ORDINANCE NO 2439

ORDINANCE OF THE CITY OF REDMOND AN WASHINGTON, ADOPTING INTERIM OFFICIAL ANCONTROL, AMENDING RCDG 20F 30 20-070 ORDER TO PROVIDE FOR THE WAIVER OF TEMPORARY USE PERMIT APPLICATION FEES FOR TEMPORARY PARKING LOTS IN THE DOWNTOWN AND OVERLAKE NEIGHBORHOODS, SETTING THE DATE FOR A PUBLIC HEARING ON THE INTERIM CONTROL, DECLARING AN ESTABLISHING AN EMERGENCY AND EFFECTIVE DATE

WHEREAS, the United States is in the midst of a significant recession, and

WHEREAS, despite the recession, construction in the Downtown and Overlake neighborhoods of the City continues to be strong, and multiple new developments are under construction in both areas, and

WHEREAS, the City has a shortage of parking in the Downtown and Overlake neighborhoods, both on public streets and on private property, and the parking that is available is insufficient to accommodate the temporary construction-related parking needs without significantly impacting existing businesses, and

WHEREAS, finding a way of accommodating temporary construction-related parking while maintaining the ability of existing businesses to operate and thrive is vital to the City's economy, and

WHEREAS, the Planning Director has recommended that the City temporarily waive application fees for temporary parking lots in the Downtown and Overlake neighborhoods as a means of reducing the burden on property owners who may desire to assist the City by making their properties available for temporary construction-employee parking lots, and

WHEREAS, failure to find a parking solution may cause irreparable damage to the existing businesses and the new developments and have an impact on the economy of the City

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

Section 1 Findings Adopted In support of the actions undertaken by this ordinance, the Redmond City Council adopts the clauses set forth above as findings

Section 2 Amendment of Section RCDG 20F 30 20-070(3), Fee Waivers, is hereby amended to read as follows

- { (D) ANY REQUEST FOR A FEE WAIVER SHALL BE MADE

 IN WRITING WHEN THE APPLICATION IS FILED
- (E) THE CITY COUNCIL MAY CONDITION A WAIVER TO
 ENSURE THE PROJECT WILL MEET THE REQUIREMENTS OF THIS
 EUBSECTION OR TO LESSEN IMPACTS ON THE SERVICE
 PROVIDERS FUNDED BY THE FEES THAT ARE WAIVED 1
- (f) Temporary use permit_applications for offsite construction employee parking are exempt from the

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payment of application fees if all of the following requirements are met:

- (i) The construction site where the construction employees will be working is located in the Downtown or Overlake neighborhoods.
- (ii) The developer/general _contractor__ is responsible for providing/ organizing transportation for construction employees between the parking site and construction site.
- (iii) The developer/general contractor is responsible for obtaining any necessary lease/permission from the property owner to park on the off-site parking location.
- (g) Any request for a fee waiver shall be made in writing when the application is filed.
- (h) The city council may condition a waiver to ensure the project will meet the requirements of this subsection or to lessen impacts on the service providers funded by the fees that are waived.
- Section 3 Effective period for interim control The interim amendment adopted by this ordinance shall remain in effect for a period of six months from the date of its enactment and shall automatically expire on that date unless extended as

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provided in RCW 36 70A 390 and RCW 35A 63 220 prior to said date, or unless the same are repealed or superseded by permanent amendments prior to said date

Section 4 Public hearing Pursuant to RCW 36 70A 390 and RCW 35A 63 220, the Redmond City Council hereby sets a public hearing for February 3, 2009 at 8 00 pm or as soon thereafter, as the matter may be heard in order to take public testimony on the amendments adopted by this ordinance. The Redmond City Council may, in its discretion, adopt additional findings justifying the interim amendment at the close of the hearing

Section 5 Severability If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance

Section 6 Effective Date The Redmond City Council hereby finds and declares that an emergency exists which necessitates that this ordinance become effective immediately in order to preserve the public health, safety and welfare This ordinance shall become effective immediately upon passage. The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

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ADOPTED by the Redmond City Council this 6^{th} day of January, 2009

CITY OF REDMOND

JOHN MARCHIONE, MAYOR

ATTEST/AUTHENTICATED

Michellelly MChee
MICHELLE M MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM

OFFICE OF THE CITY ATTORNEY

JAMES E HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK PASSED BY THE CITY COUNCIL

SIGNED BY THE MAYOR

PUBLISHED

EFFECTIVE DATE

ORDINANCE NO 2439

December 22, 2008 January 6, 2009

January 6, 2009

January 12, 2009

January 6 2009

PASSED UNANIMOUSLY (6-0) Allen, Carson, Cole, Margeson, McConmick, and Myers