



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 22, 2006

Ordinance 15565

Proposed No. 2005-0017.3

Sponsors Phillips

1 AN ORDINANCE reversing the recommendation of denial
2 of the hearing examiner and approving, subject to
3 conditions (modified), the Redmond Ridge East Urban
4 Planned Development permit application of The Quadrant
5 Corporation, designated department of development and
6 environmental services file No. L02UPD01, and
7 authorizing execution of a development agreement.
8
9

10 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

11 SECTION 1. This ordinance hereby adopts the council findings, conclusions and
12 decision for the Redmond Ridge East UPD and subdivision, which is Attachment A to
13 this ordinance and incorporated herein by reference, including all attachments thereto,
14 and the council does hereby reverse the recommendation of denial of the hearing
15 examiner and does hereby approve the Urban Planned Development ("UPD") permit
16 application of The Quadrant Corporation for Redmond Ridge East, designated

17 department of development and environmental services file No. L02UPD01, subject to
18 conditions as set forth in section 2 of this ordinance.

19 SECTION 2. The terms and conditions as set forth in the "Final Revised
20 Redmond Ridge East UPD Permit," which is Exhibit 1 to Attachment A to this ordinance,
21 are hereby adopted as conditions of preliminary plat approval, as applicable to each final
22 plat division of Redmond Ridge East.

23 SECTION 3. The King County executive is hereby authorized to execute an
24 agreement with The Quadrant Corporation that permits construction of the Redmond
25 Ridge East UPD in accordance with the terms and conditions of the Urban Planned
26 Development Permit as adopted and amended in section 2 of this ordinance.

27 SECTION 4. The Redmond Ridge East UPD permit shall not become effective

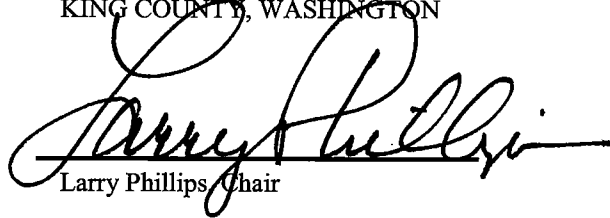
28 unless and until the council passes a motion substantially in the form of the motion
29 appended hereto as Exhibit 2 to Attachment A to this ordinance.

30

Ordinance 15565 was introduced on 1/10/2005 and passed as amended by the Metropolitan King County Council on 8/21/2006, by the following vote:

Yes: 7 - Mr. Phillips, Mr. von Reichbauer, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague and Ms. Patterson
No: 1 - Ms. Lambert
Excused: 1 - Mr. Constantine

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments A. Redmond Ridge East UPD and Subdivision DDES File Nos. L02UPD01 and L03P0003 Final Council Findings, Conclusions, and Decision (August 21, 2006)

Redmond Ridge East UPD and Subdivision

DDES File Nos. L02UPD01 and L03P0003

**Final Council Findings, Conclusions, and Decision
(August 21, 2006)
(As Adopted by Council)**

COUNCIL FINDINGS, CONCLUSIONS & DECISION: Having reviewed the record in this matter, including all exhibits admitted by the Hearing Examiner and the appeal statements and responses filed with the Council by the parties, and having heard and considered the oral arguments of the parties, the Metropolitan King County Council now makes and enters the following:

FINDINGS:

1. General Information:

- Owner/Developer: The Quadrant Corporation
Attn: Bonnie Geers
14725 SE 36th St., Suite 200
P.O. Box 130
Bellevue, WA 98009
- Engineer: Hugh G. Goldsmith & Associates, Inc.
1215 114th Avenue Southeast
Bellevue, WA 98004
- STR: Portions of the following sections:
34-26-06; NE ¼ 3-25-6; NW ¼ 2-25-6
- Location: Immediately east of the Redmond Ridge UPD/FCC and south of the Trilogy at Redmond Ridge UPD. Bounded on the north by the PSE powerline right-of-way, on the east by approximately 244th/248th Ave NE if extended, and on the south approximately by NE 90th St., if extended.
- Zoning: UR-SO-P (Urban Reserve zone – Property-Specific Development or P-Suffix Standards-Special District Overlay)
- Acreage: 337.3 acres
- Number of Units/Lots: 800 dwelling units (maximum) on 721 lots

Density:	4.38 to 17 du/acre
Lot Size:	Ranges from approximately 3,000 to 7,000 sq. ft., with one 11,500 sq. ft. lot
Proposed Uses:	Single-family and multi-family attached and detached residential, elementary school, parks, trails, and a soccer complex
Sewage Disposal:	City of Redmond
Water Supply:	City of Redmond
Fire District:	King County Fire District 34
School District:	Lake Washington School District
Application Complete:	March 31, 2003

2. In March 2003, the Quadrant Corporation (“Quadrant”) filed an Urban Planned Development (“UPD”) permit application, a Fully Contained Community (“FCC”) permit application, and a preliminary plat application with King County, in order to develop and subdivide 337.3 acres into a mixed-development community on the last remaining Urban-designated parcel in the Bear Creek subarea. This development proposal, known as Redmond Ridge East (“RRE”), represents the third and final phase of urban development of the Novelty Hill UPD/FCC. The King County Comprehensive Plan designates the subject property as Urban with a FCC and UPD overlay.
3. The King County Department of Development and Environmental Services (“DDES”) issued a Determination of Significance for RRE pursuant to the State Environmental Policy Act (SEPA) on March 14, 2003. An environmental impact statement (EIS) was prepared for this proposal and issued by King County, consistent with the Washington State Administrative Code and the King County Code. A Draft EIS (DEIS) and Technical Appendices Volumes 1, 2, and 3 were issued on April 8, 2004. A Final EIS (FEIS) and Technical Appendices Volumes 1 and 2 were issued on November 15, 2004.
4. A Master Drainage Plan (MDP) was developed in parallel with the EIS for the project. The baseline data included years of prior monitoring of the aquatic resources on this and adjacent properties. The water balance analysis demonstrates minimal reduction in the groundwater recharge rate. The MDP represents a coordinated and comprehensive basis for surface water design and project mitigation measures for the proposal.

5. The DDES Land Use Services Division issued a preliminary report to the King County Hearing Examiner for the February 22, 2005 public hearing (Exhibit 2 of the Redmond Ridge East administrative record). Staff personnel from DDES, the King County Department of Transportation (“KCDOT”), the King County Water and Land Resources Division, and the King County Housing and Community Development, all assisted in the preparation of that report and recommended approval of the Redmond Ridge East applications, subject to conditions.
6. The County Hearing Examiner held a lengthy public hearing on RRE over several weeks during February, March, and April of 2005. In addition to reviewing the RRE permit applications and hearing evidence from the applicant and members of the public on those applications, the 2005 hearing also entertained challenges by the City of Redmond and Friends of the Law (“FOTL”) to the adequacy of the project EIS and by FOTL to the validity of the project traffic concurrency certificates.
7. The Examiner issued a report and recommendation on RRE on June 28, 2005, proposing that the County Council deny the RRE permits based on defects within the residential traffic concurrency certificate and a determination that the project would create unmitigated adverse traffic impacts in Redmond at the Union Hill Road/Avondale Road intersection and within the Avondale corridor north of the intersection. The RRE Final EIS was also found by the Examiner to be legally deficient based on its failure to analyze the adverse impacts to rural character and rural roads south of the project area resulting from diversion of commuter traffic away from Novelty Hill Road via the proposed C-2 road connector between Redmond Ridge East and Redmond Ridge.
8. Timely appeals of the Examiner’s June 28, 2005, report and recommendation were filed in July 2005 by the applicant Quadrant and two county departments, DDES and KCDOT. Respondents to the appeal were the City of Redmond and one local citizen who elected not to participate further after filing his written appeal response.
9. In May 2005 the Washington Supreme Court issued its decision in *The Quadrant Corporation v. State Growth Management Hearings Board*, ruling that under the Growth Management Act, King County had properly designated the entire Novelty Hill UPD overlay area as Urban in the County’s 1994 Comprehensive Plan. That Urban designation has been carried forward in two subsequent comprehensive plan updates. Consequently, Quadrant notified DDES in July 2005 that Quadrant no longer required an FCC permit in order to convert the RRE property to an Urban designation, and Quadrant withdrew its FCC permit application for RRE. Quadrant now seeks only a UPD permit and an accompanying preliminary plat approval for RRE.

10. In August 2005, Quadrant entered into a settlement agreement with Friends of the Law, a citizens' group that has long opposed Urban development of the Novelty Hill UPD overlay area. In the settlement agreement, Quadrant agreed that if the County approves a UPD permit for RRE, Quadrant will increase the easterly perimeter buffer for RRE along 244th Avenue NE from a 50-foot-wide buffer to a 100-foot-wide buffer of native vegetation, to be enhanced through additional plantings in order to achieve a Type I buffer as defined by the King County Code. The goal of these buffer requirements is to obscure views of development in RRE to the extent reasonably feasible from adjacent neighborhoods after a reasonable grow-in period, recognizing that it will not be possible to achieve a complete visual barrier. Friends of the Law subsequently notified the County that it is no longer a party in the RRE permit review process, including the appeal of the Hearing Examiner's RRE decision to the Council.
11. The County Council held RRE appeal hearings on December 5th and 7th, 2005, and on the 7th continued the hearing to allow for further review of appeal documents. A letter from the Council Chair dated December 16, 2005, invited the Hearing Examiner to explore the possibility of reaching agreement among the appeal parties on consensual terms for remanding the RRE proceeding back to the Examiner for further review. A January 5, 2006, notice issued by the Examiner upon consultation with the Prosecuting Attorney's Office staff set out a process for pursuing remand settlement negotiations to be mediated by a deputy hearing examiner.
12. The negotiations among the parties culminated in a written settlement agreement by and among KCDOT, DDES, the City of Redmond, and Quadrant, dated as of April 7, 2006, which has been transmitted to the Council and entered into the RRE administrative record as Exhibit 284. Among other things, the settlement agreement provides for additional mitigation payments from Quadrant to the City of Redmond to be used for road improvements within Redmond, as described below, and for phased construction of RRE housing, tying development of RRE to identifiable milestones in the County's Novelty Hill Road CIP project schedule, as follows.
13. Along with Quadrant's payment of \$840,000 to the City of Redmond, as already required under the proposed RRE UPD Permit, Quadrant has agreed under the April 2006 settlement agreement to pay Redmond an additional \$775,000, for a total of \$1,615,000 in mitigation payments to Redmond. Such additional sum of \$775,000 will be applied by Redmond to mitigate the traffic impacts of RRE on Redmond streets, intended primarily for improvements to the intersection of NE 124th Street and SR 202. Under the settlement agreement, King County is also reserving \$250,000 of its CIP funds as the County's contribution toward those intersection improvements, and Redmond and the County will jointly apply for additional state TIB funding for those improvements.

14. The April 2006 settlement agreement was the culmination of long and difficult negotiations among the parties, who were seeking to resolve Redmond's long-standing concerns about traffic congestion in the greater Redmond area, as affected by development in nearby unincorporated areas of King County. The agreement reflects a laudable spirit of compromise and regional cooperation between King County and Redmond in solving traffic congestion problems shared by both jurisdictions. The agreement is a good-faith cooperative effort by King County, Redmond, and Quadrant to reduce traffic congestion on the city streets and County roads in and near Redmond.
15. The proposed RRE UPD and subdivision are subject to the critical areas provisions of the King County Code Title 21A. Approximately one third of the site, 109 acres, will be maintained in a native state, primarily those areas surrounding and including wetlands and streams. While there will be a significant reduction of wildlife habitat, a notable effort has been demonstrated in the design to preserve wildlife corridors. No threatened or endangered species have been identified within the RRE property, nor will any such species be affected by development of RRE.
16. The Urban/Rural boundary between RRE and the adjacent rural properties is respected in the RRE project design and will be further reinforced by the increased perimeter buffer along 244th Avenue NE, as agreed between Quadrant and Friends of the Law. No road connections are proposed between RRE and adjacent rural lands. Existing buffers are sufficient to minimize noise, glare, and other impacts onto the rural lands, and those existing buffers will be further enhanced by Quadrant. Existing trail corridors traversing RRE that are used by current rural residents will be maintained, or in two instances, relocated, during and after development of RRE.
17. Quadrant applied for and received two Certificates of Transportation Concurrency ("CTCs") from King County for RRE. The first CTC was issued in October 2002 for the proposed RRE sports field complex. The second CTC was issued in December 2002 for the development of up to 1,325 single-family residential dwelling units. In the hearing before the Hearing Examiner on RRE, held from February through April 2005, the Examiner permitted Friends of the Law ("FOTL") to appeal the validity of the residential CTC. FOTL alleged errors in the computer modeling that resulted in the 2002 concurrency map authorizing a residential concurrency certificate for RRE.
18. In Ordinance No. 14580 (passed in March 2003), the County Council eliminated administrative appeals of residential concurrency determinations to the Hearing Examiner. The elimination of such appeals in that ordinance is applicable to FOTL's attempted appeal of the RRE residential concurrency certificate in 2005. Further, evidence in the record does not support invalidation of the non-residential CTC for the RRE sports fields.



19. FOTL has since fully settled its dispute with Quadrant regarding RRE, and FOTL is no longer a party or a participant in this appeal. No party to this appeal to the Council is challenging the CTCs for RRE.
20. In King County an applicant must obtain a transportation concurrency certificate as a preliminary step before filing a formal development application with DDES. The County's concurrency system uses a planning level model for analysis to provide an approximate measure of a proposed development's impact on the affected road system and concurrency for residential development is determined at a concurrency map zone level. By contrast, the SEPA process discloses project-specific information on the traffic impacts of a development proposal and identifies project-specific mitigation measures to offset traffic impacts.
21. The RRE Draft EIS discussed the entire RRE proposal at length and analyzed its transportation impacts and mitigation on the assumption that the County's Novelty Hill CIP project would move forward as scheduled in the adopted CIP. That road improvement project would mitigate much of the adverse traffic impact of RRE. In early 2004 the County Executive proposed eliminating the construction funding for the Novelty Hill Road CIP project. In adopting an amended CIP in June 2004, the Council ultimately preserved a total of \$34 million, including construction funding, for the first phase of that project.
22. The EIS for RRE discloses traffic impacts on the Union Hill area south of the RRE site, including Union Hill Road and the rural roadway system in the area. The EIS analyzes impacts of RRE on the three principal nearby rural area intersections (intersection of Union Hill Road/208th Avenue NE, and two intersections of Union Hill Road/238th Avenue NE). The EIS analyzes the impacts of the proposed C-2 road connector at length, in the 50-page Appendix A of the Final EIS, including an analysis of impacts both with and without the Novelty Hill Road CIP project.
23. The road connection between the existing Redmond Ridge UPD/FCC and the proposed Redmond Ridge East UPD will be constructed entirely in an Urban area of the County. The road connection can be carefully designed to minimize impacts to sensitive areas and KCC chapter 21A.24 allows road crossings of critical areas as an alteration exception when, as here, there is no reasonable alternative to such crossings.
24. The road connection will confer multiple public benefits, including neighborhood connectivity, enhanced bus and transit service, decreased emergency vehicle response time, an emergency road connection, improved access to and from both the Redmond Ridge and RRE school sites, and a better circulation pattern between RRE and the neighboring Redmond Ridge UPD.

25. Pursuant to KCC 21A.39.030(B), a UPD permit and development agreement may allow development standards different from those otherwise imposed under the King County Code in order to provide flexibility to achieve public benefits, respond to changing community needs, and encourage modifications which provide the functional equivalent or adequately achieve the purposes of county standards.
26. At the July 24, 2006 appeal hearing, the council passed a motion directing staff to prepare all necessary documents for an approval of RRE which reflect specific dwelling unit phasing milestones and conditions related to the connector roadway between RRE and the Redmond Ridge UPD, as necessary to insure development does not exceed the pace of infrastructure improvements and to minimize project traffic impacts to rural residents.

CONCLUSIONS:

1. If approved subject to the conditions imposed below, the proposed Redmond Ridge East UPD and subdivision makes appropriate provision for the public health, safety and welfare; serves the public use and interest; and meets the requirements of RCW 58.17.110.
2. The conditions of approval imposed herein, including dedications and easements, will provide improvements that promote legitimate public purposes, are necessary to serve the subdivision and are proportional to its impacts; are required to make the proposed plat reasonably compatible with the environment; and will carry out applicable state laws and regulations and the laws, policies and objectives of King County.
3. The Redmond Ridge East UPD will fill an existing community need through the development of affordable housing and a more diverse range of housing types in the Bear Creek Community Plan area.
4. Both RRE certificates of concurrency (CTCs) should be upheld. In light of Ordinance 14580, whose elimination of residential concurrency appeals to the Examiner applies to the RRE residential concurrency certificates, the Examiner lacked jurisdiction to consider FOTL's challenge to the RRE residential CTCs. Further, evidence in the record does not support invalidation of the non-residential CTC for the RRE sports fields. In addition, there is in fact no valid appeal of the CTCs currently before the council since FOTL, the only party challenging the CTCs, has since fully settled its dispute with Quadrant and FOTL has withdrawn as a party or a participant in this appeal. However, FOTL's settlement calls upon Quadrant to provide certain mitigation. Such mitigation should be incorporated within the council conditions of approval.

5. The Draft EIS was largely based upon the assumption that the Novelty Hill Road CIP project would be funded, but the possibility that the Novelty Hill Road CIP project might not be funded in the future prompted the County to require that the Final EIS for RRE include a supplemental traffic analysis of RRE on the assumptions that there would be no Novelty Hill Road CIP project, and that traffic mitigation for RRE would have to be fashioned accordingly. The Draft and Final EIS for RRE “bookend” the traffic analysis and there exists adequate information to determine how traffic mitigation for RRE will be handled whether or not the Novelty Hill CIP project goes forward. Therefore, no additional traffic studies are warranted.
6. The County’s EIS for Redmond Ridge East is adequate under SEPA’s legal standards to support approval of RRE. The extensive transportation mitigation measures adopted by the county will ensure that the traffic impacts of RRE are mitigated to their pre-project condition. That is the traffic mitigation standard as established in the King County Code, and RRE will meet that mitigation standard.
7. Traffic mitigation for RRE meets the requirements of the County’s Integrated Transportation Program, KCC chapter 14.65, and complies with all other King County Code requirements for such mitigation, including but not limited to KCC chapter 14.80, as well as all other applicable County policies, including but not limited to P-Suffix zoning condition BC-P21 and King County Comprehensive Plan (2004) Policy CP-102.
8. The decision whether to deny a project under SEPA because of significant adverse impacts is a discretionary balancing test, in which decision-makers must weigh the benefits of a project against its environmental and other costs.
9. Despite some significant adverse traffic impacts of RRE on the City of Redmond’s transportation network, denial of RRE under SEPA’s substantive authority (RCW 43.21C.060) is not warranted given the additional conditions adopted by the County in the RRE UPD Permit. The council agrees with the Examiner’s observation in his June 2005 report and recommendation to the Council that, “There is much to like about the Redmond Ridge East proposal. Its natural system and resource studies are exemplary, and its master drainage plan shifts and balances impacts to achieve an acceptable level of mitigation within a highly sensitive environment. On a social level, RRE’s 30 percent affordable housing component would provide important additional resources to an overpriced and inadequately supplied market.”
10. Quadrant’s recent voluntary agreement, pursuant to the April 2006 Settlement Agreement among the parties, to phase the buildout of RRE, making it dependent on further County progress toward construction of the Novelty Hill Road CIP project, as well as Quadrant’s agreement therein to pay additional funds to the

City of Redmond for street improvements within the city limits, is a reasonable starting point for providing further reductions of the adverse traffic impacts of RRE on the affected area.

11. The phasing schedule contained in the Settlement Agreement uses a combination of milestones to determine when units can be developed. Some of the milestones, such as council approval of RRE and the federal highway administration issuance of the FEIS for NHR CIP 100992, are legislative or administrative steps that in of themselves do not ensure the funding or construction of actual traffic infrastructure improvements. Dwelling unit phasing should reflect and emphasize a more direct link to more concrete milestones, such as the actual funding or construction of transportation improvements. Furthermore, the phasing schedule should be modified to reduce the impact of the residential traffic from the final phase of during the construction of NHR CIP 100992 improvements. Such reduction of impact is best achieved by phasing construction of the final units for RRE so final phase of home construction can not begin until 12 months after the issuance of contracts for NHR CIP 100992 improvements so that completion and occupancy of the homes will align with the expanded capacity provided under the CIP improvements.

12. Dwelling units are to be phased as follows:
 - a. 100 dwelling units, after Council approval,
 - b. 125 dwelling units, after payment to Redmond of \$115,000 to be applied by Redmond toward the costs of its planned traffic signal signalization project on Avondale Road and \$500,000 to be applied by Redmond toward design and engineering costs of the planned NE 124th St./SR 202 improvement project or for other Redmond transportation projects that are called for by the settlement agreement, provided, that actual construction of these dwelling units shall not begin until submission of written confirmation from the City that a bid for construction of such a project has been awarded.

