>
<td>PGBP-IV</td>
<td>1,297</td>
<td>As documented in 8/6/03 PGBP-IV traffic study.</td>
</tr>
<tr>
<td></td>
<td>4,902</td>
<td>PM Peak Hour Vehicle Trips</td>
</tr>
</tbody>
</table>

Note:
1 Total PM peak hour trips entitled for area generally bounded by West Valley Highway, S 212th St 59th Place S, and S 199th Place
Description/Purpose:
This worksheet is to be used to determine if a the land use on the Pacific Gateway Business Park site (as defined in Exhibit A) is within the approved entitlement established by the Development Agreement for the PGBP site (4,902 p.m. peak hour trips). Tracking for Compliance with the "Trip Cap" as defined in the Development Agreement will be determined using the trip generation rates in the table below as permits for uses within the PGBP site are submitted.

Instructions:
1. Enter the total building area within the PGBP site as defined in Exhibit A.
2. If the p.m. peak hour vehicle trips are less than 4,902 then "PASS".
3. If the p.m. peak hour vehicle trips are greater than 4,902 then "FAIL".

<table>
<thead>
<tr>
<th>Land Use</th>
<th>ENTER THIS DATA</th>
<th>PM Peak Hour Trip</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Building Area (square feet)</td>
<td>Rate (per 1,000 SF)</td>
</tr>
<tr>
<td>Office</td>
<td>0</td>
<td>1.28</td>
</tr>
<tr>
<td>Warehouse</td>
<td>0</td>
<td>0.51</td>
</tr>
<tr>
<td>Industrial Park</td>
<td>0</td>
<td>0.74</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>0</td>
<td>0.74</td>
</tr>
</tbody>
</table>

PM Peak Hour Vehicle Trips = 0

Entitlement Check = PASS
EXHIBIT 16
Cumulative Accounting Form For PM Peak Hour Trip Generation –
Account Transactions and Status Report

The development agreement entered into by The Boeing Company ("Boeing") and the City of Kent ("City") dated ________________ concerning property owned by Boeing known as the Kent Space Center includes a provision for crediting Boeing for prior transportation mitigation by accounting for any changes in trip generation due to property transactions and related changes in land uses. The agreement calls for the City to acknowledge any "trip credits" against the transportation entitlement (i.e., Total PM Peak Hour Vehicle Trips). "Trip Credits," as used herein, means the credit balance in the number of PM Peak Hour trips presumed for the Kent Space Center as a result of the calculation of system capacity credits for the land uses in effect on the date of the Development Agreement. As of the date of the Development Agreement, the PM Peak Hour Vehicle Trips for the Kent Space Center was 4,902.

The Trip Credit Account was created upon mutual execution of the Development Agreement. Boeing may, at its sole discretion, withdraw, or authorize the withdrawal from the Trip Credit Account of all or a portion of the Trip Credits, to be credited against future mitigation of transportation impacts generated by development of any property covered by the Development Agreement within the City of Kent that was owned by Boeing on the date of the Development Agreement and that would otherwise be subject to the City mitigation requirements.

This Report, in form and content as depicted in this Exhibit 16, shall be used to report a transaction to withdraw, designate, or assign trips in the Trip Credit Account and by the City to record and acknowledge such transaction. The development permit applicant shall submit the Report to the City at the time of a planned withdrawal, which will not be valid unless signed by Boeing so long as Boeing owns any of the property covered by the Development Agreement. The Planning Director and Public Works Director shall acknowledge the withdrawal and designation by signature. Copies of the Report shall be placed in the City’s project file for the receiving project, and a copy shall be provided to Boeing.

<table>
<thead>
<tr>
<th>Application Date</th>
<th>City File No. and Location of Receiving Project</th>
<th>Trip Credit Balance on Date of Application</th>
<th>Land Use</th>
<th>Building Area (sq. ft.)</th>
<th>PM Peak Hour Trip Rate</th>
<th>PM Peak Hour Trips</th>
<th>Trip Credit Balance After Transaction</th>
<th>Acknowledgement of Transaction and Balance by City of Auburn</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**EXHIBIT 18**

**Return Address**
Barghausen Consulting Engineers, Inc.
c/o Jay Grubb
18215 72nd Ave. S.
Kent, WA 98032

<table>
<thead>
<tr>
<th>Document Title(s) (or transactions contained therein)</th>
<th>Reference Number(s) of Documents assigned or released:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Easement Agreement</td>
<td>18/30 PNWT</td>
</tr>
<tr>
<td>2.</td>
<td>W4891-12</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grantor(s) (Last name first, then first name and initials)</th>
<th>Reference Number(s) of Documents assigned or released:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The Boeing Company</td>
<td>18/30 PNWT</td>
</tr>
<tr>
<td>2.</td>
<td>W4891-12</td>
</tr>
<tr>
<td>3. Additional names on page ___ of document</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grantee(s) (Last name first, then first name and initials)</th>
<th>Reference Number(s) of Documents assigned or released:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. City of Kent</td>
<td>18/30 PNWT</td>
</tr>
<tr>
<td>2.</td>
<td>W4891-12</td>
</tr>
<tr>
<td>3. Additional names on page ___ of document</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Legal description (abbreviated, i.e. lot, block, plat or section, township, range)</th>
<th>Additional names on page ___ of document</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pn. Lots 2, 4 of Large Lot Subdivision recorded under Record No. 22204.8813601044</td>
<td></td>
</tr>
<tr>
<td>Full legal is on page ___ of document</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assessor's Property Tax Parcel/Account Number</th>
<th>Reference Number(s) of Documents assigned or released:</th>
</tr>
</thead>
<tbody>
<tr>
<td>022204-9019;022204-9012;022204-9063</td>
<td>18/30 PNWT</td>
</tr>
<tr>
<td>022204-9064;022204-9065;022204-9066</td>
<td>W4891-12</td>
</tr>
<tr>
<td>022204-9067;022204-9068;022104-9088</td>
<td></td>
</tr>
</tbody>
</table>

**EXCISE TAX NOT REQUIRED**

(Stamp and Signature)
EASEMENT AGREEMENT—PACIFIC GATEWAY DIVISION II

Grantor: The Boeing Company

Grantee: City of Kent

Abbreviated Legal Description: Full legal description is on Exhibit A.

Assessor’s Tax Parcel No:

020204-9062; 020204-9064; 020204-9063

020204-9011; 020204-9000; 020204-9004

This Easement Agreement ("Agreement") is made as of the ____ day of ___, 2002, by and between THE BOEING COMPANY, a Delaware corporation ("Grantor"), and the CITY OF KENT, a municipal corporation of the State of Washington ("Grantee")

RECITALS

A. Grantor is the owner of certain real property ("Property"), known as Pacific Gateway Division II, located in the City of Kent, King County, Washington, consisting of Lots 1-9 of the Pacific Gateway Division II 9-Lot Short Subdivision recorded simultaneously herewith as No. ______ in the Records of King County, Washington ("Plat"). The Property is more particularly described on EXHIBIT A attached hereto. Grantor intends to sell or lease lots within the Property for development.

B. Access to the Property is provided by West Valley Highway on the east and South 212th Street on the south, both of which are principal arterial streets in the City of Kent, as shown on the Plat.

C. In connection with Grantee’s approval of the short subdivision that created the Property, Grantor has agreed to grant to Grantee a non-exclusive 100-foot wide easement ("Easement") along the eastern and southern boundaries of the Property, in the locations shown on the Plat and as more particularly described on EXHIBIT B attached hereto ("Easement Area"), for the purposes and subject to the terms and conditions described below.

D. Grantor is willing to convey the Easement to Grantee as fulfillment of one of the conditions in the proposed MDNS, attached as EXHIBIT C, subject to the terms and conditions contained in this Agreement. The parties acknowledge that there will also be conditions imposed through the short subdivision process and at the time of development of individual lots, however, developer will have to provide a SEPA checklist and site specific proposal which may result in a SEPA addendum under WAC 197-11-600, or a new threshold determination may be issued.
AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Grant of Easement

Effective upon and simultaneously with the recording of the Plat, Grantor hereby conveys and quitclaims to Grantee the Easement, as more particularly described in EXHIBIT B and as shown on the Plat. The Easement is a non-exclusive easement, subject to all matters of record, granted to Grantee for the purposes of (a) maintaining, repairing, and operating the existing channel and water course located within the Easement Area ("Channel"), (b) ingress and egress to the Channel from West Valley Highway and South 212th Street, (c) drainage utility enhancement, and (d) vegetation, planting, and other habitat restoration, including the right to cut and keep clear obstructions within the Easement.

It is contemplated that Grantee will, in the exercise of its rights under this Agreement, widen and reconstruct the Channel within the Easement Area, minimize erosion problems and provide riparian plantings (collectively, the "Channel Improvement Project"). Grantee shall use due care in the exercise of its rights created under this Agreement and shall comply with all applicable laws, regulations and rules of all governmental agencies having jurisdiction and the conditions of any permit or license of any governing body. All work to be performed by Grantee in the Easement Area pursuant to this Agreement shall be completed in a good and workmanlike manner, free of claims of liens.

Grantor retains the right to fully use and enjoy the Easement Area, including the right to use the surface thereof, to the extent such use does not interfere with Grantee's rights hereunder.

2. Improvements in Easement Area

2.1 Channel Improvements

Except as expressly provided in Section 6 below, Grantee shall be solely responsible for any work or other improvements it desires to make within or to the Easement Area, including the Channel Improvement Project, at Grantee's sole cost and expense.

Grantee agrees that the two fish screens currently located in the Channel will remain in place in accordance with agreements made by Grantee with other agencies with jurisdiction during construction of the Green River Natural Resource Area. Grantee will not relocate or remove the fish screens unless required by other agencies with jurisdiction.
2.2 Landscaping; Maintenance

Grantee shall be solely responsible for all landscaping within the Easement Area, including the maintenance of existing landscaping. Prior to the commencement of any landscaping work, Grantee will provide copies of planting plans to Grantor for review and comment, but Grantee will make the final decisions on landscaping. Grantee agrees that EXHIBIT D attached hereto, contains representative examples of landscaping and planting that will be used by Grantee.

Grantor has the option to pay for any landscaping within the Easement Area, and receive in return a credit for such work toward any applicable yard landscaping requirements imposed on development of the Property. Grantor has the right to exercise this option only if Grantee will be installing the landscaping in the Easement Area within one (1) year of the yard landscaping requirements having to be satisfied by Grantor. Grantee, may, in its sole discretion, waive this one (1) year time limit and allow payment beyond one (1) year. If the time limit has expired, Grantor may install landscaping in the easement area to satisfy yard landscape requirements. Grantor’s landscape plan shall be consistent with EXHIBIT D and Grantor must obtain prior approval from Grantee for the plan.

2.3 Culverts

Grantor shall, by no later than one (1) year after written notice from Grantee and approval by Grantee of a) the Plat; and b) the approved construction plans for the Plat, install and construct two new culverts (dry) at the Plat’s access connection to West Valley Highway and South 212th Street in order to accommodate the City’s Channel Improvement Project. The culverts shall be built, outside the ordinary high water mark of the existing Channel and shall comply with City of Kent and other regulating agencies’ requirements as necessary. The existing culverts in the Channel, located at 66th Avenue and South 208th Street, shall be abandoned in place or removed by Grantee in conjunction with Grantee’s work. If any work of Grantee required by this Agreement requires additional approvals or permits from other governmental agencies, Grantee shall obtain all such additional approvals or permits.

2.4 Signage

The grant and creation of the Easement shall not limit or otherwise impair signage allowed for under Section 15.06 of the Kent City Code. West Valley Highway and South 212th Street shall be considered as street frontage for signage purposes, but Grantor agrees that signs shall not be located within the Easement Area without the prior approval of Grantee, which approval will not be unreasonably withheld.
2.5 Future Crossings

The grant and creation of the Easement shall not preclude the creation of additional crossings of the Channel by vehicles, bicycles, or pedestrians. The decision by Grantee to permit any such additional crossings will be governed by and subject to applicable laws and regulations of the City of Kent, including, but not limited to, crossing, traffic safety and Channel hydraulic issues.

3. Setbacks; Lot Coverage

Grantee acknowledges and agrees that the interior boundaries of the Easement Area (i.e., the boundary lines located 100 feet west of West Valley Highway right-of-way and 100 feet north of South 212th Street right-of-way as established in the Plat) shall be and constitute the maximum stream setbacks required for site development on the Property. For purposes of determining maximum lot coverage in connection with development of the remainder of the Property, the Easement Area shall be included in all calculations of the gross lot area.

4. Stormwater Detention

a. Development or Redevelopment of the Property

For the purpose of computing any and all future stormwater detention requirements for development or redevelopment within the Property, Grantor shall be allowed to use any of the following methods at Grantor’s election:

i. The “Valley” criteria as outlined in Section 5.9 2 of the City of Kent Construction standards (Ordinance No. 3117).

ii. The Santa Barbara Unit Hydrograph method using level pool routing and limiting the peak rate of runoff for the post-developed 100-year storm event to the pre-developed two-year storm event runoff with a 30% safety factor. The existing impervious surface areas shall be assigned the corresponding runoff Curve Numbers for computing the pre-development runoff.

iii. Any other methodology acceptable to the Grantee in effect at the time of development and/or redevelopment of the [Property or the] Space Center Site (Lot 6 of the Large Lot Segregation recorded as No. 19990730000263 in the records of King County, Washington). The existing impervious surface areas shall be assigned the corresponding runoff Curve Numbers for computing the pre-development runoff.
b. Development or Redevelopment of the Space Center Site

For the purpose of computing any and all future stormwater detention requirements for development or redevelopment of the Space Center Site, Grantor shall be allowed to use any of the methods listed at subsections i, ii, iii above unless otherwise required by another government agency or by future changes to Grantee's stormwater standards that apply citywide.

5. Flood Storage Credits

Grantor has the option to use the Easement Area to meet all or part of its flood plain compensatory storage requirements for the Space Center Site. These requirements would be built in the Channel in excess of the capacity needed for the stream. In lieu of compensatory storage, Grantor may make a payment to the City in an amount to be determined by the City based on cost estimates. Grantor has the right to exercise this option only if Grantee will be starting construction of the Channel Improvement Project within one (1) year of the Grantor's storage requirement having to be satisfied by Grantor, or as agreed by the Grantee.

6. Wetland Mitigation

Grantor may use the Easement Area to fulfill any wetland mitigation obligations required by the City or any other permitting agency as a condition of filling of wetlands within (i) the Property, (ii) the Space Center Site or (iii) that certain property owned by Grantor and known as Pacific Gateway Business Park (and consisting of Lots 1-5 of the Large Lot Segregation recorded as No. 19990730000263 in the Records of King County, Washington); provided that such mitigation and any related wetland enhancements are in accordance with a Wetland Mitigation Plan approved by the City.

7. Vesting of SEPA Disclosure

The parties agree that, pursuant to Washington Administrative Code section 197-11-340, so long as the Plat is not altered or amended in a way that significantly impacts the Channel, further disclosure of Plat impacts under Resolution 1605 or otherwise shall not be required. Subsequent development of individual lots shall be subject to environmental review pursuant to SEPA, but shall not be subject to Resolution 1605.

8. Indemnity

Grantee shall indemnify, defend and hold harmless Grantor from and against any and all liability, loss, damage, expense, actions and claims, including property damage and personal injury, including death, and including court costs and reasonable attorneys' fees, whether or not a lawsuit is instituted, asserted against or incurred by Grantor that arise directly or indirectly from the acts or omissions of Grantee or its employees, contractors,
agents, tenants, invitees, or licensees, in the use and occupancy of the Easement and any other
exercise of Grantee's rights hereunder.

9. Binding Effect

The rights and obligations of the Grantor and the Grantee shall run with the land and
inure to the benefit of, and be binding upon, Grantor and Grantee and their respective
successors and assigns; provided, however, that the rights, benefits and credits available to
Grantor under Sections 4, 5 and 6 above are solely for the benefit of The Boeing Company
and shall not inure to the benefit of subsequent owners of any lots comprising the Property.

10. Satisfaction of Conditions

The execution and delivery of this Agreement and Grantor's performance of its
obligations hereunder shall constitute full and final satisfaction of its obligations, if any, and
the obligations, if any, of its successors and assigns, including, without limitation, purchasers,
and users of the Property and lots in the Pacific Gateway Division II, for adverse impacts
relating to the City's resources, facilities and services, its fish and wildlife habitat, and its
open space and flood control resources, services and facilities resulting from the creation of
Pacific Gateway Division II [Subdivision File No. SP 2000-22], pursuant to current City of
Kent rules and regulations relating to subdivision of property.

11. Payment

Except as otherwise provided in this Agreement, Grantor shall be obligated to pay in
full any amount Grantor has agreed to pay Grantee under the terms of this Agreement within
60 days of request by Grantee.

12. Governing Law

This Agreement shall be governed by the laws of the State of Washington and the
venue for any litigation arising hereunder shall be King County, Washington.

13. Attorneys' Fees

Should a claim related to this Agreement, or the subject matter thereof, be litigated in
a dispute between Grantor and Grantee, the substantially prevailing party shall be entitled to
reimbursement of reasonable attorneys' fees by the substantially nonprevailing party.

14. Notices

For so long as The Boeing Company ("Boeing") is the owner of any portion of
Property in the Plat, notice to Grantor shall be given in writing by personal delivery or by
certified or registered mail, return receipt requested, at the address set forth below.
Following conveyance by Boeing of any portion of the Property in the Plat, any notice to be
given to any subsequent owner hereunder must be in writing and may be given by personal
delivery or by mailing the same by registered or certified mail, return receipt requested, to the
owner at such address as each owner shall designate in a writing delivered to the City. Notice
to the City shall be given in writing by personal delivery or by certified or registered mail,
return receipt requested, at the address set forth below.

GRANTOR:

The Boeing Company
Philip W. Cyburt
Vice President

P.O. Box 3707 IF-58
Seattle, WA 98124-2207

with a copy to:

Gerald Bresslour
Counsel
Office of the General Counsel
The Boeing Company
P.O. Box 3707 MC 13-08
Seattle, WA 98124-2207

GRANTEE:

City of Kent
Public Works Department
220 Fourth Avenue South
Kent, WA 98032

15. Exhibits

The following exhibits are attached to and made a part of this Agreement by this reference:

EXHIBIT A  -  Legal Description - Property
EXHIBIT B  -  Legal Description - Easement Area
EXHIBIT C  -  MDNS
EXHIBIT D  -  Planting Plan

16. Modification

This Agreement shall not be modified or amended orally, or in any other way, except
by written agreement executed by both parties

[the remainder of this page is intentionally left blank]
THE BOEING COMPANY, a Delaware corporation

By Philip W. Erby, Authorized Signatory
Vice President, The Boeing Company

THE CITY OF KENT, a municipal corporation of the State of Washington

By Kim Pratt
City Attorney

By Don E. Wilmot
Name: Public Works Director
Title:
State of California

County of Orange

On December 23, 2002, before me, T.S. Wertner, Notary Public, personally appeared Stephen J. Barker. I certify that I personally know that Stephen J. Barker is the person who appeared before me and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Authorized Signatory of The Boeing Company to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal

T. S. WERTNER
Commission # 1346642
Notary Public - California
Los Angeles County
My Conven. Expires Apr 6, 2008
STATE OF WASHINGTON )
) ss.
COUNTY OF King )

On this 23rd day of January, 2003, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Don E. Nickleson, to me known to be the person who signed as Public Works Director of THE CITY OF KENT, the municipal corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was duly elected, qualified and acting as said officer of the municipal corporation, that he was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said municipal corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

[Signature of Notary]

[Print or stamp name of Notary]

NOTARY PUBLIC in and for the State of Washington, residing at Tacoma. My appointment expires: 12-09-09.
EXHIBIT A

BOEING SPACE CENTER
LARGE LOT SEGREGATION - LOT 4

All of Lot 7 and all those portions of Lot 6 of City of Kent Large Lot Segregation, as recorded under
Recording No. 20010608001505, Records of King County, Washington, more particularly described as
follows:

BEGINNING at the Southwest corner of said Lot 7;
THENCE North 00° 55' 24" East along the West line of said Lot 7, a distance of 1,252.05 feet to the
beginning of a non-tangent 450.00-foot radius curve to the right, from which point the radius point of said
curve bears North 14° 44' 35" East, 450.00 feet distant;
THENCE along the arc of said curve, passing through a central angle of 02° 17' 23", an arc distance of
17.98 feet;
THENCE North 72° 58' 02" West, 121.41 feet to the beginning of a 389.00-foot radius curve to the left;
THENCE along the arc of said curve, passing through a central angle of 17° 01' 58", an arc distance of
115.64 feet;
THENCE North 90° 00' 00" West, 141.62 feet,
THENCE North 00° 00' 00" East, 788.94 feet;
THENCE North 89° 56' 49" East, 1,630.88 feet to the Westerly margin of SR-181;
THENCE Southerly along said Westerly margin to the Northerly margin of South 212th Street;
THENCE Westerly along said Northerly margin to the POINT OF BEGINNING.
EXHIBIT B
SHEET 1 OF 2

LEGAL DESCRIPTION

BOEING DITCH EASEMENT

The East 100 feet and the South 100 feet of Lot 4 of Large Lot Segregation of a portion of Sections 2 and 11 in Township 22 North, Range 4 East, Willamette Meridian, according to Segregation recorded under Recording No. 20020813001046, in King County, Washington;

TOGETHER WITH the South 281.5 feet of the East 100 feet of Lot 2 of said Large Lot Segregation;

TOGETHER WITH the South 100 feet of the East 856.5 feet, as measured along the South line thereof, of Lot 8 of said Large Lot Segregation.

Project Name: Pacific Gateway Business Park
September 12, 2002

7745L007.doc
RWG/jgs
Exhibit C
Sheet 1 of 2

CITY OF KENT

MITIGATED DETERMINATION OF NONSIGNIFICANCE

Environmental Checklist No KIYA #2001-17

Project PACIFIC GATEWAY DIVISION II

Description The applicant proposes to subdivide 48.5 acres, adjacent to the Boeing Space Center facility, into 9 lots ranging from 2.9-7.2 acres in size. The lots will provide for future industrial business park development, with approximately 1,000,000 square feet of building floor area at full build-out. The subdivision will create one Tract (Tract A), for stormwater detention, water quality control and compensatory flood storage. Tract A is approximately 5.5 acres in size. The project will include approximately 25,000 cubic yards of excavation and roughly 30,000 cubic yards of fill. The applicant proposes to fill 0.26 acres of a jurisdictional wetland.

Location The subject property is located at the northwest intersection of West Valley Highway and South 212th Street and is identified by King County Tax Parcel #122049019 and a portion of #022049019. The property is zoned M.I. Industrial Park.

Applicant Jay Grubb, P.E.
Bartholomew Consulting Engineers
18215 72nd Ave S
Kent, WA 98032

Lead Agency City of Kent

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C 030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This Determination of Nonsignificance is specifically conditioned on compliance with the conditions and mitigating measures described below. This information is available to the public on request.

There is no comment period for this DNS

X This DNS is issued under 197-11-340(2). The lead agency will not act on this proposal for 28 days from the date of this decision, that includes a 14-day comment period followed by a 14-day appeal period as provided by WAC 197-11-680. Comments must be submitted by March 12, 2002

Responsible Official Ken Mersock

Position/Title Senior Planner

Address 220 S Fourth Avenue, Kent, WA 98032 Telephone (253) 856-5454

Dated February 26, 2002

Signature

APPEAL PROCESS AN APPEAL OF A DETERMINATION OF NONSIGNIFICANCE (DNS) MUST BE MADE TO THE KENT HEARING EXAMINER WITHIN FOURTEEN (14) FOLLOWING THE END OF THE COMMENT PERIOD PER KENT CITY CODE 11.03.520
CONDITIONS/MITIGATING MEASURES

1. The Owner/Subdivider shall provide the City with a queuing analysis and shall propose as supported by the analysis, restriping and signal timing modifications to mitigate project impacts, if any, on queuing storage at the following intersections:

   - West Valley Highway and South 204th Street
   - West Valley Highway and South 208th Street
   - West Valley Highway and South 212th Street
   - South 212th Street and 60th Avenue Southeast
   - South 212th Street and 64th Avenue Southeast
   - South 212th Street and 66th Avenue Southeast

2. The Owner/Subdivider shall convey an area 100-feet northerly and westerly of the South 212th Street and West Valley Highway rights-of-way, respectively, to the City. The purpose of this new easement area will be for conveyance system improvements, habitat enhancement and riparian area plantings. This conveyance may be either an easement or tract. The Owner/Subdivider shall convey the necessary public drainage easement(s) for the Boeing Creek sometimes called the "Boeing Ditch" along the subject development to the City of Kent via documents prepared by the applicant and approved by the City.

