



DRAFT SUMMARY REPORT

A. Overview

In early 2009, the City began the first phase of the Redmond Community Development Guide (RCDG) rewrite. The RCDG regulates the development of land, serves as a guide for various types of improvements to the City's infrastructure, and protects Redmond's natural areas and features through critical areas and shoreline regulations. The RCDG includes regulations, standards and procedures for zoning; transportation standards; design standards; subdivision standards; and generally all considerations relating to the review of land use applications. First adopted in 1978, the last major update was done in 1996. Since its adoption, amendments to the code have added more content, consequently making it more difficult to organize the growing amount of information. The upcoming rewrite provides a timely opportunity for a comprehensive restructuring of the code's content to improve the overall clarity, conciseness and usability of the standards and procedures contained within.

During this initial phase, City staff and the consultant team collected and assessed technical information, and engaged the community in a discussion about how the code should be rewritten, and what in particular should be addressed.

This report outlines:

- the purpose and goals of the rewrite;
- reaffirms the community values embodied in the Comprehensive Plan and RCDG;
- describes qualities of a successful code;
- offers a review and critique of certain sections of the code;
- suggests a regulatory role to create a greener and more sustainable community; and
- provides recommendations for how Redmond could improve the code's organization and content - including a set of principles to guide how the code is rewritten and updated.

City staff worked closely with the City Council to draft the following Mission Statement that clearly captures the goals of this effort.

MISSION STATEMENT
Create a zoning code that:
<ul style="list-style-type: none">• Improves clarity, conciseness, predictability and usability for residents, development professionals and the business community;• Maintains the integrity of code concepts adopted over time by the City Council while utilizing new ideas where appropriate to achieve these concepts; and• Implements clearly and effectively the goals, visions and policies of the Comprehensive Plan.

B. Community and Stakeholder Input

The assessment and recommendations included in this report grew out of a collaborative effort involving city staff, elected officials, boards and commissions, and community stakeholders including city residents, business owners and developers. As part of the initial phase of work, the team conducted a series of community stakeholder interviews, and workshops with City project review staff and the general public were held to identify particular challenges with the current code and to gather feedback on different ways in which a revised code could better serve the community.

Drawing from the findings from this outreach, the Code Rewrite Mission Statement included above was created following a joint meeting of the City Council, Planning Commission, and the Design Review Board to set the direction and goals for the project moving forward.

The team then followed up with staff and the public at subsequent workshops to share how their earlier input shaped the draft set of over-arching principles, identifying the issues to address, and opportunities for improvement to the code in the next phase of the project. These follow-up workshops also generated useful and insightful feedback on the draft principles presented, which helped revise and improve the final principles for the code rewrite effort.

C. Preliminary Findings by Topic

Building on the purpose and goals of the Mission Statement, and valuable input received from key stakeholders and the community, the direction for rewriting the code was refined to include the following more detailed topics: 1. Organization; 2. Regulations; 3. Permit Review Procedures; and 4. Protocol for 2009-2011 Zoning Code Update, as well as section D. Incorporating Sustainability into the zoning code. The following is a brief summary of desired attributes by topic, the report's identification of current code challenges and opportunities for improvement, and the principles that will provide guidance for revising the code by topic, where applicable.

1. Organization

The Organization Section of this report examines why the code is organized the way it is, explains how the current structure and organization is problematic, shows examples of successful approaches to code organization, and offers initial recommendations for how this could be applied to Redmond's code.

a. Desired Attributes

Although there are many ways the RCDG could be structured, there are a number of "best practices" or desired attributes of a well-organized zoning code to consider, including:

User Friendliness

Tables, graphics and other ease-of-use features are effective tools to orient the reader and make things easy to find and understand.

Clear and Consistent Structure

The structure of the code should be clear and logical to a non-technical audience. Consolidation of key regulations for a particular zone, combined with clear references to all other applicable standards allows for easy-to-use chapters. Consolidation of basic, general standards and clear division of different topics into chapters and sections with descriptive headings is desirable.

Logical Sequence and Separation

Purpose statements and summaries highlighting key regulations can be described at the beginning of a chapter to describe the basic content, issues and intent of the standards that follow.

Simple and Succinct Zoning Approach

Zoning districts and overlays kept to a manageable size with clear and identifiable regulations pertaining to that zone.

b. Current Code and Opportunities for Improvement

Incremental amendments to the code and overlapping sets of regulations have made the code confusing to read in parts and sometimes difficult to administer. There are several opportunities to improve the organization of the RCDG, including navigational aids, document structure, information sequence, and overall zoning approach.

Navigational Aids

- A user guide describing the RCDG's organization, basic content, relationships between chapters and how to use the document would help set Redmond's code apart as user-friendly.
- Reformat the Table of Contents to better convey the relationship between code chapters and component sections.
- A comprehensive land use matrix for quick determination of allowable uses.

Structure and Sequence

Clearer distinctions should be provided between zoned based standards, citywide standards, design guidelines and administrative procedures.