 - c. 100 dwelling units, after the Federal Highway Administration issues the FEIS for the planned NHR CIP projects,
 - d. 150 dwelling units, after the County provides funding for construction of Phase I of the NHR CIP project (project no. 100992),
 - e. 125 dwelling units, after the County enters into a contract for construction of Phase I of the NHR CIP project (project no. 100992), and
 - f. 200 dwelling units, twelve months after the award of a construction contract for Phase I of the NHR CIP project (project no. 100992)

13. The extensive package of traffic mitigation measures for RRE also warrants approval of RRE. Viewed as a whole, and including the extensive traffic mitigation that Quadrant has already agreed to in the RRE hearing, this mitigation

package will reduce traffic impacts of RRE on King County roads and City of Redmond streets to a level that the County Council concludes is acceptable.

14. Condition 2.10.4 in the proposed RRE UPD Permit regarding Quadrant's mitigation of traffic impacts on Redmond should be modified as necessary to harmonize such conditions with those in Subsection 1.2 of the April 2006 Settlement Agreement among the parties.
15. No requirement for development and occupancy of a certain percentage of the business park in the neighboring Redmond Ridge UPD/FCC, as a prerequisite to development of RRE, is appropriate or necessary as a condition of approval.
16. The Final EIS contained an analysis of the C-2 road connection which indicated that the C-2 connector could be aligned in a manner which avoids crossing over the top of an extremely high quality bog. Bogs are very sensitive features which can be significantly impacted by relatively small changes to water quality or hydrology. No mitigation exists for impacts to a bog. The C-2 alignment would affect lower quality wetland areas, the effects of which can be more easily mitigated.
17. The UPD standards vary from those provided in the Zoning Code and Road Standards. The modified standards have been tailored to meet the unique needs of the UPD proposal while maintaining the goals and purposes of those standards. These modified standards are necessary in order to provide flexibility to achieve public benefits, respond to changing community needs, and encourage modifications that provide the functional equivalent or adequately achieve the purposes of county standards.
18. Significant public benefits will result from construction of a road connection between RRE and the neighboring Redmond Ridge UPD/FCC. Those public benefits will be achieved through a road alignment that best reduces the potential impacts to critical areas, best serves the circulation needs of the RRE and Redmond Ridge residents, and provides alternative access routes, other than Novelty Hill Road, to areas residents. Such a reduction of potential impacts is best achieved through the requirement of a central alignment generally described for Alternative Road C-2. This central alignment creates a direct roadway between two large UPDs utilizing an existing logging road. Impacts to the Class II and III wetlands can reasonably be mitigated. This connection also allows residents a connection to the arterial and highway system to the south, utilizing the arterials of Union Hill Road, 238th Ave NE, and SR 202. However, in order to reduce impacts to the rural residents to the south, the C-2 connector should not be opened to public use until the NHR CIP100992 is constructed.

19. In the case of a connector roadway between RRE and the Redmond Ridge UPD, the conditions imposed in the RRE UPD permit will provide the functional equivalent and will adequately achieve the purposes of the critical area standards embodied in KCC chapter 21A.24. The need to provide flexibility in order to achieve the foregoing significant public benefits is a compelling justification pursuant to KCC 21A.39.030(B) for permitting the road connection between the RRE UPD and the Redmond Ridge UPD/FCC outright, without an alteration exception under KCC chapter 21A.24.
20. If approved subject to the conditions imposed herein, the proposed UPD and subdivision will comply with the goals and objectives of the King County 2004 Comprehensive Plan, the Subdivision and Zoning Codes, and other official land use controls and policies of King County.
21. The RRE UPD Permit and preliminary plat should be approved, without any remand to the Hearing Examiner, provided that they are developed consistent with the conditions set forth in EXHIBIT 1 hereto.
22. The DDES preliminary report of February 22, 2005 and the Examiner report of June 28, 2005 are incorporated herein by this reference and shall be considered to be substantially correct, provided that any finding, conclusion or recommendation contained in either report that conflicts with any council finding, conclusion or decision contained herein, shall be deemed void.
23. The April 7, 2006 settlement agreement between the parties is a significant achievement that should be recognized. Nothing in the following decision is intended to abrogate the settlement agreement in any way, and except as expressly modified as to the C-2 connector and the phasing schedule for building permits set forth in Conclusion 12, the Council approves the settlement agreement in its entirety.

DECISION:

A. Redmond Ridge East UPD Permit, DDES File No. L02UPD01

The Council hereby decides that the Redmond Ridge East Urban Planned Development Permit, revised as of August 21, 2006, attached hereto as EXHIBIT 1 and incorporated herein by this reference, shall be APPROVED, subject to the applicant's compliance with all its terms, standards, and conditions and subject to the following further conditions.

1. A development agreement signed by the King County Executive and the Quadrant Corporation shall be executed binding the applicant and its successors in interest to participate in the development of the property only in accordance with the conditions of the UPD permit. The

development agreement shall be recorded with the King County Division of Records, with the revised UPD permit as described in Item 1 above, attached in full. Such development agreement shall not be executed and recorded unless and until the King County Council passes a motion substantially in the form of EXHIBIT 2 hereto, expressing its commitment to completion of the Novelty Hill Road CIP Project.

2. The Redmond Ridge East UPD Permit will become effective simultaneously with the recording of the development agreement.

B. Redmond Ridge East Subdivision, DDES File No. L03P0003

The Council hereby decides that the Redmond Ridge East preliminary plat (subdivision) application shall be APPROVED, subject to the applicant's compliance with all its terms, standards, and conditions as set forth in Section 5.1 of the Redmond Ridge East Urban Planned Development Permit, revised as of August 21, 2006, attached hereto as EXHIBIT 1.

Exhibits

1. **Final Revised Redmond Ridge East UPD Permit, dated August 21, 2006.**
2. **Proposed Council Motion Expressing Commitment to Completion of Novelty Hill Road CIP Project**



15565

**DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL
SERVICES**

**LAND USE SERVICES DIVISION
KING COUNTY, WASHINGTON
900 Oakesdale Avenue Southwest
Renton, WA 98055-1219
Phone: (206) 296-6640**

**FINAL REVISED REDMOND RIDGE EAST
URBAN PLANNED DEVELOPMENT PERMIT
(As Amended by Council)**

August 21, 2006

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ATTACHMENTS:

1. Legal Description
2. Vicinity Map
3. Redmond Ridge East Site Plan and Plat
4. Affordable Housing Conditions
5. Road Classification Map
6. King County Road Engineer Letter and Road Design Summary Table
7. MDP Stormwater Control Plan
8. Trail Plan

REDMOND RIDGE EAST UPD PERMIT

1. PROJECT ELEMENTS

1.1 Project Location

The Redmond Ridge East Urban Planned Development (UPD) hereafter referred to as Redmond Ridge East (or RRE), consisting of 337.3 acres of land, lies south of Novelty Hill Road in King County's Bear Creek Planning Area. The legal description of RRE is provided as Attachment 1 and a vicinity map is provided as Attachment 2.

The applicant/developer of RRE is The Quadrant Corporation, hereafter referred to as Quadrant.

1.2 General Project Elements

RRE is composed of the following elements as shown on the site plan in Attachment 3:

Residential Uses:	760 – 800 residential dwelling units including two tracts containing attached multi-family residences, and the balance of the project containing individual lots for both attached and detached residences.
Parks:	8 acres of neighborhood parks in 9 tracts. 40 acre LWYSA Soccer Complex. Pedestrian/bicycle trails.
Utilities:	18 acres containing stormwater retention and infiltration facilities in five tracts.
School:	10 acres for a new elementary school site.
Sensitive Areas:	100 acres in Sensitive Area tracts containing wetlands, streams, and associated buffers.
“Rural” Buffers:	8.7 acres of perimeter buffers of native vegetation to buffer the adjacent “Rural” area.
Landscape/Open Space:	13 acres of landscaping and native vegetation in landscape/open space tracts

1.3 UPD Site Plan – Permitted Number of Dwelling Units and Permitted Land Uses

1.3.1 Permitted Number of Dwelling Units

- a. During the buildout period of RRE, RRE and the Panhandle Plat application (File No. L02P0018) together are limited to a total maximum of 800 residential dwelling units, and a minimum of 780 units. Compliance with this requirement shall include consideration of all lots proposed (or recorded) in the Panhandle Plat application, unless the Panhandle Plat application is withdrawn. Prior to engineering plan approval for any plat phase in RRE, and prior to building permit approval for any multi-family units in Tracts MF-1 or MF-2, Quadrant shall demonstrate the permitted number of minimum and maximum dwelling units for all of RRE can be achieved.
- b. RRE contains four development areas (A, B, C and D), which for phasing purposes have been further broken down into A-east, A-west and Multi-Family Tract MF-1; B-east, B-west, B-south and Multi-Family Tract MF-2; C-east and C-west; and D-north and D-south.
- c. Tract MF-1 shall contain a minimum of 70 dwelling units and a maximum of 90 dwelling units, except as modified by Section 3.1 below.
- d. Tract MF-2 shall contain a minimum of 20 dwelling units and a maximum of 30 dwelling units, except as modified by Section 3.1 below.
- e. No density range is applied to the remainder of RRE other than compliance with Section 1.3.1 above.

1.3.2 400 Dwelling Unit Maximum/Road Alternative C-2

A plat alteration application for altering the relevant Redmond Ridge plats to permit the construction of Road Alternative C-2 must be submitted by the applicant and approved by King County (recorded), prior to the recording of a final plat or issuance of building permits for multifamily residences which would result in the creation of 400 or more dwelling units and/or lots in RRE (see Condition 2.10.2b below).

1.3.3 Permitted Land Uses

- a. For the purposes of determining the permitted land uses in Tracts MF-1 and MF-2, the provisions of the R-18 zoning classification in King County Code Title 21A shall be followed.
- b. For the purposes of determining the permitted land uses for the remainder of RRE, the provisions of the R-6 zoning classification in

King County Code Title 21A shall be followed, with the following exceptions.

- i. The Small Cottage Units and Cottage Units permitted and defined in Section 2.3.2 of this permit are exempt from KCC 21A.08.030 (16) and KCC 21A.14.025. Section 2.3.2 of this permit contains the applicable design and dimensional criteria for these units.
- ii. Regarding development of the LWYSA Soccer Complex, this use may be constructed without the issuance of a conditional use permit, however, the Complex shall comply with the requirements of KCC 21A.08.040B4 and the requirements of this UPD permit, including Section 2.7.10. The placement of luminaires shall be approved by DDES and shall conform with KCC 21A.08.040B1
- c. The public elementary school planned for construction in the vicinity of Tract P-6 is a permitted use, and shall conform with the applicable requirements of KCC Title 21A.
- d. The permitted uses in RRE may be restricted by Quadrant in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) which will be recorded separately for the divisions of RRE, provided the CC&Rs shall not conflict with the conditions within this permit. Restrictions provided in the CC&Rs which are unrelated to the terms of this permit will be enforced by the Redmond Ridge East Homeowner's Association or other private parties or subassociations in accordance with the terms and conditions of the CC&Rs. King County will have no authority or obligation for the enforcement of such restrictions provided in the CC&Rs.

1.4 Affordable Housing Provisions

Quadrant shall provide affordable housing as set forth in Attachment 4.

1.5 Project Phasing

Plat development and construction of the 800 maximum dwelling units authorized by this permit shall be phased.

1.5.1 Phasing of Plat Development

The applicant shall not begin land development and construction of RRE plat infrastructure (e.g., clearing, grading, utility installation, onsite soils management, and road construction) until April 2007. Thereafter, the applicant shall undertake such land development and construction of plat infrastructure in

three annual geographic and temporal phases, in accordance with an approved clearing and grading phasing plan for RRE; provided, however, that in any phasing year the applicant may undertake less development in a designated phase than that shown on such clearing and grading phasing plan but may not undertake more development than is shown during the applicable year for that phase. Each designated land development phase shall commence no earlier than April 1 of the applicable year (2007, 2008 and 2009) shown on such plan.

1.5.2 Phasing of Housing Units

Subject to the limitations stated in conditions 1.5.3 and 2.10.2E below, Quadrant is authorized to construct the following maximum number of housing units within RRE within the time frames and under the conditions stated herein:

- A. After the County Council approval of RRE and the recording of the development agreement required by condition 4.1 below, the County shall issue building permits for up to 100 dwelling units in RRE.
- B. After Quadrant has submitted to DDES and KCDOT documentation of the completion of payments per condition 2.10.4 (A) and (B) below to the City of Redmond relating to the Avondale road traffic signalization project and the design and engineering of a planned intersection improvements at Northeast 124th Street/SR-202 or to other infrastructure improvements designated by the City that have a positive effect on traffic conditions on Avondale Road, Novelty Hill Road and Union Hill Road, the County shall issue building permits for 125 dwelling units in RRE , provided, that actual construction of these dwelling units shall not begin until submission of written confirmation from the City that a bid for construction of such a project has been awarded..
- C. After the Federal Highway Administration (FHWA) issues a combined NEPA/SEPA final environmental impact statement (“FEIS”) for King County’s two planned Novelty Hill Road Capital Improvement Program (“NHR CIP”) projects (CIP project nos. 100901 and 100992), the County shall issue building permits for up to 100 dwelling units in RRE
- D. After the King County Council adopts an updated CIP, as part of its annual budgeting process, that commits funds for construction of Phase I of the NHR CIP project (project no. 100992) in the following budget year, i.e., the first year of that updated six-year CIP, the County shall issue building permits for up to 150 dwelling units in RRE.
- E. After the County enters into a contract for construction of Phase I of the NHR CIP project (project no. 100992), the County shall issue building permits for up to 125 dwelling units in RRE.

- F. Twelve months after the County awards a contract for the construction of Phase I of the NHR CIP project (project no. 100992), the County shall issue building permits for the remaining dwelling units (800 maximum) in RRE authorized by this permit.

1.5.3 Phasing With Capital Improvement Project 100992

If at any time during the development of RRE, the County Council adopts a 6-year CIP, or amends its then-current CIP, so as to eliminate CIP project no. 100992 altogether from the CIP list, or reduces the level of funding for that project below that listed in the adopted 2006 CIP, then no further building permits shall be issued for RRE thereafter until such CIP funding is restored to at least the amount listed in the adopted 2006 CIP; provided that funds expended by the County on NHRCIP project no. 100992 in accordance with adopted CIPs shall not be deemed a funding reduction.

2. DEVELOPMENT STANDARDS AND MITIGATION MEASURES

2.1 Standards for Critical Areas

2.1.1 General Requirements

The applicant shall comply with KCC 21A.24, as modified by the King County Critical Areas Ordinance (Ord. 15051), unless otherwise restricted or allowed by the UPD conditions of approval or development agreement. Critical area tracts shall be provided for wetlands, aquatic areas, and their buffers, and the ownership and maintenance of said tracts shall be as required by KCC 21A.24.180. The following requirements outline portions of the development requirements for critical areas. All other applicable requirements in KCC 21A.24 (as amended by the CAO) or other UPD conditions shall also apply. As determined by King County, the final engineering plans and recorded plat shall contain language which specifies the restrictions for Critical Area Tracts.

2.1.2 Wetlands and Aquatic Areas

- a. Wetlands, aquatic areas, and their required buffers of undisturbed native vegetation shall be provided as shown on the approved preliminary plat.
- b. Buffer width averaging and buffer width reductions as proposed by the applicant may be approved by DDES, provided DDES determines it meets or exceeds the requirements of KCC 21A.24.325 and is consistent with KCC 21A.24.335. The applicant will be responsible for preparing educational material and/or adding notes to the final plat on how the applicable mitigation measures of KCC 21A.24.325A3b will be implemented. The material and/or notes are subject to review and approval by DDES. Additional mitigation measures shall include the

removal and re-vegetation of existing logging roads within critical areas and buffers and/or other measures as proposed by the applicant.

- c. A fifteen-foot building setback line (BSBL) is required from the edge of all Critical Areas Tracts on-site, and from the edge of off-site Sensitive Area Tracts or Natural Resource Protection Areas, to the extent they adjoin the subject property. Alterations proposed within BSBLs are subject to the requirements of KCC 21A.24.200.
- d. Alteration of vegetation or hydrology within Critical Areas or their buffers is only permitted under certain circumstances, listed in KCC 21A.24. Alterations of wetlands, aquatic areas, and/or their buffers are proposed by the applicant. A detailed plan to mitigate impacts from the alterations shall be submitted by the applicant. The proposed alterations and mitigation plans are subject to the review and approval of DDES, and shall be reviewed concurrent with the engineering plans. Mitigation plans must include proposed final grades, hydrologic information showing how the mitigation feature will function, and a detailed planting plan showing plant species, sizes and locations. The plans shall list goals and objectives, construction and installation notes, performance standards, and monitoring and maintenance measures.
- e. Approval of a mitigation plan will include posting a performance bond or other financial guarantee at the time of plan approval, to guarantee that the mitigation measures are installed according to the plan. Once the mitigation work has been installed and inspected by DDES, the performance bond may be replaced by a maintenance bond for the remainder of the monitoring period to guarantee the success of the mitigation. The length of the monitoring period shall be determined by DDES in accordance with the CAO. The financial guarantee shall be released when the performance standards on the approved plan have been met. If the performance standards have not been met at the conclusion of the monitoring period, a contingency plan will be required to be prepared by the applicant to remedy the situation, and the monitoring period may be extended further by King County.
- f. The applicant shall be responsible for the installation, maintenance and monitoring of any approved mitigation. The mitigation plan must be installed prior to the recording of the applicable plat division, unless DDES determines an extension is warranted due to seasonal constraints.
- g. The proposed road crossing of the BBC-52 Tributary (NE 104th Place) is acceptable provided mitigation plans are prepared by the applicant which are consistent with KCC 21A.24, and the plans are approved by King County. Where NE 104th Place crosses the BBC-52 Tributary and its required buffer, Landscape Tracts L-34 and L-37 shall be eliminated, and

replaced with additional road right-of-way, as necessary, to contain any retaining structures for the roadway.

- h. A Master Drainage Plan shall be implemented on Redmond Ridge East that includes routing stormwater runoff from the proposed development through stormwater detention and water quality facilities, prior to discharge to sensitive downstream wetlands (BBC 52 and EC 6) or to stormwater bypass pipelines, in order to limit the potential for sediment deposition and other water quality impacts. Energy dissipaters or flow dispersion facilities shall be provided outside of wetland and aquatic area buffers, unless otherwise approved by DDES, to prevent substantial erosion impacts to wetlands and aquatic areas.
- i. Specific field inspection shall be performed using the criteria from the Redmond Ridge East and Panhandle Assessment of Uplands Capacity for Dispersed Flow Introduction, Kindig & Co., October 7, 2003, to guide the siting of individual dispersion devices for roof drain and stormwater facility outflow, prior to installation.
- j. Stormwater detention facilities on Redmond Ridge East discharging to on-site or off-site wetlands which contain bogs or bog type vegetation shall include protection measures from the Sphagnum Bog Protection Menu of the King County Surface Water Design Manual.
- k. Water quality treatment of stormwater runoff from on-site park, landscape tracts, and stormwater detention facilities that is permitted to flow to the buffers of wetland BBC 53 shall include protection measures from the Sphagnum Bog Protection Menu of the King County Surface Water Design Manual.
- l. Stormwater runoff during construction shall not be discharged to Wetlands BBC 52, BBC 53, or EC 6 (other than prescribed for EC 6 in the MDP), unless King County determines no feasible alternative exists.
- m. Post-development increases in stormwater runoff discharges to on-site wetlands and aquatic areas shall be minimized and limited to that from roofs of adjoining lots. Excess runoff volume shall be diverted to bypass pipelines in accordance with the Master Drainage Plan in order to avoid increases in runoff volume to downstream wetlands and streams, and to protect water quality of downstream wetlands and streams.
- n. Monitoring of wetlands and water resources is addressed in the monitoring plan of the Master Drainage Plan.

- o. Temporary marking of sensitive areas and their buffers (i.e., with bright orange construction fencing) shall be placed on the site and shall remain in place until all adjacent construction activities are completed.
- p. Critical Area Tracts shall be identified using permanent boundary signs installed on the boundary between the tracts and adjacent lots or roads. One sign shall be posted for every 150 feet of buffer and shall be stationed in a prominent location.
- q. Walls and Fences in the BSBL: The requirements for walls and fences located in building setback areas are addressed in KCC 21A.12.170 and 21A.14.220. These requirements also apply to walls constructed in building setback areas defined in 21A.24.200, except that no structural walls may be located within five feet of a sensitive area tract. No disturbance to an adjacent sensitive area is allowed as a result of the construction or placement of a wall or fence.