3. The Owner/Subdivider shall incorporate Regulatory and Source Control Best Management Practices (BMPs), where appropriate by the Washington State Department of Ecology Stormwater Management Manual for the Puget Sound Basin in the final site design to prevent or minimize water pollution during and after construction. The specific Regulatory and Source Control BMPs required for this development may include but are not limited to the following:

   - BMP R.05 - Spill Control Separator
   - BMP R.10 - API Separator
   - BMP R.15 - Coalescing Plate Separator
   - BMP R.1 - Stormwater Discharges to Public Sanitary Sewers, Septic Systems, Sumps and Process Treatment
   - BMP R.2 - Uniform Fire Code Requirements
   - BMP R.3 - Ecology Requirements for Generators of Dangerous Wastes
   - BMP R.4 - Minimum Functional Standards for Containers
   - BMP R.6 - USEPA Requirements for Underground Tank Storage
   - BMP R.7 - USEPA / Ecology Emergency Spill Cleanup Requirements
   - BMP R.8 - WSDA Pesticide Regulations
   - BMP R.9 - Air Quality Regulations
   - BMP R.10 - Ecology Waste Reduction Programs
   - BMP R.11 - NPDES Stormwater Permits
   - BMP R.12 - Washington State Ground Water Quality Standards
   - BMP S1.10 - Fueling Stations
   - BMP S1.20 - Vehicle/Equipment Washing and Steam Cleaning
   - BMP S1.30 - Loading and Unloading Liquid Materials
   - BMP S1.40 - Liquid Storage in Above-Ground Tanks
   - BMP S1.50 - Container Storage of Liquids, Food Wastes or Dangerous Wastes

4. The Owner/Subdivider shall execute an agreement with the City, in recordable form, that releases the City of claims or causes of action associated with or attributable to the City's invocation of a moratorium for new or additional water service provided that the City, in adopting the moratorium is acting in good faith and has used reasonable diligence to obtain necessary water supplies.
VEGETATION DENSITY & VIEW CONSTRAINTS

(REPRESENTATIVE HORIZONTAL COVERAGE)

Opacity ratios to be based on overall frontage distance. Plant type width may vary with a minimum of 25' each type.

- 25' PER 100 LF. SEASONAL OPACITY
- 50' @ 100% OPACITY (PER 200 LF)
- 50% CLEAR PER 100 LF

EASEMENT-DEVELOPMENT SETBACK LINE
SHRUB/SHRUB-SCRUB
DECIDUOUS TREES
EVERGREEN TREES
EMERGENT PLANTINGS
NEW CHANNEL
LOWEST EXTENT OF WOODY SPECIES
TOP OF BANK
EXISTING OR NEW STREET TREES (CITY)
R.O.W. LINE

REPRESENTATIVE LAYOUT
and PLANTING SECTION

SCALE: 1" = 50' (ONLY TREES AND SHRUB-SCRUB SHOWN)

NATIVE WOODY PLANT SPECIES

<table>
<thead>
<tr>
<th>TREES</th>
<th>SHRUBS/SHRUB-SCRUB</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACER MACROPHYLLUM, BIG-LEAF MAPLE</td>
<td>ACER CIRCINATUM, VINE MAPLE</td>
</tr>
<tr>
<td>BETULA PAPYRIFERA, PAPER BIRCH</td>
<td>AMELANCHIER ALNIFOLIA, PACIFIC SERVICEBERRY</td>
</tr>
<tr>
<td>FRAXINUS LATIFOLIA, OREGON ASH</td>
<td>CORNUS STOLONIFERA, RED-TWIG DOGWOOD</td>
</tr>
<tr>
<td>POPULUS TRICLOPSIS, QUAILING ASPEN</td>
<td>CORIOLUS COMMUNIS, WESTERN HAZELNUT</td>
</tr>
<tr>
<td>PSEUDOTSUGA MENZIESII, DOUGLAS FIR</td>
<td>HOLEIDUSCUS DISCOLOR, OCEANSPRAY</td>
</tr>
<tr>
<td>THUYA PUGILATA, WESTERN REDcedAR</td>
<td>OEMLERA GERASIFOROSA, INDIAN PLUM</td>
</tr>
<tr>
<td>TSUGA HETEROPHYLLA, WESTERN HEMLOCK</td>
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</tbody>
</table>

X PLANTS SUITABLE FOR THIS HYDROLOGY.

* TREES OF LARGE SIZE, AGGRESSIVE ROOTS, NO LESS THAN 20' FROM INTERIOR EASEMENT BOUNDARY OTHER TREES AT NO LESS THAN 10'

* PLANT SPECIES FROM KC DRAINAGE DIST. NO 1 DOW BY L.A.-F.W. BUSHELL, 1997 SPECIES OF LOW MAINT, LOW VOLUME MASS ADDED BY H BRUCE MCCORRY, PLA NO 504

VEGETATION DENSITY & DEVELOPMENT VIEW CONSTRAINTS:

- 100% VERTICAL EVERGREEN OPACITY (TYPE LANDSCAPE) - 25%
- 100% SUMMER VERTICAL OPACITY (SEASONAL + EVERGREEN) - 50%
- 42" (GUTTER LINE) TO 15' VERTICAL CLEAR VIEW (OPEN) - 50%
- BELOW 42" AS 100% OPACITY - 100%

(DENSITY BASED ON CANOPY COVER AT MATURITY, OR 15 YEARS CONSISTENT WITH PDCP APPROVED TYPE III FRONTAGE LANDSCAPE)

For: Pacific Gateway Business Park Div. II
THE BOEING COMPANY

TRIM: EXHIBIT D
LANDSCAPE

Sheet 1 of 2

Designed HBM
Green HBM
Checked -
Approved - Date 10/15/02

RCE No 7745
PLANTING SETBACKS TO ENSURE NON-NUISANCE TO ADJACENT DEVELOPMENT. LANDSCAPE TO BE CONSISTENT WITH EXISTING/APPROVED PGPR STREET LANDSCAPE EMERGENT-TRANSITION ZONE.

GRAVITY DESIGN TREES
DESIGN SLOPE

CUT BANK
MINIMUM TOP BANK & CHANNEL MEANDER (EACH SIDE)

TYPICAL DITCH SECTION
2 HORIZ. TO 1 VERT. DESIGN SLOPE WITH SHEET DRAINS

SCALE 1" = 10' (HWY)
EXHIBIT 19

Notification of Property Transfer Agreement

This Notification of Property Transfer Agreement ("Agreement") is made as of the ____ day of 2004, by and between THE BOEING COMPANY, a Delaware corporation ("Owner") and the CITY OF KENT, a municipal corporation of the State of Washington (the "City").

RECITALS

A. Owner is the owner of certain real property located in the City of Kent, more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").

B. On _____________, the City and Owner entered into a Development Agreement related to project permit applications. Concurrently with the City's review of the Development Agreement, a binding site plan approval for a portion of the Property known as "Division IV" was issued, City File No. _____________, ("Binding Site Plan Approval"). Said approval included a condition, Condition No. __ of said approval, that required Owner to notify the City when any transfer of any lot within the binding site plan area occurred (Condition No. __ attached hereto as Exhibit B and incorporated herein in full by this reference). Said approval further required Owner and the City to execute an agreement, in the form acceptable to the City, specifying how Owner would carry out the notification obligation.

C. Owner and the City wish to enter this Agreement to allow Owner to fulfill this condition of the Binding Site Plan Approval and to implement the Development Agreement.

NOW, THEREFORE, the parties agree as follows:

1. This Agreement shall become effective upon mutual execution and shall remain in effect as set forth herein.

2. In the event Owner receives an executed purchase and sale agreement for any lot within the Property, Owner shall provide the potential purchaser with a copy of the Binding Site Plan Approval and Development Agreement prior to closing the sale of the lot.
3. Upon and in conjunction with the transfer of ownership of any lot within the Property, Owner shall provide the City with a notarized document signed by the potential purchaser acknowledging said purchaser has received a copy of the Binding Site Plan Approval and Development Agreement, read them, and understood their terms and conditions, and agrees to comply with said documents upon ownership of a lot within the Property.

4. Prior to the review of any project permit application covered by the Development Agreement, Owner shall cause the City to receive written notice that any transfer identified in Section 3 of this Agreement that relates to the project permit application has occurred.

5. Notices required to be given to the City under this Agreement shall be given in writing by personal delivery or by certified or registered mail, return receipt requested, at the following address:

   City of Kent  
   Public Works Department  
   220 Fourth Avenue South  
   Kent, WA 98032

Notices shall be deemed effective, if mailed, upon the second day following deposit thereof in the United States mail, postage prepaid, certified or registered mail, return receipt requested, or upon delivery thereof it otherwise given. The City may change the address to which notices may be given by giving written notice to: [Redacted], The Boeing Realty Corporation, P.O. Box 3707 1F-58, Seattle, WA 98124-2207, in the same manner as provided above.

<table>
<thead>
<tr>
<th>OWNER: THE BOEING COMPANY</th>
<th>CITY: CITY OF KENT</th>
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<tbody>
<tr>
<td>By:</td>
<td>By:</td>
</tr>
<tr>
<td>Its:</td>
<td>Title:</td>
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</tbody>
</table>

[19 DOC] -2-
STATE OF WASHINGTON)
COUNTY OF __________ )

On this ___ day of ____________, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared ________________, to me known to be the person who signed as ________________ of THE BOEING COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was duly elected, qualified and acting as said officer of the corporation, that he was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Washington, residing at ________________
My appointment expires: ________________
STATE OF WASHINGTON )  
COUNTY OF __________  ) ss.

On this ___ day of _____________, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared ____________________________, to me known to be the person who signed as ___________________ of THE CITY OF KENT, the municipal corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was duly elected, qualified and acting as said officer of the municipal corporation, that he was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said municipal corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

__________________________________________
(Signature of Notary)

__________________________________________
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Washington, residing at ________________
My appointment expires ________________
EXHIBIT 20

Amendment [__] to the Development Agreement

Confirmation of Continuation of the Agreement

The development agreement entered into by and between THE BOEING COMPANY, a Delaware corporation ("Owner") and the CITY OF KENT, a municipal corporation of the State of Washington (the "City") dated ______________ concerning property owned by Boeing known as the Kent Space Center is hereby amended to add a new paragraph 2a as follows:

2a. Term of Agreement

By mutual consent of the parties hereto, the Term of this Agreement shall extend an additional twenty (20) years, for a total of 40 years from the recording date of this Agreement. [A public hearing has been held in accordance with Section 13 of this Agreement.] OR [The parties have determined that no public hearing is required to implement this extension in accordance with Section 13 of this Agreement.] All other provisions of this Agreement shall remain in full force and effect.

DATED this ____ day of __________, 2024.

OWNER:
THE BOEING COMPANY

CITY:
CITY OF KENT

By:

Its:

By:

Title:
STATE OF WASHINGTON )
COUNTY OF __________ ) ss.

On this ____ day of ____________, 2024, before me, the undersigned, a
Notary Public in and for the State of Washington, duly commissioned and sworn,
personally appeared ____________, to me known to be the person who signed as
________________ of THE BOEING COMPANY, the corporation that executed
the within and foregoing instrument, and acknowledged said instrument to be the free and
voluntary act and deed of said corporation for the uses and purposes therein mentioned,
and on oath stated that he was duly elected, qualified and acting as said officer of the
corporation, that he was authorized to execute said instrument and that the seal affixed, if
any, is the corporate seal of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day
and year first above written.

(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State
of Washington, residing at _____________.
My appointment expires _____________.

[20 DOC] -2-
STATE OF WASHINGTON  

COUNTY OF ________  

On this _____ day of ____________, 2024, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared ____________________________ to me known to be the person who signed as ____________________________ of THE CITY OF KENT, the municipal corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was duly elected, qualified and acting as said officer of the municipal corporation, that he was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said municipal corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

__________________________________  
(Signature of Notary)

__________________________________  
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Washington, residing at _________________.  
My appointment expires. ________________.
EXHIBIT 21

Vested Development Regulations

Chapter 15.04  District Regulations, including manufacturing land use development conditions (i.e., setbacks, height restrictions, lot coverage, minimum lot size, etc.)

Chapter 15.05  Off-Street Parking and Loading Requirements

Chapter 15.06  Sign Regulations

Chapter 15.07  Landscaping Regulations, including regulations for Specific Districts

Chapter 15.08.100  Nonconforming development
Chapter 15.04

DISTRICT REGULATIONS

Sections:
15.04.010 Interpretation of land use tables.
15.04.020 Residential land uses.
15.04.030 Residential land use development conditions.
15.04.040 Manufacturing land uses.
15.04.050 Manufacturing land use development conditions.
15.04.060 Transportation, public, and utilities land uses.
15.04.065 Transportation, public, and utilities land use development conditions.
15.04.070 Wholesale and retail land uses.
15.04.080 Wholesale and retail land use development conditions.
15.04.090 Service land uses.
15.04.100 Service land use development conditions.
15.04.110 Cultural, entertainment, and recreation land uses.
15.04.120 Cultural, entertainment, and recreation land use development conditions.
15.04.130 Resource land uses.
15.04.140 Resource land use development conditions.
15.04.150 Special use combining district, SU.
15.04.160 Development standards.
15.04.170 Agricultural and residential zone development standards.
15.04.180 Agricultural and residential land use development standard conditions.
15.04.190 Commercial and industrial zone development standards.
15.04.195 Commercial and industrial land use development standard conditions.
15.04.200 Mixed use overlay development standards.
15.04.205 Mixed use land use development standard conditions.

15.04.010 Interpretation of land use tables.

A. Land use tables. The land use tables in KCC 15.04.020 through 15.04.140 determine whether a specific use is allowed in a zoning district. The zoning districts are located in the vertical columns and the land uses are located on the horizontal rows of these tables. A purpose statement for each zoning district is included in Ch. 15.03 KCC.

B. Principally permitted uses. If the letter "P" appears in the box at the intersection of the column and the row, the use is permitted in that zoning district subject to the review procedures specified in Ch. 15.09 KCC, the development conditions following the land use table, and any requirements of an overlay zone and the general requirements of the code.

C. Special uses. If the letter "S" appears in the box at the intersection of the column and the row, the use is permitted in that zoning district subject to the review procedures specified in Ch. 15.09 KCC, the development conditions following the land use table, the development standards stated in KCC 15.08.020, any requirements of an overlay zone and the general requirements of the code.

D. Conditional uses. If the letter "C" appears in the box at the intersection of the column and the row, the use is permitted in that zoning district subject to the review procedures specified in Ch. 15.09 KCC, the development conditions following the land use table, the review criteria stated in KCC 15.09.030, any requirements of an overlay zone and the general requirements of the code.

E. Accessory uses. If the letter "A" appears in the box at the intersection of the column and the row, the use is permitted in that zoning district subject to the review procedures specified in Ch. 15.09 KCC, the development conditions following the land use table and any requirements of an overlay zone and the general requirements of the code.

F. Development conditions. If a number appears next to the land use or in the box at the intersection of the column and the row, the use may be allowed subject to the appropriate review process indicated above, the general requirements of the code, and the specific conditions indicated in the development condition with the corresponding number in subsection immediately following each land use table.

G. Multiple development conditions. If more than one (1) letter-number combination appears in the box at the intersection of the column and the row, the use is allowed in that zone subject to different sets of limitations or conditions depending on the review process indicated by the letter, the general requirements of the code, and the specific
conditions indicated in the development condition with the corresponding number immediately following the table.

H. Overlay zones. Overlay districts provide policies and regulations in addition to those in the underlying zoning district. Overlay zones include the mixed use overlay and the Green River corridor special interest district.

I. Applicable requirements. All applicable requirements shall govern a use whether or not they are cross-referenced in a section.

J. Interpretation of other uses. Any other unnamed use shall be permitted if it is determined by the planning manager to be of the same general character as the principally permitted uses and in accordance with the stated purpose of the district, per KCC 15.09.065.

(Ord. No. 3439, § 2, 2-2-99; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)
Kent City Code

15 04 020 Residential land uses.

### Key

- **P** = Principally Permitted Use
- **S** = Special Use
- **C** = Conditional Use
- **A** = Accessory Use

### Zoning Districts

| One single-family dwelling per lot | One duplex per lot | One modular home per lot | Duplexes | Multifamily townhouse units | Multifamily dwellings | Multifamily dwellings for senior citizens | Mobile homes and manufactured homes | Mobile home parks | Group homes class I-A | Group homes class I-B | Group homes class I-C | Group homes class II-A | Group homes class II-B | Group homes class III-C | Group homes class III-D | Rooming and boarding of not more than three persons | Farm worker accommodations |
|-----------------------------------|-------------------|--------------------------|----------|-----------------------------|-----------------------|------------------------------------------|-----------------------------------|----------------|----------------------|---------------------|------------------|----------------------|----------------------|----------------------|------------------------|----------------------|
| HS-GC Special Commercial District | P                 | P                        | P        | P                           | P                     | P                                        | P                                 | P              | P                    | P                   | C                | P                    | C                    | C                    | P                      | A (3)                | A (17)                | A (17)                |
15.04.030 Residential land use development conditions.

1. Dwelling units, limited to not more than one (1) per establishment, for security or maintenance personnel and their families, when located on the premises where they are employed in such capacity. No other residential use shall be permitted.

2. Multifamily residential use shall be permitted only in the mixed-use overlay when included within a mixed use development.

3. (Reserved)

4. Multifamily residential uses, when established in buildings with commercial or office uses, and not located on the ground floor.

5. Multifamily residential uses, when not combined with commercial or office uses.

6. Existing dwellings may be rebuilt, repaired, and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds, and fences.

7. Transitional housing facilities, limited to a maximum of twenty (20) residents at any one (1) time and four (4) resident staff.

8. Guesthouses not rented or otherwise conducted as a business.

9. Farm dwellings appurtenant to a principal agricultural use for the housing of farm owners,
operators, or employees, but not accommodations for transient labor.

10. Accessory dwelling units shall not be included in calculating the maximum density. Accessory dwelling units are allowed subject to the provisions of KCC 15.08.350.

11. Customary incidental home occupations subject to the provisions of KCC 15.08.040.

12. Except for transitional housing, with a maximum of twenty (20) residents and four (4) staff, which are principally permitted uses.

13. Subject to the combining district requirements of the mobile home park code, Ch. 12.05 KCC.

14. Accessory living quarters are allowed per the provisions of KCC 15.08.359.

15. Multifamily residential use shall be permitted as a conditional use only when included in a mixed use development.

16. Recreational vehicle storage is permitted as an accessory use in accordance with KCC 15.08.080.

17. Accommodations for farm operators and employees, but not accommodations for transient labor.

18. Other accessory uses and buildings customarily appurtenant to a permitted use, except for onsite hazardous waste treatment and storage facilities, which are not permitted in residential zones.

19. The following zoning is required to be in existence on the entire property to be rezoned at the time of application for a rezon to an MR-T zone: SR-8, MR-D, MR-G, MR-M, MR-H, O, O-MU, NCC, CC, GC, DC, or DCE.

20. All multifamily townhouse developments in the MR-T zone shall be condominiums and recorded pursuant to Chapter 64.32 RCW prior to approval of a certificate of occupancy by the city.

21. Subject to KCC 15.08.160(A) and (B), accessory buildings.

22. One (1) duplex per lot is permitted.

23. Secure community transition facilities are permitted only in the GWC zoning district.

24. Class II and class III group homes, other than secure community transition facilities, are not allowed in this zoning district. A secure community transition facility shall also comply with applicable state siting and permitting requirements pursuant to Chapter 71.09 RCW. Secure community transition facilities are not subject to the siting criteria of KCC 15.08.280 for class III group homes, but they are subject to a six hundred (600) foot separation from any other class II or III group home. In no case shall a secure community transition facility be sited adjacent to, immediately across the street or parking lot from, or within the line of sight of risk potential activities or facilities in existence at the time a site is listed for consideration. Within line of sight means that it is possible to reasonably visually distinguish and recognize individuals. For the purposes of granting a conditional use permit for siting a secure community transition facility, the hearing examiner shall consider an unobstructed visual distance of six hundred (600) feet to be “within line of sight.” During the conditional use permit process for a secure community transition facility, “line of sight” may be considered to be less than six hundred (600) feet if the applicant can demonstrate that visual barriers exist or can be created that would reduce the line of sight to less than six hundred (600) feet. This distance shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property or parcel upon which the proposed use is to be located, to the nearest point of the parcel or property or the land use district boundary line from which the proposed use is to be separated. For the purpose of granting a conditional use permit for a secure community transition facility, the hearing examiner shall give great weight to equitable distribution so that the city shall not be subject to a disproportionate share of similar facilities of a state-wide, regional, or county-wide nature. (Ord. No. 3439, § 2, 2-2-99; Ord. No. 3440, § 5, 2-16-99; Ord. No. 3470, § 4, 8-17-99; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02, Ord. No. 3615, § 2, 9-17-02)

15-35
### Manufacturing land uses.

<table>
<thead>
<tr>
<th>Key</th>
<th>P = Principally Permitted Uses</th>
<th>S = Special Uses</th>
<th>C = Conditional Uses</th>
<th>A = Accessory Uses</th>
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<td>Manufacturing, processing, blending, and packaging of food and beverage products</td>
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<td>Manufacturing, processing, blending, and packaging of drugs, pharmaceuticals, toiletries, and cosmetics</td>
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<tr>
<td>Manufacturing, processing, blending, and packaging of dairy products and byproducts</td>
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<td>Industrial laundry and dyeing (including feed supply and diaper services)</td>
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<td>Manufacturing and assembly of electrical equipment, appliances, lighting, radio, TV communications, equipment, and components</td>
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<tr>
<td>Fabricated metal products milp; custom sheet metal milp; containers, hand tools, heating equipment, screw products, education, coating, and plating</td>
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(Revised 11/02)
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<thead>
<tr>
<th>Kent City Code</th>
<th>Key prohibiting uses</th>
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<th>C = Conditional Uses</th>
<th>A = Accessory Uses</th>
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<td>CC Community Commercial District</td>
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Key:
v = access is open
C = Command (use x)
15.04.050 Manufacturing land use development conditions.

1. The following uses require a conditional use permit:
   a. Manufacture of such types of basic materials as follows:
      (1) Gum and wood chemicals and fertilizers, and basic industrial organic and inorganic chemicals or products such as alkalis and chlorine, industrial and liquid petroleum, gases, cellophane, coal tar products, dyes and dye products, impregnated products, tanning compounds, and glue and gelatin.
      (2) Hydraulic cement, concrete, gypsum, lime, carbon, carbon black, graphite, coke, glass, and similar products.
   b. Manufacture of products such as the following:
      (1) Ammunition, explosives, fireworks, matches, photographic film, missile propellants, and similar combustibles.
      (2) Rubber from natural, synthetic, or reclaimed materials.
      (3) Paving and roofing materials or other products from petroleum derivatives.
   c. Refining of materials such as petroleum and petroleum products, metals and metal ores, sugar, and fats and oils.
   d. Distilling of materials such as bone, coal, coal tar, coke, wood, and other similar distillates.
   e. Heavy metal processes, such as ore reduction or smelting, including blast furnaces, and including drop forging, drop hammering, boiler plate works, and similar heavy metal operations:
      (1) Asphalt batching plants.
      (2) Concrete mixing and batching plants, including ready-mix concrete facilities.
      (3) Rock crushing plants and aggregate dryers
      (4) Sandblasting plants.
   f. Animal and food processing, including the following and similar operations:
      (1) Tanning, dressing, and finishing of hides, skins, and furs.
      (2) Meat and seafood products, curing, canning, rendering, and slaughtering.
      (3) Nitration of cotton and other materials.
      (4) Rendering of animal grease or tallow, fish oil, and similar materials.
      (5) Slaughtering, stockyard, feedlot, dairy, and similar operations.
      (6) Pickling and brine curing processes.
      (7) Wholesale produce markets.
   g. Salvage, wrecking, and disposal activities, including the following and similar operations:
      (1) Automobile and building wrecking and salvage.
      (2) Salvage of industrial waste materials such as metal, paper, glass, rags, and similar materials.
      (3) Sewage disposal and treatment plants.
      (4) Dump and sump operations for such uses as rubbish, garbage, trash, and other liquid and solid wastes.
   h. Storage of the following kinds of goods:
      (1) Bulk storage of oil, gas, petroleum, butane, propane, liquid petroleum gas, and similar products, and bulk stations and plants.
      (2) Used building materials, mover's equipment, relocated buildings, impounded vehicles, and similar materials.
      (3) Explosives or fireworks, except where incidental to a principally permitted use
      (4) Fertilizer or manure.

2. Small scale, light industrial, or manufacturing operations where the building, structure, or total operation does not encompass more than ten thousand (10,000) square feet of area. The ten thousand (10,000) square feet total shall include all indoor and outdoor storage areas associated with the manufacturing operation. Only one (1) of these uses shall be allowed per lot.