Approach to Zoning

The RCDG is generally use- and zone-based and the current structure is complex and includes several layers of regulations based on zones, uses, neighborhoods, districts, overlays and design standards. There may be opportunities to simplify and consolidate the various zones, districts and overlays. A modified form based approach which describes desired development in more prescriptive terms with an emphasis on graphics to depict standards could help reduce the size and complexity of the code and is a key opportunity in mixed-use zones. Maps should be clearly listed in the table of contents and should convey the location and relationship of all zones, districts, and neighborhoods.

c. Revised Draft Principles

These principles provide guidance for how the zoning code should be structured, the location and consolidation of important information, the relationships between key components, and how the needs of stakeholders should be reflected in the organization of the document.

Principles for Code Organization

1. Group and consolidate regulations in a simple, logical, and efficient structure, and provide clear references to relevant code sections when they are separated from core information.
2. Provide visual aids to guide the user and to explain the relationship between various sections of the document.
3. Place basic regulations in obvious locations, outside of footnotes and other easy-to-miss places.
4. Separate definitions, procedures, and regulations.
5. Clearly identify when city-wide regulations apply and when unique regulations apply.
6. Reduce complexity and eliminate excessive detail to make the code easier to use and navigate.
Consider web-based formats.

2. Regulations

The RCDG is packed with standards, guidelines, and regulations that have been added and revised over the last 30 years. While the organization of these standards is key to having a user friendly, accessible code, the actual regulations themselves should provide clear direction and allow for consistent and predictable outcomes.

a. Desired Attributes

There are a number of desirable attributes of land use regulation:

Clarity

Standards should be easy to read and understand, in plain English – rather than “legalese” or filled with highly technical terms. One aspect of clarity is conciseness; that is, essential regulations should be found in brief, easy to access formats, such as tables. The clarity of standards can also be enhanced by the use of graphics.

Flexibility

Standards must set a level of expectation but should still allow for choices in the ways they can be met. A degree of flexibility also allows for design creativity and tailoring development to different contexts, so that a “one-size-fits-all” attitude can be avoided.

Predictability

Regulations should allow someone – whether a developer, a designer or a citizen – to quickly understand the magnitude of development allowed on a site. They shouldn’t require elaborate calculations or preliminary design work to determine development potential.

Sequential Appropriateness

Initially in the process, all that is needed are basic parameters such as building height, parking requirements, allowable floor area, setbacks (or set-to’s) and a few other aspects. More detailed design standards are unnecessary and serve only burden regulations with length. Design guidelines are useful but can be in a separate, highly graphical form to be applied later in the process.

b. Current Code and Opportunities for Improvement

The current code, as embodied in the Redmond Community Development Guide, could be significantly improved with respect to the form, content and illustration of regulations.

Form

- Key regulations that govern the size and intensity of development could be grouped by type of district (e.g. low density residential districts, commercial districts, downtown districts) and displayed in chart form. Maps, diagrams, and examples of building bulk and massing could be included to help the reader comprehend the intent and result of the dimensional standards.
- Illustrated design guidelines for various districts could be collected and provided as separate, user-friendly documents in booklet form, as other jurisdictions have done. These documents can contain guidelines applicable to groupings of similar districts, with some guidelines applicable to all and others applicable only to specific districts.

Content

- Some of the current regulations that were adopted more than fifteen years ago do not reflect the state-of-the-art in land use regulations. Since that time, many communities have adopted regulatory tools and techniques or have revised their standards to convey more clearly the intent of principles of growth management, design quality, sensitive urban infill, and environmental/economic/social sustainability.
- Some of these older sections could simply be deleted and replaced with improved, more contemporary text and graphics. Since those were adopted, of course, computer technology has advanced dramatically. Illustrations and examples -- if provided electronically -- could be color, more numerous, annotated, and even dynamic.

c. Revised Draft Principles

These principles promote predictability of permit review and project quality, and regulations that reflect desired outcomes as expressed through public policy.

Principles for Code Regulations

1. Carry out the Comprehensive Plan with a clear connection to adopted policies
2. Convey expectations of quality clearly and succinctly with illustrations and examples.
3. Identify opportunities to promote sustainable development practices.
4. Provide flexibility within defined limits as a method of meeting the intent of regulations.
5. Use easily-understood language, with defined legal and technical terms where useful.
Avoid multiple definitions of terms.
6. Clearly convey maximum development potential.

3. Permit Review Procedures

Chapter 20F of the RCDG contains approximately 100 pages that describe the City's various land use procedures. While this information is relatively complete, it is also very wordy and technical. There are few summary tables and no graphics to help communicate the information. This section looks at ways to better explain, organize, and align review processes and procedures.

a. Desirable Attributes

Land use review procedures should reflect the following attributes:

Legally Defensible

Review procedures should comport with due process and provide notice and an opportunity to be heard. Procedures should be fair in fact and appearance.