2.1.3 Road Alternative C-2

The required Alternative C-2 road crossing of Tract SA-5 of the Redmond Ridge Master Plat and Tract SA-801 of Redmond Ridge Division 8 has the least adverse impact to critical areas of the feasible alternatives for access to RRE. The applicant is required to meet the following requirements to minimize impacts to critical areas:

- a. The wetland and wetland buffer areas which will be disturbed by the construction of the required improvements shall be limited to the maximum extent feasible, as determined by DDES. Retaining walls, span culverts, and other design features shall be used as needed to accomplish this requirement.
- b. The road within Tract SA-5 will be constructed where appropriate, with a single cross-slope to the south to allow sheet flow dispersal, filter strips, or biofiltration swales for storm water runoff water quality treatment.
- c. The road runoff within Tract SA-5 will be dispersed using KCSWDM flow control BMP's to eliminate or minimize the requirement for detention ponds. Rural road criteria for stormwater runoff may be used to reduce critical area impact, where approved by DDES.
- d. The portion of the east-west equestrian trail located between the two southern legs of Trail #5 (Attachment 8) does not need to be replaced where displaced by the C-2 roadway. The connection of the two southerly legs of Trail #5 will provide an acceptable alternate east-west

route alignment. (See Condition 2.7.19 below for related trail improvement requirements.)

- e. If disturbed, the wetland level control facility for wetland EC-61 must be reconstructed to provide an equivalent wetland fluctuation control.
- f. Road culverts shall be a minimum 24-inch diameter, or pipe arch equivalent, to facilitate the migration of small animals. Culverts shall be located where necessary for hydrological balance. Additional culverts shall be provided at dry locations, if needed, to have small animal crossings at approximately 500-ft. intervals. The use of these small animal crossings provides wildlife mitigation.
- g. Illumination, where required, shall be the minimum necessary to provide for public safety.
- h. This area shall be evaluated under KCC 21A.24 and any resulting required wetland or buffer area cleared for the construction of Road Alternative C-2 and related improvements (road connection, stormwater facilities, utilities, sidewalks, and trails) must be mitigated in accordance with KCC 21A.24; provided, however, that no alteration exception or other authorization pursuant to KCC 21A.24 shall be required in order to construct the C-2 road connection. This mitigation requirement does not apply to the uncleared area used for stormwater dispersal. The use of the Redmond Ridge upland bank for this mitigation will require a demonstration of available unencumbered area for this use.
- i. New wetland disturbances must be mitigated in accordance with KCC 21A.24. The use of offsite mitigation or payment into the Critical Area Resource Mitigation Reserve will be allowed where mitigation within the UPD is not feasible.
- j. Road Alternative C-2 shall be constructed, as provided in condition 2.10.2(B), but shall not be open for vehicle use (except emergency vehicles) until such time as improvements under NHR CIP Phase 1 (#10992) are substantially completed.

2.1.4 Seismic Hazard Areas

The requirements for seismic hazard areas are outlined in 21A.24.290. A soils report which evaluates the required designs and mitigations for road construction and/or lot development within seismic hazard areas, as defined in Section 95 of the CAO, shall be submitted with the applicant's engineering plans.

2.1.5 Stream Enhancement

The applicant shall donate large woody debris to King County's off-site stream enhancement program. Commencing with initial clearing and continuing for three months after completion of final clearing the applicant shall maintain a minimum of five fish logs available on site at any time.

2.2 Stormwater Design and Construction Standards

2.2.1 General Stormwater Requirements

- a. Final plat approval shall comply with the drainage provisions set forth in King County Code 9.04. Drainage plans and analysis shall comply with the 2005 King County Surface Water Design Manual, including all design requirements and modifications contained within the approved Master Drainage Plan. County approval of the site improvements is required prior to construction.
- b. Current standard plan notes for drainage, erosion control, and construction, as established by King County Engineering Review, shall be shown on the engineering plans.
- c. The following note shall be shown on the final recorded plat:

“All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet through a perforated pipe connection or conveyed to the approved dispersal structure as shown on the approved construction drawings #_____ on file with the reviewing agency. This plan shall be submitted with the application of any building permit. All connections of the drains, perforated pipe connections, and any required dispersal structure must be constructed and approved prior to the final building inspection approval. Additional storm water individual lot flow control BMP measures provided in Appendix C of the 2005 King County Surface Water Design Manual, shall be implemented in addition to the above requirements.”

2.2.2 Master Drainage Plan Implementation

Drainage plans shall be prepared in accordance with the approved Redmond Ridge East Master Drainage Plan (MDP) or subsequent updates, and the requirements contained in this section. Stormwater detention facilities and water quality designs, as required in the MDP, shall be included in the final drainage plans for each applicable plat division. Several drainage deviations are

identified in the Master Drainage Plan and are hereby approved. Any additional deviations identified during design shall be processed in accordance with Section 3.1 of this permit.

2.2.3 Offsite Easements

- a. Drainage easements for construction of the offsite pipeline to the Unnamed Creek bypass pipeline shall be provided prior to engineering plan approval of the first construction in the proposed SRN Basin.
- b. Drainage easements for construction of any drainage related structures or grading, including roof and wall drains, within the existing adjacent Redmond Ridge Sensitive Area Tracts shall be provided prior to engineering plan approval or building permit approval requiring the intrusion.
- c. Drainage easements for construction of any drainage related structures or grading, including roof and wall drains, within the existing adjacent Puget Sound Energy power line right-of-way shall be provided prior to engineering plan approval or building permit approval requiring the intrusion.

2.2.4 Constructed Conveyance Standard

The conveyance standard for the MDP will be 100-yr, which is to be contained within the constructed drainage system with no overtopping of any manhole or catch basin and with 6-inches of freeboard in any open channel.

2.2.5 Retention/Detention Pond Construction

- a. The first construction project in a drainage subbasin shall build all the new drainage facilities outlined in the MDP necessary to control flows and provide emergency overflow within that subbasin. Water quality and retention/detention and conveyance facilities shall be built to the ultimate MDP design size by the first construction in the associated subbasin.
- b. Open water ponds for water quality or retention/detention of stormwater must be designed to eliminate the requirement for safety fencing. The fencing portion of Section 5.3.1 of the KCSWDM defines the design thresholds that must be met to avoid the use of fencing. The use of vertical walls to achieve length to width ratios is not allowed.
- c. Stormwater Ponds must be designed to visually integrate into the environment. Landscaping is required and must comply with the landscape criteria contained in Section 5.3.1 of the KCSWDM. The handbook for "The integrated Pond" and the Guidelines for Naturalistic

Planting contained in Section 5.3.1 of the KCSWD Manual provide guidance for pond landscaping. Additional pond landscape requirements are contained in Sections 2.4.3 and 2.4.4.

- d. Retention/detention facilities will be certified by a licensed surveyor for size and volume and meet the standards for “in-operation” in accordance with King County Code and Public Rules prior to recording the final plat containing that facility.
- e. Infiltration facilities shall be designed using the Design Infiltration Rate and Groundwater Protection as defined in KCSWDM Section 5.4.1.
- f. All flow control structures for ponds and wetlands shall be designed to provide for retrofit with new controls should monitoring indicate that adjustment is necessary. For example, orifice and weir plates shall bolt on to allow for replacement or reworking. These or alternate design details shall be included in the engineering plan submittal.

2.2.6 Hydraulic Disconnect Measures

- a. All roof downspouts from commercial, residential, public and community buildings, including schools, connecting to flow control conveyance systems shall use the perforated pipe connections consistent with Section 5.2 and Appendix C of the KCSWD Manual. Non-residential buildings and commercial multi-family buildings shall use 10 feet of perforated pipe connection trench per 2000 square feet of roof area. The requirement for perforated pipe connections discharging to flow control conveyance systems is in addition to flow control BMP requirements for individual lots or parcels.
- b. Roof downspouts from residential lots discharging to wetland buffers shall be dispersed within the lot or tract areas upstream of the wetland buffer. The wetland buffer can be used in determining the vegetated flow path. Flow dispersal or equivalent flow control BMPs must comply with the design requirements of KCSWDM Appendix C. Those residential lots dispersing roof runoff to wetlands in accordance with the MDP meet the requirements for individual lot BMPs provided in Appendix C of the 2005 King County Surface Water Design Manual. Perforated pipe connections are not required for dispersal drainage systems.
- c. King County Surface Water Design Manual, such as Dispersion, Permeable Pavement and Rainwater Harvesting, shall be implemented in addition to the above requirements for those lots where the Flow Control BMP requirement is not already met through the dispersion or infiltration specified by the MDP.

2.2.7 Utility Trench Seepage Barriers

In order to prevent interruption of groundwater flows by utility trenches and infiltration/dispersion trenches, seepage barriers will be installed in trench sections. Seepage collars will extend from the base of the trench to 1 foot above the pipe or conduits. Collars can be concrete or impermeable backfill such as clay or glacial till. Compacted soil barriers shall be at least 3 feet long. The location and spacing of these barriers will depend on local topography and slope of pipe, and will be determined during engineering plan review and shown on all franchise utility, water, sewer, and storm plans. Barriers should be installed in areas of gentle as well as steep slopes.

2.2.8 Restricted Materials

Copper and some galvanized materials shall be restricted to reduce copper and zinc loads, as follows. Copper and galvanized gutters and flashing for houses and commercial buildings shall not be permitted. Galvanized storm drainage culverts and conveyance piping systems shall not be permitted. The uses of galvanized metals in other locations that are subject to contact with stormwater are only allowed where reasonable alternative materials are not available. These restrictions shall be included in the CC&Rs.

2.2.9 Clarification of KCSWDM Conveyance Criteria

- a. All portions of a subbasin drainage conveyance system that are located upstream of a detention facility with less than 10 acres of contributing area, must be designed using the King County Modified Rational Formula.
- b. The minimum Time of Concentration, T_c , used with the King County Modified Rational Formula is not an initial T_c . The actual T_c must be computed for the entire system with the minimum value of 6.3 minutes and the maximum value of 100 minutes substituted where those limits would apply.
- c. The TESC pond sizing formula will use King County Rational Method for contributing areas less than 10 acres and KCRTS with 15-minute time intervals for larger contributing areas.
- d. TESC pond sizing will be based on 10-year events due to the sensitive characteristics and magnitude of this development.

2.2.10 Geotechnical Evaluation

Site specific geotechnical engineering evaluation and recommendations are required for detention ponds, infiltration facilities, and sand filters. Geotechnical recommendations meeting or exceeding the KCSWDM requirements must be included in the engineering design. Detention or water quality ponds excavated into Vashon advance outwash shall be lined to meet KCSWDM requirements or as determined by a site-specific geotechnical report.

2.2.11 Seasonal Clearing Restrictions

Major clearing and grading in all basins shall only be allowed from May 1st through September 30th. The UPD developer shall annually submit, to DDES, a detailed Winterization Plan and a Construction Activities Schedule for all erosion & sediment control and minor construction activities proposed for the period from October 1st through April 30th (the Wet Season). The Winterization Plan must demonstrate compliance with the construction site erosion and sediment control measures and performance criteria and implementation requirements contained in the King County Surface Water Design Manual and the Master Drainage Plan. Those minor construction activities listed in the Winterization Plan, subject to approval by DDES, may continue through the Wet Season. Minor construction includes underground utility distribution system installation less than ten (10) feet in depth and building completion on building foundations in place prior to October 1st, or as may be allowed to be constructed during the Wet Season. At the discretion of DDES, Wet Season minor construction may also include other types of utility installation, erosion & sediment control, sidewalk and trail construction, fine grading, landscaping, native plant salvage, placement of roadway base course, asphalt paving and specific minor clearing. Up to twelve (12) single family or duplex structure foundations may be under construction at any one time within each final plat during the Wet Season, if approved by DDES, for specific sites subject to a detailed and site specific erosion control plan. During the Wet Season, unless specifically approved by DDES, no construction activities will be allowed to commence within previously undisturbed areas. Tree cutting, for approved site development areas and where disturbance to ground cover can be minimized, may commence no more than two weeks prior to May 1st at the discretion of DDES, subject to weather conditions and proximity to sensitive areas. Additional erosion and sediment control measures may be required at the discretion of DDES as needed to protect drainage courses, wetlands, infiltration facilities and sensitive areas. Those areas draining to wetland bogs are subject to additional restrictions as necessary for their protection. At any time DDES reserves the right to revoke any discretionary Wet Season construction activities.

2.2.12 Soil Amendments

Areas that have been cleared or graded shall have the soil moisture holding capacity restored to that of the original undisturbed soil native to the site. All landscape soils shall be amended in accordance with the 2005 revision to KCC 16.82. The implementation shall be in accordance with the Soil Amendment Specifications in contained in Section VII of the MDP, or equivalent procedures as determined by DDES.

2.2.13 Storm Pond Ownership

Ownership and maintenance responsibilities for Stormwater Ponds and Water Quality treatment facilities shall be provided in accordance with Core Requirement #6 of the KCSWDM or as otherwise approved by King County.

The following facilities meet the criteria for ownership and maintenance by King County:

- SRN-1 #1
- SRN-2 #1
- ECE-6 #1

The following facilities meet the criteria for private ownership and maintenance:

- SRN-3 #1 (serves non-residential private property south of NE 104th St)
- All roof and wall drains discharging to wetland buffers

The following facility meets the criteria for private ownership and maintenance, but may be considered for ownership and maintenance by King County.

- SRS-1 #1 (Infiltration fields serving private recreational facility)

2.2.14 Welcome Lake Watershed

Lots and parcels draining to the Welcome Lake watershed shall be subject to a covenant waiving the right to protest formation of and inclusion in any lake management district for Welcome Lake. This requirement will include all lots and parcels that discharge directly or indirectly to Wetland BBC 45, including all lots that drain to R/D Facility ECE-6#1.

2.2.15 Individual Lot Flow Control BMP's

The maintenance of all individual lot flow control BMPs is the responsibility of the owner of the site/lot that contains flow control BMPs. Covenants, easements and documents required by the KCSWDM for individual lot BMPs shall be established prior to or concurrently with the recording of each final plat. Specific requirements are located in Section 5.2.1.4 of the KCSWDM.

2.2.16 Groundwater Withdrawal

The project presently proposes no new groundwater withdrawal. If any is proposed in the future, it shall be reviewed through the SEPA process as a major permit modification with complete environmental review of the impacts of any such proposed groundwater withdrawal.

2.2.17 Engineering Design and Construction Requirements

- a. The first construction project in a drainage subbasin shall build all the new drainage facilities outlined in the MDP necessary to control flows and provide emergency overflow within that subbasin. Water quality, retention/detention and conveyance facilities shall be built to the ultimate MDP design size with the first construction project requiring the facility.
- b. Design and construction within RRE shall comply with each of the applicable Summary Mitigation Measures provided in Section VII of the MDP, except that the 2005 King County SWDM will apply in place of the 1998 King County SWDM. This provision applies to all construction including commercial and single-family building permits.
- c. An electronic copy of the HSPF modeling used on the site, including all management files, and final constructed data for the constructed stormwater facilities shall be provided to King County prior to recording the subdivision creating the 700th dwelling unit.
- d. Stone aggregate concrete finish production is prohibited within Bog discharge basins, except where authorized in writing by DDES and only when using complete containment BMP's.
- e. Superchlorinated water, elevated pH water, or water treated for elevated pH is not permitted to be discharged directly or indirectly to open water bodies, including Unnamed Creek. Only water that has been treated, to buffer elevated pH, may be allowed to be infiltrated into the ground.
- f. The use of specialized soil stabilizing products including polyacrylamide(PAM), Chitosan, Portland cement and concrete kiln dust will require site specific King County and DOE NPDES approvals.
- g. The use of a bridge span or bottomless full-span culvert is required for the road crossing of the stream between wetlands GG and HH.
- h. The use of a free draining material under roadways is required where crossing hydraulically connected wetlands or buffers.

- i. Roadway culverts connecting buffers shall be a minimum 18-inch diameter to provide for small animal use.
- j. Roadway wetland crossings shall be evaluated for underground hydraulic connections and addressed during design and/or construction.
- k. The east-west non-motorized walkway between Eastridge Drive and the Redmond Ridge Business Park generally located along the NE 109th Street alignment shall be constructed using Permeable Pavement in accordance with Section C.2.6 of the KCSWDM. The surfacing material must be selected and designed to provide for all-weather non-motorized use. Permeable Pavement is not allowed within the road right-of-way unless specifically allowed by the County Road Engineer. Refer to Condition 2.7.15 for additional trail requirements.
- l. Stormwater and water buffered for elevated pH dispersal locations shall be verified in the field by the King County Inspector and King County Sensitive Area Specialist prior to installation and prior to any grading or clearing within buffer areas. These dispersal locations may need to be adjusted as directed by King County to minimize sensitive area impacts.

2.3 Housing Types

Regarding Conditions 2.3.1 and 2.3.2 below, references to the required number of dwelling units are based upon a total of 780 dwelling units being constructed in RRE. If the final unit count in RRE does not equal 780 dwelling units, implementation of the following conditions shall comply with the noted percentages named in these conditions. In any case where the required percentage yields a portion of a dwelling unit, rounding up or down shall comply with KCC 21A.12.070D.

2.3.1 Attached (Multi-family) Units – Diversity, Number, and Location:

- a. RRE must contain a minimum of 16.85% attached dwelling units (131 units), relative to the total number of dwelling units.
- b. A minimum of three different types of attached housing, as described below, shall be provided in RRE. No one type may constitute more than 60% of the attached units in RRE. The types of attached housing are as follows:
 - i. Townhouses – Internal Parking: Side by side attached residences, as defined in KCC 21A.06.370. Each residential building shall contain at least three townhouse dwelling units (to distinguish it from a duplex). A minimum of 60% of the townhouse units developed within a distinct multi-family project in RRE shall contain a garage within the unit. The garage must

be large enough to accommodate at least one required parking space for the unit.

- ii. Townhouses – External Parking: Townhouses as defined above (excluding the above-noted internal parking requirement) shall be provided as follows. For a minimum of 60% of the townhouse units that are developed within a distinct multi-family project, the required parking shall be provided in common parking areas, located to the rear or side of the townhouse buildings.
 - iii. Duplexes: Buildings containing two separate residences which may be stacked, or placed side by side.
 - iv. Manor Homes: A single building containing three or four dwelling units which is designed to have the appearance of one, large, detached single-family residence. Manor Homes shall have only one entry door along the front façade, unless otherwise approved by DDES. Parking for at least two of the required parking spaces for each Manor Home shall be provided internally within a garage in the Manor Home. The remaining required parking spaces for a Manor Home may be provided either internally in a garage in the Manor Home, or in a detached garage, or in a parking lot located to the rear or side of the Manor Home. If garage doors are placed along the front façade of the Manor Home, the garage shall appear (at a maximum) as a three-car garage. (Note that while this garage may actually provide parking for more than three stalls, through the use of tandem parking or other means, it shall appear as a three-car garage from the front façade.) Additional garage doors may be provided on the rear or side elevations of the Manor Home.
 - v. Multi-family Stacked Units – Apartments or Condominiums: Buildings containing at least three separate dwelling units, and a majority of the units in the building are placed in the building one over the other (i.e., stacked units).
 - vi. Other: Attached housing which differs from that described above and is approved by DDES.
- c. No more than 66% of the attached units in RRE (86 units) may be sited in one Development Area, or in one location. The attached units in RRE shall be placed in at least three of the four Development Areas shown on the applicant's plat map. Exceptions to the requirement that no more than 66% of the attached units be in one Development Area may be granted by DDES, provided there is either sufficient separation of large

blocks of multi-family structures, e.g., 500 feet, or attached units, e.g. duplexes, are dispersed over a wide area.

- d. A minimum of 15% of the attached units provided in RRE (20 units) shall be placed in each of the three Development Areas that contain attached units. As an exception to this requirement, less than 15% of the attached units may be placed in a Development Area provided attached units are situated in all four Development Areas, and DDES approves the distribution of attached units throughout the project. The purpose of this requirement is to assure a diversity of housing types throughout a majority of the project, rather than having a concentration of multi-family housing at one or two nodes in the proposal.
- e. The location of the three different types of attached housing shall be determined by the applicant for the entire project prior to engineering plan approval for the first plat of RRE. Modifications to the type and location of the attached housing in the project may be approved by DDES at any time, both before and after the recording of any final plat phase, so long as it can be assured that at least 16.85% of the units in RRE will be attached units, and three different types of attached housing will be provided.
- f. To assure implementation of Condition 2.3.1, restrictions shall be placed on those RRE final plats that contain multi-family tracts. The restrictions shall give notice to the future owners and developers of these tracts of the applicable attached housing requirements, e.g., the minimum and maximum number of attached units that may built on a specific tract, and the type of units that may or may not be built. The applicable restrictions shall also note that modifications to the permitted numbers and types of attached units may occur, per Condition 2.3.1E above.

2.3.2 Detached Single-Family Units – Diversity, Number, and Location:

- a. To assure a diversity of detached single-family residences in RRE, the following types of units, in total, shall comprise a minimum of 20% (130 units) of the detached single-family units in RRE:
 - i. Small Cottage Units: Small Cottages are detached single-family residences which are 1,000 square feet in size or less, are clustered around a common green on at least two sides of the green, and have front door orientation towards the green. Parking shall be provided internally within a residence with access from an alley, or in parking lot(s) located to the rear or side of the residences. If parking is provided internally within a residence, the square footage of the garage shall not be counted towards the maximum 1,000 square foot requirement.