3. Small scale light manufacturing operations as follows: stamping, brazing, testing, electronic assembly, and kindred operations where the building, structure, or total operation does not encompass more than ten thousand (10,000) square feet of area. The ten thousand (10,000) square foot total shall include all indoor and outdoor storage areas associated with the manufacturing operation. Only one (1) ten thousand (10,000) square foot manufacturing operation shall be permitted per lot.

4. Conditional use for manufacturing of paint, but manufacturing of paint is permitted outright in the M3 zone.

5. Contractor shops where most of the work is done on call, and which do not rely on walk-in trade, but where some incidental storage or service manufacturing work is done on the premises, such
as carpentry, heating, electrical, or glass shops, printing, publishing, or lithographic shops, furniture, upholstery, dry cleaning, and exterminators.  

6. Accessory uses shall not include vehicular drive-through, drive-in, and service bay facilities.

7. For permitted uses, hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of Ch. 11.02 KCC and do not accumulate more than twenty thousand (20,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which are not permitted in this district.

8. For permitted uses, accessory hazardous substance land uses which are not subject to cleanup permit requirements of Ch. 11.02 KCC and which accumulate more than twenty thousand (20,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which are not permitted in this district. Fuel farm facilities are not allowed in the AG or A-10 zones.

9. For permitted uses, hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of Ch. 11.02 KCC and which do not accumulate more than five thousand (5,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which are not permitted in this district.

10. Includes incidental storage facilities and loading/unloading areas.

11. For permitted uses, hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of Ch. 11.02 KCC and which do not accumulate more than ten thousand (10,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which are not permitted in this district.

12. For permitted uses, accessory hazardous substance land uses which are not subject to cleanup requirements of Ch. 11.02 KCC and which accumulate more than ten thousand (10,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site or which handle more than twenty thousand (20,000) pounds of hazardous substances and wastes on the site in any thirty (30) day period of time, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which are not permitted in this district.

13. Includes incidental storage facilities, which must be enclosed, and loading/unloading areas.

14. Including transportation and transit terminals with repair and storage facilities, and rail-truck stations, except classification yards in the category of "hump yards."

15. For permitted uses, hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of Ch. 11.02 KCC and which do not accumulate more than twenty thousand (20,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site, subject to the provisions of section 15.08.050. Offsite hazardous waste treatment or storage facilities are not permitted in this district, except through a special use combining district.

16. For permitted uses, accessory hazardous substance land uses which are not subject to cleanup permit requirements of Ch. 11.02 KCC and which accumulate more than twenty thousand (20,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site, subject to the provisions of KCC 15.08.050. Offsite hazardous waste treatment or storage facilities are not permitted in this district, except through a special use combining district.

17. Conditional use permit required for trucking terminals and rail-truck transfer uses.

18. For permitted uses, hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of Ch. 11.02 KCC and which do not accumulate more than twenty thousand (20,000) pounds of hazardous substances or wastes or any combination thereof at any one (1)
time on the site, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which require a conditional use permit in this district.

19. For permitted uses, accessory hazardous substance land uses which are not subject to cleanup permit requirements of Ch. 11.02 KCC and which accumulate more than twenty thousand (20,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which require a conditional use permit in this district.

a. Offsite hazardous waste treatment or storage facilities, subject to the provisions of KCC 15.08.050.

b. Any hazardous substance land use that is not an accessory use to a principally permitted use.

20. Warehousing and distribution facilities and the storage of goods or products, except for those goods or products specifically described as permitted to be stored only as conditional uses in the M3 district.


22. Warehousing and distribution facilities and the storage of goods or products, including rail-truck transfer facilities.

23. Miniswarehouses; provided, that the following development standards shall apply for miniwarehouses, superseding those set out in KCC 15.04.190 and 15.04.200:

a. Frontage use
   The first one hundred fifty (150) feet of lot depth, measured from the property line or right-of-way inward from the street frontage, shall be reserved for principally permitted uses for this district, defined by the provisions of KCC 15.04.100(A)(1), or for the office or onsite manager's unit, signage, parking, and access. A maximum of twenty-five (25) percent of the frontage may be used for access to the storage unit area; provided, that in no case shall the access area exceed seventy-five (75) feet in width. No storage units or structures shall be permitted within this one hundred fifty (150) feet of commercial frontage depth.

b. Lot size
   Minimum lot size is one (1) acre; maximum lot size is four (4) acres.

c. Site coverage
   Site coverage shall be in accordance with the underlying zoning district requirements.

d. Setbacks
   Setbacks shall be as follows.
   (1) Front yard: Twenty (20) feet.
   (2) Side yard: Ten (10) feet.
   (3) Rear yard: Ten (10) feet.

e. Height limitation
   The height limitation is one (1) story.

f. Outdoor storage
   No outdoor storage is permitted.

g. Signs
   The sign requirements of Ch. 15.06 KCC shall apply.

h. Off-street parking
   (1) The off-street parking requirements of Ch. 15.05 KCC shall apply.
   (2) Off-street parking may be located in required yards, except in areas required to be landscaped.

i. Development plan review
   Development plan approval is required as provided in KCC 15.09.010.

j. Landscaping
   Landscaping requirements are as follows:
   (1) Front yard: Twenty (20) feet, type III (earth berms).
   (2) Side yard: Ten (10) feet, type II abutting commercial uses or districts; type I abutting residential uses or districts.
   (3) Rear yard: Ten (10) feet, type II abutting commercial uses or districts; type I abutting residential uses or districts.

For maintenance purposes, underground irrigation systems shall be provided for all landscaped areas.

k. Onsite manager
   A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of the approval. The planning department shall establish requirements for parking and loading areas sufficient to accommodate the needs of the resident manager and the customers of the facility.

l. Drive aisles
   Drive aisle width and parking requirements are as follows:
   (1) Fifteen (15) foot drive aisle and ten (10) foot parking aisle.
   (2) Parking for manager's quarters and visitor parking.
m. **Building lengths.** The horizontal dimension of any structure facing the perimeter of the site shall be offset at intervals not to exceed one hundred (100) feet. The offset shall be no less than twenty (20) feet in the horizontal dimension, with a minimum depth of five (5) feet.

n. **Building materials.** If abutting a residential use or zone, residential design elements such as brick veneer, wood siding, pitched roofs with shingles, landscaping, and fencing shall be used. No uncomplimentary building colors should be used when abutting a residential use or zone.

o. **Prohibited uses.** Use is restricted to dead storage only. The following are specifically prohibited:

1. Auctions (other than tenant lien sales), commercial, wholesale or retail sales, or garage sales.

2. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.

3. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.

4. The establishment of a transfer and storage business.

5. Any use that is noxious or offensive because of odor, dust, noise, fumes, or vibration.

6. Storage of hazardous or toxic materials and chemicals or explosive substances.

p. **Fencing.** No razor wire is allowed on top of fences.

24. Prohibited are those manufacturing activities having potentially deleterious operational characteristics, such as initial processing of raw materials (forging, smeltering, refining, and forming).

25. The ground level or street level portion of all buildings in the pedestrian overlay of the DC district (as shown in KCC 15.04.080) must be retail or pedestrian-oriented. Pedestrian-oriented development shall have the main ground floor entry located adjacent to a public street and be physically and visually accessible by pedestrians from the sidewalk; and may include the following uses:

a. Retail establishments, including but not limited to convenience goods, department and specialty stores, specialty shops such as apparel and accessories, gift shops, toy shops, cards and paper goods, home and home accessory shops, florists, antique shops, and book shops;

b. Personal services, including but not limited to barber shops, beauty salons, and dry cleaning;

c. Repair services, including but not limited to television, radio, computer, jewelry, and shoe repair;

d. Food-related shops, including but not limited to restaurants (including outdoor seating areas and excluding drive-in restaurants) and taverns;

e. Copy establishments;

f. Professional services, including but not limited to law offices and consulting services; and

g. Any other use that is determined by the planning director to be of the same general character as the above permitted uses and in accordance with the stated purpose of the district, pursuant to KCC 15.09.065, Use interpretations.

26. Permitted uses are limited to storage, warehousing, processing and conversion of agricultural, dairy, and horticultural products, but not including slaughtering, meat packing, and fuel farm facilities.

27. Excluding slaughtering, rendering, curing, or canning of meat or seafood products.

28. Except for those goods or products specifically described as permitted to be stored as conditional uses.

29. Excluding explosive fuels and propellants.

30. Excluding predominantly drop forge and drop hammer operations.

31. Other accessory uses and buildings customarily appurtenant to a permitted use, except for onsite hazardous waste treatment and storage facilities, which are not permitted in residential zones.

32. Excluding paint boiling processes.

33. Limited to twenty-five (25) percent of gross floor area. Reference KCC 15.04.080(5).

34. Retail or services uses which exceed the twenty-five (25) percent limit on an individual or cumulative basis shall be subject to review individually through the conditional use permit process. A conditional use permit shall be required on an individual tenant or business basis and shall be granted only when it is demonstrated that the operating characteristics of the use will not adversely impact onsite or offsite conditions or either an individual or cumulative basis.

35. Reuse or replacement of existing structures for non-agricultural uses is allowed where it is
shown that the existing structures are obsolete for agricultural use and will have no viable economic use unless they can be put to non-agricultural use. Any replacement structures must maintain or enhance the agricultural appearance of the property. Signs shall be limited to not more than one hundred (100) square feet in area per business, and of that amount, freestanding signs shall not exceed forty (40) square feet in area. No increase in the area of existing impervious surface shall be allowed in connection with a non-agricultural use. (Ord. No. 3439, § 2, 2-2-99; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)
15.04.060 Transportation, public, and utilities land uses.

### Zoning Districts

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<tr>
<th>Key</th>
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<td>P</td>
<td>Agricultural District</td>
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### Key

- **P**: Principally Permitted Uses
- **O**: Special Uses
- **C**: Conditional Uses
- **A**: Accessory Uses

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<th>Commercial parking lots or structures</th>
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<th>Railway and bus depots, and stations</th>
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<th>Utility and telecommunications facilities: Electrical substations, pumping or regulating devices for the transmission of water, gas, steam, petroleum, etc.</th>
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<th>Public facilities: Firehouses, police stations, libraries, and administrative offices of governmental agencies, primary and secondary schools, vocational schools, and colleges</th>
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### Additional Information

- **1.** For WTF towers ninety (90) feet or less for a single user and up to one hundred twenty (120) feet for two (2) or more users.
- **2.** For WTF towers that are within the allowable building height for the district in which they are located.
- **3.** All WTFs are subject to applicable portions of KCC 15.08.015.
- **4.** A conditional use permit is required if the WTF exceeds the allowable building height of the district.
- **5.** Transportation and transit terminal, including repair and storage facilities and rail-truck stations, except classification yards in the category of "hump yards."
- **6.** Accessory uses shall not include vehicular drive-through, drive-in, or service bay facilities.
- **7.** If on property owned, leased, or otherwise controlled by the city or other government entity subject to KCC 15.08.015(I).

(Ord. No. 3439, § 2, 2-2-99; Ord. No. 3470, § 6, 8-17-99; Ord. No. 3543, § 4, 2-20-01; Ord No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)

### Revised Information

- **15.04.065** Transportation, public, and utilities land use development conditions.

  1. For WTF towers ninety (90) feet or less for a single user and up to one hundred twenty (120) feet for two (2) or more users.
  2. For WTF towers that are within the allowable building height for the district in which they are located.
  3. All WTFs are subject to applicable portions of KCC 15.08.015.
  4. A conditional use permit is required if the WTF exceeds the allowable building height of the district.
  5. Transportation and transit terminal, including repair and storage facilities and rail-truck stations, except classification yards in the category of "hump yards."
  6. Accessory uses shall not include vehicular drive-through, drive-in, or service bay facilities.
  7. If on property owned, leased, or otherwise controlled by the city or other government entity subject to KCC 15.08.015(I).

(Revised 11-02)
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MR•T16 MufUfamlly Rosldontial Townhouse Dls1r1cl

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MR-H High 0.0.lly Multifamily RasldeMoal District

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MHP Mobile Home Park Combining District
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Common:lal District
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OCE Downtown Commercial Enterprise District
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NCC NelghbclllDOd Convenience Commercial District

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M 1 Industrial Park District
M1-C Industrial Park•Commercial Olstriet

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M2 Limited Industrial Olslrlct

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M3 General Industrial District

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GWC Gateway Commercial District


<table>
<thead>
<tr>
<th>Key</th>
<th>Zone Districts</th>
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<tbody>
<tr>
<td>P</td>
<td>A-G Agricultural District</td>
</tr>
<tr>
<td>S</td>
<td>A-G Agricultural District</td>
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<tr>
<td>C</td>
<td>A-G Agricultural District</td>
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<tr>
<td>A</td>
<td>A-G Agricultural District</td>
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</table>

**Key:**
- **P** = Principally Permitted Uses
- **S** = Special Uses
- **C** = Conditional Uses
- **A** = Accessory Uses

**Drove-through/dive-in businesses (commercial/retail — other than eating/pian playing establishments):**

| Zone Districts | P | P | P | P | A | A | P | P |

**Miscellaneous retail. Drugs, antiques, books, sporting goods, jewelry, tuxedos, photo supplies, video rentals, computer supplies, etc.:**

| Zone Districts | P | P | P | P | P | P | P | P |

**Liquor store:**

| Zone Districts | P | P | P | P | P | P | P | P |

**Farm supplies, hay, grain, feed, fencing, etc. (retail):**

| Zone Districts | P | P | P | P | P | P | P | P |

**Nurseries, greenhouses, garden supplies, tools, etc.:**

| Zone Districts | P | P | P | P | P | P | P | P |

**Pet shops (retail and grooming):**

| Zone Districts | P | P | P | P | P | P | P | P |

**Computer and electronics (retail):**

| Zone Districts | P | P | P | P | P | P | P | P |

**Hotels and motels:**

| Zone Districts | P | P | P | P | P | P | P | P |

**Complexes which include combinations of uses, including a mixture of office, light manufacturing, storage, and commercial uses:**

| Zone Districts | P | P | P | P | P | P | P | P |

**Outdoor storage (including truck, heavy equipment, and contractor storage yards as allowed by development standards, KCC 15.04.190 and 15.04.195):**

| Zone Districts | P | P | P | P | P | P | P | P |

**Accessory uses and building customarily appurtenant to a permitted use:**

| Zone Districts | A | A | A | A | A | A | A | A |

**Agriculturally related retail:**

| Zone Districts | C | C | C | C | C | C | C | C |

(Ord. No. 3439, § 2, 2-2-99; Ord. No. 3470, § 7, 8-17-99; Ord. No. 3543, § 5, 2-20-01, Ord. No. 3600, § 3, 5-7-02, Ord No. 3612, § 3, 8-6-02; Ord. No. 3648, § 1, 7-1-03)
Wholesale and retail land use development conditions.

1. Bulk retail uses which provide goods for regional retail and wholesale markets; provided, that each use occupy no less than forty-three thousand five hundred sixty (43,560) square feet of gross floor area.

2. All sales, storage, and display occur within enclosed buildings.

3. Provided that any restaurant with drive-in or drive-through facilities shall be located a minimum of one thousand (1,000) feet from any other drive-in restaurant use.

4. Convenience and deli marts are limited to a maximum gross floor area of three thousand (3,000) square feet.

5. Uses shall be limited to twenty-five (25) percent of the gross floor area of any single- or multi-building development. Retail and service uses which exceed the twenty-five (25) percent limit on an individual or cumulative basis shall be subject to review individually through the conditional use permit process. A conditional use permit shall be required on an individual tenant or business basis and shall be granted only when it is demonstrated that the operating characteristics of the use will not adversely impact onsite or offsite conditions on either an individual or cumulative basis.

6. Special uses must conform to the development standards listed in KCC 15.08.020.

7. Drive-through restaurants, only if located in a building having at least two (2) stories.

8. Accessory uses are only allowed in cases where development plans demonstrate a relationship between these uses and the principal uses of the property.

9. Other accessory uses and buildings customarily appurtenant to a permitted use, except for onsite hazardous waste treatment and storage facilities, which are not permitted in residential zones.

10. Retail uses operated in conjunction with and incidental to permitted uses, provided such uses are housed as a part of the building comprising the basic operations.

11. The ground level or street level portion of all buildings in the pedestrian overlay of the DC district, set forth in the map below, must be retail or pedestrian-oriented. Pedestrian-oriented development shall have the main ground floor entry located adjacent to a public street and be physically and visually accessible by pedestrians from the sidewalk; and may include the following uses.

   a. Retail establishments, including but not limited to convenience goods, department and variety stores, specialty shops such as apparel and accessories, gift shops, toy shops, cards and paper goods, home and home accessory shops, florists, antique shops, and book shops.

   b. Personal services, including but not limited to barber shops, beauty salons, and dry cleaning.

   c. Repair services, including but not limited to television, radio, computer, jewelry, and shoe repair.

   d. Food-related shops, including but not limited to restaurants (including outdoor seating areas and excluding drive-in restaurants) and taverns.

   e. Copy establishments.

   f. Professional services, including but not limited to law offices and consulting services; and

   g. Any other use that is determined by the planning manager to be of the same general character as the above permitted uses and in accordance with the stated purpose of the district, pursuant to KCC 15.09.065, Interpretation of uses.

12. Retail convenience grocery sales are allowed in conjunction with a gasoline service station as a special permit use subject to the development standards listed in KCC 15.08.020.

13. Retail sales are limited to tires, batteries, and accessories for industrial vehicle and equipment.

14. Retail sales are permitted as part of a planned development where at least fifty (50) percent of the total development is for office use. Drive-in restaurants, service stations, drive-in cleaning establishments, and other similar retail establishments are not permitted.

15. Incidental sales and services, such as restaurants, pharmacies, and retail sales, to serve occupants and patrons of permitted uses when conducted within the same building, provided there is no exterior display or advertising.

16. Includes incidental storage facilities and loading/unloading areas.

17. Includes incidental storage facilities, which must be enclosed, and loading/unloading areas.

18. Accessory uses shall not include vehicular drive-through, drive-in, and service bay facilities.

19. Reference KCC 15.07.040(C), outdoor storage landscaping.
20. Whenever feasible, drive-up/drive-through facilities shall be accessed from the rear of a site and run along an interior lot line or building elevation. Landscaping, sufficient to soften the visual impact of vehicle stacking areas, may be required.

21. Retail use must be for sale of agricultural or horticultural produces, at least twenty-five (25) percent of the gross sales value of which are grown within Washington State. Up to fifty (50) percent of the gross sales value may be for seed, gardening equipment and products, private label foods, and locally hand-made products. Any structures must be designed to maintain or enhance the agricultural appearance of the area.

22. Any drive-up/drive-through facility shall be accessory to the principal use to which it is attached.
<table>
<thead>
<tr>
<th>District</th>
<th>Land Use</th>
<th>Description</th>
<th>Code</th>
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<td>Residential</td>
<td>Single-family residential</td>
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<td>MR 2</td>
<td>Commercial</td>
<td>Mixed-use commercial</td>
<td>CM</td>
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<td>MR 3</td>
<td>Agricultural</td>
<td>Agricultural</td>
<td>A1</td>
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<td>MR 4</td>
<td>Public</td>
<td>Public facilities</td>
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<td>MR 5</td>
<td>Townhouse</td>
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<td>MR 6</td>
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<td>MR 7</td>
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<td>Utility</td>
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<td>MR 15</td>
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**Key:**
- R = Residential
- C = Commercial
- A = Agricultural
- O = Office
- P = Public
- T = Transportation
- U = Utility
- LI = Light industrial
- LI = Limited industrial
- HI = Heavy industrial
- G = Government
- N = Natural
- F = Farmland
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Ken City Code
15.04.100 Service land use development conditions.

1. Banks and financial institutions (excluding drive-through).

2. Uses shall be limited to twenty-five (25) percent of the gross floor area of any single- or multibuilding development. Retail and service uses which exceed the twenty-five (25) percent limit on an individual or cumulative basis shall be subject to review individually through the conditional use permit process. A conditional use permit shall be required on an individual tenant or business basis and shall be granted only when it is demonstrated that the operating characteristics of the use will not adversely impact onsite or offsite conditions on either an individual or cumulative basis.

3. All sales, storage, and display occur within enclosed buildings.

4. Special uses must conform to the development standards listed in KCC 15.08 020.

5. Excluding auto body repair.

6. Retail sales are permitted as part of a planned development where at least fifty (50) percent of the total development is for office use. Drive-in restaurants, service stations, drive-in cleaning establishments, and other similar retail establishments are not permitted.

7. Other accessory uses and buildings customarily appurtenant to a permitted use, except for onsite hazardous waste treatment and storage facilities, which are not permitted in residential zones.

8. Veterinary clinics and animal hospitals when located no closer than one hundred fifty (150) feet to any residential use, providing the animals are housed indoors, with no outside runs, and the building is soundproofed. Soundproofing must be designed by competent acoustical engineers.

9. Those uses that are principally permitted in the M3 zone may be permitted in the M2 zone via a conditional use permit.

10. Personal services uses limited to linen supply and industrial laundry services, diaper services, rug cleaning and repair services, photographic services, beauty and barber services, and fur repair and storage services.

11. Veterinary clinics and animal hospital services when located no closer than one hundred fifty (150) feet from any residential use, provided the animals are housed indoors and the building is soundproofed.

12. The ground level or street level portion of all buildings in the pedestrian overlay of the DC district, set forth in the map below, must be pedestrian-oriented. Pedestrian-oriented development shall have the main ground floor entry located adjacent to a public street and be physically and visually accessible by pedestrians from the sidewalk; and may include the following uses:

   a. Retail establishments, including but not limited to convenience goods, department and variety stores, specialty shops such as apparel and accessories, gift shops, toy shops, cards and paper goods, home and home accessory shops, florists, antique shops, and book shops;

   b. Personal services, including but not limited to barber shops, beauty salons, and dry cleaning;

   c. Repair services, including but not limited to television, radio, computer, jewelry, and shoe repair;

   d. Food-related shops, including but not limited to restaurants (including outdoor seating areas and excluding drive-in restaurants) and taverns;

   e. Copy establishments;

   f. Professional services, including but not limited to law offices and consulting services; and

   g. Any other use that is determined by the planning director to be of the same general character as the above permitted uses and in accordance with the stated purpose of the district, pursuant to KCC 15.09.065, Interpretation of uses.

13. Except for such uses and buildings subject to KCC 15.04.150.

14. Conducted in conjunction with a principally permitted use.

15. Accessory uses shall include vehicular drive-through, drive-in, or service bay uses.

16. Contract construction services office use does not include contractor storage yards, which is a separate use listed in KCC 15.04.040.

17. Outside storage or operations yards are permitted only as accessory uses. Such uses are incidental and subordinate to the principal use of the property or structure.

18. Includes incidental storage facilities and loading/unloading areas.

19. Includes incidental storage facilities, which must be enclosed, and loading/unloading areas.

20. Shall only apply to medical and dental offices and/ or neighborhood clinics.
21. Auto repair, including body work, and washing services are permitted only under the following conditions:
   a. The property is also used for heavy equipment repair and/or truck repair; and
   b. The property abuts or is split-zoned with real property in the gateway commercial district. Gasoline service stations that also offer auto repair and washing services are not permitted in the M3, general industrial zoning district.

22. Any associated drive-up/drive-through facility shall be accessory and shall require a conditional use permit.
15.04.110 Cultural, entertainment, and recreation land uses.

<table>
<thead>
<tr>
<th>Zoning Districts</th>
<th>Performing and cultural arts uses, such as art galleries</th>
<th>Historic and monuments sites</th>
<th>Public assembly (indoor): Sports facilities, arenas, auditoriums and exhibition halls, bowling alleys, skating rinks, theater facilities, community clubs, athletic clubs, recreation centers, theaters (excluding school facilities)</th>
<th>Public assembly (outdoor): Fairgrounds and amusement parks, tennis courts, athletic fields, miniature golf, go-kart tracks, drive-in theaters, etc.</th>
<th>Open space use: Cemeteries, parks, playgrounds, golf courses, and other recreation facilities, including buildings or structures associated therewith</th>
<th>Employees recreation areas</th>
<th>Private clubs, fraternal lodges, etc.</th>
<th>Recreational vehicle parks</th>
<th>Accessory uses and buildings customarily appurtenant to a permitted use</th>
<th>Recreational buildings in MP</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-10 Agricultural District</td>
<td>P (3)</td>
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<td>AG/1 Agricultural District</td>
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(Ord. No. 3435, §1, 1-5-99; Ord. No. 3439, § 2, 2-2-99; Ord. No. 3470, § 9, 8-17-99; Ord. No. 3543, § 7, 2-20-01; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)
15.04.120 Cultural, entertainment, and recreation land use development conditions.

1. All sales, storage, and display occur within enclosed buildings.

2. Principally permitted uses are limited to indoor paintball, health and fitness clubs and facilities, gymnastic schools, and other similar uses deemed compatible with the general character and stated purpose of the district.

3. The ground level or street level portion of all buildings in the pedestrian overlay of the DC district (as shown in KCC 15.04.080) must be retail or pedestrian-oriented. Pedestrian-oriented development shall have the main ground floor entry located adjacent to a public street and be physically and visually accessible by pedestrians from the sidewalk; and may include the following uses:
   a. Retail establishments, including but not limited to convenience goods, department and variety stores, specialty shops such as apparel and accessories, gift shops, toy shops, cards and paper goods, home and home accessory shops, florists, antique shops, and book shops;
   b. Personal services, including but not limited to barber shops, beauty salons, and dry cleaning;
   c. Repair services, including but not limited to television, radio, computer, jewelry, and shoe repair;
   d. Food-related shops, including but not limited to restaurants (including outdoor seating areas and excluding drive-in restaurants) and taverns;
   e. Copy establishments;
   f. Professional services, including but not limited to law offices and consulting services; and
   g. Any other use that is determined by the planning manager to be of the same general character as the above permitted uses and in accordance with the stated purpose of the district, pursuant to KCC 15.09.065, Use interpretations.

4. Accessory uses shall include vehicular drive-through, drive-in, or service bay facilities.

5. Business, civic, social, and fraternal associations and service offices are principally permitted uses.

6. Principally permitted uses are limited to parks and playgrounds.

7. Principally permitted uses are limited to golf driving ranges.

8. Public assembly facilities such as amphitheaters, arena, auditoriums, and exhibition halls allowed as a conditional use.

(Ord. No. 3439, § 2, 2-2-99; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)
15.04.130 Resource land uses.

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Agricultural uses such as planting and harvesting of crops, animal husbandry (including wholesale nurseries and greenhouses)

Crop and tree farming

Storage, manufacturing, processing, and conversion of agricultural products (not including slaughtering or meat packing)

Accessory uses and buildings customarily appurtenant to a permitted use

Roadside stands

(Ord. No. 3439, § 2, 2-2-99; Ord No. 3470, § 10, 8-17-99; Ord No. 3543, § 8, 2-20-01; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)

15.04.140 Resource land use development conditions.

1. Other accessory uses and buildings customarily appurtenant to a permitted use, except for onsite hazardous waste treatment and storage facilities, which are not permitted in residential zones.

2. Roadside stand not exceeding four hundred (400) square feet in floor area exclusively for agricultural products grown on the premises.

3. Roadside stands not exceeding four hundred (400) square feet in floor area, and not over twenty (20) linear feet on any side, primarily for sale of agricultural products on the premises.

(Ord. No. 3439, § 2, 2-2-99; Ord No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)

15.04.150 Special use combining district, SU.

It is the purpose of the SU district to provide for special controls for certain uses which do not clearly fit into other districts, which may be due to technological and social changes, or which are of such unique character as to warrant special attention in the interest of the city's optimum development and the preservation and enhancement of its environmental quality. A special use combining district is imposed on an existing zoning district, permitting the special use as well as uses permitted by the underlying zone. The combining district becomes void if substantial construction has not begun within a one-year period, and the district reverts to its original zoning designation. It is the
intent of the special use combining regulations to provide the city with adequate procedures for controlling and reviewing such uses and to discourage application for speculative rezoning.

A. Uses subject to special use combining district regulations. The following list is illustrative of the types of uses subject to special use combining district regulations and is not intended to be exclusive:

1. Uses which occupy or would occupy large areas of land.
2. Uses which would involve the construction of buildings or other structures of unusual height or mass.
3. Uses which house, employ, or serve large numbers of people.
4. Uses which generate heavy traffic.
5. Uses which have unusual impact on environmental quality of the area.
6. Any use which does not lend itself to an interpretation of substantial similarity to other uses identified or described in this title.
7. Uses which, in the judgment of the planning manager, warrant review by the land use and planning board and the city council.

8. Examples of uses subject to review as described in this subsection would include but are not limited to the following:

a. Commercial uses: sports stadiums, rodeos, fairgrounds, exhibition or convention halls, merchandise marts, and drive-in theaters.
b. Special environmental problems posed by: refineries, nuclear power generating plants, airports, heliports, sanitary landfills, extractive industries, solid waste incinerators, or energy/resource recovery facilities.
c. Hazardous wastes: offsite hazardous waste treatment or storage facilities in M1 and M2 districts only, subject to the provisions of KCC 15.08.050.

B Application procedures. The application procedure for a special use combining district shall be the same as for an amendment to this title as provided in KCC 15.09.050, except that development plan approval is concurrent with the combining district.

C. Documentation required. Required documentation is as follows:

1. A vicinity map drawn to a scale not smaller than one thousand (1,000) feet to the inch showing the site in relation to its surrounding area, including streets, roads, streams, or other bodies of water, the development characteristics and zoning pattern of the area, and a scale and north arrow. The vicinity map may be in sketch form but shall be drawn with sufficient accuracy to reasonably orient the reader to the vicinity, and to adequately convey the required information.

2. A map or drawing of the site drawn to a scale acceptable to the planning services, generally one hundred (100) feet to the inch. The map or drawing shall show the following information:

a. Dimensions and names of streets bounding or touching the site.
b. Such existing or proposed features as streams or other bodies of water, rights-of-way, easements, and other physical or legal features which may affect or be affected by the proposed development.
c. Existing and proposed topography at contour intervals of not more than five (5) feet in areas having slopes exceeding three (3) percent, and not more than two (2) feet in areas having slopes of less than three (3) percent.
d. Accurate legal description of the property.
e. Existing and proposed structures or buildings, including the identification of types and proposed use of the structures. All uses must be compatible with the major use.
f. Off-street parking and loading facilities.
g. Dimensions of the site, distances from property lines, and space between structures.
h. Tentative routing of domestic water lines, storm drains, sanitary sewers, and other utilities, including an identification of planned disposal or runoff.
i. Elevations, perspective renderings, or such other graphic material or evidence to illustrate effect on the view enjoyed by and from other properties in the vicinity, if required by the planning department.
j. Architectural renderings of buildings
k. A written statement providing the following information:

(1) Program for development, including staging or timing.
(2) Proposed ownership pattern upon completion of development.
(3) Basic content of restrictive covenants, if any.
(4) Provisions to ensure permanence and maintenance of open space through means acceptable to the city.
(5) Statement or tabulation of number of persons to be employed, served, or housed in the proposed development.
(6) Statement describing the relationship of the proposed development to the city comprehensive plan
(7) Statement indicating availability of existing or proposed sanitary sewers
   Such other data or information as the planning department may require.

D. Development standards. In reviewing and approving proposed developments falling under the purview of this section, the hearing examiner and city council shall make the following findings:
   1. That the location for the proposed use is reasonable
   2. That existing or proposed trafficways are adequate to serve new development
   3. That setback, height, and bulk of buildings are acceptable for the proposed use and for the vicinity in which it is located.
   4. That landscaping and other site improvements are comparable to the highest standards set forth for other developments as set out in this title.
   5. That the performance standards pertaining to air and water pollution, noise levels, etc., are comparable to the highest standards specified for other uses as set out in this title.
   6. That the proposed development is in the public interest and serves a need of community-wide or regional importance.

   In reviewing and approving special uses, the hearing examiner and the city council may impose such conditions as they deem necessary in the interest of the welfare of the city and the protection of the environment.

   E. Period of validity. Any special use combining district shall remain effective only for one (1) year unless the use is begun within that time or construction has commenced. If not in use or construction has not commenced within one (1) year of the granting of the special use combining district, the combining district shall become invalid, and the original zoning designation of the land shall apply.

F. Minor and major adjustments
1. If minor adjustments are made following the adoption of the final development plan and approval of the combining district, such adjustments shall be approved by the planning manager prior to the issuance of a building permit. Minor adjustments are those which may affect the precise dimensions or siting of buildings approved in the final plan, or the density of the development or open space provided.
2. Major adjustments are those which, as determined by the planning director, substantially change the basic design, density, open space uses, or other similar requirements or provisions. Authorization for major adjustments shall be made by the city council.
3. The provisions of this subsection pertaining to minor and major adjustments shall apply to various parts of a staged development.

15.04.160 Development standards.
The development standards tables in KCC 15.04.170 and 15.04.190 determine the specific development standards for a zoning district. The development standards are located on the horizontal rows and the zoning districts are located on the vertical columns of these tables. The minimum dimensional requirements are located in the box at the intersection of the column and the row. The parenthetical numbers in the boxes identify specific requirements applicable either to a special use or the entire zone. The parenthetical numbers correspond to numbers in the subsection immediately following each table.

(Ord. No. 3439, § 2, 2-2-99; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)

(Revised 11/03)
### Agricultural and Residential Zone Development Standards

**Maximum Density Dwelling Units per Acre**
- **SF Duplex**: 16
- **SF Duplex**: 20
- **MF Duplex**: 16
- **MF Duplex**: 20
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- **MF Duplex**: 20
- **MF Duplex**: 16
- **MF Duplex**: 20
- **MF Duplex**: 16
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- **MF Duplex**: 16
- **MF Duplex**: 20

**Minimum Lot Area, Square Feet or Acres, as Noted**
- **SF Duplex**: 300 sq ft
- **SF Duplex**: 400 sq ft
- **SF Duplex**: 500 sq ft
- **SF Duplex**: 600 sq ft
- **SF Duplex**: 700 sq ft
- **SF Duplex**: 800 sq ft
- **SF Duplex**: 900 sq ft
- **SF Duplex**: 1,000 sq ft
- **SF Duplex**: 1,100 sq ft
- **SF Duplex**: 1,200 sq ft

**Minimum Lot Width, Feet (4)**
- **SF Duplex**: 60 ft
- **SF Duplex**: 70 ft
- **SF Duplex**: 80 ft
- **SF Duplex**: 90 ft
- **SF Duplex**: 100 ft
- **SF Duplex**: 110 ft
- **SF Duplex**: 120 ft
- **SF Duplex**: 130 ft
- **SF Duplex**: 140 ft
- **SF Duplex**: 150 ft

**Minimum Site Coverage Percent of Acre**
- **SF Duplex**: 30%
- **SF Duplex**: 40%
- **SF Duplex**: 50%
- **SF Duplex**: 60%
- **SF Duplex**: 70%
- **SF Duplex**: 80%
- **SF Duplex**: 90%

**Minimum Yard Requirements (feet)**
- **Front Yard**: 25 ft
- **Side Yard**: 10 ft
- **Side Yard on Ranking Street of a Corner Lot**: 20 ft
- **Additional Setback Distances between Buildings**: 10 ft

**Site Development**
- **MR-12 Multifamily Residential**:
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft

- **MR-16 Multifamily Residential Townhouse**:
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft

- **MR-3 Low Density Multifamily Residential**:
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft

- **MR-4 Medium Density Multifamily Residential**:
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft

- **MR-5 High Density Multifamily Residential**:
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft

- **MR-P Mobile Home Park Condominium**:
  - **SF Duplex**: 15 ft
  - **SF Duplex**: 20 ft
  - **SF Duplex**: 15 ft
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**Kent City Code**
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<tr>
<td>MR-7 Mobile Home Residential Park Condominium</td>
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<td>(19)</td>
<td>10%</td>
<td>(19)</td>
<td>15%</td>
<td>(19)</td>
<td>20%</td>
<td>(19)</td>
<td>25%</td>
<td>(19)</td>
<td>30%</td>
<td>(19)</td>
<td>30%</td>
<td>(19)</td>
<td>30%</td>
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(Ord. No. 3439, § 2, 2-2-99; Ord. No. 3470, § 11, 8-17-99; Ord. No. 3508, § 1, 5-2-00; Ord. No. 3521, § 1, 8-15-00; Ord. No. 3523, § 1, 9-19-00; Ord. No. 3551, § 12, 3-20-01, Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02; Ord. No. 3663, § 7, 10-7-03)
15.04.180 Agricultural and residential land use development standard conditions.

1. Minimum lot area is eight thousand five hundred (8,500) square feet for the first two (2) dwelling units, and two thousand five hundred (2,500) square feet for each additional dwelling unit.

2. Minimum lot area is eight thousand five hundred (8,500) square feet for the first two (2) dwelling units, and one thousand six hundred (1,600) square feet for each additional dwelling unit.

3. Minimum lot area is eight thousand five hundred (8,500) square feet for the first two (2) dwelling units, and nine hundred (900) square feet for each additional dwelling unit.

4. To determine minimum lot width for irregular lots, a circle of applicable diameter (the minimum lot width permitted) shall be scaled within the proposed boundaries of the lot; provided, that an access easement to another lot is not included within the circle.

5. Interior yards shall not be computed as part of the site coverage.

6. Porches and private shared courtyard features may be built within the front building setback line.

7. For properties abutting on West Valley Highway, the frontage on West Valley Highway shall be considered the front yard.

8. Proposed front yards less than twenty (20) feet in depth are subject to approval by the planning manager, based on review and recommendation from the public works department relative to the existing and future traffic volumes and right-of-way requirements as specified in the city comprehensive transportation plan and city construction standards.

9. At least twenty (20) linear feet of driveway shall be provided between any garage, carport, or other primary parking area and the street property line with the exception of an alley property line.

10. An aggregate side yard of thirty (30) feet shall be provided. A minimum of ten (10) feet shall be provided for each side yard. On a corner lot the side yard setback shall be a minimum of twenty (20) feet from the property line.

11. Each side yard shall be a minimum of ten (10) percent of the lot width; however, regardless of lot width, the yard width need not be more than thirty (30) feet. For multifamily townhouse developments that attach three (3) units or less, in the MRT-12 or MRT-16 zoning districts the aggregate yard width need not be more than thirty (30) feet, but in no case shall a yard be less than ten (10) feet.

12. Structures for feeding, housing, and care of animals, except household pets, shall be set back fifty (50) feet from any property line.

13. Additional setbacks for the agricultural general AG zoning district.

a. Structures for feeding, housing, and care of animals shall be set back fifty (50) feet from any property line.

b. Transitional conditions shall exist when an AG district adjoins a residential district containing a density of two (2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes an intervening use such as a river, railroad main line, major topographic differential, or other similar conditions, or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less than fifty (50) feet shall be provided.

c. Setbacks, Green River. Industrial development in the AG district abutting the Green River, or Russell Road or Frager Road where such roads follow the river bank, shall be set back from the ordinary high-water mark of the river a minimum of two hundred (200) feet. Such setbacks are in accordance with the city comprehensive plan and in accordance with the high quality of site development typically required for the industrial park areas of the city and in accordance with the state Shoreline Management Act of 1971, and shall be no more restrictive than, but as restrictive as, the Shoreline Management Act.

14. An inner court providing access to a double-row building shall be a minimum of twenty (20) feet.

15. The distance between principal buildings shall be at least one-half the sum of the height of both buildings; provided, however, that in no case shall the distance be less than twelve (12) feet. This requirement shall also apply to portions of the same building separated from each other by a court or other open space.

(Revised 11/03)
16. The height limitations shall not apply to barns and silos; provided, that they are not located within fifty (50) feet of any lot line.

17. Beyond this height, to a height not greater than either four (4) stories or sixty (60) feet, there shall be added one (1) additional foot of yard for each additional foot of building height.

18. The planning manager shall be authorized to approve a height greater than four (4) stories or sixty (60) feet, provided such height does not detract from the continuity of the area. When a request is made to exceed the building height limit, the planning manager may impose such conditions, within a reasonable amount of time, as may be necessary to reduce any incompatibilities with surrounding uses.

19. Except for lots used for agricultural practices, the maximum impervious surface area allowed shall be ten thousand (10,000) square feet when the lot is greater than one (1) acre.

20. The following uses are prohibited:
   a. The removal of topsoil for any purpose.
   b. Grade and fill operations; provided, that limited grade and fill may be approved as needed to construct permitted buildings or structures.
   c. All subsurface activities, including excavation for underground utilities, pipelines, or other underground installations, that cause permanent disruption of the surface of the land. Temporarily disrupted soil surfaces shall be restored in a manner consistent with agricultural uses.
   d. Dumping or storage of nonagricultural solid or liquid waste, or of trash, rubbish, or noxious materials.
   e. Activities that violate sound agricultural soil and water conservation management practices.

21. Outdoor storage for industrial uses shall be located at the rear of a principally permitted structure and shall be completely fenced.

22. Mobile home park combining district, MHP. The standards and procedures of the city mobile home park code shall apply. General requirements and standards for mobile home park design, KCC 12.04.055; mobile home parks, Ch. 12.05 KCC.

23. Except for lots used for agricultural practices, the maximum impervious surface area allowed shall be ten thousand (10,000) square feet.

24. Minimum lot width, building setbacks, and minimum lot size regulations may be modified consistent with provisions for zero lot line and clustering housing development.

25. The requirements of KCC 15.08.015 shall apply in any multifamily transition area, which includes any portion of a multifamily district within one hundred (100) feet of a single-family district or within one hundred (100) feet of a public street right-of-way.

26. The requirements of KCC 15.09.015 for multifamily design review shall apply to any multifamily dwelling of three (3) or more units.

27. Minimum lot area is eight thousand five hundred (8,500) square feet for the first two (2) dwelling units, and three thousand five hundred (3,500) square feet for each additional dwelling unit.

28. The following zoning is required to be in existence on the entire property to be rezoned at the time of application of a rezone to an MR-T zone: SR-8, MR-D, MR-G, MR-M, MR-H, O, O-MU, NCC, CC, GC, DC, or DCE.

29. All multifamily townhouse developments in the MR-T zone shall be condominiums only. A condominium plat shall be filed and recorded pursuant to Chapter 64.32 RCW prior to approval of a development permit by the city.

30. As an option to the five (5) foot side yard requirement for single-family development in all multifamily zoning districts as set forth in KCC 15.04.170, a side yard width of no less than three (3) feet may be utilized under the following conditions:
   a. Fire hydrants for the development, as required by the fire code set forth in KCC Title 13, will be placed a maximum of three hundred (300) feet in separation;
   b. The required fire hydrants shall have a minimum fire flow of one thousand five hundred (1,500) gallons per minute; and
   c. Emergency vehicle access roads shall be provided to the development, which includes an improved road accessible within one hundred fifty (150) feet of all portions of the exterior first floor of the structure.

This option is subject to the approval of the Washington State Building Council. Application of this option shall be effective upon receipt by the city of Kent of such approval.
15.04 180

31. Where lands are located wholly or partially within the urban separator, as designated on the City of Kent Comprehensive Land Use Plan Map, dwelling units shall be required to be clustered, subject to the provisions of Ch. 12.04 KCC, entitled “Subdivisions, Binding Site Plans, and Lot Line Adjustments.” The density in a cluster subdivision shall be no greater than the density that would be allowed on the parcel as a whole, including all critical areas (creeks, wetlands, geological hazard areas), and buffers, using the maximum density provisions of the zoning district in which it is located.

The common open space in a cluster subdivision shall be a minimum of fifty (50) percent of the nonconstrained area of the parcel. The nonconstrained area of the parcel includes all areas of the parcel, minus critical areas, as defined in RCW 36.70A.030(5) as currently and hereinafter amended, and buffers. The remainder of the nonconstrained area of the parcel shall be the buildable area of the parcel. The common open space tracts created by clustering shall be located and configured in a manner that best connects and increases protective buffers for environmentally sensitive areas, creates connectivity between the open space provided by the clustering and other adjacent open spaces as well as existing or planned public parks and trails, and maintains scenic vistas. Critical areas and buffers shall not be used in determining lot size and common open space requirements in a cluster subdivision. All natural features (such as streams and their buffers, significant stands of trees, and rock outcropping), as well as sensitive sites (such as steep slopes and wetlands and their buffers) shall be preserved, as open space in a cluster subdivision.

Future development of the common open space shall be prohibited. Except as specified on recorded documents creating the common open space, all common open space resulting from lot clustering shall not be altered or disturbed in a manner that degrades adjacent environmentally sensitive areas, rural areas, agricultural areas, or resource lands; impairs scenic vistas and the connectivity between the open space provided by the clustered development and adjacent open spaces; degrades wildlife habitat; and impairs the recreational benefits enjoyed by the residents of the development. Such common open spaces may be retained under ownership by the owner or subdivider, conveyed to residents of the development, conveyed to a homeowners’ association for the benefit of the residents of the development, conveyed to the city with the city’s consent and approval or to another party upon approval of the city of Kent.

The minimum lot size of individual lots within a clustered subdivision is two thousand five hundred (2,500) square feet, and the minimum lot width is thirty (30) feet. In the event that common open space prohibits development of one single-family residence on the parcel, the common open space will be reduced by the amount necessary to meet the minimum two thousand five hundred (2,500) square foot lot size. New lots created by any subdivision action shall be clustered in groups not exceeding eight (8) units. There may be more than one (1) cluster per project. Separation between cluster groups shall be a minimum of one hundred twenty (120) feet. Sight-obscuring fences are not permitted along cluster lot lines adjacent to the open space area.

32. For multifamily townhouse developments that attach three (3) units, the minimum building to building separation shall be ten (10) feet. For duplex and single-family condominium townhouse developments, the minimum building to building separation shall be established through the Uniform Building Code (UBC).

33. Where lands are located wholly outside the urban separator, as designated on the City of Kent Comprehensive Land Use Plan Map, dwelling units may be clustered, subject to the applicable provisions of Ch. 12.04 KCC.

(Ord. No 3439, § 2, 2-2-99; Ord. No. 3470, § 12, 8-17-99; Ord. No. 3523, § 2, 9-19-00; Ord. No. 3551, § 13, 3-20-01; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02; Ord. No 3663, § 8, 10-7-03)
### Kent City Code

#### 15.04.190 Commercial and industrial zone development standards.

<table>
<thead>
<tr>
<th>Zoning Districts</th>
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<tbody>
<tr>
<td>Neighborhood Convenience Commercial District</td>
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<tr>
<td>OC Community Commercial District</td>
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<td>OC Downtown Commercial District</td>
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<tr>
<td>COD Downtown Commercial Enterprise District</td>
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<tr>
<td>OH Commercial Manufacturing-1 District</td>
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<tr>
<td>COD Commercial Manufacturing-2 District</td>
</tr>
<tr>
<td>OC General Commercial District</td>
</tr>
<tr>
<td>MA General Industrial Park District</td>
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<tr>
<td>MN-C General Park-Commercial District</td>
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<tr>
<td>M2 Limited General Industrial District</td>
</tr>
<tr>
<td>GH General Commercial-Industrial District</td>
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<tr>
<td>AG Agricultural General District</td>
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<table>
<thead>
<tr>
<th>Minimum lot area</th>
<th>10,000 sq ft</th>
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<th>5,000 sq ft</th>
<th>10,000 sq ft</th>
<th>10,000 sq ft</th>
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<th>Minimum yard requirements:</th>
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<tr>
<td>Lot - feet</td>
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<tr>
<td>Side yard on front of building</td>
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<td>Rear yard</td>
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<tr>
<td>Side yard on lot line</td>
</tr>
<tr>
<td>Front yard</td>
</tr>
<tr>
<td>Yards, transitional conditions</td>
</tr>
<tr>
<td>Additional setbacks</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Height limitations: In stories to exceed in feet</th>
<th>2 story/30 ft</th>
<th>2 story/35 ft</th>
<th>2 story/40 ft</th>
<th>2 story/45 ft</th>
<th>2 story/50 ft</th>
<th>2 story/55 ft</th>
<th>2 story/60 ft</th>
<th>2 story/65 ft</th>
<th>2 story/70 ft</th>
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<tr>
<td>Landscaping</td>
<td>The landscaping requirements of Ch. 15.07 KCC shall apply</td>
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<td></td>
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<tr>
<td>Outdoor storage</td>
<td>(39)</td>
<td>(39)</td>
<td>(40)</td>
<td>(40)</td>
<td>(40)</td>
<td>(40)</td>
<td>(40)</td>
<td>(40)</td>
<td>(40)</td>
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</tbody>
</table>

| Signs | The sign regulations of Ch. 15.06 KCC shall apply |
|--------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Vehicle drive-through, drive-in, and service bays | (43) | (43) | (43) | (43) | (43) | (43) | (43) | (43) | (43) |
| Loading areas | (43) | (43) | (43) | (43) | (43) | (43) | (43) | (43) | (43) |
| Off-street parking | The off-street parking requirements of Ch. 15.05 KCC shall apply |
| Additional standards | (50) | (50) | (50) | (50) | (50) | (50) | (50) | (50) | (50) |

(Ord. No. 3439, § 2, 2-2-99; Ord. No. 3543, § 9, 2-20-01; Ord No. 3600, § 3, 5-7-02; Ord No. 3612, § 3, 8-6-02; Ord No. 3648, § 5, 7-1-03)

15-63 (Revised 11/03)
15.04.195 Commercial and industrial land use development standard conditions.

1. Minimum lot of record or five thousand (5,000) square feet, whichever is less.

2. None, except as required by landscaping, or if off-street parking is provided onsite. See the downtown design review criteria outlined in KCC 15.09.046.