- ii. Cottage Units: Cottages are detached single-family residences which are 1300 square feet in size or less, are clustered around a common green on at least two sides of the green, and have front door orientation towards the green. Parking shall be provided internally within a residence with access from an alley, or in parking lot(s) located to the rear or side of the residences. If parking is provided internally within a residence, the square footage of the garage shall not be counted towards the maximum 1,300 square foot requirement.
- iii. Special Covenant Detached Single-Family Residences: A grouping of detached single-family residences subject to additional covenants whereby the homeowner association provides additional services to include, at a minimum, front yard maintenance. Parking may be provided either internally within the residences, or externally within parking lots, or both.
- iv. Size Limited Residences: Size Limited Residences are detached single-family residences which are 1,750 square feet in size or less. Area within a garage in a residence shall not be counted towards the maximum 1,750 square foot requirement.
- v. 1-Story Residences: 1-Story Residences are detached single-family residences limited to one story above finished grade.
- vi. 3-Story Residences: 3-Story Residences are detached single-family residences with 3 stories above finished grade for a majority of the area covered by the building envelope.
- vii. 1½- Story Residences: 1½- Story-Residences are detached single-family residences that incorporate the second story into the angled portion of the roof through use of knee walls, dormers, or other architectural features with eaves at a single story or story-and-a half height.
- viii. Other: Detached housing approved by DDES which differs from that described above, and will provide an alternative housing option. Any single-family detached unit built by a builder other than the applicant (The Quadrant Corporation, dba Quadrant Homes) will be considered a different housing type for the purpose of meeting the requirements of this section.
- ix. Greens: Greens for Small Cottage Units and Cottage Units shall have no dimension less than 30 feet in width, except as may be

approved by DDES. The purpose of these greens is to provide a passive park area for use by the cottage residents, and a means for pedestrians to reach the entrances to the cottages. The park area may also contain active recreation facilities if desired by the applicant. Fencing around greens and between residences shall not exceed three feet in height.

- b. RRE shall contain at least three different types of the above-noted detached single-family residences, and no one type shall constitute more than 60% (78 units) nor less than 4% (5 units) of the above-required detached residences, unless DDES determines that the objective of providing a diversity of detached single-family housing will be met.
- c. The above-required detached single-family residences shall be constructed in a minimum of two of the applicant's proposed Development Areas A – D, as depicted on the preliminary plat map. The applicant shall develop a method acceptable to DDES, prior to the recording of the first plat division, which guarantees compliance with the above percentage and type requirements for detached single-family residences. Restrictions shall be placed on final plats to achieve implementation of the required number and type of detached single-family residences.
- d. If the applicant constructs "model homes" of detached single-family residences within RRE for marketing purposes, at least one of the model homes constructed shall be a one-story residence. In addition, the applicant shall have at least one design for prospective buyers to choose from the applicant's various design alternatives which is a one-story residence.

2.3.3 Handicap Accessible

A minimum of five of the dwelling units constructed in RRE shall be handicap accessible, per the provisions of the International Building Code (IBC) as adopted by King County. Handicap accessible units may be either attached or detached dwelling units, and may be Type B units as described in the IBC.

2.4 Site Development Standards

2.4.1 Lot Dimensional Requirements

- a. For the purposes of determining permitted zoning lot dimensional requirements for Tracts MF-1 and MF-2 (including minimum lot area, minimum lot width, minimum street setback, minimum interior setback, base height, and maximum impervious surface percentage), the

provisions of the R-18 zoning classification in King County Code Title 21A shall be followed.

- b. For the purposes of determining permitted zoning lot dimensional requirements for the remainder of RRE (including minimum lot area, minimum lot width, minimum street setback, minimum interior setback, base height, and maximum impervious surface percentage), the provisions of the R-6 zoning classification in King County Code Title 21A shall be followed, with the following exception. Covered front porches may extend to within five feet of the front property line, pursuant to the provisions of Section 2.4.7b below.
- c. Modifications to the above lot dimensional requirements and the other site development standards of Section 2.4 of this permit may be approved as an administrative minor modification, pursuant to Section 3.1

2.4.2 Street Landscaping

The following street landscaping requirements shall be met:

- a. Except as noted below, planting strips which include street trees and groundcover shall be provided adjacent to the curb line on both sides of all streets within RRE. The planting strips shall be 5-feet-wide, and shall conform with the requirements of KCC 21A.16.050E and 21A.16.090 (excluding the maintenance requirements of KCC 21A.16.050E2c). The planting strips shall be maintained by the RRE homeowners association. Planter strips are not required adjacent to cul-de-sac bulbs, and along the portion of NE 97th Pl. which adjoins sensitive areas tracts.
- b. Wherever roadway median strips or traffic channelization islands are provided (including islands in cul-de-sac bulbs and street “roundabouts”), landscaping shall be provided within the median strip/traffic island unless DDES or KCDOT determines the provision of such landscaping is infeasible, or a safety hazard. Such landscaping shall include trees, shrubs, and groundcover plantings, unless a safety hazard is found to exist by DDES/KCDOT for trees and/or shrubs. Landscaping within median strips/traffic islands shall be maintained by the RRE homeowners association.
- c. The location of trees and other landscaping may be modified in those instances where it will obscure required sight distance, as determined by DDES/KCDOT.

- d. Landscaping shall comply with KCC 21A.16, Development Standards - Landscaping and Water Use, except as modified by the RRE UPD Road and Storm Water Design Standards.
- e. Planting strips, median islands, and traffic channelization islands shall use native or drought tolerant plants.
- f. A computer controlled irrigation system linked to a weather station will be used for managing water use for street landscaping when an irrigation system is provided..
- g. Soil amendments shall be incorporated as required under Section 2.2.12.
- h. The edge of road prisms disturbed for road construction shall be revegetated with native plantings.

2.4.3 Stormwater Ponds

Stormwater detention and infiltration ponds within RRE shall be partially screened, and visually integrated into the environment, consistent with the concept for a Type II landscape screen as described in KCC 21A.16.040B, and with the King County Surface Water Design Manual (KDSWDM). The developer is responsible for demonstrating this requirement has been met, and shall submit a Stormwater Tract Landscape/Vegetation Retention Plan for review and approval by DDES, prior to engineering plan approval for each plat division containing a stormwater pond. Options to satisfy this requirement include, but are not limited to, the following:

- a. Ponds designed as natural features with water-tolerant plantings
- b. Ponds designed with irregular shapes
- c. Provision of evergreen and deciduous trees and other plantings in the area around a pond
- d. Use of berms
- e. Provision of soft-surface pedestrian trails which connect to sidewalks along nearby roadways, or to trails in open-space tracts
- f. Planting along pond maintenance roads
- g. Retention of existing trees and other native shrubs and groundcovers to help give ponds a natural appearance. Existing trees may be retained in scattered locations.

Priority shall be given to retaining existing trees and groundcovers, if feasible (see Condition 2.4.4 below). In order to create a natural appearance, fencing around ponds is not permitted. Bonding or other financial guarantee shall be provided by the applicant to assure the installation and survival of plantings. Maintenance of landscaping within King County maintained pond tracts shall be the responsibility of the Redmond Ridge East Homeowners Association under a King County Special Use Permit.

2.4.4 Native Tree Retention

Landscape/open-space tracts and park/recreation tracts have been proposed by the applicant throughout RRE. The landscape/open-space tracts are intended to serve various purposes, depending in part on their location (e.g., passive green space fronting residences and providing pedestrian access to the residences, additional buffer to wetland features, expanded landscape area along road rights-of-way). Existing trees shall be retained in the stormwater pond tracts, landscape/open-space tracts and park/recreation tracts to the extent feasible, consistent with the purpose of each tract. A proposed tree retention plan shall be submitted by the applicant for review and approval by DDES, prior to approval of the engineering plans for each plat phase.

The applicant shall demonstrate to King County that native trees and groundcover are being retained in the above-noted tracts to the greatest extent feasible, with consideration given by the County to the following: engineering design limitations and excessive development costs; the potential for impacts to residential buildings; creation of open space for passive and active recreation; and the safety of pedestrians, motorists, and park users from potential blow-down effects. Where native vegetation is required to be retained, temporary construction fencing shall be used during construction activities to delineate and protect native growth retention areas. Such areas and the need for temporary construction fencing shall be shown on all relevant engineering plans.

2.4.5 Open Space

Excluding consideration of sensitive areas, the applicant shall submit documentation to show that at least 25% of the overall RRE UPD will be retained in open space tracts. Such documentation shall be provided prior to the recording of each plat phase.

2.4.6 Perimeter Buffers

Per KCC 21A.39.200B3, a vegetated buffer shall be provided around the perimeter of the site, at the locations shown on the preliminary plat map. The buffer shall be 50-foot wide, except as provided below in 2.4.6.d and for the portion of the buffer along the south boundary of the site which contains a soft-surface trail required by Condition 2.7.13. At this location along the south

boundary, the buffer shall be 55-feet-wide. Native vegetation within the buffer shall be left undisturbed, except where the following intrusions are approved by the County: utility crossings, pedestrian trails, or the pruning or removal of trees that could cause damage to buildings or present a safety hazard.

The following requirements for perimeter buffers shall also be met:

- a. Perimeter buffers shall be placed in separate tracts, and shall be shown on the final plat map and final engineering plans for the various divisions of RRE. Restrictions shall be shown indicating that native vegetation within the buffers shall not be disturbed, except for the permitted intrusions noted above.
- b. Perimeter buffers are intended to serve, at a minimum, as a Type II landscape screen (KCC 21A.16.040B). Prior to the recording of each plat division, plantings shall be provided, if determined necessary by DDES, to enhance the ability of perimeter buffers to screen views from adjacent properties designated "Rural" by the Comprehensive Plan. DDES may require the applicant to provide a generalized mapping of the existing vegetation in the perimeter buffers, to assess the need for additional plantings. If additional plantings are determined to be necessary, evergreen species are preferred. The applicant shall submit a planting plan for review and approval by DDES, if plantings are required. The applicant shall also provide bonding or other financial guarantee to assure the installation and survival of required plantings.
- c. Prior to any site clearing and grading activities adjacent to the perimeter buffers, construction fencing shall be placed on the site to identify the boundaries of the buffer adjacent to the construction activities. Such fencing shall remain in place until all clearing and grading activities are completed.
- d. A 100-foot perimeter buffer shall be provided along 244th Avenue Northeast consistent with the provisions stated within the August 12, 2005, settlement agreement between Quadrant and Friends of the Law (hearing exhibit 277).

2.4.7 Housing Design Requirements – Detached Single-Family Residences

The following requirements shall apply to the design of detached single family residences constructed in RRE. Notes implementing these requirements shall appear on the final plat for all divisions of RRE.

- a. Garages: The purpose of the following requirements are to de-emphasize the appearance of two and three car garages from the front façade of detached single family residences. In those residences where a

2-car garage (i.e., the garage doors) is located along the front façade of a residence, the portion of the façade containing the garage shall be set back a minimum of five feet from the adjoining portion of the front façade. In those residences where a 3-car garage (i.e., the garage doors) is located along the front façade of the residence, the portion of the façade containing the third outermost bay of the garage shall be set back a minimum of three feet from the remainder of the façade of the garage, which itself shall also be set back a minimum of five feet from the adjoining remaining portion of the front façade.

- b. Covered Porches: Porches help foster community interaction and a sense of community, by encouraging residents to spend time outside of their homes. Towards this end, a minimum of 40% of the detached single family residences in RRE shall contain covered porches, which meet the following requirements:
- i. Porches shall have a minimum depth of five feet.
 - ii. Porches shall have a minimum square footage of 30 feet. The minimum 30 square feet shall not include area in front of the front door of the residence.
 - iii. Porches may extend up to five feet into the required ten-foot front yard setback, provided no conflict with utilities and sight distance is demonstrated.

The applicant shall submit documentation prior to the recording of each final plat division, showing how the above-noted 40% requirement will be met for all of RRE. (Note that the 40% requirement need not be met within each division separately.)

- c. Architectural Features: When architectural features such as window shutters, an exterior wainscot, or other trim are used on the front façade of a residence, these features shall also be used on the other elevations of the residence which face public streets (not including alleys), private access tracts, joint-use driveways, and public or community open spaces.
- d. Varied Architectural Design: Two detached single family residences which adjoin each other and face the same street or open space green shall have different front facades. To achieve this required variation, the use of different paint colors is insufficient; a different floor plan, different exterior architectural features, or different building materials shall be used.

2.4.8 Housing Design Requirements – Attached Multi-Family Residences

The following requirements shall apply to the design of attached multi-family residences constructed in RRE. Notes implementing these requirements shall appear on the final plat for all divisions of RRE.

- a. The residences along Eastridge Dr. in Tract MF-1 shall face the street. No other uses in Tract MF-1, such as parking, active recreation facilities, or stormwater facilities, shall be placed between the building(s) along Eastridge Dr. and this roadway, other than landscaping and passive recreation features (e.g., benches, walkways, statuary, etc.). If stacked units are built adjacent to Eastridge Dr. in Tract MF-1, the building(s) shall be oriented towards Eastridge Dr., with the front entry to the building(s) facing Eastridge Dr.
- b. When architectural features such as window shutters, an exterior wainscot, or other trim are used on the front façade of multi-family buildings, these features shall also be used on the other elevations of the buildings which face public streets (not including alleys), and public or community open spaces.
- c. The requirements found in KCC 21A.14.060 and 21A.14.090 concerning the design of townhouse and apartment buildings are applicable to such residences built in RRE, regardless of the zoning of the subject parcels and the adjoining parcels.

2.4.9 Community-Wide Theme

The applicant shall establish a community-wide signature design for project facilities, that can be repeated throughout RRE. The purpose of the design is to create continuity within the project, and create a look that is unique to this development.

A plan to implement this condition shall be prepared by the applicant and submitted to DDES for review and approval prior to the recording of the first final plat. The purpose of County review is not to evaluate the aesthetic value of the applicant's proposal, but rather to determine whether its application is sufficiently wide-spread in the project, to implement this condition. Some of the facilities that the applicant may use to implement this condition include the following:

- a. Entry tracts and monument signs
- b. Directional signs, e.g., to the Soccer Complex, to the elementary school, etc.
- c. Trail signs

- d. Street lighting poles
- e. Bus stop shelters
- f. Benches
- g. Informational kiosks
- h. Center Park picnic shelter
- i. Mailbox kiosks

2.4.10 Lighting

KCC 21A.18.110(G) requires on-site lighting for traffic and pedestrian circulation safety. Lighting shall be designed to minimize spillover and reduce diffuse light. Lighting of all non-residential uses on the site shall be directed downward and away from the residential development areas and off-site residential and rural lands.

2.4.11 Signs

Residential uses within Redmond Ridge East shall comply with KCC 21A.20.080, residential zone signs. Signs within the community/utility development areas shall comply with KCC 21A.20.070, resource zone signs. The applicant shall comply with all other provisions of KCC 21A.20, Development Standards – Signs.

2.4.12 Community Focal Point

In order to identify Center Park (Condition 2.7.5) as a visual focal point and the community center for Redmond Ridge East, a distinguishing artistic, cultural, or architectural feature (such as totem poles, tall statuary, clock tower, or fountain) shall be placed in the park so that the chosen feature is clearly visible from Eastridge Drive. The location and design of the feature shall be reviewed and approved by DDES, to assure compliance with this condition.

2.5 Water Service

Water service to RRE will be provided by the City of Redmond and is subject to the following conditions:

- a. The applicant shall be responsible for all costs of extending required water service facilities to serve the applicant's property, but may use latecomer fees, credits, offsets, or other financing provisions to the extent authorized by law and approved by the water purveyors.
- b. Prior to recording the first final plat of RRE, the City of Redmond shall finalize an amendment to their comprehensive water plan (including

approval by the King County Health Department) so that the plan includes the facilities needed to serve RRE.

- c. Water service to the site shall be consistent with the Water Comprehensive Plan for the City of Redmond. The applicant shall demonstrate to DDES that the water facility sizing for RRE only accommodates RRE and not adjacent Rural designated lands.

2.6 Sewer Service

Sewer service to Redmond Ridge East will be provided by the City of Redmond and is subject to the following conditions:

- a. An amendment to the City of Redmond's Sewerage Plan which includes the facilities that will serve RRE shall be approved by the City of Redmond (including approval by the Washington State Department of Ecology) prior to recording the first final plat of RRE.
- b. The applicant shall be responsible for all costs of extending required sewer facilities to serve RRE. The applicant may use latecomer fees, credits, offsets, or other financing provisions to the extent authorized by law and approved by the sewer purveyors.
- c. Sewer service to the site shall be consistent with the Sewer Comprehensive Plan for the City of Redmond. The applicant shall demonstrate to DDES that the sewer facility sizing for RRE only accommodates RRE and not adjacent Rural designated lands.

2.7 Parks, Trails and Recreation

2.7.1 Parks – General Requirements

A series of parks have been proposed by the applicant throughout RRE. These parks shall be developed consistent with the requirements of KCC 21A.14.180, KCC 21A.14.190 - .200, and the following conditions. In the case of any conflicts, the more restrictive requirements shall apply.

2.7.2 Parks – Required Acreage

- a. At a minimum, sufficient acreage shall be provided in the park/recreation tracts in the project to comply with KCC 21A.14.180A. For the purposes of determining, prior to plat recording, the total minimum amount of required recreation space in RRE, the multi-family residences in Tracts MF-1 and MF-2 shall be assumed to be two-bedroom units. (See KCC 21A.14.180A3.)

- b. In addition to Tract P-6 which the applicant proposes to deed to the Lake Washington Youth Soccer Association (LWYSA) for a future regional youth soccer facility, the following tracts are proposed to serve the recreational needs of the RRE residents:

Tract P-1	0.51 acres
Tract P-2	0.36 acres
Tract P-4	2.50 acres
Tract P-5	0.48 acres
Tract P-7	0.14 acres
Tract P-8	1.54 acres
Tract P-9	0.76 acres
Tract P-10	0.85 acres
Tract P-11	0.70 acres
<i>Total</i>	<i>7.84 acres</i>

The size, location, and configuration of the recreation tracts noted in the above table shall be shown on the final plat as they appear on the approved preliminary plat/UPD site plan, except that modifications to the location, configuration and size of these tracts may be approved by DDES, if DDES determines that such changes will adequately serve the recreation needs of the RRE residents, and will be consistent with Condition 2.7.1 above.

2.7.3 Park/Recreation Plans and Design Requirements

Park/Recreation improvement plans shall be prepared by the applicant and submitted to DDES for review and approval for Tracts P-1 through P-11, with the exception of Tract P-3. These plans shall be prepared by a landscape architect or other qualified professional. The plans shall conform with the following:

- a. The design of the park/recreation tracts shall conform with the requirements found in KCC 21A.14.180C, except as may be waived by DDES.
- b. The design of the recreation tracts shall include landscaping to create a park-like atmosphere. Native plants or drought tolerant plants shall be incorporated into the parks. Retention of stands of existing trees shall also be included in the park plans, unless County staff concludes that this is not feasible or appropriate for specific recreation tracts. The applicant may be required by DDES to submit analysis by a qualified arborist for those recreation tracts where native tree retention is not proposed by the applicant. Landscaped areas shall conform to the soil amendment provisions of Section 2.2.12.

- c. Fencing and/or shrubbery may be required for safety purposes within recreation tracts or along their perimeter, as determined necessary by DDES, to reduce conflicts between automobiles and children playing or other recreational users.
- d. Stormwater retention/detention and infiltration ponds shall not be placed in any recreation tracts.
- e. Benches shall be provided in all recreation tracts to serve both active and passive recreation users. In particular, benches shall be placed near children playgrounds for use by parents.
- f. All irrigation systems shall be computer controlled and linked to a weather station.

2.7.4 Recreation – Sports Facilities

In order to provide sports facilities for the use of the residents of RRE and to comply with the requirements of KCC 21A.14.180A and E, the following shall be developed at the locations noted unless otherwise approved by DDES:

Two tennis courts	Tract P-9
Two full-court basketball courts	Tracts P-10 and P-11 (i.e., one court for each tract)
Half-court basketball court	Tract P-10
Two soccer fields	Tract P-6

The following additional requirements shall be met:

- a. The paved area for each of the tennis courts shall measure at least 60 feet x 120 feet, in order to allow for the development of USTA regulation-sized courts. If the two required courts are built side by side, the 60 foot dimension may be reduced.
- b. The full-court basketball courts shall be sized for high school aged play, and striped at 84 feet long x 50 feet wide.
- c. The half-court basketball court may be sized for either junior high or high school aged play. (Note that a junior high full-court is striped at 74 feet long by 42 feet wide.) The half court shall be wide enough and long enough to include a 3-point shot line and an area outside of the 3-point line, but need not extend the full length of one-half of a full court.

- d. The soccer field improvements for the two soccer fields referenced above shall be of sufficient size to allow for the striping of each field at a minimum of 225 feet by 360 feet. (See below for additional requirements concerning the development of Tract P-6, the LWYSA Soccer Complex.)

2.7.5 Center Park

The recreation/park area located at the intersection of Eastridge Dr. and NE 104th Pl., which includes Tracts P-4, P-9 and P-10 (also referred to as Center Park), shall be constructed with the following recreation improvements, in addition to the tennis courts and basketball courts noted above, unless otherwise approved by DDES:

- a. An outdoor covered picnic shelter which has a base area footprint of at least 1,225 sq. ft., and is equipped with electrical power, a potable water source, and counter space that can be used for food preparation. The shelter shall also include a minimum of six picnic tables. The shelter shall be developed in Tract P-4
- b. A children's playground which contains at least seven play structures that are designed to serve two different age groups. At least three of the play structures shall be large climbing toys. The play equipment shall comply with KCC 21A.14.190B4.
- c. An open, level, grassy field area for impromptu sports activities (e.g., Frisbee, touch football, softball, etc.). A baseball/softball backstop shall be provided at one end of the field to provide for informal play.
- d. Bicycle racks which are of sufficient size to easily accommodate a minimum of ten bikes at each location shall be provided in Tracts P-4 and P-10.
- e. Benches shall be provided in all three tracts of Center Park to support both active and passive recreation.

2.7.6 Neighborhood Park Playgrounds

- a. In addition to the children's playground in Center Park, smaller playgrounds shall be provided in Recreation Tracts P-1, P-8, and P-11. Playground equipment shall be provided in each of these smaller playgrounds, and shall include at least three play structures at each playground, including a *minimum* of one climbing toy per playground. To accompany the climbing toys, permissible play facilities may include but are not limited to the following, subject to the approval of DDES:

Ball wall	Foursquare court
Climbing wall/structure	Hopscotch court
Embankment slide	Climbing rope
King of the Hill	Spring bouncers
Maze	Swing Set
Merry-go-round	Horizontal turning bars
Play house	Balance beams
Track glider	Sand digger
See-saw	Swing rope
Parallel bars	

- b. Tracts P-2, P-5 and P-7 may be developed with solely passive, or active and passive recreation facilities. In either case, these tracts shall include benches, and soft trails or paved walkways.

2.7.7 Quantity of Playground and Sports Facilities

For the purposes of determining compliance with the provisions of KCC 21A.14.180(E), which specifies the minimum amount of recreation facilities which must be developed in RRE, additional credit shall be given for the larger or more elaborate facilities as follows:

	Credits Per Facility	Number of Facilities	Total Credits
Soccer Field	2	2	4
Tennis Court	2	2	4
Basketball Full Court	2	2	4
Center Park Picnic Shelter	2	1	2
Center Park Large Flat Grassy Play Area (w/ softball backstop)	2	1	2

2.7.8 LWYSA Soccer Complex – Tract P-6

The following requirements apply to the development of Tract P-6:

- a. In order to receive credit towards the facility requirements of KCC 21A.14.180E for the two soccer fields proposed by the applicant in the LWYSA Soccer Complex (Tract P-6), the LWYSA shall provide correspondence to DDES indicating that access to these two fields will

be made available to all the residents of RRE by the LWYSA, regardless of whether a particular resident is a member of the LWYSA or not. Provisions shall be shown on the recorded plat to achieve this unrestricted access. Also, any soccer fields or other sports fields constructed in the Soccer Complex, which are built in order to comply with the final development conditions for RRE, cannot have pedestrian access restricted by the use of locked gates or similar means, except as is necessary for field maintenance. It should be noted, however, that the permitted hours of use of the Soccer Complex by RRE residents can be limited to accommodate league play or practice, scheduled by the LWYSA.

- b. To serve the two soccer fields proposed in Tract P-6, an asphalt paved parking lot which can accommodate a minimum of 50 parking spaces shall be constructed in Tract P-6. If the applicant or the LWYSA elects to construct fencing that will limit vehicular access in Tract P-6, at least 20 of the 50 parking spaces shall be placed outside of the fenced enclosed area, and pedestrian access to the two fields shall remain available. The design of the parking lot shall conform with the applicable requirements from the King County Road Standards, the King County Surface Water Design Manual, and KCC 21A.18.
- c. Lighting of the proposed soccer fields and related parking lot(s) shall comply with the following:
 - i. Lighting of the athletic fields shall be limited to a maximum of four soccer fields.
 - ii. Full-cutoff lighting fixtures shall be used.
 - iii. Lighting levels for the athletic fields shall not exceed the minimum level required for safe play, as prescribed by the Illuminating Engineering Society in Recommended Practice RP-6-01.
 - iv. Lighting levels for the parking lot and other facilities ancillary to the athletic fields shall be limited to the minimum level required for safety and to allow ingress/egress, as determined by DDES.
 - v. The lighting system shall include controls which permit each of the lighted fields to be lighted separately, thus allowing fields not in use to remain unlit.
 - vi. The luminaire surfaces for the lighting system shall be painted with a paint that will reduce the amount of light reflected by the luminaires.

- vii. A landscape plan shall be prepared and submitted for approval by DDES which provides for additional coniferous trees to be planted within the 50-foot perimeter buffer along the south boundaries of Tract P-6, where the existing tree cover is sparse as determined by DDES. The trees shown on the approved plan shall be installed and a maintenance bond provided to assure the trees' survival.
- d. Athletic field lighting which is constructed on Tract P-6 and is used during the evening and night hours shall not be used past 10:00 p.m.
- e. As part of the development of the two initial soccer fields, a bicycle rack shall be provided to easily accommodate at least 10 bicycles. Additional bicycle parking spaces may be required by DDES as part of further development of the Soccer Complex.
- f. Amplified sound systems are not permitted within Tract P-6.
- g. The turf management referenced in Section VII of the MDP and contained in Exhibit A of Appendix B of the RRE DEIS is approved and shall be implemented as required by Condition 2.2.17.b.
- h. If an irrigation system is proposed, it shall be a computer controlled system, linked to a weather station.
- i. Construction of the following facilities are allowed within the Soccer Complex: soccer and sports fields, children's playground equipment, parking, bleachers, storage and maintenance shed, concession stand and restrooms. Total building floor area shall not exceed 4,000 square feet. A building permit and site plan shall be submitted to DDES for review and approval of the proposed facilities.

2.7.9 Timing of the Improvement of Recreation Tracts

The following requirements apply to the timing of the development of the recreation tracts in RRE.

- a. Center Park must be substantially constructed prior to the recording of a final plat and/or issuance of a building permit for multifamily residences which would result in the creation of 400 or more dwelling units/lots.
- b. The two soccer fields and required parking lot in Tract P-6 must be constructed prior to the recording of the last final plat division in RRE.

- c. All other recreation tracts in RRE shall be developed in conjunction with and prior to the recording of the plat division within which the particular recreation tract is located.

2.7.10 Ownership/Maintenance

With the exception of Tract P-6, all of the recreation tracts in RRE shall be owned and maintained by a homeowners association. Tract P-6 shall be owned and maintained by either a homeowners association or the LWYSA.

At the applicant's option, the RRE homeowners association may be merged with the Redmond Ridge homeowners association. If desired by the applicant, reciprocal access easements to the recreation facilities in Redmond Ridge and RRE may be established, whether or not the homeowners associations are merged.

2.7.11 Trails – General Requirements

A trail system for use by pedestrians, equestrians and bicyclists has been proposed by the applicant, in and adjacent to RRE, to complement the existing trail system in Redmond Ridge and on other adjoining properties. The proposed trail system is depicted on Attachment 8. This proposed trail system shall be improved consistent with Attachment 8 and the following conditions.

2.7.12 Eastridge Dr. Trail/Promenade (Trail #1)

This trail runs along the east side of Eastridge Dr., and extends from the north boundary of the site to Tract P-6 on the southeast portion of the property. It shall be improved as follows:

- a. The trail/promenade shall be improved with a 10-foot-wide paved surface, a 5-foot-wide street tree/planting strip to the west, and a 2-foot-wide landscape strip to the east. Landscaping provided on the east side of the trail/promenade shall be low to the ground.
- b. The trail/promenade paved surface shall be Portland cement concrete and constructed consistent with King County Road Standards (KCRS) Section 3.02B6.
- c. The trail/promenade shall be a public trail located within County road right-of-way and maintained by the RRE homeowners association.
- d. The trail/promenade shall be constructed in phases and shall match the phasing for Eastridge Dr. road construction (i.e., the trail/promenade shall not be extended without a simultaneous extension of Eastridge Dr., and vice versa).

- e. Prior to the recording of a final plat and/or issuance of a building permit for multi-family residences which would result in the creation of 600 or more dwelling units/lots, the trail/promenade shall be completed. DDES may permit additional time to complete the trail construction, if determined appropriate

2.7.13 Southerly Soft Surface Trail (Trail #2)

This existing soft-surface trail runs generally in an east-west direction and extends from the regional powerline easements crossing the southeast portion of the RRE site, to an existing north-south trail located in the large Redmond Ridge open space tract west of the RRE site (Tract SA-5) and connects northerly to the southern terminus of Eastridge Drive along the western boundary of Tract SA-5. The applicant proposes to re-locate a portion of this existing trail. It shall be improved as follows:

- a. The on-site portion of the trail shall be a public trail improved 6-feet-wide, but may be narrower at the discretion of DDES if necessary to minimize impacts on wetlands or to address other unique considerations.
- b. The perimeter buffer shall be increased to a depth of 55' on the southern property line west of the Bonneville Power Line to allow adequate depth to co-locate the relocated trail to meander in the northern 25 feet. The revised trail location shall be reviewed and approved by DDES. Field flagging of the proposed trail alignment may be required.
- c. Existing vegetation shall be retained in the 55-foot RRE perimeter buffer (Condition 2.4.6), except where removal is required for trail maintenance and construction.

2.7.14 Easterly Soft Surface Trail (Trail #3)

This existing soft surface trail generally runs in a north-south direction and is located on the southeast portion of RRE, in the regional powerline easements that cross the site. As depicted on Attachment 8, it extends south from NE 100th St. across an off-site parcel owned by Puget Sound Energy (PSE) and within a powerline easement; then follows a powerline easement lying adjacent to RRE on an off-site property owned by the applicant (the site of the proposed Panhandle Plat application); and then continues south in the powerline easements lying within the RRE site to its intersection with Trail #2, referenced above. A public trail easement shall be granted to accommodate the existing trail location within the Redmond Ridge East property. No physical improvements are required.

2.7.15 East/West Hard Surface Trail (Trail #4)

This trail is generally an east-west trail, located on the northern portion of RRE. It extends west from Eastridge Dr. across RRE, and then continues west across the large Redmond Ridge open space tract (Tract SA-5), tying into an existing soft-surface trail adjoining the Redmond Ridge business park. This proposed trail partially follows the alignment of an existing trail that was improved as part of Redmond Ridge, particularly where it crosses existing wetlands via an old logging road and associated fill. Trail #4 shall be improved as follows:

- a. The trail shall be built 6-feet-wide, however, the trail width may be reduced if determined appropriate by DDES, to lessen impacts to wetlands or for other purposes acceptable to DDES.
- b. Where the trail lies within public road right-of-way, it shall be surfaced with Portland cement concrete, consistent with KCRS 3.02B6 . Where the trail crosses wetlands or wetland buffers, it shall be constructed with either porous pavement, pavers, boardwalk or other material acceptable to DDES. Where the trail crosses Tract P-7, it shall be constructed with porous pavement, pavers, boardwalk or other material acceptable to DDES.
- c. This trail shall be stubbed to the Redmond Ridge business park (either Tracts BP-8 or BP-9, Division 8, Redmond Ridge). DDES shall approve the stub location.
- d. The trail runs within Tract P-7 in RRE. Tract P-7 shall be landscaped to create a park-like environment, and benches shall be provided in this tract along the trail route.
- e. Trail construction shall conform with applicable King County administrative rules and sensitive area regulations (KCC 21A.24), and shall be designed to minimize impacts to wetlands. The trail corridor between Wetlands BBC/UN 2 and BBC 53 shall permit the conveyance of surface flows between these two wetlands. This may require the use of a boardwalk or the installation of a culvert.
- f. The trail shall be constructed separate from, or parallel to, the existing north-south soft surface trail located east of Redmond Ridge Parcels BP-8 and BP-9. The existing soft surface trail is to be maintained as a soft surface northerly continuation of RRE Trail #5 described in Condition 2.7.16.

2.7.16 Redmond Ridge North/South Soft Surface Trail (Trail #5)

This trail is proposed to be constructed off-site within the large open-space tract in Redmond Ridge (Tract SA-5). The proposed trail will generally run in a north-south direction, between Trail #4 referenced above and an existing east-west trail located further south. Trail #5 shall be improved 6-foot-wide.

2.7.17 Redmond Ridge East North-South Soft Surface Trail (Trail #6)

This trail generally runs in a north-south direction and is proposed immediately west of the southwest portion of RRE (Development Area D), and to the east of Wetland EC-6 in Redmond Ridge. The southern terminus of this trail connects with Trail #2 referenced above. Trail #6 shall be developed as follows:

- a. The alignment for this trail shall be approved by DDES. It shall be placed either within the RRE landscape tract along the west margin of Development Area D, or within the adjoining Redmond Ridge open space tract (Tract SA-5), or shall meander between the two.
- b. The trail shall be improved 6-foot-wide and surfaced with "hog fuel." The trail width may be reduced, however, to lessen impacts to wetlands, or for other purposes deemed appropriate by DDES.
- c. Trail construction shall conform with applicable King County administrative rules and sensitive area regulations (KCC 21A.24), and shall be designed to minimize impacts to wetlands. The trail corridor between Wetlands EC-6 and EE/VS-31 shall permit the conveyance of surface flows between these two wetlands. This may require the use of a boardwalk or the installation of a culvert.

2.7.18 Timing of Trail Construction

The following requirements shall be met:

- a. On-site trails shall be constructed at the time of recording of the final plat division within which a particular trail is located. In this regard, the off-site portion of Trail #4 shall be completed at the same time the on-site portion of this trail is constructed. Trail #6 shall be built prior to the recording of the plat division containing the southern portion of Development Area D.
- b. An existing trail which was built as part of Redmond Ridge (Trail #2A in the Redmond Ridge trail numbering system) runs across the northwest portion of the RRE site. RRE Trail #5, as referred to above in Condition 2.7.16, shall be completed prior to any grading or clearing of the RRE site which would interfere with the use of Redmond Ridge Trail #2A.

- c. RRE Trail #2 shall be completed on or before the recording of the last final plat division for RRE.

2.7.19 Road Alternative C-2 – Trail Reconstruction

The construction of Road Alternative C-2 will eliminate portions of an existing Redmond Ridge trail (Trail #2 in the Redmond Ridge trail numbering system). This soft-surface trail shall be reconstructed in an alternative location approved by DDES. The trail shall be surfaced with hog fuel 6-feet-wide, however, the trail width may be made narrower in certain locations to limit impacts to wetlands, or to avoid the removal of mature trees. (See Condition 2.1.3D above for related trail improvement requirements.)

2.7.20 Trail Signage

For all trails developed as part of RRE, as well as the existing Redmond Ridge trail system lying between Redmond Ridge Dr. and RRE, the following shall be provided:

- a. At the trail heads and where trails intersect one another, trail markers shall be provided which identify the name of each trail, and the distance to the terminus of that trail and trail intersections. This requirement does not apply to the northern terminus of Trail #3, nor shall trail markers for Trail #3 be placed within regional powerline easements.
- b. The design for the trail markers shall be reviewed and approved by DDES prior to placement on the site.
- c. Signage shall also be provided at key points in RRE and Redmond Ridge which displays a drawing of the Redmond Ridge/RRE trail system, and distances within the system. The design and location of these signs shall be subject to approval by DDES.

2.7.21 Trail Easements

Easements shall be recorded with the RRE plat creating the trail which grants public access to the trails referred to above, and provide for maintenance of the trails by the Redmond Ridge and/or RRE homeowners association. Six foot trails shall typically be located within a fifteen foot wide easement unless otherwise determined to be necessary by DDES.

2.7.22 Trail Design Requirements

A RRE final trails plan shall be submitted to DDES for review and approval. The plan and required trail improvements shall comply with the following:

- a. Trails developed in County road right-of-way shall conform with the King County Road Standards.
- b. All trail crossings of roads shall be reviewed by the Traffic Section, Road Services Division, KCDOT, to determine appropriate design requirements.
- c. Soft-surface trails shall be designed for all weather (all season) use. Fill material may be required to meet this all-weather use requirement.
- d. Soft-surface trails shall be surfaced with “hog fuel” or as determined by DDES.
- e. The width and surfacing of trails not otherwise specified in the above conditions shall be 6-feet-wide, unless a reduced trail width is approved by DDES.
- f. Any construction vehicles used to construct trails (i.e., for the removal of earth material and woody debris or for grading purposes) shall be small in size in order to minimize impacts.
- g. DDES may require the field flagging of proposed trail locations, prior to County approval of those locations.
- h. Trail widths may be narrowed to allow for the retention of existing trees, where approved by DDES.
- i. Pathways between lots connecting one street to another street or park site shall be provided as ten foot minimum wide tracts constructed to a five foot minimum width using asphalt, concrete, or other hard surface material approved by DDES. Pathways in commonly owned tracts which connect residences to adjoining streets shall also be constructed to a five foot minimum width using asphalt, concrete, or other hard surface material approved by DDES

2.8 Fire Service

- 2.8.1 Fire Station #18, planned within Redmond Ridge, shall be constructed and approved for occupancy prior to the recording the first final plat within Redmond Ridge East.
- 2.8.2 The applicant must obtain the approval of the King County Fire Protection Engineer to demonstrate compliance with the fire hydrant, water main, and fire flow standards of Chapter 17.08 of the King County Code.

2.9 Schools

2.9.1 Reservation of Elementary School Site

- a. The applicant shall convey one elementary school site to the Lake Washington School District (“the District”) within the soccer recreation complex. The site shall be 10 acres in size unless otherwise agreed to by the applicant and the District, and the site shall be consistent with the District’s standards and requirements.
- b. Immediately upon approval of the Redmond Ridge East UPD, the applicant and the District shall enter into good faith negotiations regarding the District’s purchase price of the site and its reimbursement of the applicant’s utility upsizing costs directly attributable to the school site. The applicant shall receive a credit against the impact fees due at final plat and/or at building permit issuance for the purchase price and the upsizing costs for the elementary school site.
- c. The applicant shall convey the school site to the District within ninety (90) days after recording of the final plat creating the school site as a legal lot. The conveyance must occur prior to final plat approval for the last plat in Redmond Ridge East.

2.9.2 School Impact Fees

Lots within Redmond Ridge East are subject to KCC 21A.43 and Ordinance 15076 which impose impact fees to fund school system improvements needed to serve new development. As a condition of final plat approval for each plat, 50% of the required impact fees due for the respective plat shall be assessed and collected immediately prior to recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed impact fee shall be allocated evenly to the dwelling units in the respective plat and shall be collected prior to building permit issuance. A covenant to this effect shall be placed on the plat.

2.10 Transportation

2.10.1 On-site Road Improvements

The following conditions outline the required improvements for on-site roads.

- a. Engineering plans shall be prepared in accordance with the design requirements outlined in the County Road Engineer’s letter dated March 7, 2005, shown in Attachment No.6. The on-site roads shall be designed and constructed consistent with Attachment 6 and the road classification map contained in Attachment 5.

- b. The proposed road improvements shall address the requirements for road surfacing outlined in KCRS Chapter 4. As noted in section 4.01F, full width pavement overlay is required where widening existing asphalt, unless waived during the inspection process. Pavement designs shall be provided for arterials and commercial access streets as required by KCRS Section 4.03.
- c. Street illumination shall be provided pursuant to the requirements in KCRS 5.05. All costs for non-arterial roadway street lighting: electricity, and maintenance will be the responsibility of the homeowners association.
- d. All road improvements shall comply with the 1993 King County Road Standards except as otherwise provided in the requirements listed above. Additional modifications to design standards may be considered by King County, pursuant to the variance procedures in KCRS 1.08.
- e. With each phase of RRE, the Applicant shall provide engineering plans, bonds, and shall construct the internal roadway improvements within that development phase consistent with these conditions, the KCRS, the County Road Engineer letter dated March 7, 2005 (Attachment 6), and the approved Road Classification map (Attachment 5).
- f. In conjunction with the engineering plan packages for the required road improvements, the Applicant shall submit plans for the associated channelization, illumination, signage and signalization (new or modifications to existing signal systems) to KCDOT Traffic Engineering for review and approval.
- g. With regard to the phasing of construction of RRE and the requirements of KCRS 2.20, no road system in RRE shall serve more than 100 lots and/or dwelling units unless a second outlet is provided. The second outlet shall, at a minimum, be constructed as a 20-foot-wide temporary emergency access connection with gravel surfacing, and consistent with the King County Fire Code fire access road requirements. In addition, temporary road barricades and signage shall be provided, which are designed and located as determined appropriate by DDES and the following.