3. No minimum setback is required if a rear and/or side yard abuts a residential district, a twenty (20) foot rear and/or side yard setback may be required. See the downtown design review criteria outlined in KCC 15.09.046.

4. For properties abutting on West Valley Highway, the frontage on West Valley Highway shall be considered the front yard.

5. The minimum front yard setback shall be related to the classification of the adjacent street. This classification shall be determined by the city transportation engineer. The setbacks are as follows:
   a. Properties fronting on arterial and collector streets shall have a minimum setback of twenty (20) feet.
   b. Properties fronting on local access streets shall have a minimum setback of twenty (20) feet.

6. The minimum front yard setback shall be related to the classification of the adjacent street. This classification shall be determined by the city transportation engineer. The setbacks are as follows:
   a. Properties fronting on arterials and collector streets shall have a minimum setback of forty (40) feet.
   b. Properties fronting on local access streets shall have a minimum setback of thirty (30) feet

7. The front yard shall be ten (10) percent of the lot depth. Regardless of lot size, the yard depth need not be more than thirty-five (35) feet.

8. No side or rear yard is required, except when abutting a district other than NCC, and then the yard shall be not less than five (5) feet in width, unless the abutting district or use is residential and then the yard shall be ten (10) feet in width and fully landscaped

9. No side yard is required, except when abutting a more restrictive district, and then the side yard shall be not less than twenty (20) feet in width.

10. No side yard is required, except abutting a residential district, and then the side yard shall be twenty (20) feet minimum.

11. An aggregate side yard of thirty (30) feet shall be provided. A minimum of ten (10) feet shall be provided for each side yard. On a corner lot the side yard setback shall be a minimum of twenty (20) feet from the property line.

12. The side yards shall have an aggregate width of ten (10) percent of the lot width, but the aggregate width need not be more than forty (40) feet. There shall be a minimum of fifteen (15) feet on each side.

13 The side yards shall have an aggregate width of ten (10) percent of the lot width, but the aggregate width need not be more than thirty (30) feet. There shall be a minimum of ten (10) feet on each side.

14. The side yards shall have an aggregate width of ten (10) percent of the lot width, but the aggregate width need not be more than twenty-five (25) feet. There shall be a minimum of ten (10) feet on each side.

15. A side yard of at least five (5) feet in depth shall be provided along the side property lines, except no side yard shall be required between adjacent properties where a common, shared driveway with a perpetual cross-access easement is provided to serve the adjoining properties.

16. Where a side yard abuts a residential district, a side yard of at least twenty (20) feet shall be provided.

17. The minimum side yard on the flanking street of a corner lot shall be related to the classification of the adjacent street. This classification shall be determined by the city transportation engineer. The setbacks are as follows:
   a. Properties fronting on arterial and collector streets shall have a minimum setback of forty (40) feet.
   b. Properties fronting on local access streets shall have a minimum setback of thirty (30) feet

18. The side yard on the flanking street of a corner lot shall be at least ten (10) percent of the lot width, unless the ten (10) percent figure would result in a side yard of greater than twenty (20) feet, in which case the side yard need not be more than twenty (20) feet.
Kent City Code

19. No rear yard is required, except abutting a residential district, and then the rear yard shall be twenty (20) feet minimum.

20. No rear yard is required, except as may be required by other setback provisions of this section.

21. No rear yard is required, except as may be required by transitional conditions.

22. A rear yard of at least five (5) feet in depth shall be provided, except when a rear yard abuts a residential district, and then a rear yard of at least twenty (20) feet in depth shall be provided.

23. Transitional conditions shall exist when an industrial park M1 or M1-C district and AG district adjoins a residential district containing a density of two (2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes intervening use such as a river, freeway, railroad main line, major topographic differential, or other similar conditions, or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less than fifty (50) feet shall be provided.

24. Transitional conditions shall exist when an M2 district adjoins a residential district containing a density of two (2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes intervening use such as a river, freeway, railroad main line, major topographic differential, or other similar conditions, or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less than fifty (50) feet shall be provided.

25. Transitional conditions shall exist when an M3 district adjoins a residential district containing a density of two (2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes intervening use such as a river, railroad main line, major topographic differential, or other similar conditions, or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less than fifty (50) feet shall be provided.

26. Structures for feeding, housing, and care of animals shall be set back fifty (50) feet from any property line.

27. Transitional conditions shall exist when an MA district adjoins a residential district containing a density of two (2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes intervening use such as a river, railroad main line, major topographic differential, or other similar conditions, or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less than fifty (50) feet shall be provided.

28. Industrial development in the MA district abutting the Green River, or Russell Road or Frager Road where such roads follow the river bank, shall be set back from the ordinary high-water mark of the river a minimum of two hundred (200) feet. Such setbacks are in accordance with the city comprehensive plan and are in accordance with the state Shoreline Management Act of 1971, and shall be no more restrictive than, but as restrictive as, the Shoreline Management Act.

29. Development in the M1 or M1-C district and AG district abutting the Green River, or Russell Road or Frager Road where such roads follow the river bank, shall be set back from the ordinary high-water mark of the river a minimum of two hundred (200) feet. Such setbacks are in accordance with the state Shoreline Management Act of 1971, and shall be no more restrictive than, but as restrictive as, the Shoreline Management Act.

30. The planning manager shall be authorized to grant one (1) additional story in height, if during development plan review it is found that this additional story would not detract from the community of the area. More than one (1) additional story may be granted by the planning commission.

31. The downtown design review requirements of KCC 15.09.046 shall apply.
32. No maximum height limit is required. See the downtown design review criteria outlined in
KCC 15.09.046.

33. Beyond this height, to a height not greater than either four (4) stories or sixty (60) feet, there
shall be added one (1) additional foot of yard for each additional foot of building height.

34. The planning manager shall be authorized
to approve a height greater than four (4) stories or sixty (60) feet, provided such height does not
detract from the continuity of the area. When a
request is made to exceed the building height limit,
the planning manager may impose such conditions,
within a reasonable amount of time, as may be neces-
sary to reduce any incompatibilities with sur-
rounding uses.

35. Beyond this height, to a height not greater
than either four (4) stories or sixty (60) feet, there
shall be added one (1) additional foot of yard for
each one (1) foot of additional building height. The
planning manager shall be authorized to approve
one (1) additional story, provided such height does not
detract from the continuity of the industrial
area, and may impose such conditions as may be
necessary to reduce any incompatibility with sur-
rounding uses. Any additional height increase may
be granted by the land use and planning board.

36. Design review for mixed use development is
required as provided in KCC 15.09.045(5).

37. The height limitation is two (2) stories or
thirty-five (35) feet. Beyond this height, to a height
not greater than either four (4) stories or sixty (60)
feet, there shall be added one (1) additional foot of
yard for each two (2) feet of additional building
height. The planning manager shall be authorized
to approve one (1) additional story, provided such
height does not detract from the continuity of the
industrial area, and may impose such conditions as
may be necessary to reduce any incompatibility
with surrounding uses. Any additional height
increases may be granted by the planning commis-
sion.

38. The height limitation is three (3) stories or
forty (40) feet. An additional story or building
height may be added, up to a maximum of five (5)
stories or sixty (60) feet, with one (1) additional
foot of building setback for every additional foot of
building height over forty (40) feet.

39. Outdoor storage areas are prohibited.

40. Outdoor storage areas shall be fenced for
security and public safety by a sight-obscuring
fence unless it is determined through the develop-
ment plan review that a sight-obscuring fence is
not necessary.

41. Any unfenced outdoor storage areas shall
be paved with asphaltic concrete, cement, or equiv-
alent material to be approved by the city engineer.

42. Outdoor storage (for industrial uses) shall
be at the rear of a principally permitted structure
and shall be completely fenced.

43. Outside storage or operations yards in the
M1 or M1-C district and AG district shall be per-
mitted only as accessory uses. Such uses are inci-
dental and subordinate to the principal use of the
property or structure. Outside storage or operations
yards shall be confined to the area to the rear of the
principal building or the rear two-thirds of the
property and reasonably screened from view from
any property line by appropriate walls, fencing,
earth mounds, or landscaping. Outside storage
exceeding a height of fifteen (15) feet shall be so
placed on the property as to not detract from the
reasonably accepted appearance of the district.

44. Outside storage or operations yards shall be
confined to the area to the rear of a line which is an
extension of the front wall of the principal
building, and shall be reasonably screened from view
from any street by appropriate walls, fencing,
earth mounds, or landscaping.

45. Outside storage or operations areas shall be
fenced for security and public safety at the property
line.

46. Wherever feasible, drive-up/drive-through
facilities shall be accessed from the rear of a site
and run along an interior lot line or building eleva-
tion. Landscaping, sufficient to soften the visual
impact of vehicle stacking areas, may be required.

47. Loading areas must be located in such a
manner that no loading, unloading, or maneuvering
of trucks associated therewith takes place on public
rights-of-way.

48. Earth berms and landscaping shall be pro-
vided along street frontages as necessary to screen
dock-high loading areas from public rights-of-way.
Berms shall be a minimum of thirty-six (36) inches
and a maximum of forty-two (42) inches in height.
Landscaping located on the berm shall conform to
type III landscaping as described in KCC
15.07.050.

(Revised 11/03)
49. Earth berms and landscaping shall be provided along street frontages as necessary to screen dock-high loading areas from public rights-of-way. Berms shall be a minimum of thirty (30) inches in height. Landscaping located on the berm shall conform to type III landscaping described in KCC 15.07.050 pertaining to visual buffers.

50. Development plan approval is required as provided in KCC 15.09.010.

51. Earth berms and landscaping shall be provided along street frontages as necessary to screen dock-high loading areas from public rights-of-way. Berms shall be a minimum of twenty (20) inches in height. Landscaping located on the berm shall conform to type III landscaping described in KCC 15.07.050 pertaining to visual buffers.

52. Where building walls face adjacent streets and are unfenestrated for more than forty (40) feet at any point along the facade, additional landscaping shall be required to reduce visual impacts. In such circumstances, type II landscaping, as defined in KCC 15.07.050, shall be required; provided, that evergreen trees shall be at least ten (10) feet in height and deciduous trees shall be a minimum of two (2) inch caliper at the time of planting.

53. Predominant activities and operations shall be completely enclosed within buildings or structures, except for customary appurtenances such as loading and unloading areas, or where special conditions exist as a result of a conditional use public hearing. The planning manager shall be authorized to determine the reasonable application of this provision in cases of operational hardship or other showing of uncommon circumstances.

54. Multitenant buildings shall be permitted.

55. All required yards, parking areas, storage areas, operations yards, and other open uses on the site shall be maintained in a neat and orderly manner appropriate for the district at all times. The planning manager shall be authorized to reasonably pursue the enforcement of this subsection where a use is in violation, and to notify the owner or operator of the use in writing of such noncompliance. The property owner or operator of the use shall be given a reasonable length of time to correct the condition.

56. The performance standards as provided in KCC 15.08.050 shall apply.
### Mixed use overlay development standards

<table>
<thead>
<tr>
<th>Overlay Districts</th>
<th>GC-MU</th>
<th>O-MU</th>
<th>CC-MU</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Floor area ratio</strong></td>
<td>40 for commercial uses.</td>
<td>40 for commercial uses.</td>
<td>40 for commercial uses.</td>
</tr>
<tr>
<td></td>
<td>.50 for commercial uses combined with residential uses; provided, that commercial floor area may be increased by one (1) square foot for each square foot of residential floor area provided up to a maximum commercial FAR of .5.</td>
<td>.50 for commercial uses combined with residential uses; provided, that commercial floor area may be increased by one (1) square foot for each square foot of residential floor area provided up to a maximum commercial FAR of .5.</td>
<td>.50 for commercial uses combined with residential uses; provided, that commercial floor area may be increased by one (1) square foot for each square foot of residential floor area provided up to a maximum commercial FAR of .5.</td>
</tr>
<tr>
<td></td>
<td>1.0 for residential uses; provided, that residential FAR may be increased by .5 if parking is provided below grade, up to a maximum of 1.5.</td>
<td>1.0 for residential uses; provided, that residential FAR may be increased by .5 if parking is provided below grade, up to a maximum of 1.5.</td>
<td>1.0 for residential uses; provided, that residential FAR may be increased by .5 if parking is provided below grade, up to a maximum of 1.5.</td>
</tr>
<tr>
<td><strong>Site coverage</strong></td>
<td>Forty (40) percent for commercial uses.</td>
<td>Forty (40) percent for commercial uses.</td>
<td>Forty (40) percent for commercial uses.</td>
</tr>
<tr>
<td></td>
<td>Sixty (60) percent for commercial uses with residential uses, provided, that twenty-five (25) percent of the gross floor area is residential use.</td>
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</tr>
<tr>
<td><strong>Height</strong></td>
<td>Twenty-five (25) feet, provided, that basic heights may be increased up to the maximum height of forty (40) feet (1)</td>
<td>Twenty-five (25) feet, provided, that basic heights may be increased up to the maximum height of forty (40) feet (1)</td>
<td>Twenty-five (25) feet, provided, that basic heights may be increased up to the maximum height of forty (40) feet (1)</td>
</tr>
<tr>
<td><strong>Front yard</strong></td>
<td>Zero (0) feet; provided, that some setback may be required in the front yard to accommodate a sidewalks which shall be at least ten (10) feet in width.</td>
<td>Zero (0) feet; provided, that some setback may be required in the front yard to accommodate a sidewalk which shall be at least ten (10) feet in width.</td>
<td>Zero (0) feet; provided, that some setback may be required in the front yard to accommodate a sidewalk which shall be at least ten (10) feet in width.</td>
</tr>
<tr>
<td><strong>Rear and side yard</strong></td>
<td>Zero (0) feet; provided, that setbacks of at least twenty (20) feet will be required in any rear or side yards that are adjacent to a residential zoning districts.</td>
<td>Zero (0) feet; provided, that setbacks of at least twenty (20) feet will be required in any rear or side yards that are adjacent to a residential zoning district.</td>
<td>Zero (0) feet; provided, that setbacks of at least twenty (20) feet will be required in any rear or side yards that are adjacent to a residential zoning district.</td>
</tr>
<tr>
<td><strong>Off-street parking</strong></td>
<td>Retail/office uses: Four (4) spaces per one thousand (1,000) square feet of floor area (2). Residential uses (1).</td>
<td>Retail/office uses: Four (4) spaces per one thousand (1,000) square feet of floor area (2). Residential uses (1).</td>
<td>Retail/office uses: Four (4) spaces per one thousand (1,000) square feet of floor area (2). Residential uses (1).</td>
</tr>
</tbody>
</table>

(Ord. No. 3439, § 2, 2-2-99; Ord. No. 3440, § 6, 2-16-99; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)

### Mixed use land use development standards

1. The following height modifications shall apply:
   a. Five (5) foot increases for developments containing residential uses; provided, that twenty-five (25) percent of gross floor area is in residential use.
   b. Five (5) foot increases for parking under the building.
   c. Five (5) foot increases for using a pitched roof form.
   d. Five (5) foot increase for stepping back from the top floor (minimum of five (5) feet)

2. The first three hundred (300) square feet of retail or office space that is a part of an individual residential unit is exempt

3. The following parking requirements shall apply:
   a. Studio: .75 per dwelling unit (du) without commercial uses; .50/du with commercial uses; provided, that twenty-five (25) percent of overall gross floor area is in commercial uses.
   b. One-bedroom: 1.5/du without commercial uses; 1.0/du with commercial uses; provided, that twenty-five (25) percent of overall gross floor area is in commercial uses.
   c. Two-bedroom: 2.0/du without commercial uses; 1.25/du with commercial uses; provided, that

(Revised 11/03)

15.04.200

Kenton City Code

15.04.205

Mixed use land use development standards

1. The following height modifications shall apply:
   a. Five (5) foot increases for developments containing residential uses; provided, that twenty-five (25) percent of gross floor area is in residential use.
   b. Five (5) foot increases for parking under the building.
   c. Five (5) foot increases for using a pitched roof form.
   d. Five (5) foot increase for stepping back from the top floor (minimum of five (5) feet)
twenty-five (25) percent of overall gross floor area is in commercial uses.
(Ord. No. 3439, § 2, 2-2-99; Ord. No. 3600, § 3, 5-7-02; Ord. No. 3612, § 3, 8-6-02)

Chapter 15.05
OFF-STREET PARKING AND LOADING REQUIREMENTS*

Sections:
15.05.010 Purpose.
15.05.020 Categories of uses and conditions of uses covered by chapter.
15.05.030 Location of off-street parking.
15.05.040 Parking standards for specific activities
15.05.050 Drive-in businesses.
15.05.060 Loading space.
15.05.070 Off-street parking regulations for downtown commercial and downtown commercial enterprise districts.
15.05.080 Size and design standards.
15.05.090 Overhang exception, landscaping, paving, wheel stops, drainage, lighting and curbing.
15.05.100 Off-street parking plans.

*Cross reference(s) – Parking regulations, ch. 9 38.

15.05.010 Purpose.
A. It is the purpose of this chapter to specify the off-street parking and loading requirements for all uses permitted in this title, and to describe design standards and other required improvements.
B. The planning director shall have the authority to waive or modify specific requirements of this chapter or to impose additional off-street parking requirements in unique circumstances to ensure that the intent of this chapter is met and to allow for flexibility and innovation in design. Unique circumstances may include, but are not limited to the following:
1. Proximity to transit stations, transfer points, or transit stops;
2. Flexible work hour scheduling for employees;
3. Documentation of parking patterns and demand of employees and patrons;
4. Physical circumstances of the site such as topography, lot size/shape, and environmentally sensitive areas.
(Ord. No. 3409, § 39, 7-7-98)
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15.05.020 Categories of uses and conditions of uses covered by chapter.

A. New construction. New construction is covered by this chapter as follows:
   1. Buildings constructed or enlarged.
   2. Other structures or use areas constructed or enlarged.
   3. Parking lots constructed or enlarged as follows:
      a. If new or adding the equivalent of fifty (50) percent or more of the existing parking lot area, the entire parking facility must meet the standards of this title.
      b. If adding less than fifty (50) percent of the existing parking lot area, only the new portion must meet the standards of this title.

B. Change in use. When the occupancy of any land use, structure or building, or any part of a building, structure or land use, is changed to another use, parking shall be provided to meet the parking requirements of the new use.

15.05.030 Location of off-street parking.

A. Single-family dwellings. Required parking for a single-family dwelling shall be located on the same lot as the building it is to serve.

B. Multifamily dwellings. Required parking for multifamily dwellings may be on a contiguous lot of located within five hundred (500) feet of the dwelling units. The lot shall be legally encumbered by an easement or other appropriate means to ensure continuous use of the parking facilities. Documentation shall require review and approval of the city attorney.

C. Other uses. For uses other than those described in subsections (A) and (B) of this section, required parking may be in areas other than on the premises if the required amount of parking area is set aside for a particular use in such a lot and such area is not located more than five hundred (500) feet from the premises. The lot or area to be utilized shall be legally encumbered by an easement or other appropriate means to ensure continuous use of the parking facilities. Documentation shall require review and approval of the city attorney.

15.05.040 Parking standards for specific activities.

A. Standards for the number of parking spaces for specific activities are indicated in the following chart:

<table>
<thead>
<tr>
<th>SPECIFIC LAND USE</th>
<th>PARKING SPACE REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Living activities</td>
<td></td>
</tr>
<tr>
<td>Single-family</td>
<td>Two (2) parking spaces per single-family dwelling.</td>
</tr>
<tr>
<td>Duplex</td>
<td>Two (2) parking spaces per dwelling unit.</td>
</tr>
<tr>
<td>Multifamily</td>
<td>One (1) parking space per unit for efficiency apartments in all sized developments; two (2) parking spaces for each dwelling unit for developments with forty-nine (49) or less dwelling units; one and eight-tenths (1.8) parking spaces per dwelling unit for developments of fifty (50) or more dwelling units. For developments of fifty (50) or more dwelling units, one (1) parking space for each fifteen (15) dwelling units for recreation vehicles.</td>
</tr>
<tr>
<td>Multiple dwellings for low-income elderly</td>
<td>One (1) parking space for each two (2) dwelling units</td>
</tr>
<tr>
<td>Accessory dwelling unit</td>
<td>One off-street parking space per accessory unit as required in addition to the required parking for the single-family home. The planning director may waive this requirement where there are special circumstances related to the property and its location. The surface of a required ADU off-street parking space shall comply with KCC 15.05.090(C).</td>
</tr>
<tr>
<td>Boardinghouses and lodging houses</td>
<td>One (1) parking space for the proprietor, plus one (1) space per sleeping room for boarders or lodging use, plus one (1) additional space for each four (4) persons employed on the premises</td>
</tr>
</tbody>
</table>

15-67
<table>
<thead>
<tr>
<th>SPECIFIC LAND USE</th>
<th>PARKING SPACE REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile and manufactured home parks</td>
<td>Two (2) parking spaces for each mobile home site, plus one (1) screened space for each ten (10) rented for recreation vehicles</td>
</tr>
<tr>
<td>Recreational vehicle park</td>
<td>One (1) parking space for each site</td>
</tr>
<tr>
<td>Hotels</td>
<td>One (1) parking space for each guest room, plus two (2) parking spaces for each three (3) employees</td>
</tr>
</tbody>
</table>

**Commercial activities**

| Banks | One (1) parking space for each two hundred (200) square feet of gross floor area, except when part of a shopping center |
| Professional and business offices | One (1) parking space for each two hundred fifty (250) square feet of gross floor area, except when part of a shopping center |
| Shopping centers | Four and one-half (4 1/2) spaces per one thousand (1,000) square feet of gross leasable area (GLA) for centers having GLA of less than four hundred thousand (400,000) square feet, and five (5) spaces per one thousand (1,000) square feet of GLA for centers having a GLA of over four hundred thousand (400,000) square feet |
| Restaurants, nightclubs, taverns and lounges | One (1) parking space for each one hundred (100) square feet of gross floor area, except when part of a shopping center |
| Retail stores, supermarkets, department stores and personal service shops | One (1) parking space for each two hundred (200) square feet of gross floor area, except when located in a shopping center |
| Other retail establishments; furniture, appliance, hardware stores, household equipment service shops, clothing or shoe repair shops | One (1) parking space for each five hundred (500) square feet of gross floor area, except when located in a shopping center |
| Drive-in business | One (1) parking space for each one hundred (100) square feet of gross floor area, except when located in a shopping center |

<table>
<thead>
<tr>
<th>SPECIFIC LAND USE</th>
<th>PARKING SPACE REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uncovered commerical area, new and used car lots, plant nursery</td>
<td>One (1) parking space for each five thousand (5,000) square feet of retail sales area in addition to any parking requirements for buildings, except when located in a shopping center</td>
</tr>
<tr>
<td>Motor vehicle repair and services</td>
<td>One (1) parking space for each four hundred (400) square feet of gross floor area, except when part of a shopping center</td>
</tr>
<tr>
<td>Industrial showroom and display</td>
<td>One (1) parking space for each five hundred (500) square feet of display area</td>
</tr>
<tr>
<td>Bulk retail</td>
<td>One (1) parking space for each three hundred fifty (350) square feet of gross floor area</td>
</tr>
</tbody>
</table>

**Industrial activities**

| Manufacturing, research and testing laboratories, crematories, bottling establishments, bakeries, canneries, printing and engraving shops | One (1) parking space for each one thousand (1,000) square feet of gross floor area. For parking requirements for associated office areas, see “Professional and business offices” |
| Warehouses and storage buildings | One (1) parking space for each two thousand (2,000) square feet of gross floor area. Maximum office area of two (2) percent of gross floor area may be included without additional parking requirements |

**Speculative warehouse and industrial buildings with multiple use or tenant potential**

| Speculative warehouse and industrial buildings with multiple use or tenant potential | One (1) parking space for each one thousand (1,000) square feet of gross floor area if building size is less than one hundred thousand (100,000) square feet, or one (1) parking space for each two thousand (2,000) square feet of gross floor area for buildings which exceed one hundred thousand (100,000) square feet gross floor area. This is a minimum requirement and valid for construction permit purposes only. Final parking requirements will be based upon actual occupancy. |
### Kent City Code 15.05 040