The Applicant shall mount permanent signs upon the barricade (i.e. using standard aluminum sign stock and tamper-resistant hardware), which provide public notice of the temporary nature of the road closure. The following message shall appear on the sign(s), unless otherwise modified by King County:

“EMERGENCY ACCESS ONLY Notice: (Street name) is temporarily closed pending future subdivision development to the south of this location.”

- h. The Applicant shall provide a limited scope traffic analysis of the impacts of revising the current design of the intersection of Eastridge Dr. NE/NE 104th Pl. to a modern compact roundabout. The scope of this analysis shall be limited to an evaluation of the intersection itself and its approach lanes, vehicle volumes, pedestrian volumes associated with the Center Park facilities, and shall include a conceptual engineering design that also identifies potential impacts to the Center Park recreational site.

This analysis shall be submitted to KCDOT for review and approval in conjunction with engineering plan submittals for any residential development within the neighborhood immediately surrounding the Center Park facility.

If required by KCDOT and DDES, the Applicant shall revise the design of the intersection of Eastridge Dr./ NE 104th Pl. (including changes to Center Park as needed), and construct this modern roundabout at the intersection in conjunction with the recording of the appropriate division of Development Area B.

- i. The Applicant shall submit engineering plans of the proposed roundabout at the intersection of Eastridge Dr./ NE 97th Pl. to KCDOT Road Services Division (Traffic Engineering) and Transit Division for review and approval in conjunction with the first engineering plan submittal for roadways in Development Area B. The Applicant shall construct this modern roundabout in conjunction with the recording of the appropriate division of Development Area B.
- j. Internal streets where the roadway cross-section would result in a travel-lane width of less than 20-feet (with on-street parking) may be required to have street parking restrictions imposed by the County in conjunction with the approval of the RRE plat and individually recorded divisions of the project. Signage to implement these restrictions will be identified during engineering plan approval for each division. A note to this effect shall be placed upon the face of the plat map for each division.

2.10.2 Off-site Improvements and Mitigation

- a. Prior to the recording of a final plat and/or the issuance of a building permit for multi-family residences (excluding Tracts MF-1 and MF-2) which would result in 225 or more dwelling units in Redmond Ridge East, the Applicant shall:

- i. Widen Redmond Road north of the NE Novelty Hill Road intersection to provide an 11-ft northbound lane, two 12-ft southbound turn lanes with at least 100-ft of storage (50-foot striped lane plus 50-foot 'gap'), and eight foot wide paved shoulders and tapers along the existing roadway alignment and within the existing right-of-way. This pavement widening does not require changes to the existing pavement grades, alignment, or superelevation, except as necessary to accomplish the road widening. The Novelty Hill Road channelization shall be modified, as needed, to match the Redmond Road modifications.

In conjunction with the engineering plan packages for these required off-site roadway improvements, the Applicant shall submit plans for the associated channelization, illumination, and signage to KCDOT Traffic Engineering for review and approval.

- ii. Between 242nd Place NE and 243rd Ave. NE, widen NE Novelty Hill Road to add a 12-foot-wide two-way center turn lane to be used as a merge/refuge lane for northbound-to-westbound left turns. East of 243rd Avenue NE, widen NE Novelty Hill Rd. to add a 12-foot-wide westbound left turn lane which has a minimum of 100-ft of storage (50-foot striped lane plus 50-foot 'gap'), together with tapers and transitions to the two lane section east of 243rd Ave. NE. Eight foot paved shoulders are required on the north side of Novelty Hill for the full length of the improvements, and on the south side of Novelty Hill Rd. for the portion of these improvements which lie west of 243rd Ave. NE. This pavement widening does not require changes to the existing pavement grades, alignment, or superelevation, except as necessary to accomplish the road widening. Provide channelization of 243rd Ave. NE, as needed, to match the Novelty Hill Road improvements. The southwest corner of the intersection shall be regraded, cleared and revegetated within the right-of-way and the recorded County sightline easement area, to achieve entering sight distance to the west based on a 55 mph arterial design speed.

In conjunction with the engineering plan packages for these required off-site roadway improvements, the Applicant shall submit plans for the associated channelization, illumination and signage to KCDOT Traffic Engineering for review and approval.

- b. Prior to the recording of a final plat and/or the issuance of a building permit for multi-family residences (excluding Tracts MF-1 and MF-2) which would result in 600 or more dwelling units in Redmond Ridge East, which ever occurs first, the Applicant shall:

- i. Construct the extension of NE 104th Street, westerly from Muirwood Drive to the intersection of Cedar Park Crescent/ Redmond Ridge Drive NE along the Alternative C-2 alignment (generally as described in the EIS). These improvements shall be constructed to the modified Urban Neighborhood Collector standard with a 32-foot wide paved roadway (two 11-foot-wide travel lanes and in-street bike lanes); concrete curb, gutter and sidewalk along the north side of the roadway; a graded 3-foot-wide gravel shoulder along the south side of the roadway; channelization; and illumination per Condition 2.11.1A below.
- ii. At the intersection of Cedar Park Crescent/ Redmond Ridge Drive NE, the roadway cross-section shall be increased to provide a 44-foot wide roadway to provide an exclusive westbound left turn lane (minimum storage of 100 feet) and a shared through + right turn lane, plus appropriate transitions to the 32-foot wide roadway section consistent with the requirements of a 35 MPH design speed.
- iii. The improvements at the intersection of Cedar Park Crescent/ Redmond Ridge Drive NE shall also include the installation of all equipment related to the future signalization of the intersection, including the illumination system, the detection system, the poles, and the conduits, and associated signage, but not including the traffic signal mast arms, the signal controller, the signal heads and the pedestrian push buttons.
- iv. Eastridge Drive shall be widened at the intersection of NE 104th Street to provide an exclusive southbound right turn lane with a minimum storage length of 100 feet, plus appropriate tapers to the existing 40-foot wide roadway section, or, construct the roundabout as approved by KCDOT at the intersection of Eastridge Drive/NE 104th.
- v. As part of the construction of the C-2 connection, the applicant shall re-locate those portions of the existing pedestrian/equestrian trail system in Redmond Ridge which are affected by the C-2 road improvement as required by Condition 2.7.19.
- vi. Public right-of-way shall be deeded or dedicated for the off-site portion of the C-2 road improvement.

In conjunction with the engineering plan packages for the above required off-site roadway improvements, the Applicant shall submit plans for the

associated channelization, illumination, signage and signalization to KCDOT Traffic Engineering for review and approval.

- c. Prior to the recording of a final plat and/or the issuance of a building permit for multi-family residences (excluding Tracts MF-1 and MF-2) which would result in 600 or more dwelling units in Redmond Ridge East, the Applicant shall:
 - i. Submit a traffic signal warrant analysis for the intersection of Redmond Ridge Drive NE/Cedar Park Crescent- “Alternative C-2” in conjunction with the next (following this threshold) – and all subsequent – Redmond Ridge/Trilogy Annual Monitoring Reports. If the Annual Monitoring Report indicates that the signal would meet any of the warrants in the MUTCD with the following year’s anticipated permits, and as required to do so by KCDOT, the Applicant shall complete the installation of the remaining signal equipment, and coordinate activation of the signal, on a schedule approved by KCDOT.
 - ii. Widen Novelty Hill Road at 208th Avenue NE to increase the length of the westbound left-turn lane to accommodate an additional 150 feet of left turn storage.
 - iii. Reconstruct the existing median on Trilogy Parkway, north of the intersection of Novelty Hill Road, to increase the available southbound left turn storage by an additional 90 feet.
 - iv. Reconstruct the intersection of Eastridge Drive at Novelty Hill Road to include the following:
 - (1) Widen Novelty Hill Road, east of Eastridge Drive, to provide a second eastbound travel lane through the Eastridge Drive intersection (converting the existing exclusive right turn lane to a shared through + right turn lane) to resolve forecast traffic queuing problems between the Eastridge Drive and Trilogy Parkway intersections. The length of the second eastbound lane (east of the intersection), plus transition from the three-lane section, shall be determined and approved by KCDOT. This road widening will have impacts on adjacent wetlands and buffers, which shall be mitigated by the applicant, and
 - (2) If the final scope of the Novelty Hill Road CIP does not include an extension of the westbound left turn lane (to provide 270 feet of left turn storage) at Eastridge Drive, then the Applicant shall provide mitigation for the

forecast AM peak hour westbound travel queues by widening Novelty Hill Road, east of Eastridge Drive, to provide 270 feet of westbound left turn storage, and

- (3) The Applicant shall provide either:
- (a) (Preferred) a set of mitigation measures which would result in a reduction of the westbound queues on Novelty Hill Rd. below those forecast in the EIS for the “with Alternative C-2” analyses (at the performance standard cited in the next paragraph), which may include, but not be limited to, a revision of the operational phasing of the traffic signalization system, time-of-day responsive signage, revising the striping of the north and south legs of the intersection, and/or revising the access to the Trilogy at Redmond Ridge Division 1 South neighborhood north of the intersection (of 238th Place NE-Eastridge Dr) via physical barrier.

The performance standard for the improvements in this condition (2.10.2.c.iv.(3)(a)) shall result in a forecast intersection delay and westbound traffic through lane queues that equal or are less than that forecast intersection delay and queues, at project build-out, identified in the FEIS (*Appendix “A” page 14 and Synchro worksheets in Transportation Levels-of-Service Worksheets for Appendix A: “AM Action without Novelty Hill Road CIP” worksheet pages labeled “10: Novelty Hill Road & 238th Place NE, 2010 Action AM Peak Hour 11/5/04*) for the “with C-2” scenario. In addition, the 95th percentile traffic queues for the northbound approach during the AM peak hour shall be less than 250 feet in both lanes (i.e. less than 250 feet in the northbound left turn lane AND less than 250 feet in the northbound curb lane), as calculated using methods and assumptions used in the Redmond Ridge East FEIS based on the Highway Capacity Manual (2000).

This mitigation in Condition 2.10.2.d.iv.(3)(a) shall be based upon an analysis provided by the Applicant to KCDOT and approved by the

County. The Applicant shall be responsible for providing advance notification to the residents in Trilogy Division 1 South of any revisions to access (e.g. physical barriers, etc.) required in conjunction with approved improvements,

or,

- (b) mitigation to King County in the form of funds paid to King County in an amount not to exceed \$500,000 for the cost of an improvement (deposited to KCDOT for either CIP 100992 or a separate "Countywide" project at the intersection of Novelty Hill Rd./Eastridge Dr.) to construct a second westbound through lane (to be used as a shared through+right turn lane) on Novelty Hill Road. Due to sensitive areas (wetlands) adjacent to the northeast quadrant of the intersection, this option should be given lowest priority for consideration by the Applicant and the County.

v. Install "Do Not Block Intersection" signs (MUTCD Sign Code R10-7) at the following locations:

- (a) At the intersection of Marketplace Drive at Cedar Park Crescent NE, -- facing northbound traffic on Cedar Park Crescent NE
- (b) At the intersection of 224th Avenue NE at Novelty Hill Road, facing westbound traffic on Novelty Hill Road

The requirement for the Applicant to install these signs may be deleted upon a determination by the King County Traffic Engineer that the scope of the Novelty Hill Road CIP includes an improvement that reduces vehicle queues to a point where the 95th percentile queues on Cedar Park Crescent and Novelty Hill Road do not extend to the intersections identified in (a) and (b).

If any of the preceding required road improvements are scheduled for construction by the County within 24 months of when this condition requires the completion of the improvements, the Applicant shall have no responsibility to construct the specific improvement to be constructed by the County. Rather, the applicant shall pay appropriate MPS fees for the improvement, if any.

In conjunction with the engineering plan packages for these required off-site roadway improvements, the Applicant shall submit plans for the associated channelization, illumination, signage and signalization to KCDOT Traffic Engineering for review and approval.

- d. Unless otherwise noted above, all off-site road improvements required by the above conditions shall be constructed within existing available public road right-of-way. The required road improvements shall be reasonable and achievable, and therefore may be modified by the King County Road Engineer to comply with this condition.
- e. If the actual eastbound traffic volumes on Novelty Hill Road just east of 208th Avenue NE reach 1,350 vehicles per hour in the PM peak, then no further building permits for Redmond Ridge East shall be issued unless either:
 - i. The Novelty Hill Road Capital Improvement Program project (King County CIP No. 100992; MPS No. 56.12) remains funded in the King County CIP in an amount not less than that set forth in the 2005 CIP adopted by the King County Council and the project remains scheduled for construction within four years of the date the threshold was reached. Because the exact nature of the Novelty Hill Road Capital Improvement Program Project is not yet completely defined, for purposes of this condition the project is defined as one which either reduces the volumes below the 1,350 vehicles per hour threshold or provides increased capacity to Novelty Hill Road sufficient to accommodate the additional traffic from the Redmond Ridge East UPD, the Redmond Ridge UPD, and the Trilogy at Redmond Ridge UPD without eastbound pm peak hour traffic on Novelty Hill Road exceeding the capacity of the roadway; or
 - ii. New mitigation is identified, fully funded and constructed within four years after the 1,350 vehicle per hour threshold is reached which either reduces the volumes below the 1,350 vehicle per hour threshold or provides increased capacity to Novelty Hill Road sufficient to accommodate the additional traffic from the Redmond Ridge East UPD, the Redmond Ridge UPD, and the Trilogy at Redmond Ridge UPD without eastbound pm peak hour traffic on Novelty Hill Road exceeding the capacity of the roadway.

2.10.3 Road Mitigation Payment System (MPS) Fees

The applicant or subsequent owner shall comply with King County Code 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, "All fees required by King County Code 14.75, Mitigation Payment System (MPS), have been paid." If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.

2.10.4 City of Redmond Traffic Mitigation

In order to mitigate the impacts of RRE on Redmond streets, Quadrant shall provide funds to the City of Redmond, as follows:

- A. Quadrant shall pay Redmond \$115,000, which Redmond shall apply toward the costs of its planned traffic signal synchronization project on Avondale Road. Such payment shall be made within 30 days after the date of Council approval of the RRE UPD Permit and RRE preliminary plat (or if the two are approved on separate dates, then 30 days after the later date)
- B. Quadrant shall pay Redmond \$500,000, which Redmond shall apply toward the design and engineering costs of the planned NE 124th St./SR 202 improvement project described in condition 2.10.6 below. Such payment shall be made in periodic installments on demand by Redmond, as needed by Redmond to defray its design and engineering costs for the planned NE 124th St. project as such costs are incurred, beginning with Redmond's award of a design contract for such project.
- C. Upon Redmond's notification to Quadrant that Redmond has awarded a bid to a contractor for the construction of the NE 124th St./SR 202 improvement project, Quadrant shall pay Redmond \$1,000,000, plus any remainder of the \$500,000 sum identified in subsection 2.10.4 B above that Quadrant has not previously paid to Redmond, all of which Redmond shall apply toward such constructions costs.
- D. If as provided in condition 2.10.6C below, Redmond elects to not construct the NE 124th St./SR 202 improvements, Quadrant shall pay Redmond the remaining balance of the sums identified in subsections 2.10.4 B and C above. All such funds shall be used by Redmond only for transportation improvements in the vicinity of Avondale Road, Novelty Hill Road, and/or Union Hill Road, or for such other

transportation improvements within the City as Redmond deems appropriate to provide congestion relief and/or traffic safety improvements projects reasonably related to transportation impacts from Redmond Ridge East, Trilogy, or Redmond Ridge. Redmond agrees that all such funds shall be primarily devoted to the payment of project design, engineering, right-of-way, and construction costs of such improvements. Quadrant will pay such sums to Redmond in periodic installments within 30 days of demand by Redmond, as needed by Redmond to defray design, engineering, and construction costs incurred by Redmond for such improvements.

- E. All payments to Redmond shall be subject to the provisions regarding voluntary agreements in RCW 82.02.020.
- F. MPS fee credits for these payments may be allowed consistent with the terms of the Interlocal Agreement between King County and the City of Redmond for the Reciprocal Collection of Transportation Impact Fees (Hearing Exhibit 83).
- G. The provisions of this section regarding the timing of payments to Redmond are independent of the unit phasing requirements set forth in Section 1.5.3. In the event of any perceived conflict between the timing of payments specified in this section and the timing of payments required for unit phasing in Section 1.5.3, the unit phasing requirements of Section 1.5.3 shall control.

2.10.5 Construction Traffic Management Program

Prior to commencement of any site construction at Redmond Ridge East, a construction Traffic Management Program shall be submitted to and approved by King County's special UPD inspector, and KCDOT. The Traffic Management Program shall include, but not be limited to, the following:

- a. Road Construction Coordination: The program shall minimize the total traffic impacts by routing and staging construction traffic to and from the UPDs, scheduling road openings and closures, and provide coordination with other major construction projects in the area (e.g., King County CIP projects, UPD interim road improvements, adjacent UPDs, City of Redmond, and WSDOT projects).
- b. Road Closures:
 - i. Road Closure Detour Plans shall be reviewed and approved by Traffic Engineering, KCDOT.

- ii. All traffic control signs, flagging, and other devices shall conform to the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD) for streets and highways and Standard Specifications for Road, Bridge, and Municipal Construction.
 - iii. When determined necessary by DDES or KCDOT, the Contractor/Developer shall provide written notification of road closures to area residents.
- c. Other Traffic Control Plans Including Partial Lane Closures:
- i. Traffic Control plans shall be reviewed and approved by Traffic Engineering, KCDOT.
 - ii. All traffic control signs, flagging, and other devices shall conform to the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD) for streets and highways and Standard Specifications for Road, Bridge, and Municipal Construction.
 - iii. All traffic lanes must remain open during AM and PM peak hours.

2.10.6 Cooperation on NE 124th St./SR 202 Funding

Quadrant will cooperate with Redmond and the County and support the proposed improvements (i.e. add one additional westbound general-purpose through travel lane on the east side of the intersection of NE 124th and SR 202 in alignment with the two westbound travel lanes that currently exist west of that intersection) of NE 124th Street east of and at its intersection with SR 202 to reduce current westbound traffic queues and provide indirect benefit to all the parties by, providing a less congested travel route from areas east of Redmond (including but not limited to RRE) west to I-405, as follows.

- A. Redmond and the County will make joint application, coordinated by Redmond, for state TIB funds to pay for that portion of the NE 124th St./SR 202 improvements that would not be covered by the contributions of the parties as provided herein.
- B. The County Executive agrees that \$250,000.00 of the funds appropriated by the 2006 King County Roads Capital Improvement Program RDCW 17, "Agreements with Other Agencies," will be reserved as a contribution by the County toward the NE 124th St./SR 202

improvements. In the event that such funds (or the portion referred to below) are not paid to Redmond in 2006 as provided in condition 2.10.6.C(i), the County Executive agrees to recommend a like amount in the 2007 King County Roads CIP and to reserve the same for payment as provided herein.

- C. If the joint TIB grant application is approved for full funding, then
- i. The Mayor of the City of Redmond and the King County Executive agree to recommend that the Redmond City Council and the King County Council, respectively, pass an ordinance and/or resolution, pursuant RCW 35A.21.210, moving the jurisdictional boundary between Redmond and King County from the south side of NE 124th St. east of SR 202 to the north side of the current right-of-way of NE 124th St. east of SR202 through the frontage of the Washington Cathedral property or the full length of the proposed intersection and westbound general-purpose through travel lane improvement project, whichever is greater. Such recommendation and legislative action would be undertaken as soon as is reasonably possible after Redmond and the County receives notification that the TIB grant has been approved for full funding.
 - ii. If the boundary between the County and Redmond is moved to the north side of NE 124th St. as described above, then Redmond will be the governmental entity with jurisdiction and responsibility for the further improvement of the NE 124th Street/SR202 intersection and westbound general-purpose travel lane improvement project, and Redmond will issue all permits and approvals required by Redmond for such work occurring within Redmond's boundaries. The County will remain the governmental entity with permitting authority over any portion of off right-of-way work occurring outside Redmond's boundaries in unincorporated King County. Except as provided herein, if the TIB grant application is approved for full funding and the boundary between the County and Redmond is moved, Redmond will, subject to receipt of funding from Quadrant and the County as provided herein, undertake, contract for, and pay for, the design, engineering, and construction of such project, including any work in unincorporated King County.
 - iii. Redmond will include the NE 124th ST./SR 202 intersection improvement project in its Transportation Impact Fee System and will collect transportation impact fees for this project from developments within the City of Redmond. Redmond will forward to KCDOT written confirmation of adding this project to

the Redmond's Transportation Impact Fee System, so that the County can thereafter amend its Mitigation Payment System ("MPS") list and collect MPS fees for this project from developments within unincorporated King County. These actions by Redmond and the County will be undertaken pursuant to the existing Interlocal Agreement for Reciprocal Collection of Transportation Impact Fees.