#### Specific Land Use and Parking Space Requirements

<table>
<thead>
<tr>
<th>Specific Land Use</th>
<th>Parking Space Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Recreation-Amusement Activities</strong></td>
<td></td>
</tr>
<tr>
<td>Auditoriums, theaters, places of public assembly, stadiums and outdoor sports areas</td>
<td>One (1) parking space for each four (4) fixed seats, or one (1) parking space for each one hundred (100) square feet of floor area of main auditorium or of principal place of assembly not containing fixed seats, whichever is greater.</td>
</tr>
<tr>
<td>Bowling alleys</td>
<td>Five (5) spaces for each alley, except when located in a shopping center.</td>
</tr>
<tr>
<td>Dance halls and skating rinks</td>
<td>One (1) parking space for each two hundred (200) square feet of gross floor area, except when located in a shopping center.</td>
</tr>
<tr>
<td>Golf driving ranges</td>
<td>One (1) parking space for each driving station.</td>
</tr>
<tr>
<td>Miniature golf courses</td>
<td>One (1) parking space for each hole.</td>
</tr>
<tr>
<td>Recreational buildings, whether independent or associated with a multifamily complex</td>
<td>One (1) parking space for each two hundred (200) square feet of gross floor area. Such spaces shall be located adjacent to the building and shall be designated for visitors by signing or other special markings.</td>
</tr>
<tr>
<td><strong>Educational Activities</strong></td>
<td></td>
</tr>
<tr>
<td>Senior high schools, public, parochial and private</td>
<td>One (1) space for each employee plus one (1) space for each ten (10) student enrolled. In addition, if buses for the transportation of children are kept at the school, one (1) off-street parking space shall be provided for each bus, of a size sufficient to park each bus. One (1) additional parking space for each one hundred (100) students shall be provided for visitors in the vicinity of or adjacent to the administration portion of the building or complex. Such parking spaces shall be so designated by signing or other special markings as approved by the traffic engineer.</td>
</tr>
<tr>
<td>Colleges and universities and business and vocational schools</td>
<td>Two and one-half (2 1/2) parking spaces for each employee plus one (1) space for each three (3) students residing on campus, plus one (1) space for each five (5) day student not residing on campus. In addition, if buses for transportation of students are kept at the school, one (1) off-street parking space shall be provided for each bus, of a size sufficient to park each bus.</td>
</tr>
<tr>
<td>Elementary and Junior high</td>
<td>Two and one-half (2 1/2) parking spaces for each employee. In addition, if buses for transportation of students are kept at the school, one (1) off-street parking space shall be provided for each bus, of a size sufficient to park each bus. One (1) additional parking space for each one hundred (100) students shall be provided for visitors in the vicinity of or adjacent to the administration portion of the building or complex. Such parking spaces shall be so designated by signing or other special markings as approved by the traffic engineer.</td>
</tr>
<tr>
<td>Libraries and museums</td>
<td>One (1) parking space for each two hundred fifty (250) square feet in office and public use.</td>
</tr>
<tr>
<td>Day-care centers</td>
<td>One (1) parking space for each employee, plus loading and unloading areas.</td>
</tr>
</tbody>
</table>
15.05.040

SPECIFIC LAND USE

<table>
<thead>
<tr>
<th>Medical activities</th>
<th>PARKING SPACE REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical and dental offices</td>
<td>One (1) parking space for each two hundred (200) square feet of gross floor area, except when located in a shopping center.</td>
</tr>
<tr>
<td>Convalescent, nursing and health institutions</td>
<td>One (1) parking space for each two (2) employees, plus one (1) parking space for each three (3) beds.</td>
</tr>
<tr>
<td>Hospitals</td>
<td>One (1) parking space for each three (3) beds, plus one (1) parking space for each staff doctor, plus one (1) parking space for each three (3) employees.</td>
</tr>
</tbody>
</table>

Religious activities

| Churches | One (1) space for each five (5) seats in the main auditorium; provided, that the space for any church shall not be less than ten (10). For all existing churches enlarging the seating capacity of their auditorium, one (1) additional parking space shall be provided for each five (5) additional seats provided by the new construction. For all existing churches making structural alterations or additions which do not increase the seating capacity of the auditorium, no additional parking need be provided. |

Mortuaries or funeral homes

| Other uses | For uses not specifically identified in this section, the amount of parking required shall be determined by the planning department, based on staff experience, parking required for similar uses, and, if appropriate, documentation provided by the applicant. |

1. Recreational vehicle parking spaces shall be in defined, fenced and screened areas with a minimum of a six (6) foot high sight-obscuring fence or landscaping as determined by the planning department, or the developer may provide areas of usable open space equal to that area that would be required for recreational vehicle parking. A vehicle less than twenty (20) feet long that is used as primary transportation is not subject to recreational vehicle parking regulations. If open space in lieu of recreational vehicle parking is provided, its appropriateness will be determined at the time of development plan review by the planning department. Where enclosed garages are utilized to provide parking required by this title, an eighteen (18) foot stacking space shall be provided in front of such garage units. Provided, however, the planning director shall have the authority to approve alternative plans where the developer can assure that such garage units will continue to be available for parking purposes and will not cause onsite parking or circulation problems. These assurances include but are not limited to: (1) covenants that run with the land or homeowners' association that require garages to be utilized for the storage of vehicles, (2) maintenance of drive aisle widths of twenty-six (26) feet in front of each garage unit, and (3) maintenance of minimum clearances for fire lanes on the site.

2. Exceptions for senior citizen apartments in multifamily buildings in the central business district:

a. Approved building plans must show one and eight-tenths (1.8) spaces per dwelling unit and also shall show which spaces are not to be initially installed. The additional spaces, plus any required landscaping, shall be installed if at any time the structure is not used for senior citizen apartments or if the facility shows a continued shortage of parking.

b. The requirement of one (1) space per dwelling unit may be reduced to no less than one (1) space for every two (2) dwelling units plus employee parking as determined by the planning director. The planning director shall base his decision on the following:

(1) Availability of private, convenient, regular transportation services to meet the needs of the tenants;
(2) Accessibility to and frequency of public transportation;
(3) Pedestrian access to health, medical and shopping facilities;
(4) Minimum age requirement to reside in subject apartments;
(5) Special support services offered by the facility.

   c. Special parking for recreational vehicles will not be required as long as the facility does not permit recreational vehicles other than campers or vehicles that will fit into a normal-sized parking stall. If recreational vehicles are to be permitted on the development, they must be screened and fenced.

d. Compact stalls will not be permitted except for one-third (1/3) of the required employee parking.

B. Mixed occupancy or mixed use if one (1) occupancy. In the case of two (2) or more uses in the same building, the total requirements for off-street parking facilities shall be the sum of the requirements for the several uses computed separately; except in shopping centers, and except as provided in the mixed use overlay KCC 15.04.200. Off-street parking facilities for one (1) use shall not be considered as providing required parking facilities for any other use, except as permitted in subsection (C) of this section pertaining to joint use.

C. Joint use. The minimum amount of off-street parking required by KCC 15.05.040(A) may be reduced by the planning director when shared parking facilities for two (2) or more uses are proposed if:

1. The total parking area exceeds five thousand (5,000) square feet;

2. The parking facilities are designed and developed as a single on-site common parking facility, or as a system of on-site and off-site facilities if all facilities are connected with improved pedestrian facilities and located within five hundred (500) feet of the buildings or use areas they are intended to serve;

3. The amount of reduction in off-street parking does not exceed ten (10) percent per use unless it is documented that the peak parking demand hours of two (2) or more uses are separate by at least one (1) hour;

4. The subject properties are legally encumbered by an easement or other appropriate means which provide for continuous joint use of the parking facilities. Documentation shall require review and approval by the city attorney, and

5. The total number of parking spaces in the shared parking facility is not less than the minimum required by any single use.

D. Employee parking. Where employee parking will be maintained separately and in addition to parking for the general public, the regulations of this subsection shall apply:

1. Minimum parking stall sizes, aisle widths and percentage of compact car stalls shall be as per other requirements in this chapter

2. Employee parking must be clearly identified as such and not become parking for the general public.

3. If the employee parking is changed to parking for the general public, the normal regulations for off-street parking shall be in force

4. Employee parking shall not be in lieu of parking requirements per activity as stated in this section.

E. Temporary parking facilities. Temporary parking facilities may be permitted by the planning director when it has been shown that:

1. The existing use of the subject property has adequate legal nonconforming parking or that existing parking conforms to the applicable standards of this title

2. The temporary parking facility is primarily intended to serve the public at large and not the existing use on the property.

3. The temporary parking facility serves a public need.

4. The temporary facility meets the following minimum standards:

a. There shall be a minimum of two hundred eighty-five (285) square feet gross area per stall.

b. The pavement section shall be a minimum of four (4) inches of five-eighths (5/8) inch minus C.R crushed rock with bituminous surface treatment, subject to engineering department review.

c. Onsite drainage control and detention shall be provided per the drainage ordinance.

d. Ingress and egress and interior circulation and perimeter control shall be subject to traffic engineer approval.

F. Compact car parking

1. Parking stall size shall be a minimum of eight (8) feet by seventeen (17) feet. Aisle width shall be per the requirements of KCC 15.05.080 and diagram No. 1 following this chapter.
2. Compact car parking spaces shall be clearly identified by signing or other marking as approved by the city engineer.

3. Compact car parking spaces shall not exceed thirty (30) percent of the total required parking, and shall be interspersed equally throughout the entire parking area.

4. See KCC 15.05.080 and diagram No. 2 following this chapter for typical compact car stall arrangements.

5. The planning director may reduce the minimum number of off-street parking stalls for businesses which have a commute trip reduction program filed with the city. Based upon a review of this program and input from other staff members, a reduction of up to twenty (20) percent of the minimum standard may be approved. Any reduction in the amount of required parking is only valid for as long as the approved CTR program is in effect and an invalid program or a change in use or operation would result in the application of the underlying standards per KCC 15.05.040(A) of the zoning code.

2. The planning director may reduce the number of required off-street parking stalls for businesses which do not have a commute trip reduction program by one (1) stall for every two (2) car pool stalls; or/one (1) stall for every one (1) van pool staff if:

(a) Reserved rideshare parking is located convenient to the primary employee entrance;

(b) Reserved areas are clearly marked by signs for use by approved and qualified rideshare vehicles;

(c) The use of reserved areas for rideshare parking is actively enforced by the employer; and

(d) The total reduction in the number of parking stalls does not exceed ten (10) percent of the required stalls.

(Ord. No. 2942, § 2, 9-4-90; Ord. No. 3050, § 5, 7-7-92; Ord. No. 3175, § 3, 7-19-94; Ord. No. 3251, § 11, 11-21-95; Ord. No. 3279, § 1, 3-5-96; Ord. No. 3333, § 2, 1-22-97; Ord. No. 3409, § 40, 7-7-98; Ord. No. 3439, § 3, 2-2-99)

15.05.060 Drive-in businesses.

All banks, savings and loan associations, cleaning establishments, food dispensing establishments and other businesses which maintain drive-in facilities which are intended to serve customers who remain in their motor vehicles during the business transactions, or are designed in such a manner that customers must leave their automobiles temporarily in a driving line located adjacent to the facility, shall provide stacking space for the stacking of motor vehicles as follows:

A. Stacking space. The drive-in facility shall be so located that sufficient stacking space is provided for the handling of motor vehicles using such facility during peak business hours of such a facility.

B. Driveway location. Entrances and exits shall not be so located as to cause congestion in any public right-of-way.

C. Businesses located in shopping centers. When located in a shopping center, drive-in facilities shall provide sufficient stacking space to handle peak business demands and shall not in any way obstruct the normal circulation pattern of the shopping center.

15.05.060 Loading space.

For all buildings hereafter erected, reconstructed or enlarged, adequate permanent off-street loading space shall be provided if the activity carried on is such that the building requires deliveries to or shipments from it of people or merchandise. Such space shall be shown on a plan and submitted for approval by the planning department and the city engineer. No portion of a vehicle taking part in loading, unloading or maneuvering activities shall project into a public street, alley or interior pedestrian area. Loading space or maneuvering areas shall be in addition to required off-street parking spaces.

A. Relationship of loading space to residential areas. Loading berths shall be located not closer than fifty (50) feet to any residential district, unless wholly enclosed within a building, or unless screened from such residential area by a wall or uniformly painted fence not less than six (6) feet in height.

B. Relationship to open space. Space for loading berths may occupy all or any part of any required setback or open space as long as the load-
ing berth is uncovered. A covered loading area shall comply with the minimum setback requirements for the district.

C. Types of uses for which loading space shall be provided. Loading space shall be provided for the following types of buildings or businesses: warehouses, supermarkets, department stores, office buildings with a floor space in excess of twenty thousand (20,000) square feet, industrial or manufacturing establishments, freight terminals, railroad yards, mortuaries and such other commercial and industrial buildings which, in the judgment of the planning director, are similar in nature to loading space requirements.

D. Maneuvering area for buildings with dock-high loading doors. Buildings which utilize dock-high loading doors shall provide a minimum of one hundred (100) feet of clear maneuvering area in front of each door. See the following diagram:

E. Maneuvering area for buildings with ground level loading doors. Buildings which utilize ground level service or loading doors shall provide a minimum of forty-five (45) feet of clear maneuvering area in front of each door. See the following diagram:

F. Driveways. Ingress and egress points from public rights-of-way (driveways) shall be designed and located in such a manner as to preclude offsite or on-street maneuvering of vehicles.

15.05.070 Off-street parking regulations for downtown commercial and downtown commercial enterprise districts.

It is the purpose of this section to recognize the pedestrian-oriented nature of downtown activities while also recognizing the need for off-street parking facilities to eliminate traffic congestion. For the purpose of regulating off-street parking, there shall be two (2) divisions of the downtown commercial enterprise district, one (1) for the area west of the Burlington Northern Railroad tracks, and one (1) for the area east of the tracks.

A. Downtown commercial district. No off-street parking shall be required in this district, excepting that one (1) parking space per unit is required for multifamily residential development. No more than three (3) off-street surface parking spaces per one thousand (1,000) square feet of gross floor area are permitted for nonresidential development. This parking maximum does not apply to structured parking. The downtown commercial district is the core area of downtown which should be pedestrian oriented. In addition, the property owners in the downtown commercial district have provided off-street parking through local improvement district assessments.

B. Downtown commercial enterprise district – West of the Burlington Northern Railroad tracks. Off-street parking shall be provided and shall be in accordance with the provisions of this chapter, except there may be a fifty (50) percent reduction from the parking standard requirements contained.
in KCC 15.05.040 and except that those properties in the downtown commercial enterprise zone who paid into parking local improvement district 260 shall be exempt from off-street parking requirements. One (1) parking space per unit is required for all multifamily residential development. No more than three (3) off-street surface parking spaces per one thousand (1,000) square feet of gross floor area are permitted for nonresidential development. This surface parking maximum does not apply to structured parking.

C. Downtown commercial enterprise district - East of the Burlington Northern Railroad tracks. Off-street parking shall be provided and shall be in accordance with the provisions of this chapter except there may be a twenty-five (25) percent reduction from the parking standard requirements contained in KCC 15.05.040. One and one-half (1.5) parking spaces per unit are required for multifamily residential development. No more than three (3) off-street parking spaces per one thousand (1,000) square feet of gross floor area are permitted for nonresidential development. This surface parking maximum does not apply to structured parking.

15.05.080 Size and design standards.

A. Parking stall size. Parking stall size shall be as follows:

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<th>Type</th>
<th>Minimum Size</th>
<th>Outdoor Overhang</th>
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<tbody>
<tr>
<td>Standard</td>
<td>9 feet by 19 feet (1)</td>
<td>(3)</td>
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<td>Compact</td>
<td>8 feet by 17 feet (2)</td>
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<tr>
<td>Parallel</td>
<td>9 feet by 23 feet</td>
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Notes:
1. Dimensions may include overhang. See KCC 15.05.090(F) for exceptions.
2. See diagram No. 2 following this chapter for typical compact stall placement with required landscape area.
3. Parking stall length may be reduced by a maximum of two (2) feet with corresponding increases in aisle width.

B. Minimum design standards and typical parking stall arrangements. For minimum design standards and typical parking stall arrangements, see the diagrams at the end of this chapter.

C. Units of measurement.

1. Benches. In stadiums, sports arenas, churches and other places of assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each twenty (20) inches of width of such seating facilities shall be counted as one (1) seat for the purpose of determining requirements for off-street parking facilities under this title.

2. Fractions. When a unit of measurement determining the number of required parking spaces results in the requirement of a fractional space, any fraction up to but not including one-half (1/2) shall be disregarded and fractions one-half (1/2) and over shall require one (1) parking space.

15.05.090 Overhang exception, landscaping, paving, wheel stops, drainage, lighting and curbing.

A. Landscaping generally. The landscaping requirements of Ch. 5.07 KCC and diagram No. 2 following this chapter shall apply with respect to off-street parking facilities.

B. Landscape islands. Landscape islands with a minimum size of one hundred (100) square feet shall be located in the following areas to protect vehicles and to enhance the appearance of parking areas.

1. At the ends of all parking rows.
2. Where loading doors or maneuvering areas are in close proximity to parking areas or stalls.

C. Paving. All vehicular maneuvering areas, including but not limited to off-street parking areas, truck and mobile equipment loading, unloading, storage and maneuvering areas, and related accesses to and from public right-of-way shall be paved with asphalt or equivalent material, to be approved by the city engineer or his/her designee. The planning director may waive the paving requirement in the following instances.

1. Areas used primarily for the storage and operation of heavy equipment, tracked vehicles, trucks and other large-tire vehicles, where such areas are not generally used for regular deliveries or access by the general public; and
2. Driveways for single-family residential development, except that at least the first twenty (20) feet of the driveway shall be paved.

D. Wheel stops. Wheel stops, a minimum of two (2) feet from any obstruction or the end of the parking stall, shall be required in the following locations:

1. Where the parking stall abuts a building or where vehicles may overhang a property line.

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Kent City Code

2. Where the parking stall abuts a pedestrian walkway of less than six (6) feet in width, or a walkway which is not raised creating its own barrier.

3. Where a parking stall abuts any physical object which may be impacted (i.e., light standards, fire hydrants, fences, power vaults, utility poles, etc.).

4. Where a hazardous grade difference exists between the parking area and the abutting property.

5. Where other hazardous situations may exist as determined by the city engineer.

E. Lighting. Any lighting of a parking lot or storage area shall illuminate only the parking lot or storage area. All lighting shall be designed and located so as to avoid undue glare or reflection of light onto adjoining properties or public rights-of-way.

Light standards shall not be located so as to interfere with parking stalls, maneuvering areas, or ingress and egress areas.

F. Vehicle overhang exception. Where sufficient area is available to allow safe and efficient overhang of a vehicle, the planning department may permit the standard parking stall length to be reduced by two (2) feet with corresponding increase in adjacent walkway or landscaping width. (See diagram No. 2 following this chapter.)

G. Concrete curb placement. In addition to wheel stop requirements as provided in subsection (D) of this section, all landscape areas within or abutting parking areas shall be separated from the paved area by concrete curbing or other acceptable method as approved by the planning director and the city engineer.

H. Parking structures. Multiple level parking structures, developed either as a single use structure or as parking incorporated into a structure, shall be designed and laid out in accordance with the dimensional and numeric requirements of this chapter.

(Ord. No. 3409, § 41, 7-7-98)

15.05.100 Off-street parking plans.

A. Off-street parking plans shall be subject to review and approval by the planning department and city engineer or his/her designee. The planning department shall review plans for compliance with the requirements of this title. The city engineer shall review plans based upon the following criteria:

1. Safety and efficiency of interior circulation

2. Safety of ingress and egress points

3. Effects of access on public streets with regard to street capacity, congestion and delay

4. Compliance with construction standards relating to storm water runoff

B. All plans must be complete with the information as requested by the planning director.
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## Diagram 1. Minimum Parking Design Standards

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(Ord No 3409, § 42, 7-7-98)
Chapter 15.06
SIGN REGULATIONS*

Sections.
15.06.010 Purpose.
15.06.020 Scope.
15.06.030 Prohibited signs
15.06.040 General restrictions and limitations for all districts.
15.06.050 Regulations for specific districts.
15.06.070 Structural safety and maintenance of signs.
15.06.080 Administrative procedures.

*Cross reference(s) - Political signs, banners, etc., ch. 8.02, building code, ch. 14.02.

15.06.010 Purpose.
A. The purpose of this chapter is to establish regulations for signs in order to promote the public health, safety and general welfare. It is further the intention of this chapter to harmonize the legitimate private purposes of signs, that is, the identification and promotion of the seller to the buyer, with public purposes. Public purposes include considerations of traffic safety and economic and aesthetic welfare. Unregulated signs may divert the driver’s attention from the road, causing a traffic hazard. In addition, conflicts between private signs and traffic control signs result in unsafe traffic conditions. The economic base of the city is, to some extent, dependent upon maintaining an attractive area, both as to natural and manmade features, in which to visit, live and work.

B. Regulation of signs also serves to promote the private purposes of signs. Signs have become larger, more numerous and more expensive as a result of competition for attention. This competition of signs has, in some cases, defeated the very purposes for which they were created. The elimination of destructive competition between signs thus enhances the private purposes of signs as well as promotes the public health, safety and general welfare.

15.06.020 Scope.
This chapter applies to all existing and future signs within the corporate boundaries of the city, but does not apply to signs located within a building or structure

15.06.030 Prohibited signs.
The following signs are prohibited in all districts within the municipal boundaries of the city, except as specifically allowed as temporary signs:
A. Banners, streamers, pennants and balloons
B. Any sign using the words “stop,” “look” or “danger,” or any other word, symbol or character which might confuse traffic or detract from any legal traffic control devices.
C. Stationary motor vehicles, trailers and related devices used to circumvent the intent of this chapter.
D. Signs which are pasted or attached to utility poles, trees, fences or other signs, or to rocks or natural features.
E. Signs within seventy-five (75) feet of the public right-of-way which are animated, revolving more than eight (8) revolutions per minute, blanking or flashing, except public service signs such as those which give the time, temperature and humidity.
F. Roof signs.
G. All lighted signs which are adjacent to and directed toward a residential district and which detract from the welfare of the residential district.
H. Portable signs, except temporary signs as permitted under KCC 15.06.040(Q)

15.06.040 General restrictions and limitations for all districts.
A. Signs in street right-of-way or future street right-of-way. No sign shall be located in or project into the present or future right-of-way of any public street unless such location or projection is specifically authorized by other provisions of this section.
B. Signs interfering with sight distance. No sign shall be so designed or constructed as to interfere with the sight distance of motorists proceeding on or approaching adjacent streets, alleys, driveways or parking areas, or of pedestrians proceeding on or approaching adjacent sidewalks or pedestrian ways.
C. Signs over driveways. No sign suspended over or projecting into the area above a driveway located on private property shall be situated at a height of less than fifteen (15) feet above the surface of the driveway.
D. Signs over public sidewalks and pedestrian ways. No sign suspended over or projecting into
the area above a public sidewalk or pedestrian way shall be situated at a height of less than eight and one-half (8 1/2) feet above the surface of the sidewalk or pedestrian way, and no sign may project more than seventy-five (75) percent of the distance between the property line and the curbside except for signs attached to the underside of a canopy or other architectural projection.

E. Directional signs. Directional signs and signs indicating entrances, exits, service areas and parking areas shall be excluded from the sign provisions of this title, and may be erected on private property upon approval of the building director, traffic engineer and planning director. These signs shall not contain advertising or promotional information, and may be restricted in size.

F. Removal of signs on closure of business. Upon the closure and vacation of business or activity, the owner of the business or activity shall have one hundred twenty (120) days from the date of closure to remove all signs related to the business or activity.

G. Window signs. Window signs shall be considered as a sign and computed as part of the aggregate sign area and number of signs. Any painted-over window shall be considered as a wall. The following signs, if used in the specified manner, are not computed as part of the aggregate sign area and do not require a permit:

1. Decals indicating credit cards honored
2. Banners or posters on the inside of windows. Such signs may be used in conjunction with national advertising programs, or as weekly marketing specials, or as decorations customary for special holidays.

H. Painted signs. Signs painted on exterior walls, window or structure of any kind shall be computed as part of the aggregate sign area and number of signs.

I. Barber poles. In addition to any other signs authorized by the provisions of this chapter, any barbershop shall be entitled to display a barber pole. The design of the pole and its location and manner of erection shall be subject to the approval of the building director.

J. Credit card signs. Signs indicating credit cards honored may be displayed in window areas only. Such signs are not computed as part of the aggregate sign area and do not require a permit.

K. Institutional signs. For churches, schools, hospitals, public facilities and institutional uses, one (1) double-faced freestanding or wall identification sign is permitted for each street frontage. The sign may have an aggregate area of one (1) square foot for each ten (10) linear feet of street frontage. However, each use is guaranteed a minimum sign area of twelve (12) square feet per display face regardless of street frontage. The sign may be illuminated. Freestanding symbols of sculpture used as identification may be permitted with the approval of the planning department. Wall signs, lettering or symbols may also be approved by the planning department.

L. Gate or entrance sign. Gate or entrance signs may be permitted, and may be located in public rights-of-way, if approved by the planning department.

M. Community bulletin board. Subdivisions and residential communities may be allowed to erect a permanent structure as a community bulletin board if approved by the building and planning directors.

N. Business hours signs. Signs stating business hours shall be excluded from the provisions of this title, and may be erected upon private property upon the approval of the building director and planning director. These signs shall not contain advertising or promotional information. Maximum number permitted shall be one (1) per entrance, with a maximum size of four (4) square feet.

O. Public service signs. Nonadvertising or nonpromotional signs may be erected as a public service to the community by public service clubs or other nonprofit organizations. Such signs may be located in any zone upon approval by the building and planning directors.

P. Real estate signs. Real estate signs are permitted as follows. No sign permit is required.

1. Residential uses.
   a. Single-family dwellings and duplexes. One (1) real estate sign shall be permitted for each street frontage of a lot. The sign may have two (2) faces, shall not exceed a height of five (5) feet above the surface of the street unless placed in a window, shall not exceed an area of four (4) square feet per face, and shall be unlitheated.

   b. Multiple-family dwellings. One (1) real estate sign shall be permitted for each street frontage of a development. The sign shall not exceed an
area of twelve (12) square feet, shall be attached flat against a principal building, shall not project above the eave of the roof or the top of the parapet of the building, and shall be unlighted.

2. Commercial and industrial uses. One (1) real estate sign shall be permitted for each public entrance, but there shall not be more than four (4) signs per lot. The sign shall not exceed an area of eight (8) square feet, shall be attached flat against the building or freestanding, shall not project above the eave of the roof or the top of the parapet of the building, and shall be unlighted.

3. Unimproved acreage. One (1) real estate sign shall be permitted for each lot. The sign shall not exceed an area of one-fourth (1/4) square foot for each foot of lot frontage and shall not in any event exceed fifty (50) square feet. The sign shall not exceed a height of ten (10) feet above the surface of the nearest street, and shall be unlighted.

Temporary signs. Temporary signs may be authorized by the planning department for a time period specified for each type of temporary sign.

1. Temporary subdivision or apartment signs. A temporary real estate sign declaring a group of lots, dwellings or occupancies within a subdivision or apartment complex for sale or rent shall be permitted subject to the following conditions:
   a. One (1) such sign shall be permitted for each street frontage of the premises being sold or leased. The sign shall be located on the premises being sold or leased.
   b. The area of such signs shall not exceed an area of twenty-five (25) square feet each.
   c. The signs shall not exceed a height of ten (10) feet above the level of the street.
   d. The signs shall be unlighted.
   e. The signs shall not interfere with the sight distance of pedestrians and motorists proceeding on or approaching adjacent streets.
   f. The signs may remain as long as the project remains unsold or unleased, or for one (1) year, whichever period shall be lesser; provided, however, that the planning director shall have the authority to extend the time period one (1) year.

2. Nonpolitical campaign signs. Temporary nonpolitical signs announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization may be allowed upon any lot. Such signs may be posted thirty (30) days prior to the event, drive, campaign, etc. All such signs shall be collectively subject to the fifty dollar ($50) deposit. Such signs shall be removed within seven (7) days after the event, drive, campaign, etc.

3. Construction signs. One (1) sign identifying a project under construction shall be permitted for each street frontage of the building or structure under construction. The sign may contain the name of the building contractor and his subcontractors, the architect and the engineer. The sign shall be permitted during the period of construction, and shall not exceed a total of fifty (50) square feet for all faces.

4. Grand openings and special events signs. Special permits may be issued by the planning department for a period not to exceed thirty (30) days for banners, streamers and temporary or portable signs for special events such as carnivals, outdoor affairs and sales, grand openings and events of a similar nature.

R. Off-premises signs.

1. Authorized. The total number of off-premises sign structures allowed within the city of Kent shall not exceed the total number of off-premises sign structures in existence as of the effective date of the ordinance codified in this subsection.

Off-premises sign structures shall be inventoried by the city. In order to assist the city in its inventory, the owner of any off-premises sign located within the city shall, to the best of its ability, provide the city with information as to the dates of installation, repair, or alteration of the owner's off-premises signs within the city and no repair, alteration, or replacement of any such off-premises sign may occur until such information is provided to the city. Subject to any permitting requirements, any person, firm, or corporation who owns or maintains off-premises sign structures within the city of Kent shall be authorized to alter, repair, maintain and relocate their off-premises sign structures in existence as of the effective date of the ordinance codified in this subsection. As unincorporated areas are annexed to the city of Kent, the total number of off-premises sign structures in the area annexed will constitute an addition to the number authorized in the city of Kent and shall be added to the inventory and shall be eligible to be relocated.

1 Ord. No. 3501, amending the provisions for off-premises signs, became effective March 5, 2000.
To the extent the provisions of KCC 15.08.100 (F) are inconsistent with this subsection (R)(I), the provisions of this subsection shall prevail.

2. Districts where permitted. Off-premises signs are permitted in M1, M2, and M3 districts. Off-premises signs not in one of the above zones shall be categorized as legal nonconforming signs. A sign structure authorized to be relocated pursuant to subsection (R)(I) of this section may only be relocated to an M1, M2, or M3 zoning district. The owner of an off-premises sign shall have two (2) years to relocate an inventoried off-premises sign that has been removed under the authority of a demolition permit. A one (1) year extension may be granted by the city planning director in instances where relocation cannot be undertaken due to circumstances beyond the control of the owner of the off-premises sign to be relocated.

3. Standards.
   a. Maximum size. As of the effective date of the ordinance codified in this subsection, the maximum size per sign face is three hundred (300) square feet.
   b. Maximum height. Maximum height is thirty-five (35) feet.
   c. Distance from any intersection. Off-premises signs shall be located a distance of three hundred (300) feet from any intersection.
   d. Double-faced signs. An off-premises sign structure may contain up to two (2) sign faces arranged either back-to-back or in a V-shape arrangement. The use of tri-vision panels on a sign face shall not in itself constitute additional sign faces.
   e. Spacing. Not more than four (4) sign structures per one thousand (1,000) linear feet are permitted.

4. Permits. Off-premises signs shall not be altered with regard to size, shape, orientation, height, or location without the prior issuance of a building permit. Ordinary maintenance shall not require building permits. Off-premises sign copy replacement may occur at any time and is exempt from the requirement for building permits.

5. Tri-vision panels Subject to applicable permitting requirements, the allowable faces on off-premises sign structures listed on the official city of Kent off-premises sign inventory may contain tri-vision panels which rotate, subject to KCC 15.06 030(E). Tri-vision panels are the only type of moving parts authorized on off-premises signs.

6. Unpermitted signs. Owners of off-premises signs that have unpermitted tri-vision panels as of the date of the ordinance codified in this subsection, shall have one (1) year from the effective date of the ordinance enacting this provision to apply for and obtain permits for such.

7. Electronic video signs prohibited. Off-premises signs that contain electronic video displays similar to or otherwise depicting a television screen are prohibited.

8. Hazard or nuisance. All off-premises signs, together with all of their supports, braces, guys and anchors, shall be kept in good repair and in a proper state of preservation and safety. If an off-premises sign is determined by the Kent building official to be in a state of disrepair so as to constitute a safety hazard or a nuisance as defined by the building code or Kent City Code, the building official may initiate enforcement proceedings pursuant to KCC 15.10.070.

9. Enforcement. Any violation of the provisions of this subsection (R) shall be subject to enforcement pursuant to KCC 15.10.070.

5. Portable A-frame sandwich board signs.
   1. A portable A-frame or similarly designed sign which is no greater than thirty-six (36) inches wide by forty-two (42) inches tall.
   a. Not more than two (2) sandwich board signs may be utilized by retail uses in the M1 districts. They are not permitted in any other districts.
   b. Portable A-frame sandwich board signs are permitted to be placed on the business premises.
   c. Portable A-frame sandwich board signs placed on the business premises shall be in lieu of portable signs placed on the public right-of-way.
   d. The planning department shall develop procedures for processing such sign applications.

15.06.050 Regulations for specific districts.

In all districts the planning manager shall have the option to waive sign type requirements in unique and special cases where due to building design or other special circumstance the development is unable to conform to stated standards.
A. Signs permitted in residential districts.
   1. Identification signs for single-family dwellings and duplexes. One (1) identification sign shall be permitted for each occupancy. The sign shall not exceed an area of three (3) square feet, shall not exceed a height of six (6) feet above the surface of the street, shall be attached directly to a building, fence, standard, or mailbox, and shall be unlighted or provided with indirect illumination. Home occupations shall not be allowed additional sign area.
   2. Identification signs for multifamily dwellings. One (1) identification sign shall be permitted for each development, except that multiple-family dwellings with more than one (1) street frontage may be allowed an additional sign for each street frontage of such lot. Each sign shall not exceed an area of twenty-five (25) square feet, may be a wall or freestanding sign, shall be unlighted or indirectly lighted, and shall not exceed a height of six (6) feet above the ground if freestanding.
   3. Farm product identification signs. No permit is required, but such signs may not be located in the public right-of-way.

B. Signs permitted in community commercial, general commercial, and commercial manufacturing districts. The aggregate sign area for any lot shall not exceed one and one-half (1 1/2) square feet for each foot of street frontage. Aggregate sign area for corner lots shall not exceed one (1) square foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.
   1. Identification signs for occupancies. Each business establishment may have one (1) freestanding sign for each street frontage if not located in a shopping center, and three (3) additional signs.
      a. Freestanding sign. The freestanding sign shall not exceed a height of thirty (30) feet. The maximum sign area permitted is two hundred (200) square feet for the total of all faces. No one (1) face shall exceed one hundred (100) square feet. The sign may be illuminated.
      b. Additional signs. Three (3) additional signs shall be permitted subject to the following restrictions:
         i. The total area of all signs, graphics, or other advertising shall not be more than ten (10) percent of the building facade to which they are attached or on which they are displayed.
   ii. On properties where a pole sign cannot be erected due to setback requirements or building placement, a projecting sign may be allowed in lieu of the permitted freestanding sign. The projecting sign may not exceed fifteen (15) square feet in outside dimension.

2. Identification signs for shopping centers. One (1) freestanding identification sign, which may list the names of the occupants of the shopping center, shall be permitted for each street frontage of each shopping center. The maximum sign area permitted for a freestanding sign is two hundred (200) square feet for the total of all faces. No one (1) face shall exceed one hundred (100) square feet. A freestanding sign shall not exceed a height of thirty (30) feet, and may be illuminated.

3. Automobile service station signs. The aggregate sign area for any corner lot shall not exceed one (1) square foot for each foot of lot frontage, and the aggregate sign area for any interior lot shall not exceed one and one-half (1 1/2) square feet for each foot of lot frontage; and the permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.
   a. Freestanding signs. One (1) freestanding lighted double-faced identification sign, not exceeding two hundred (200) square feet for the total of all faces, with no such face exceeding one hundred (100) square feet, is permitted. Such sign shall not exceed a height of thirty (30) feet. If on a corner lot, two (2) monument signs not exceeding one hundred (100) square feet per sign for the total of all faces are permitted. Such monument signs shall not exceed a height of fifteen (15) feet. Freestanding signs shall be lighted during business hours only.
   b. Additional signs. Three (3) additional signs shall be permitted subject to the following restrictions:
      a. Freestanding sign. The freestanding sign shall not exceed a height of thirty (30) feet. The maximum sign area permitted is two hundred (200) square feet for the total of all faces. No one (1) face shall exceed one hundred (100) square feet. The sign may be illuminated.
      b. Additional signs. Three (3) additional signs shall be permitted subject to the following restrictions:
         i. The total area of all signs, graphics, or other advertising shall not be more than ten (10) percent of the building facade to which they are attached or on which they are displayed.
   c. Fuel price signs. Fuel price signs shall be included in the aggregate sign area.

4. Farm product identification signs. No permit is required, but such signs may not be located in the public right-of-way.

C. Signs permitted in downtown commercial and downtown commercial enterprise districts. The aggregate sign area for any lot shall not exceed
one and one-half (1 1/2) square feet for each foot of street frontage. The aggregate sign area for corner lots shall not exceed one (1) foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

1. Identification signs for multitenant buildings.
   a. Wall sign. Each multitenant building may have one (1) identification wall sign for the building’s identification for each street frontage. The sign shall not exceed a total of five (5) percent of the facade to which it is attached. The sign shall not name or advertise the individual tenants of the building. Aggregate sign area shall apply. A multitenant building will have the option of the sign described in this subsection (C)(1)(a) or the identification sign described in subsection (C)(2) of this section.

   b. Freestanding sign. Each building may have one (1) freestanding sign on each street frontage. The sign may not exceed fifteen (15) feet in height. The maximum sign area permitted for the freestanding sign is one hundred (100) square feet for the total of all faces. No one (1) face shall exceed fifty (50) square feet. Multitenant freestanding signs shall not name or advertise the individual tenants of the building.

2. Identification signs for occupancies. Each occupant of a multitenant building shall be permitted two (2) wall signs. Such signs shall not exceed ten (10) percent of the facade of the individual business unit. Aggregate sign area shall not apply.

3. Identification signs for single-tenant buildings.
   a. Each building may have one (1) freestanding sign for each street frontage. The sign may not exceed a height of fifteen (15) feet. The maximum sign area permitted for the freestanding sign is one hundred (100) square feet for the total of all faces. No one (1) face shall exceed fifty (50) square feet.

   b. Three (3) additional signs shall be permitted. All signs are subject to the aggregate sign area allowed. The total area of all signs, graphics, or other types of signs shall not exceed ten (10) percent of the facade to which they are attached or on which they are displayed.

D. Signs permitted in office and neighborhood convenience commercial districts.

1. Generally. One (1) freestanding double-faced identification sign shall be permitted for each lot. The sign shall not exceed a maximum area of fifty (50) square feet for the total of all faces. No one (1) face shall exceed twenty-five (25) square feet. A freestanding sign shall not exceed a height of fifteen (15) feet and shall be unlighted or provided with indirect illumination.

2. Identification signs for buildings. One (1) identification sign shall be permitted for each principal building. The sign shall not exceed an area of five (5) percent of the facade to which it is attached, shall be attached flat against the building, shall not project above the eave of the roof or the top of the parapet, and shall be unlighted or provided with indirect illumination. Such signs shall not advertise or name individual tenants of the building.

3. Identification signs for occupancies. Signs not exceeding a total of five (5) percent of the facade of the business unit to which they are attached shall be permitted for each occupancy in a multitenant building when the occupancy has outside frontage.

E. Signs permitted in industrial districts.

1. Aggregate sign area. The aggregate sign area for lots in the MA, M1, and AG districts shall not exceed one-half (1/2) square foot for each foot of street frontage. The aggregate sign area for lots in the M2 district shall not exceed three-fourths (3/4) square foot for each foot of street frontage. The aggregate sign area for lots in the M3 district shall not exceed one (1) square foot for each foot of street frontage. In no case shall the aggregate sign area exceed one-half (1/2) square foot for each foot of street frontage on a corner lot. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

   a. Identification signs for buildings. One (1) identification sign shall be permitted for each lot on each street frontage, which may be a freestanding sign or a wall sign. The maximum sign area permitted for a freestanding sign is two hundred (200) square feet for the total of all faces. No one (1) face shall exceed one hundred (100) square feet. If the sign is a wall sign, its size shall not exceed twenty (20) percent of the building facade. A freestanding sign shall not exceed a height of twenty (20) feet. The sign may be illuminated.
b. Identification signs for occupancies. One (1) identification sign shall be permitted for each occupancy on each street frontage and shall be a wall sign. The maximum size of the sign shall be ten (10) percent of the building facade. This sign may be illuminated. If the identification sign permitted under subsection (E)(1)(a) of this section is a wall sign, an additional wall sign may be permitted on a building facade not facing a street frontage.

2. Farm produce identification signs. No permit is required, but the sign may not be located in the public right-of-way.

F. Signs permitted in planned unit developments, special use combining districts, and mobile home park districts and for conditional uses. All signs in planned unit developments, special use combining districts, and mobile home parks and for conditional uses shall be incorporated as part of the developmental plan and approved with the developmental plan. Subsequent changes which conform to the adopted signing program may be granted by the planning manager.

G. Signs permitted in shopping centers. The aggregate sign area for each occupant of a shopping center shall not exceed twenty (20) percent of the front facade of the unit. Wall signs are permitted on each exterior wall of the individual business unit. A minimum of thirty (30) square feet shall be permitted for any occupancy. No combination of signs shall exceed ten (10) percent of the facade to which they are attached. If there is an attached canopy or overhang, a ten (10) square foot sign may be attached to the canopy or overhang in addition to the other permitted signs. Such sign shall be at least eight (8) feet above any pedestrian walkway.

H. Signs permitted in GWC zoning district

1. Aggregate sign area. The aggregate sign area for any lot shall not exceed one (1) square foot for each foot of street frontage. Aggregate sign area for corner lots shall not exceed three-fourths (3/4) square foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

a. Identification signs for occupancies. Each business establishment may have one (1) freestanding sign per street frontage, if not located in a shopping center, and one (1) wall sign per street frontage.

i. Freestanding signs. Freestanding signs shall not exceed a height of fifteen (15) feet. The maximum sign area permitted is one hundred (100) square feet for the total of all faces. No one (1) face shall exceed fifty (50) square feet. The sign may be illuminated. Freestanding signs shall not rotate.

ii. Wall signs. One (1) wall sign per street frontage shall be permitted. The total area of all signage, graphics, or other advertising shall not exceed ten (10) percent of the building facade to which it is attached.

b. Identification signs for shopping centers. One (1) freestanding or one (1) wall shopping center identification sign shall be permitted for each street frontage of the shopping center. The maximum sign area permitted for a freestanding sign is one hundred (100) square feet. No one (1) face shall exceed fifty (50) square feet. Freestanding signs shall be limited to fifteen (15) feet in height. The sign may be illuminated. Freestanding signs shall not rotate. One (1) wall sign shall be permitted per occupancy, except that anchor tenants (business establishments with a store frontage of at least one hundred (100) feet in length) shall be allowed two (2) wall signs. The aggregate wall sign area shall not exceed ten (10) percent of the building facade to which the signs are attached.

(Ord. No. 2810, 1, 11-1-88, Ord. No. 3050, §§ 6, 7, 7-7-92, Ord. No. 3142, § 1, 11-2-93; Ord. No. 3162, § 1, 4-5-94; Ord. No. 3409, § 43, 7-7-98; Ord. No. 3439, § 4, 2-2-99; Ord. No. 3543, § 10, 2-20-01; Ord. No. 3612, § 4, 8-6-02; Ord. No. 3648, § 7, 7-1-03)

15.06.070 Structural safety and maintenance of signs.

All parts, portions, units, and materials composing a sign, together with the frame, background, supports, or anchorage thereto, shall be maintained in a proper state of safety and repair and a proper state of preservation. The surface of all signs shall be kept neatly painted.

15.06.080 Administrative procedures.

A. Permits.

1. To ensure compliance with the regulations of this chapter, a permit shall be required for all signs hereafter installed or altered within the corporate boundaries of the city, except those signs enumerated in subsection (A)(2) of this section. No sign shall be erected, installed, applied, affixed, altered, or relocated without a permit from the
building department and the planning department. The sign permit shall certify that the sign, as represented by plans, drawings, or statements, is in conformance with the regulations of this chapter.

2. The following signs must conform with the regulations of this chapter but may be erected, installed, affixed, altered, or relocated without a sign permit:
   a. For sale, lease, or rent signs.
   b. Farm signs.
   c. Residential signs for single-family dwellings.

3. The following information must be provided as part of the application for a sign permit:
   a. Name, address, and phone number of the applicant.
   b. Name and address of the activity for which the sign is intended and parcel number of land on which it is to be placed.
   c. Three (3) copies of a dimensional drawing showing the type of sign as designated in this chapter, and, if lighted, the method of illumination, and the height of the sign.
   d. Four (4) copies of a dimensional plot plan, accurate as to scale, showing all structures, the abutting right-of-way line of each street, and location of proposed sign and each existing sign on the property.
   e. If the sign is a wall sign, four (4) copies of an elevation of the building facade. This elevation shall be fully dimensional and accurate as to scale. It shall show the proposed sign and each existing sign.
   f. One (1) or more photographs (snapshots are adequate) showing the location of the proposed sign and its relationship to the remainder of the property.
   g. A minimum of two (2) copies of a plot plan showing the location of the proposed sign with computations, diagrams, and other data sufficient to show proper structural stability of the installation.

B Fees and deposits. Fees shall be governed by the fee schedule contained in the building code adopted by the city.

C The planning director shall make the final decision on a sign permit application submitted pursuant to Ch. 15.06 KCC. Any appeal from the final decision of the planning director shall be to the hearing examiner pursuant to the requirements of Ch. 2.32 KCC and the appeal provisions of Ch. 12.01 KCC.

D. Abatement of illegal signs. Any sign that violates the provisions of this chapter shall be deemed a public nuisance and shall be in lien against the property on which the sign was maintained and a personal obligation against the property owner. The property owner shall first be served with a notice to abate the nuisance, except in the case of portable signs. Illegal portable signs may be immediately removed by the city, and the owner shall be given notice that the sign will be destroyed if not claimed within ten (10) days. Appeal of the abatement notice may be made to the hearing examiner. If, after such a hearing, the hearing examiner orders agents of the city to remove the nuisance, they shall have authority to enter upon private property to remove the nuisance.

E. Variances.

1. A sign variance is categorized as a Process III application and shall be subject to the requirements of Ch. 12.01 KCC. Variances from the terms of this chapter may be granted by the hearing examiner upon proper application. Variances may be granted when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict interpretation of the regulations of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.

2. The variance shall not constitute a grant of special privilege inconsistent with a limitation upon uses of other properties in the vicinity and zone in which such property is situated.

(Ord. No. 3424, § 29, 11-17-98)
Chapter 15.07

LANDSCAPING REGULATIONS*

Sections:
15.07.010 Purpose.
15.07.020 Landscape plan approval.
15.07.030 Failure to complete required landscaping - Inspection.
15.07.040 General landscape requirements for all zones.
15.07.050 Types of landscaping.
15.07.060 Regulations for specific districts.
15.07.070 Maintenance of landscaping.

*Cross reference(s) - Street trees, ch. 6.10; building codes, ch. 14.01.

15.07.010 Purpose.
A. The provisions of this chapter are to provide minimum standards for landscaping in order to maintain and protect property values and enhance the general appearance of the city.
B. The planning manager shall have the authority to waive specific requirements or impose additional requirements in unique or special circumstances to ensure the fulfillment of the stated purpose of this chapter and to allow for flexibility and innovation of design. Special circumstances or unique conditions shall be reviewed with the planning manager prior to submittal of a landscape plan. Examples of special conditions might include:
1. Preservation of unique wildlife habitat.
2. Preservation of natural or native areas.
3. Compliance with special easements.
4. Renovation of existing landscaping.
5. Unique site uses.

(Ord. No. 3612, § 5, 8-6-02)

15.07.020 Landscape plan approval.
A. A building permit shall not be issued until the landscaping plan has been approved.
B. At the time of development plan review, the planning department shall review specific landscape requirements with the owner or his representative.

15.07.030 Failure to complete required landscaping - Inspection.
A. Failure to complete all of the required landscaping or any part of it within six (6) months of the building occupancy, issuance of the certificate of occupancy or the planning department final inspection shall constitute a zoning violation.
B. It shall be the responsibility of the project manager or business owner to contact the planning department upon completion of the landscaping work and request an inspection.
C. The planning department may inspect the landscaping upon request of the project manager or business owner or at any time after the six (6) month expiration date.

15.07.040 . General landscape requirements for all zones.
A. All parking areas of over twenty thousand (20,000) square feet shall have a minimum of ten (10) percent of the parking area, maneuvering area, and loading space landscaped as a means to reduce the barren appearance of the lot and to reduce the amount of stormwater runoff. Perimeter landscaping, required adjacent to property lines, shall not be calculated as part of the ten (10) percent figure.
B. All ingress or egress easements which provide corridors to the subject lot, not adjacent to a public right-of-way, shall be considered the same as a public right-of-way. Landscape requirements for easement corridors shall be the same as those required adjacent to public right-of-ways.
C. All outside storage areas shall be screened by fencing and landscaping a minimum of five (5) feet in depth unless it is determined by development plan review that such screening is not necessary because stored materials are not visually obtrusive. The five (5) foot deep landscaped area can occur within the street right-of-way abutting the property line.
D. All portions of a lot not devoted to building, future building, parking, storage, or accessory uses shall be landscaped in a manner appropriate to the stated purpose of this chapter.
E. All required landscaping areas shall extend to the curbside or the street edge. A crushed rock path in lieu of landscaping shall be required where appropriate as determined by the planning department.

(Revised 11/02)
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F. Required landscape areas which are inappropriate to landscape due to the existence of rail lines or other features shall be relocated, first, to another lot line, or second, to an equal-sized area in another portion of the lot, to be determined by the planning department upon review with the owner or developer.

G. Bark mulch, gravel or other nonvegetative material shall only be used in conjunction with landscaping to assist vegetative growth and maintenance or to visually complement plant material. Nonvegetative material is not a substitute for plant material.