- iv. At the time Redmond awards a contract for the construction of the NE 124th/SR 202 improvements, the County agrees to pay Redmond the difference between the sum of all MPS fees collected for the project from developments within unincorporated King County and remitted to Redmond under condition 2.10.6.C(iii) and the Interlocal Agreement referenced therein, and \$250,000.00. Payment shall be made within thirty days of demand by Redmond.
- v. After the County makes payment to Redmond as provided in condition 2.10.6.C(iv) above, the County may retain any and all MPS fees thereafter collected for the NE 124 ST./SR202 project from developments within unincorporated King County until the County is fully reimbursed for the payment made under condition 2.10.6.C(iv). Any and all MPS fees collected for the NE 124th St./SR 202 project from developments within unincorporated King County after the County has been fully reimbursed as provided in this subsection, shall be remitted to Redmond as provided in the Interlocal Agreement referred to in condition 2.10.6.C(iii) above.

- D. If the Joint TIB grant application is not approved for full funding in the 2006 TIB grant funding cycle, Redmond may, in its sole discretion, determine that the same should be resubmitted for funding in the 2007 TIB grant funding cycle. If Redmond elects to resubmit the TIB grant application in the 2007 cycle, all provisions of conditions 2.10.6.A through 2.10.6.C above shall apply to such re-submittal. If Redmond elects not to resubmit the application or if the resubmitted application is also not approved for full funding, Redmond retains the right, in its sole discretion, to decide not to construct the NE 124th/SR 202 improvement project. If Redmond decides not to construct the project, then all obligations of Redmond and the County under this condition 2.10.6 shall cease. If Redmond decides to construct the project despite the denial or partial denial of the joint TIB grant application, all other obligations set for in this condition 2.10.6 shall continue and be fulfilled. Redmond agrees to notify the County and Quadrant of its election under this subsection as soon as practicable after the TIB grant application decision is received.

2.11 Transit and TDM Requirements

2.11.1 Transit Oriented Site Planning

County Code and P Suffix zoning provisions require that a UPD site design “promote..., ...support... and encourage the use of transit.” (P Suffix Condition BC-P21 and KCC 21A.39.010) To comply with these requirements, the following items shall be provided in addition to the sidewalks and sidewalk planter strips proposed within the project:

- a. Pedestrian Lighting: Provide pedestrian lighting along all sidewalks on all sub-access streets and higher road classifications in the project and along Road Alternative C-2. Submit a lighting plan for review and approval by DDES, for each plat division prior to engineering plan approval.
- b. 12-Foot-Wide Drive Lanes: Eastridge Dr., from Novelty Hill Rd. to its southern terminus, shall be developed with 12-foot-wide drive lanes, and shall provide an additional 8-feet of paving for on-street parking where on-street parking is provided.
- c. Eastridge Drive Terminus: The turnaround bulb at the southern terminus of Eastridge Dr. shall be designed to provide an adequate roadway width and radii to accommodate a Metro bus. The determination of the specific bus size to be accommodated, and the turnaround design itself shall be reviewed and approved by the King County Metro Transit Division, KCDOT.
- d. Bus Layover Site: Provide a bus parking space at a location which can serve as a potential layover spot for a future bus route passing through RRE. Prior to approval of the engineering plans for the first division of RRE, DDES and KCDOT (including the Metro Transit Division and the Road Services Division) will jointly identify the location. The construction timing for the parking space will correspond with the phase of the project within which the space is located.
- e. Bus Shelters: Provide three bus shelters in RRE at locations identified by the Metro Transit Division as likely bus stops for a route passing through RRE. Prior to approval of the engineering plans for the first division of RRE, DDES and KCDOT (including the Metro Transit Division and the Road Services Division) will jointly identify the specific locations and construction timing for the shelters. These shelters can also be used by riders of the shuttle service (see below) and additional shelters may be installed at the applicant’s option. The

shelters shall be owned and maintained by the RRE Homeowners Association.

2.11.2 Traffic Demand Management Program

County Code provisions require that "...traffic demand management programs are implemented." (KCC 21A.39.200) To implement this requirement and other relevant code and policy provisions, the following shall be met:

- a. Shuttle Service: A transit shuttle service shall be provided, fare free to riders, between RRE and a nearby regional transit hub, such as the Bear Creek Park-and-Ride, the Redmond Park-and-Ride, or the Overlake transit center. This shuttle service shall have a minimum of three morning runs and three afternoon/evening runs during the peak commute hours. These six runs shall be on a regular schedule, and shall occur Monday through Friday on regular work days.

The shuttle shall be in service and operational with the occupancy of the first 50 lots/dwelling units in RRE, and shall continue in existence for at least five years following the recording of the final division of RRE. This time frame may be shortened if public bus service providing service equivalent to the shuttle or better is made available to the RRE community.

- b. Transportation Coordinator: The applicant shall hire an experienced and professionally trained Transportation Coordinator, acceptable to King County, to serve RRE residents for the time period described in Paragraph 2.11.2A above. The Coordinator shall promote the use of alternatives to the single-occupancy vehicle by RRE residents, and assist the applicant and RRE residents with developing alternative means of transportation. This shall include assistance in developing carpools, vanpools, and "vanshare" opportunities. In lieu of GRTMA (Greater Redmond Transportation Management Association), the applicant may provide an alternative experienced organization or individual to serve as a Transportation Coordinator for RRE, subject to the approval of DDES. The materials and a schedule for distribution of these shall be submitted for review and approval by King County.
- c. "Home Free Guarantee:" The applicant shall fund a "Home Free Guarantee" program for RRE residents who register as users of the RRE shuttle, carpools, or vanpools. Such users must register with the RRE Transportation Coordinator. Participation by the applicant in a "Home Free Guarantee" program shall be funded for the period of time described in Paragraph 2.11.2A above. To comply with this condition, the applicant may utilize the King County Metro "Home Free

Guarantee” program, or an equivalent program from another organization.

- d. One Month-Two Zone Bus Pass: The applicant shall offer to all initial purchasers or renters of all dwelling units in RRE a single one-month Puget pass, equivalent in value to a regular adult two-zone peak Metro full fare, at no charge. A voucher, which is issued to the initial purchasers or renters, shall be redeemable for the bus pass within six months of occupancy in RRE. Evidence shall be provided by the applicant to DDES and the Transportation Coordinator that this offer has been made, as well as a record of how many residents have accepted the pass. In the event the above-noted Puget Pass is no longer offered by Metro, a voucher for an equivalently valued fare product shall be substituted.
- e. Transportation Package: The applicant shall provide a transportation information package to all initial residents of RRE. The package shall promote the shuttle service, “Home Free Guarantee” program, and the free bus pass voucher, and the options and assistance which are available related to vanpools, vanshare, and carpools,.
- f. Alternative TDM Elements: DDES, in consultation with KCDOT, shall consider and may approve TDM elements proposed by the applicant as an alternative to those required above, if it can be demonstrated that the same or better results will be achieved.

2.11.3 Bicycle

County Code and P Suffix zoning provisions require that a UPD site design “...promote the use of alternative modes of transportation including... bicycle, pedestrian, and equestrian trail facilities.” (P Suffix Condition BC-P21 and KCC 21A.39.200B2) In this regard, the following shall be provided in RRE:

- a. Bicycle racks at Center Park and at the Soccer Complex. The capacity of the racks shall be consistent with Conditions 2.7.5d and 2.7.8e.
- b. A bicycle carrier on each shuttle vehicle.

2.12 Archaeological Findings

- a. Construction contracts shall include a clause specifying that construction shall cease within 200 feet of any discovery of archaeological materials and/or human remains and its likely boundaries until such materials can be assessed by a professional archaeologist or osteologist and a course of action agreed upon between King County and the applicant.

- b. Prior to the start of development activities, construction crew members shall be alerted to the possibility for the discovery of human remains and prehistoric and historic-era archaeological materials. The crew members (including grading operators) shall be informed about how to identify the kinds of resources that may be present in the project.
- c. If archaeological materials and/or human remains are discovered during construction on the site, all work within 200 feet of the materials shall cease until such materials can be assessed by a professional archaeologist or osteologist. If confirmed, the proper authorities, such as the appropriate Tribes, the State Office of Archaeology and Historic Preservation, the King County Historic Preservation Program, the King County Sheriff, and/or the County Medical Examiner (in the event that human remains are encountered) shall be notified and all work shall cease until the find has been assessed and course of action agreed upon between King County and the applicant.

2.13 Noise Mitigation

- a. Equipment used for wood chipping and stump grinding shall be limited to the hours of 8:00 a.m. to 6:00 p.m., Monday through Friday. The location of such equipment shall be subject to the review and approval of the UPD inspector prior to commencement of operation. The equipment should be located away from occupied residential uses wherever possible. The UPD inspector may require temporary attenuation barriers to reduce noise impacts to sensitive receiving properties.
- b. The following noise mitigations to reduce the impacts of construction shall be shown on the final engineering plans.
 - i. Construction noise will be mitigated with properly sized and maintained mufflers, engine intake silencers, engine enclosures, turning off equipment when not in use, and confining activities to daylight hours.
 - ii. Stationary construction equipment shall be located away from sensitive receiving properties where possible.

2.14 Conservation Program

Prior to commencing construction of the first preliminary plat, the applicant shall develop and have in place a conservation program subject to King County's review. The Conservation Program shall include appropriate procedures and timing for implementation, inspection, and reporting to assure compliance. The scope of the program shall include at a minimum the following elements:

a. Fill Material and Topsoil

Provide designated areas for stockpiling of fill material and topsoil for redistribution within Redmond Ridge East. Provide a comprehensive plan in advance of each construction season for the review and approval of DDES. Site grading shall attempt to balance cut and fill to reduce the need for off-site transfer of material. Any excess material shall be moved to an approved disposal site on routes approved by King County.

b. Chipping of Vegetation

Provide for chipping and stockpiling of appropriate nonmerchantable trees and vegetation for use in trail construction and erosion control. Chipping equipment should be compatible with the specifications for material acceptable for trail use.

c. Native Materials Recycling

Native plants on site shall be reused to the extent feasible for landscaping within Redmond Ridge East . Plants may also be made available to the extent feasible for vicinity neighbors or native plant societies.

d. Construction Materials Recycling

Require home and commercial builders to establish on-site facilities for the recycling of construction materials. The King County Solid Waste Division shall be consulted regarding private firms accepting construction, demolition, and land clearing debris for recycling. Recycling space in commercial areas shall be designed to be convenient for recyclers and haulers.

2.15 Education Program

The following elements outline the criteria for a public education program. Prior to recording each plat, the applicant shall coordinate with King County regarding the content of the educational materials and methods for distribution. The program will include the following elements

- a. Educational materials concerning activities affecting groundwater quality and groundwater recharge.
- b. Pamphlets, interpretive information, and other educational materials regarding streams, wetlands, and forest habitats.
- c. Community education programs focusing on protection of streams, wetlands, and wildlife.

- d. Water conservation and management.
- e. Surface water management system and activities affecting surface water quality.
- f. Best management practices for roof chemical applications for moss control.
- g. Information about the Stream Stewardship Program from King County SWM.
- h. Transit and travel demand management (TDM) program, which will include a shuttle van service.
- i. Low impact development techniques, such as pervious pavement for patios and walkways, and rainwater management BMP's.
- j. Homeowners shall be educated about fertilizer and pesticide/herbicide application including the quantity, timing, and type of fertilizers applied to lawns and gardens to protect water quality.
- k. Homeowners will be provided information on the operation, maintenance and obligations for individual lot flow control BMP's.

2.16 Burning and Woodstoves

No open-air burning is permitted within the RRE site. The only woodstoves allowed within Redmond Ridge East shall be those which are certified according to the standards adopted by the King County Board of Health, both initially and as retrofits.

2.17 Model Home Complex

The applicant is allowed to obtain up to 12 model home building permits within a single complex to serve the entire Redmond Ridge East development. These permits may be obtained prior to recording the final plat creating the building lots for these homes subject to the following conditions:

- a. A total of 12 model home permits is allowed for the entire development and must be located within the designated complex.
- b. Sewer and water availability certificates will not be required at the time of building permit issuance but must be obtained prior to occupancy.

- c. The model homes constructed in Redmond Ridge East may remain in place as model homes during the residential buildout of all divisions of Redmond Ridge East.
- d. Seattle-King County Health Department approval will not be required, since all lots will be served by a Group A public water and sewer provider in the UGA.
- e. Roads and drainage facilities serving the phase of development in which the model home complex is located must be adequately installed to the satisfaction of the UPD Land Use Inspector before any model home permit will be issued.
- f. King County must be satisfied that adequate fire flow is available to serve the proposed model homes before any model home permit will be issued.

2.18 Performance Guarantee Time Limit

Unless otherwise indicated by the conditions of this UPD permit or by King County Code, performance guarantees shall be provided requiring actual construction and installation of required plat improvements within two years after recording of the associated final subdivision. King County may, however, in its sole discretion extend the time period for completing installation of such plat improvements, and for the performance guarantees related thereto, to a maximum total of five (5) years after such plat recording. Such extensions may be allowed in cases where DDES determines that the particular subdivision process presents unique circumstances justifying extension, that extension would be consistent with the infrastructure and phasing requirements of the UPD, and that the public interest will not be harmed by allowing the extension. Any such extension must be approved in writing by the Manager of the DDES Land Use Services. The time limit for performance guarantee compliance may be extended by an additional six months at the discretion of the Director of DDES, if circumstances beyond the control of the applicant warrant an extension. The request for an extension shall be in writing, accompanied by a schedule for completion of remaining work.

2.19 Development Area “D” Notification

All real estate sales office maps shall clearly show the Alternative C-2 connector road, with the notation, “Future neighborhood collector between Redmond Ridge Drive NE arterial and Eastridge Drive NE arterial,” or alternative language approved by DDES. A date-stamped photograph of the proposed sales map shall be submitted to the County Department of Transportation and DDES, prior to use.

If final plat approval for all or any portion of Development Area D of RRE is granted prior to the opening of the Alternative “C-2” Road connection to Redmond Ridge, a

note will be included on the face of the plat to provide notice to the future purchasers of information set for in 2.19A below:

- A. Each purchaser of a lot within Development Area "D" shall be provided a disclosure statement which gives notice of the future extension of the Alternative "C-2" road connector, including the location of the C-2 Connector and RRE EIS estimates of projected traffic volumes (ADTs or AM and PM peak hour volumes), in a form approved by the King County Department of Development and Environmental Services (DDES). The seller of such lot(s) shall deliver a copy of each signed disclosure statement to the King County Department of Transportation and DDES. Disclosure statements shall include the signature of the owner or owner's authorized representative, and the buyer. Signed disclosure statements shall be provided to these County departments in both "hard" [paper] and electronic [Adobe Acrobat *.pdf, or acceptable alternative] format, and;
- B. No fewer than two notice boards, of a size, type and location to be approved by DDES and KCDOT shall be installed by the RRE UPD applicant (the Quadrant Corp.) and/or the successor home builder in conjunction with the construction of the homes or residential dwelling units in Development Area "D." These notice boards shall include the same verbiage as approved for the sales office maps identified in 2.19.B above, and shall graphically depict the approved roadway alignment overlaying a map of Development Area "D." This map shall identify the respective board's location in reference to the proposed Alternative C-2 connector roadway.

3. REVIEW PROCESS

3.1 Flexibility and Modification of UPD Standards

KCC 21A.39.030 (D) acknowledges the possibility that site plan elements or conditions of approval may be amended or modified at the applicant's request throughout the life of the UPD permit in order to achieve a number of public purposes, including: incorporation of new information; response to changing community needs; changes in underlying assumptions or circumstances; encouragement of reasonably priced housing; changes in market conditions; and the encouragement of modifications which provide comparable benefit or functional equivalence with no significant reduction of public benefits or increased cost of development. This section provides a framework for defining major versus minor modifications and the process necessary to review proposed modifications in either instance.

Three categories or levels of modifications have been identified. The Director of DDES, or his/her designee, shall have the authority to review and render decisions on Authorized Modifications and Administrative Minor Modifications as provided below.

a. Authorized Modifications

- 1) Changes in residential density or configuration within the residential development areas, so long as the density range is consistent with Section 1.3.1 of this permit and the impervious surface assumptions in the Drainage Master Plan.
- 2) Minor changes in lot size, lot configuration and internal road patterns resulting from changes in the density or intensity described above.
- 3) Minor relocation or change in size of parks, recreation facilities, or trails, except that changes to the boundaries and locations of the required park, trails, and recreation facilities provided in section 2.7 shall be reviewed as administrative modifications, unless authorized by Subsection 4, below.
- 4) Other minor elections or modifications requested by the applicant, which DDES determines to be reasonably consistent with the pre-approved ranges or provisions of this agreement.

The director/designee shall review each requested authorized modification to verify that the modification requested is within the scope of those identified above and to verify that no other regulated feature has been affected by the modification. If these verifications are made, the request will be granted. If these verifications are not made, the request may be considered as a minor or major modification for consideration under those standards as provided in the following sections, b. and c.

b. Administrative Minor Modifications

Administrative Minor Modifications include the following:

- 1) Minor changes to the location and design of arterial, collector or local roads. However changes to the design standards which are not consistent with the provisions of this permit or the adopted County Road Standards will be subject to approval by the County Road Engineer.
- 2) Minor changes to the boundaries and/or location of the parks and recreation facilities provided in section 2.7.2B, but a net reduction in the total size of parks (excluding consideration of Tract P-6) or the number of facilities shall be reviewed as a major modification.
- 3) Minor changes to the location, width or standards for the trails described in section 2.7.
- 4) Minor changes in the size or shape of residential or nonresidential development areas from those provided in Attachment 3 to this permit.

- 5) Minor changes to the terms or procedures governing affordable housing requirements provided in Section 1.4, except any reduction in the overall requirement that 30% of the units be affordable shall be considered a major modification.
- 6) Minor changes in the Critical Areas Protection Standards, including modifications to buffer width, number or type of intrusions or crossings.
- 7) Minor changes in surface water management practices and standards, including the size and location of retention/detention facilities, so long as such changes are consistent with the Drainage Master Plan.
- 8) Changes to the permitted uses and site development standards provided in sections 1.3 and 2.4, so long as such changes are compatible with other authorized uses in that development area.
- 9) The applicant's election to comply with a County standard adopted subsequent to the approval of this UPD permit, if the Director/designee determines that no interdependency or critical relationship to other development standards exist.
- 10) Other minor changes to the UPD permit standards which the Director/designee finds to be reasonably consistent with the purpose of such standards.

The Director/designee may approve, or approve with conditions, the requested minor modification upon determining that the proposed modifications reasonably meet or exceed the protections provided by the original requirement; otherwise it shall be denied. No separate variance or other revision procedure is required hereunder, except as may be required by the County Road Engineer. The decision shall be provided in writing, and King County shall maintain a cumulative list of all approved administrative minor modifications. The time period for review shall be consistent with the time period established for the underlying permit.

c. Major modifications

Proposed major modifications shall be reviewed in the manner provided in KCC 21A.39.020. For vesting purposes a major modification is considered to be a new application.

Major modifications that may be requested by the applicant shall include the following:

- 1) Increase in the maximum number of dwelling units authorized overall or a decrease in the minimum density for the residential areas of the UPD as provided in section 1.3.1.
- 2) Permitted additional uses which cannot be approved as administrative minor modifications.
- 3) Reduction in the requirement to provide 30% of the units within the UPD as affordable housing.
- 4) Reduction in the total number of acres of parks as provided in Section 2.7.2B, except as follows. Reductions of park area that occur in Tracts P-4, P-9 and P-10 for the construction of road improvements required by Section 2.10.1h may be allowed by DDES without a Major Modification.
- 5) Major relocation of the development areas described in Attachment 3.
- 6) Net reduction in the size of the perimeter buffer.
- 7) Net reduction in the Critical Protection Areas.
- 8) Development of onsite wells for water production.
- 9) Any modification of the phasing requirements stated in condition 1.5.
- 10) Any other change which does not qualify (or was denied) as an administrative minor modification.

3.2 King County – Redmond Ridge East Review Team and Monitoring Fees

King County shall establish and maintain a Redmond Ridge East review team throughout the project buildout period. The review team will include a project manager and a representative from the engineering discipline and a representative from the environmental planning discipline. The team will meet, at a minimum, twice monthly if development permits have been filed to review the permit applications and approve requests (applications) filed for development within the Redmond Ridge East UPD boundaries. The team will review the applications to 1) ensure compliance with the UPD permit and all accompanying permit conditions; 2) determine whether the current application and impacts are consistent with and included in the scope of impacts analyzed in the project EIS; 3) determine what reviews and routings have been analyzed and conditioned through the UPD permit and are now exempt to avoid duplicative reviews; and 4) inventory and monitor progress toward buildout to ensure threshold triggers are met.

The applicant shall provide funding for King County to provide on-site evaluation of construction activity, and coordination with the UPD Review Team to assure implementation of the conditions of approval.