H. Required landscape areas shall be provided with adequate drainage.

I. Slopes shall not exceed a three (3) to one (1) ratio (width to height), in order to decrease erosion potential and assist in ease of maintenance.

J. The perimeter of all parking areas which abut residential zones or uses shall be landscaped to a minimum depth of three (3) feet with type II landscaping unless otherwise provided by this chapter. A six (6) foot high solid wood or equivalent fence is also required. Substitute fencing, including but not limited to chainlink fence with slats, may be approved by the planning director upon application of the developer and adjacent residential property owners when such fencing shall provide buffering consistent with the purpose and intent of this chapter. The term “adjacent residential property,” for purposes of this section, shall mean abutting property, and lots immediately adjacent to abutting property.

K. Landscaping shall not conflict with the safety of those using adjacent sidewalks or with traffic safety. Safety features of landscaping shall be discussed at the time of development plan review, if necessary.

L. Quantity, arrangement and types of plants installed shall be appropriate to the size of the required landscape area and purpose of planting area as noted in KCC 15 07 050 pertaining to types of landscaping.

M. All trash containers shall be screened from abutting properties and streets by a one hundred (100) percent sight-obscuring fence or wall and appropriate landscaping.

N. Landscaping shall be placed outside of sight-obscuring or one hundred (100) percent sight-obscuring fences unless it is determined by the planning department that such arrangement would be detrimental to the stated purpose of this chapter.

O. All property abutting Highway 167 or Interstate 5 shall be landscaped to a minimum depth of ten (10) feet unless a larger area is required elsewhere in this chapter.

P. All property abutting East Valley Highway between South 180th Street on the north to the SR 167 overpass on the south shall be landscaped to a minimum depth of fifteen (15) feet unless a larger area is required elsewhere in this chapter.

Q. The use of native and drought tolerant, low water use plants shall be incorporated into landscape design plans.

R. Landscape plans shall include where feasible a diversity of native plant species which promote native wildlife habitat.

S. When irrigation systems are incorporated into a landscaping area, the applicant shall prepare a water use and conservation plan for review and approval by the public works department.

T. Landscaping adjacent to required biofiltration systems may be considered part of any required landscaping areas, subject to approval by the planning director and the public works department. Landscaping shall not be permitted within the treatment area of a biofiltration system. The chosen vegetation shall not result in any disruption of bioswale functions at any time.

U. Landscaping buffers shall be required adjacent to any above ground storm water facilities, as required in the city’s construction standards, subject to the approval of the public works department.

V. The configuration and plant species of landscape areas on a site shall be designed so as to not disrupt the functions of storm water systems. (Ord. No. 2786, § 5, 6-21-88, Ord. No. 3409, § 44, 7-7-98)
15.07 050 Types of landscaping.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Type I Solid Screen</th>
<th>Type II Visual Screen</th>
<th>Type III Visual Buffer</th>
<th>Type IV Low Cover</th>
<th>Type V Open Area</th>
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<tbody>
<tr>
<td>Type I landscaping is intended to provide a solid sight barrier to totally separate incompatible uses.</td>
<td>Type II landscaping is intended to create a visual separation that is not necessarily one hundred (100) percent sight-obscuring between incompatible uses.</td>
<td>Type III landscaping is intended to provide visual separation of uses from streets and main arterials and between compatible uses so as to soften the appearance of streets, parking lots, and building facades.</td>
<td>Type IV landscaping is intended to provide visual relief where clear sight is desired or as a complement to larger, more predominant planting materials.</td>
<td>Type V landscaping is primarily intended to visually interrupt large open spaces of parking areas.</td>
<td></td>
</tr>
</tbody>
</table>

| Description | Type I landscaping shall consist of evergreen trees or tall shrubs with a minimum height of six (6) feet at planting, which will provide a one hundred (100) percent sight-obscuring screen within two (2) years from the time of planting; or a combination of evergreen and deciduous trees and shrubs backed by one hundred (100) percent sight-obscuring fence. | Type II landscaping shall be evergreen or a mixture of evergreen and deciduous trees with large shrubs and ground cover interspersed with the trees. A sight-obscuring fence will be required unless it is determined by development plan review that such a fence is not necessary. (See also A, B, and C below) | Type III landscaping shall be evergreen and deciduous trees planted not more than thirty (30) feet on center interspersed with large shrubs and ground cover. Where used to separate parking from streets, plantings must create a visual barrier of at least forty-two (42) inches in height at time of planting and form a solid screen two (2) years after planting. (See also A, B, and C below) | Type IV landscaping shall consist of a mixture of evergreen and deciduous shrubs and ground cover, to provide solid covering of the entire landscaping area within two (2) years of planting and to be held to a maximum height of three and one-half (3 1/2) feet (see definition of ground cover). | Type V landscaping shall consist of trees planted with supporting shrubs or ground cover. Each landscape area shall be of sufficient size to promote and protect growth of plantings, with a one hundred (100) square foot minimum (see KCC 15.07.040(A)). (See also A, B, and C below) |

Additional requirements for Types II, III, and V are as follows:

(A) Evergreen trees shall be an average height of six (6) feet at planting. Deciduous trees shall be the following sizes based on their spacing:

1. One (1) inch caliper: Ten (10) feet on center.
2. Two (2) inch caliper: Twenty (20) feet on center.
3. Three (3) inch caliper: Thirty (30) feet on center.
4. Three and one-half (3 1/2) to five (5) inch caliper: Forty (40) feet on center.

(B) Ground cover shall be of sufficient size and spacing to form a solid cover within two (2) years from the time of planting.

(C) The plantings and fence must not violate the sight area safety requirements at street intersections.

(Ord No 3409, § 45, 7-7-98)
Landscaping regulations for specific zoning districts are as follows:

A. Residential agricultural, SR-1. None.
C. Duplex multifamily residential, MR-D. None.
D. Low density multifamily residential, MR-G. None.
E. High density multifamily residential, MR-H. None.
F. Mobile home park combining districts, MHP.
G. Community commercial, CC.
H. Downtown commercial enterprise, DCE.
I. Industrial agricultural, MA (industrial uses) and Agricultural general district, AG.
J. Limited industrial district, M2.
K. General industrial district, M3.
L. Gateway commercial district, GWC.
M. Commercial manufacturing, CM.
N. General commercial, GC.
O. Professional and office district, O.

1. The perimeter of properties abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.
2. A planting strip not less than five (5) feet in depth shall be provided along all property lines abutting public right-of-way.
3. Side yard. At least fifteen (15) feet of the side yard shall be landscaped as provided in subsection (J)(1) of this section.
4. Street trees in accordance with the official tree plan shall be planted.

H. Downtown commercial enterprise, DCE.
1. The perimeter of properties abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.
2. A minimum of three (3) feet of landscaping to screen off-street parking areas, placement of which shall be determined through the downtown design review process outlined in KCC 15.09.046.
3. Street trees in accordance with the official tree plan shall be planted.

I. Industrial agricultural, MA (industrial uses) and Agricultural general district, AG.

Industrial park district, M1.
1. Front yard. The front twenty (20) feet shall be improved with appropriate permanently maintained landscaping.
2. Side yard. At least fifteen (15) feet of the side yard shall be landscaped as provided in subsection (J)(1) of this section.

J. Limited industrial district, M2.
1. Front yard. The front fifteen (15) feet shall be improved with appropriate permanently maintained landscaping.
2. Side yard. At least ten (10) feet of the side yard shall be landscaped as provided in subsection (J)(1) of this section.

K. General industrial district, M3.
1. Front yard. The front ten (10) feet shall be improved with appropriate permanently maintained landscaping.
2. Side yard. At least five (5) feet of the side yard shall be landscaped as provided in subsection (J)(1) of this section.

L. Gateway commercial district, GWC.
1. Additional landscaping requirements. Landscaping requirements shall include the following:
a. Where buildings abut the required front yard, a landscape strip at least fifteen (15) feet in depth shall be provided. Where vehicular parking areas abut the required front yard, a landscape strip at least twenty (20) feet in depth, with an earth berm at least thirty-six (36) inches in height, shall be provided.
b. A landscape strip at least five (5) feet in depth shall be provided along the side property lines of all independent development sites. No landscaping along the side property lines shall be required between adjacent properties where a common, shared driveway with a perpetual cross-
access easement is provided to serve the adjoining properties. Where the side property line of a
commercial use abuts a residential district, a landscape strip at least ten (10) feet in depth shall be provided.
c. A landscape strip of at least fifteen (15) feet in depth shall be provided along side property
lines flanking the street of a corner lot. Where vehicular parking areas abut the required side yard,
an earth berm of at least twenty-four (24) inches in height shall be provided.
d. A landscape strip of at least five (5) feet in depth shall be provided along all rear property
lines. Where the rear property line of a commercial use abuts a residential use, a landscape strip of at
least ten (10) feet in depth shall be provided.
M. Neighborhood convenience commercial, NCC.
1. Additional landscaping requirements. Landscaping requirements shall include the fol-
lowing:
a. A landscape strip of at least ten (10) feet in depth shall be provided in the front yard. If a
drive or parking aisle abuts the front yard, the required landscaping shall be augmented by an
earth berm of at least thirty-six (36) inches in height.
b. A landscape strip of at least five (5) feet in depth shall be provided along side property
lines of all independent development sites. No landscaping along the side property lines shall be
required between adjacent properties where a common, shared driveway with a perpetual cross-
access easement is provided to serve the adjoining properties. Where the side property line of a com-
mercial use abuts a residential district or use, a landscape strip of at least ten (10) feet in depth shall be provided.
c. A landscape strip of at least ten (10) feet in depth shall be provided along side property lines
flanking the street of a corner lot. Where vehicular drive aisles or parking areas abut the required side yard,
an earth berm of at least twenty-four (24) inches in height shall be provided.
d. A landscape strip of at least five (5) feet in depth shall be provided along rear property
lines. Where the rear property line of a commercial use abuts a residential district or use, a landscape
strip of at least ten (10) feet in depth shall be provided.

15.07.070 Maintenance of landscaping.
A. Required. Whenever landscaping is or has been required in accordance with the provisions of
this title or any addition or amendments to this title, or in accordance with the provisions of any previ-
ous code or ordinance of the city, the landscaping shall be permanently maintained in such a manner
as to accomplish the purpose for which it was initially required.
B. Notice of violation. The planning manager or his or her designee is hereby authorized and
empowered to notify the owner of any property required to be landscaped, or the agent, tenant, les-
see, or assignee of any such owner, that the landscaping is not being adequately maintained and the
specific nature of such failure to maintain. The notice shall specify the date by which the mainte-
nance must be accomplished, and shall be sent by certified mail, addressed to the owner at his last
known address.
C. Action upon noncompliance.
1. Upon the failure, neglect, or refusal of any owner or agent so notified to perform the required
maintenance within the time specified in the written notice, or within fifteen (15) days after the date
of such notice if the notice is returned to the city by the post office department because of inability to
make delivery thereof, provided the notice was properly addressed to the last known address of the
owner or agent, the planning manager or his or her designee is hereby authorized and empowered to
cause the required maintenance to be done and provide for payment of the cost thereof, with the cost
to be collected or taxed against the property affected as provided in this section.
2. Nothing in this section shall prevent the planning manager or his or her designee from tak-
ing action as provided in KCC 15.09.090
D. Charge for maintenance by city to be included in tax bill. When the city has performed
landscaping maintenance or has paid for such main-
tenance, the actual cost thereof, plus accrued inter-
est at the rate of eight (8) percent per annum from the date of the completion of work, if not paid by such owner prior thereto, may be charged to the owner of such property on the next regular tax bill forwarded to such owner by the city, and if so charged shall be due and payable by the owner at the time of payment of such bill.

E. **Lien for payment of charges.** If the full amount due the city is not paid by such owner within thirty (30) days after performance of the maintenance as provided for in subsection (C) of this section, then, in that case, the planning manager or his or her designee may cause to be recorded in the office of the supervisor of treasury a sworn statement showing the cost and expense incurred for the work, the date the work was done, and the legal description of the property on which the work was done. The recording of such sworn statement shall constitute a lien and privilege on the property, and shall remain in full force and effect for the amount due in principal and interest, plus court costs if any, until final payment has been made. The costs and expenses shall be collected in the manner fixed by law for the collection of taxes and further shall be subject to a delinquent penalty of eight (8) percent per annum if the costs and expenses are not paid in full on or before the date the tax bill upon which the charge appears become delinquent. Sworn statements recorded in accordance with the provisions of this subsection shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement plus interest constitutes a lien and privilege on the property described in the statement and that the charge is due and collectible as provided by law.

F. **Alternative methods of collection of charges.** In addition to or in lieu of the provisions of subsections (D) and (E) of this section, the city may, at its option and pursuant to Chapter 19.16 RCW, use a collection agency to collect unpaid charges, interest, and penalties owed or assessed pursuant to this chapter, or the city may seek collection by court proceedings, which remedies shall be in addition to all other remedies.

(Ord No. 3658, § 4, 9-2-03)

Chapter 15.08

**GENERAL AND SUPPLEMENTARY PROVISIONS**

Sections:
15.08.010 Applicability
15.08.020 Special permit uses.
15.08.030 General conditional uses.
15.08.040 Wireless telecommunications facilities.
15.08.045 Home occupations.
15.08.050 Performance standards.
15.08.060 View corridor protection regulations on hillsides development
15.08.070 Animals in residential districts.
15.08.080 Parking, storage or habitation of major recreational equipment
15.08.090 Parking or storage of inoperable vehicles.
15.08.100 Nonconforming development
15.08.110 Reduction of lot area.
15.08.120 Irregular-shaped lots.
15.08.130 Visibility at intersections in residential districts.
15.08.140 Visibility at access points for automobiles.
15.08.150 Side yard on corner lot
15.08.160 Accessory buildings.
15.08.170 Projections into required yards.
15.08.180 Structures to have access.
15.08.190 Exceptions to height regulations.
15.08.205 Temporary use regulations.
15.08.210 Transition area combining district
15.08.215 Multifamily transition areas.
15.08.220 Water quality and hazard area development - Purpose.
15.08.222 Same - Map - Conflicting provisions.
15.08.224 Same - Classifications and restrictions.
15.08.230 Solar access setback - Purpose.
15.08.232 Solar access setback - Applicability.
15.08.234 Solar access setback - Calculation.
15.08.240 Preservation of trees.
15.08.240 Green River Corridor special interest district regulations.
15.08.270 Adult uses.
15.08.280 Group homes class II and III.
15.08.300 Zero lot line development - Authorized.

(Revised 11/03)
15.08.070 Animals in residential districts.

Animals (excluding household pets such as cats and dogs), especially horses, cows, sheep and goats, shall not be permitted in residential districts on lots smaller than twenty thousand (20,000) square feet.

15.08.090 Parking, storage or habitation of major recreational equipment.

No more than one (1) unit of a recreational vehicle as defined in KCC 15.02.338 or equipment shall be stored outside an enclosed building or structure on residential property; said equipment shall be screened from view of surrounding neighbors and shall not be used for habitation.

(Ord. No. 3409, § 48, 7-7-98)

Cross reference(s) — Animal control, ch. 8.03

15.08.100 Nonconforming development.

A. Purpose. The intent and purpose of this section is to:

1. Ensure reasonable opportunity for use of legally created lots which do not meet current minimum requirements for the district in which they are located.

2. Ensure reasonable opportunity for use, maintenance and improvement of legally constructed buildings, structures and site development features which do not comply with current minimum requirements for the district in which they are located.

(Ord. No. 3409, § 49, 7-7-98)

Cross reference(s) — Parking regulations, ch. 9.38

15.08.070 Geographical Center of Lot

(4) No building constructed within five hundred (500) feet of the point of origin of the view angle and located beneath the airspace located within the angle shall rise above the lower extent of the vertical angle.

C. Exceptions. The planning director may waive or modify the view regulations of hillside development if it is determined that the intent to preserve views cannot be met by a strict application of the requirements, or if one (1) or more of the following conditions applies:

1. There is no available clear view of the valley from development located upslope of the proposed building.

2. The orientation of development located upslope is toward a different view angle than prescribed in the view development regulations;

3. The shape or topography of the lot and lots located upslope make a strict application of the view requirements unnecessary or impractical.

D. Application for variance. If an applicant requests relief from the provisions of this section through a variance as provided in KCC 15.09.040 prior to public hearing, the applicant shall erect a pole structure outlining the proposed height of the building where it is to be constructed on the proposed site to allow adjacent property owners to assess the view impact of the proposed variance. The pole structure shall be in place at least ten (10) days prior to the date of the public hearing on the proposed variance.

(Ord. No. 3409, § 1, 8-3-99)
Kent City Code

3. Ensure reasonable opportunity for continuation of legally established uses which do not conform to use regulations for the district in which they are located.

4. Encourage the eventual replacement of nonconforming uses having potentially undesirable impacts on conforming uses.

5. Encourage the eventual upgrading of nonconforming buildings, structures, and site development features which do not comply with current minimum requirements for the district in which they are located.

B. Applicability. Nonconforming uses, structures, lots, or signs are not favored by law and this title, and it is to avoid injustice that this title accepts such elements. To benefit from the protection given to nonconforming development, such use, structure, or sign must have been lawfully established pursuant to a county resolution in effect at the time of annexation which rendered it nonconforming, or it must have been lawfully established prior to the effective date of this chapter or subsequent amendments thereto, or lawfully established prior to the purchase or condemnation of right-of-way by the city of Kent. This section distinguishes between and defines nonconforming uses, major nonconforming buildings and structures, minor nonconforming buildings and structures, nonconforming lots of record and nonconforming signs. Different requirements are made applicable to each of these categories. The degree of restriction made applicable to each separate category is dependent upon the degree to which that category of nonconformity is a nuisance or incompatible with the purpose and requirements of this title.

C. Nonconforming uses.

1. Applicability of restrictions. Regulations applicable to nonconforming uses are in addition to regulations applicable to nonconforming structures, lots, and signs, and in the event of any conflict the most restrictive provisions shall apply.

2. Expansion of nonconforming uses. No existing building, structure, or land devoted to a nonconforming use shall be expanded, enlarged, extended, reconstructed, intensified, or structurally altered unless the use thereof is changed to a use permitted in the district in which such building, structure, or land is located except as follows: When authorized by conditional use permit, a nonconforming use may be expanded, enlarged, extended, reconstructed, intensified, or structurally altered.

3. Change of nonconforming use. When authorized by the planning manager, a nonconforming use may be changed to a use of a like or more restrictive nature.

4. Extension of nonconforming use. When authorized by the planning manager, a nonconforming use may be extended throughout those parts of a building which were manifestly designed or arranged for such use prior to the date when such use of such building became nonconforming, if no structural alterations except those required by law are made therein.

5. Discontinuance of nonconforming use. When a nonconforming use of land or a nonconforming use of all or part of a structure is discontinued or abandoned for a period of six (6) months, such use shall not be resumed, notwithstanding any reserved intent not to abandon such use. Normal seasonal cessation of use, or temporary discontinuance for purposes of maintenance or improvements, shall not be included in determination of the six (6) month period of discontinuance.

6. Reversion to nonconforming use. If a nonconforming use is changed to a permitted use, the nonconforming use shall not be resumed.

7. Residential exception to nonconforming use status. Legally established residential uses located in any residential zoning district shall not be deemed nonconforming in terms of density provisions and shall be a legal use.

8. Exception for certain drive-through banking facilities. Legally established bank buildings with drive-through facilities in the downtown commercial zoning district that existed prior to August 9, 1992, shall not be nonconforming; however, these drive-through facilities may not be expanded beyond that which existed on August 9, 1992, when the city prohibited bank drive-through facilities in DC zones.

D. Nonconforming buildings and structures.

1. Applicability of restrictions. Regulations applicable to nonconforming structures are in addition to regulations applicable to nonconforming uses, lots, and signs, and in the event of any conflict the most restrictive provisions shall apply.

2. Major nonconforming buildings and structures. No major nonconforming structure may be expanded, enlarged, extended, reconstructed, or
structurally altered or changed, nor may any major nonconforming building, structure, or lot be occupied after discontinuance of change in use, unless the structure, use, and associated grounds and development are brought into compliance with use and minimum development standards of the district in which such structure is located, except as follows:

a. Any major nonconforming structure damaged by fire, flood, explosion, wind, earthquake, war, riot, or other natural disaster, may be restored, reconstructed, and used as before; provided, that the work be vested by permit application within one (1) year of such happening; any restoration or reconstruction not vested by permit application within twelve (12) months from the date of the fire or other casualty shall be deemed abandoned and not allowed to be restored.

b. Such repairs and maintenance work as required to keep the structure in sound condition may be made to a major nonconforming structure, provided no such structural alterations shall be made except such as are required by law or ordinance or authorized by the planning manager.

c. Any minor nonconforming structure may be expanded, enlarged, extended, reconstructed or otherwise structurally altered or changed, nor may any minor nonconforming building, structure, or lot be occupied after discontinuance or change in use, unless the structure and associated grounds and development are brought into compliance with the minimum development standards of the district in which such structure is located, except as follows:

a. Any minor nonconforming structure damaged by fire, flood, explosion, wind, earthquake, war, riot, or other natural disaster, may be restored, reconstructed, and used as before; provided, that the work be vested by permit application be completed within one (1) year of such happening; any restoration or reconstruction vested by permit application twelve (12) months from the date of the fire or other casualty shall be deemed abandoned and not allowed to be restored.

b. Such repairs and maintenance work as required to keep the structure in sound condition may be made to a minor nonconforming structure, provided no such structural alterations shall be made except such as are required by law or ordinance or authorized by the planning manager.

4. Planning manager's authority. The planning manager may waive specific development standard requirements or impose additional requirements when all the following criteria are met:

a. When owing to special circumstances a literal enforcement of the provisions of this title or other land use regulatory ordinances of the city will result in unnecessary hardship.

b. When the waiver of development requirements is in harmony with the purpose and intent of city ordinances and the comprehensive plan

c. When the proposed use, building, and development will function without adverse impact upon adjacent property, development in the area or the city as a whole.

d. When a conditional use permit is not required

E. Nonconforming lots.

1. Applicability of restrictions. Regulations applicable to nonconforming lots are in addition to the regulations applicable to nonconforming uses, structures, and signs, and, in the event of conflict, the most restrictive provisions shall apply

2. Nonconforming lots of record.

a. Residential districts.

(1) In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record as of June 20, 1973, notwithstanding limitations imposed by other provisions of this title. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width that are generally applicable in the district; provided, that yard dimensions and requirements other than those applying to area or width of the lot shall conform to the regulations for the district in which such lot is located.

(2) In all single-family zoning districts, with the exception of the SR-8 zoning district, if two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record prior to June 20, 1973, and if all or part of the lots do not meet the minimum

(Revised 11/03)
requirements established for lot width and area, the land involved shall be considered to be an undivided parcel for the purposes of this title, and no portion of the parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this title, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this title.

(3) In the SR-8 zoning district, if two (2) or more single-family zoned lots or combination of lots and portions of lots with continuous frontage in single ownership are of record prior to June 20, 1973, and if all or part of the lots do not meet the following minimum requirements established for lot width, lot area, and topography, the land involved shall be considered to be an undivided parcel for the purposes of this title, and no portion of the parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this title, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this title.

(a) Minimum lot area: Four thousand six hundred (4,600) square feet.
(b) Minimum lot width: Forty (40) feet.
(c) Maximum site slope: Fifteen (15) percent.

(4) In any district in which duplex dwellings are permitted, a duplex dwelling and customary accessory buildings may be erected on any single lot of record as of June 20, 1973, with a minimum area of seven thousand two hundred (7,200) square feet, notwithstanding limitations imposed by other provisions of this title. Such lots must be in separate ownership and not of continuous frontage with other lots in the same ownership prior to June 20, 1973, and if all or part of the lots do not meet the minimum requirements established for lot width and area, the land involved shall be considered to be an undivided parcel for the purposes of this title, and no portion of the parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this title, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this title.

P. Nonconforming signs.

1. Applicability of restrictions. Regulations applicable to nonconforming signs are in addition to regulations applicable to nonconforming uses, structures, and lots, and in the event of conflict the most restrictive provisions shall apply.

2. Continuation of nonconforming signs.
   a. Signs that were legally existing as of the effective date of this title or subsequent amendments thereto that do not conform to the regulations of this title shall be considered nonconforming signs. Nonconforming signs may not be moved, relocated, altered, or added to without receiving approval from the planning services office.
   b. No sign permit shall be issued to allow legal signs on property having an illegal or nonconforming sign until such time as the nonconforming or illegal sign is modified to conform to this title.

3. Amortization period.
   a. Abandoned signs. Abandoned signs must be removed within ninety (90) days.
   b. Number and type of signs. The number and type of allowable signs for each occupancy must conform to the regulations of this title.

15.08.10 Reduction of lot area.

No lot may be so reduced in area that it would be in violation of minimum lot size, yard provisions, lot coverage, off-street parking or other requirements of the zoning district or use.