Within 60 days of the effective date of this permit, King County and the Applicant will negotiate and enter into an agreement which establishes costs and a payment schedule of fees to be paid by the Applicant, in addition to standard application or mitigation fees for the ongoing monitoring and review of this proposal throughout the term of this permit.

3.3 Other Development Standards

Except as modified in this permit, all County codes and regulations adopted and in effect on the date of Council action approving this permit shall apply to Redmond Ridge East.

3.4 Vesting of Development Standards, Mitigation, and Fees

All development within Redmond Ridge East shall be governed by the development standards approved in this permit, notwithstanding any conflicting or different development standards or requirements elsewhere in County code. These standards shall be implemented through plats, binding site plans, building and grading permits and other permits and approvals from the County. During the buildout period the County shall neither modify or impose new or additional conditions or impact fees beyond those set forth in this permit nor apply subsequently adopted ordinances or other regulations, except as follows:

- a. Building permit applications shall be subject to building codes in effect at the time of application for each given building permit.
- b. Application and review fees for subsequent permits and approvals shall be those fees in effect at the time of future applications.
- c. Where King County determines subsequently adopted standards are necessary to address imminent public health and safety hazards, or new conditions are imposed to facilitate a major permit modification.
- d. Pursuant to extension of the UPD permit as provided in Section 4.1.
- e. Pursuant to extension of the preliminary plat approval period as provided in Section 3.6.

3.5 Further SEPA Review

The Redmond Ridge East Environmental Impact Statement (Draft EIS dated April 2004 and Final EIS dated November 2004), collectively considered as the EIS) analyzed development of the Redmond Ridge East proposal at the UPD level and project level. King County intended that the EIS documents would satisfy SEPA requirements for implementing approvals and permits for all other anticipated actions. The Redmond Ridge East proposal and impacts analyzed in the EIS include buildout of residential and non-residential uses at the maximum allowable densities and intensities pursuant to the development standards and mitigation measures approved in this UPD permit. Project level analysis of a potential school site, as provided in Sections 1.3.3 and 2.9.1 of this permit, was not analyzed. Additional SEPA review for such a proposal shall be conducted by the school district. Subsequent or concurrent approvals covering the Redmond Ridge East proposal and analyzed in the EIS are further listed in the "EIS Fact Sheet." The "proposal" described in the EIS includes a series of permits which would issue over a period of time in a manner required to implement the overall project. If a subsequent permit or application falls within the "proposal" as analyzed in the EIS, unless otherwise necessitated by WAC 197-11-600, no threshold determination is required and the existing environmental documents may be used to meet its responsibilities under SEPA. This is consistent with WAC 197-11-600 (2), which allows environmental documents that have previously been prepared to be used to evaluate proposed actions, alternatives or environmental impacts.

In the event that subsequent permits do not fall within the scope of the original proposal as defined by SEPA, a new threshold determination shall be made. If a Supplemental or Addendum Environmental Impact Statement is prepared, it would not include an analysis of actions, alternatives, or impacts that are in the previously prepared EIS. The SEIS/Addendum would include substantial changes and/or new information. If an SEIS discloses that additional mitigation is required for treatment of significant, adverse impacts not previously disclosed, the applicable development standards may be modified to incorporate additional mitigation.

3.6 Process for Plat Extensions

The following provisions apply to Redmond Ridge East and all other preliminary plats filed and granted preliminary approval consistent with the terms of this permit. At the request of Quadrant, the preliminary plat approval period of 5 years shall be extended by Department of Development and Environmental Services for an additional period of 5 years subject to any modification of conditions related to the following elements:

- a. perimeter buffers monitoring, adjacent to constructed or disturbed areas; and
- b. modification of road standards and stormwater management designs only as determined by the King County Council to be necessary for the RRE UPD for public safety.

3.7 Surrender of UPD Permit

Quadrant may surrender the approved UPD permit prior to commencement of any construction within the UPD boundary, or upon Quadrant's determination to cease construction of the project upon providing notice of surrender to DDES. Upon surrender, pending formal redesignation to rural zoning, the property development standards will revert to the underlying zone in effect at the time the UPD permit was approved (UR) in accordance with applicable policies. In the event the UR zone classification is not a classification authorized by KCC 21A, at that time the nearest equivalent zone shall be applied.

4. GENERAL PROVISIONS

4.1 Effective Date, Development Agreement, Term, and Buildout

- a. Within 60 days of Council approval, the UPD permit conditions shall be revised to incorporate any changes made by the Council.
- b. A development agreement signed by the King County Executive and Quadrant shall be executed binding the applicant and its successors in interest to participate in the development of the property only in accordance with the conditions of the UPD permit. The development agreement will be recorded with the King County Division of Records, and the revised UPD permit conditions described in Section A, above, shall be attached.
- c. This UPD permit shall become effective upon recording of the Redmond Ridge East Development Agreement signed by Quadrant and King County. If an appeal is filed, the time required for resolution of such appeal, including any judicial review, should be excluded from the approval period.
- d. The UPD permit shall terminate 10 years after the date the first plat is recorded. The Director of the Department of Development and Environmental Services may administratively grant a one-time extension, extending the permit an additional 5 years, provided that the applicant has shown substantial progress towards development of the UPD. Prior to granting the extension King County will assess the applicant's compliance with the UPD conditions and may modify or impose new standards deemed necessary for the public health or safety. A permit extension shall be granted based on a finding that the applicant continues to implement the overall UPD project approved in this permit, including continued applicant responsibility for meeting the minimum dwelling units requirement; provision of adequate public services; compliance with affordable housing requirements; and protection of the environmentally sensitive features of the site.

- e. If the project has not fully developed at the end of the terms stated above, as scheduled, the UPD permit shall expire, provided that a further time extension requested prior to permit expiration may be processed as a major modification.
- f. Except as otherwise specifically provided, the uses permitted and standards stated herein shall remain in effect for purposes of issuing approvals of applications submitted prior to expiration of the UPD permit which are within its scope as originally approved.
- g. Development of the Redmond Ridge East proposal is authorized by approval of the Urban Planned Development (UPD) permit and accompanying ordinances.

4.2 Disputes

In the event of disputes between affected property owners within the UPDs regarding implementation of UPD permit or other conditions, King County may refuse to process or approve a disputed application until such owners agree among themselves upon a course of action with respect to such conditions.

4.3 Compliance

The developer shall be bound to provide the improvements required within this permit. Initiation of construction or issuance of further permits and approvals shall be prohibited until conditions imposed on previous phases or permits have been met.

4.4 Other Required Permits

Approval of this permit does not limit the applicant's responsibility to obtain any required permit or license from the State or other regulatory body.

4.5 Thresholds Established

Where this permit establishes thresholds requiring that fees be paid, facilities provided, or any other standard be met prior to issuance of specified permits or approvals, said requirement shall be satisfied before any plat division is recorded or a multifamily building permit is issued which contains or authorizes such specified permit or approval.

4.6 Homeowners Association; Covenants, Codes, and Restrictions

A homeowners association shall be established for the Redmond Ridge East UPD. The association shall be responsible for the long-term ownership and maintenance of common properties and facilities within the UPD, unless King County determines that an alternative and equivalent entity can accomplish the same responsibilities.

A declaration of covenants, conditions, and restrictions (CC&Rs) shall be developed and recorded which binds all property within the UPD and the homeowners association. The CC&Rs shall contain explicit language enforcing the trails and open space designations, parks maintenance, and applicable affordable housing provisions, consistent with the restrictions and limitations imposed by this permit. The CC&Rs shall run with the land and prohibit any future modification or elimination of its terms in conflict with this permit.

5. ASSOCIATED PERMITS

5.1 Redmond Ridge East Preliminary Plat File No. L03P0003

The preliminary plat as shown in Attachment 2 of the Department of Development and Environmental Services, Land Use Services preliminary report to the Hearing Examiner for the February 22, 2005, public hearing, is granted preliminary approval subject to the following conditions for final approval:

1. The preliminary plat approval shall not become effective before recording of the development agreement.
2. Compliance with all platting provisions of Title 19A of the King County Code.
3. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication that includes the language set forth in King County Council Motion No. 5952.
4. The number of lots and densities within each division shall be consistent with the UPD conditions found in Section 1.3.1 and 1.3.2 of the UPD permit.
5. The applicant must obtain the approval of the King County Fire Protection Engineer for the adequacy of the fire hydrant, water main, and fire flow standards of Chapter 17.08 of the King County Code.
6. The first final plat shall include the entire Redmond Ridge East property. Future tracts shall be identified and future replatting of those development areas, including establishment of lot lines and road dedications, may allow minor changes in these areas without requiring a plat alteration. Roads, parcels, detention facilities, and lots which are not proposed for development in the first plat, nor are critical to support development within the first plat, are not required to be dedicated, designed, bonded or constructed at the first plat recording.
7. All terms and conditions of the Redmond Ridge East UPD permit shall also be terms and conditions of this subdivision approval.



Signature Report

August 22, 2006

15565

Motion

Proposed No. 2006-0185.1

Sponsors Lambert and Phillips

1 A MOTION expressing the council's commitment to the
2 completion of the Novelty Hill Road capital improvement
3 project.

4
5

6 WHEREAS, The Novelty Hill Road Improvement project addresses roadway
7 improvements within an area bounded by Avondale Road NE in the city of Redmond,
8 State Route 520, and 243rd Avenue NE, and

9 WHEREAS, the need to improve the existing roadway network within the NE
10 Novelty Hill Road area stems from the insufficient network capacity, traffic safety
11 concerns, lack of system linkage and inadequate modal relationships, and

12 WHEREAS, mitigation of traffic congestion and safety impacts associated with
13 the previously county-approved Trilogy and Redmond Ridge Urban Planned
14 Developments and the proposed Redmond Ridge East Urban Planned Development in the
15 NE Novelty Hill Road area is the responsibility of the county and the developer, and the
16 adverse consequences experienced in the Novelty Hill Road area and in the city of
17 Redmond must be alleviated, and

18 WHEREAS, adequate improvements to the Novelty Hill Road corridor were
19 assumed as part of the county's approval of the Trilogy and Redmond Ridge Urban
20 Planned Developments in 1995 and 1996, and

21 WHEREAS, relief from traffic congestion and an opportunity to address safety
22 concerns along NE Novelty Hill Road are among the most important roadway issues in
23 King County, and

24 WHEREAS, the proposed ultimate project would address current traffic demand
25 and future growth to 2030, based on the land use from King County's travel forecasting
26 model derived from Growth Management Planning Council growth targets to 2022 and
27 projected to 2030 consistent with Puget Sound Regional Council population forecasts as
28 of 2003 and would connect areas of planned urban density to employment and service
29 centers in the cities of Seattle, Redmond, and other cities on the eastside, and

30 WHEREAS, past local, county and regional transportation studies and adopted
31 plans have identified improvements within the NE Novelty Hill corridor area as the best
32 way to meet future transportation needs, mitigate impacts from county-approved
33 development and the adverse consequences experienced in the Novelty Hill Road area
34 and the city of Redmond, and protect the rural environmental conditions in eastern King
35 County, and

36 WHEREAS, NE Novelty Hill Road and the adjacent roadway network require
37 improvements to provide better traffic flow and shorter commute times between eastern
38 King County and southern Snohomish county and between Seattle, Redmond and other
39 eastside cities, and

40 WHEREAS, because of the size and scope of the ultimate project it will likely be
41 necessary to design and construct the improvements in multiple phases, and

42 WHEREAS, the first phase of improvements to the Novelty Hill Road corridor
43 must be adequate to serve and mitigate the traffic impacts of county-approved
44 development and projected background traffic for an eight-to-ten-year horizon, which
45 will necessarily include all of the Trilogy, Redmond Ridge and Redmond Ridge East
46 traffic impacts, and

47 WHEREAS, in 2004, the council adopted an amended Road Capital Improvement
48 Program ("CIP") budget for the Novelty Hill Road Improvement Project of \$34,004,000,
49 for completion of the environmental impact statement, design, right-of-way acquisition
50 and construction of phase one improvements, and

51 WHEREAS, in 2005 the council adopted a Road CIP budget for the Novelty Hill
52 Road Improvement Project of \$33,280,000, for preparation of the environmental impact
53 statement, design, right-of-way acquisition and construction of phase one improvements,
54 and

55 WHEREAS, the adopted Roads 2006-2011 CIP includes two projects on the
56 Novelty Hill Road corridor. Project No. 100901 is Novelty Hill Road-Redmond between
57 Avondale Road and the Redmond city limits. Project No. 100992 is Novelty Hill Road
58 between the Redmond city limits and 244th Avenue NE, and

59 WHEREAS, Project No. 100901 has \$1,000,000 programmed in 2009, and

60 WHEREAS, Project No. 100992 has a total of \$32,530,000 programmed in the
61 2006-2011 six-year CIP, and

62 WHEREAS, in addition to the funding programmed in the 2006-2011 CIP, the
63 county has already spent or appropriated in prior years a total of \$8,795,574 to complete
64 the EIS for the ultimate project and acquire right of way in the vicinity of 208th Avenue
65 NE, and

66 WHEREAS, the King County roads services division is in the process of
67 preparing a National Environmental Policy Act Environmental Impact Statement for the
68 Novelty Hill Road Project CIP Nos. 100992 and 100901, and

69 WHEREAS, under the current schedule for the project, the draft environmental
70 impact statement will be issued in March 2007, and

71 WHEREAS, under the current schedule for the project, the preferred alternative
72 will be selected in June 2007, and

73 WHEREAS, under the current schedule for the project, the final environmental
74 impact statement will be issued in June 2008, and

75 WHEREAS, under the current schedule for the project, the record of decision will
76 be issued in December 2008, and

77 WHEREAS, under the current schedule for the project, phase one design,
78 permitting and right-of-way acquisition will be completed in June 2009, and

79 WHEREAS, under the current schedule for the project, the contract for phase one
80 construction will be awarded and construction anticipated to start by the end of 2009, and

81 WHEREAS, the council recognizes the critical importance of completing the
82 Novelty Hill Road Improvement Project within the time frames described previously in
83 this motion, and

84 WHEREAS, the council wishes to express its continued commitment to the
85 completion of the Novelty Hill Road Improvement Project;

86 NOW, THEREFORE, BE IT MOVED by the Council of King County:

87 The council supports and is committed to the completion of Phase 1 of the
88 Novelty Hill Road Improvement Project according to the schedule attached to this
89 Motion as Attachment A and incorporated in this motion by this reference as if fully set
90 forth. The council remains committed to the construction of the long-term Novelty Hill
91 Road Project and to the construction of a Phase 1 improvement that is adequate to serve
92 and to mitigate the traffic impacts of county-approved development and background
93 traffic for eight to ten years after completion of construction, which will necessarily
94 include all of the Trilogy, Northridge and Redmond Ridge East traffic impacts. The
95 council also remains committed to funding of the Phase 1 Project at least at the level of
96 funding contained in the current CIP, less any funds expended by the county in

97 accordance with the CIP, through the year that construction of the first phase of CIP
98 Project No. 100992 begins.

99

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Larry Phillips, Chair

ATTEST:

Anne Noris, Clerk of the Council

Ron Sims, County Executive

Attachments A. Exhibit C KCDOT Description of Novelty Hill Road EIS and CIP Process and
Estimated Schedule

ATTACHMENT A

EXHIBIT C

**KCDOT DESCRIPTION OF NOVELTY HILL ROAD EIS AND CIP PROCESS
AND ESTIMATED SCHEDULE****EIS**

King County Roads Services Division (RSD) is underway in the completing of a National Environmental Policy Act Environmental Impact Statement (NEPA EIS) for the Novelty Hill Road Project CIP Nos. 100992 and 100901. The NEPA process has several requirements that RSD must follow. These include:

- Federal Highways Administration (FHWA) is the lead agency for the EIS and has final approval authority for the EIS.
- FHWA requires that all documents, drafts, studies and reports be submitted to the Washington State Department of Transportation (WSDOT) for review and approval prior to WSDOT submitting the above material to FHWA. FHWA then will review, comment prior to their approval of the documents submitted.
- Given that this project will likely impact more than ½ acre of wetlands an Individual Army Corps of Engineers (ACOE) permit will be required. The need for an individual ACOE permit coupled with the NEPA process requires that King County enter into the NEPA/404 Signatory Agency Committee (SAC) process as part of the EIS.
- The SAC process requires that King County submit and receive approval of three concurrence points in developing and approving the EIS. The EIS cannot move forward until agreement on the respective concurrence points has been reached.
- FHWA will sign a Final EIS when a Biological Opinion or a concurrence letter has been signed by the federal regulatory services USFWS and NOAA.

The King County Comprehensive Plan update for 2004 clarifies policy language (T-207 and T-208) regarding potential capacity improvements to urban connectors. Urban connectors are arterials that provide connections between urban areas while including segments within the rural area. The Comprehensive Plan policies allow for such connections through the rural area to serve the needs of urban areas provided any capacity increases to these urban connector arterials are designed to serve mobility and safety needs of the urban population while discouraging development in the surrounding Rural Area or Natural Resource lands. The Comprehensive Plan policies allow for urban connectors to be included as alternatives in the EIS. This allows the consideration of two additional alternatives: the connection of 196th Ave NE between Novelty Hill Road and Union Hill Road and a separate alternative that would improve 208th Ave NE

between Novelty Hill Road and Union Hill Road. The City of Redmond made the request to include these alternatives in the EIS.

The project has completed the first two of the three SAC concurrence points. This includes:

- Concurrence Point One: Purpose & Need and Screening Criteria for the Alternatives.
- Concurrence Point Two: The range of alternatives for the Draft EIS.

The project team is currently working on the Draft EIS. The Build Alternatives in the EIS are:

- Alternative 1 - NE Novelty Hill Road: NE Novelty Hill Road would be widened to a maximum of five lanes from 243rd Avenue NE to Avondale Road NE.
- Alternative 2 - NE Novelty Hill Road, 196th Avenue NE, and Union Hill Road (referred to from here on as the 196th Avenue NE Alternative): NE Novelty Hill Road would be widened to a maximum of five lanes from 243rd Avenue NE to 196th Avenue NE and then would taper for approximately 1,000 feet back to two lanes to Avondale Road NE. 196th Avenue NE would be widened from two to three lanes from NE Novelty Hill Road to NE Union Hill Road with approximately 800 feet of a new roadway linking NE Novelty Hill Road and NE 95th Street. NE Union Hill Road would be expanded to five lanes from 196th Avenue NE west to the Redmond City limits.
- Alternative 3 - NE Novelty Hill Road, 208th Avenue NE, and NE Union Hill Road (referred to from here on as the 208th Avenue NE Alternative): NE Novelty Hill Road would be widened to a maximum of five lanes from 243rd Avenue NE to 208th Avenue NE and would continue west as three lanes for approximately 3,000 feet with an appropriate taper to two lanes to Avondale Road NE. The purpose of the continuation of the widening on Novelty Hill Road beyond 208th Avenue NE is to address safety issues in this area of the roadway. 208th Avenue NE would be widened from two to three lanes from NE Novelty Hill Road to NE Union Hill Road, and NE Union Hill Road would be expanded to five lanes with the exception of a four-lane hill segment for approximately 2,000 feet to the Redmond City limits.

The current schedule for the project is as follows:

- Issuance of the Draft EIS March 2007.
- Preferred Alternative Selection June 2007.
- Issuance of the Final EIS June 2008.
- Issuance of the Record of Decision December 2008
- Phase One design, permitting and ROW complete June 2009.

- Phase One construction contract to be awarded and construction anticipated to start by the end of 2009.

CIP

The adopted Roads 2006-2011 Capital Improvement Program (CIP) includes two projects on the Novelty Hill Road corridor. Project #100901 is Novelty Hill Road-Redmond between Avondale Road and the Redmond city limits. Project #100992 is Novelty Hill Road between the Redmond city limits and 244th Avenue NE.

Project # 100901 has \$1,000,000 programmed in 2009. The revenues backing this expenditure assumption are developer contributions, either through a fair share or Mitigation Payment System (MPS) fees.

Project #100992 has a total of \$32,530,000 programmed in the 2006-2011 six year CIP as follows:

2006	\$1,148,000	Ultimate project EIS
2007	\$4,981,000	Ultimate project EIS and Phase I Design, R/W acquisition
2008	\$7,044,000	Phase I Design, R/W acquisition
2009	\$19,357,000	Phase I R/W acquisition, construction

The County Council, in adopting the 2006-2011 CIP, has continued its support of the sale of bonds in the amount of \$20 million as funding for the project. This \$20 million of bond funds combined with a reasonable assumption of \$8,430,000 of future state and/or federal grants, \$2,635,025 of developer contribution via the Mitigation Payment System (MPS) and a contribution of \$1,281,000 from the Road Fund, and \$184,000 remaining from an existing federal grant provides the revenue for the project as programmed.

In addition to the funding programmed in the 2006-2011 CIP, the county has already spent or appropriated in prior years a total of \$8,795,574 to complete the EIS for the ultimate project and acquire right of way in the vicinity of 208th Avenue NE.