Efficient Review Timelines

In general, permit review should be as fast as possible, consistent with thorough evaluation, careful decision making, creating an adequate record, providing due process and providing meaningful opportunities for public input. Review of development permits must be consistent with the maximum review periods specified in state law.

Appropriate Decision Making

The decision maker for particular permits should be identified based on the nature and complexity of the project, the amount of discretion desired, and the type of public input that is desirable. Decision making should be guided by clear, objective and relevant criteria.

Coordination

It is desirable to coordinate permits and review procedures wherever possible to avoid duplicative and inefficient procedures.

Information

Clear, accurate information should be available in various forms – within and outside the code -- to help users understand the City's procedures, application requirements and decision making.

b. Current Code and Opportunities for Improvement

User Information

Redmond lacks handouts, manuals, flow charts, bulletins and other documents oriented to the lay person to explain development review procedures. Design review, for example, is a central aspect of City review of development applications, but there is virtually no information about this process available.

Review Procedures

Process Types. Establishing multiple “types” or categories of land use review processes is a commonly used approach, in Washington and nationally. Redmond’s code defines 7 distinct process types. In general, the distinctions among these processes are logical in terms of who makes the decision (e.g., Planning Director, hearing examiner, city council); the legal character of the decision (i.e., whether quasi-judicial or legislative in nature); whether and what type of hearing is provided; notice requirements; and opportunities for local appeal of the decision. They could potentially be reduced (e.g., by eliminating the landmarks board as a distinct track), or expanded to reflect finer distinctions among procedures.

Design Review. Design review is a central and pervasive process in Redmond, but it is not clearly described in the RCDG. No summary or online information is available. The code contains extensive cross-referencing to other sections of the RCDG, but none of them clearly or directly describes how the design review process really works.

Dispersed Process Provisions. Some of the code’s procedural requirements are located in substantive provisions for individual neighborhoods or particular types of development. This organization can make it more difficult to identify all procedural requirements that apply to a project.

c. Revised Draft Principles

These principles ensure timely and legally defensible land use decisions, and ensure that decision-making is predictable, transparent and consistent with adopted standards and policy.

Principles for Permit Review Procedures

1. Incorporate legal review into the early stages of code revision.
2. Provide early notice, and opportunities for timely input corresponding to the land use action proposed.
3. Ensure that decision-making timelines meet or are quicker than statutory requirements, without compromising opportunities for public input.
4. Use an administrative review process for certain permits where there are clear approval criteria that ensure the City’s goals and visions are being met.
5. Describe the code’s procedures clearly and succinctly. Use brochures and online information to help users understand the review processes.
6. Consolidate multiple permits, related to a proposal to make the process more understandable and accessible.

4. Protocol for 2009-2011 Zoning Code Update and Adoption

These principles guide the rewriting of the code to ensure the rewrite is conducted in a transparent and inclusive manner by encouraging and assisting citizens, stakeholders, and interested parties to understand and participate in the crafting of a new zoning code.

Principles for Zoning Code Update and Adoption

1. Seek input from user groups and the larger community by ensuring clear communication, open conversation, and providing a variety of public involvement opportunities and formats.
2. Document public involvement and findings as decisions are made to provide transparency and accountability.
3. Ensure a clear understanding of the project scope as being limited to code rewrites that are consistent with the Comprehensive Plan.
4. Group formal consideration of regulations into similar subjects to allow interested parties to participate in the changes most relevant to them.
5. Commit to a process for code development, public review and decision-making that will enable the City Council to adopt the zoning code rewrite during the first quarter of 2011.

D. Incorporating Sustainability

Sustainability has played a growing role in how cities manage and plan growth in their community, with many communities seeking to promote more sustainable approaches to development through their development codes. This section of the report looks at how sustainability criteria could be integrated with existing decision criteria in the code, along with actual development standards to ensure comprehensive and coordinated land use decision making.

1. Defining Sustainability

In an ecological context, sustainability can be defined as the ability of an ecosystem to maintain ecological processes, functions, biodiversity and productivity into the future. The dimensions of sustainability - environmental, social (or equity) and economic - are often referred to collectively as “the three E’s”. These dimensions are not mutually exclusive – most models emphasize the interdependent and mutually supportive nature of the components and the need to consider the impacts of decisions on all three areas. Sustainability should be defined in the Redmond Comprehensive Plan and Community Development Guide in conjunction with any attempt to comprehensively address it in these documents. Ensuring or establishing clear and explicit principles and policies for sustainability provides the legal foundation for implementing regulations that promote and/or require more sustainable approaches to project permitting and development.

2. Integrating Sustainability into Land Use Decisions

Redmond can implement a full range of sustainability goals and policies in a variety of ways, ranging from discrete programs, such as the development of green building standards, to systematic efforts to consider sustainability principles at all levels of decision making and management. Integration of sustainability criteria with existing decision criteria in the code itself is encouraged to ensure comprehensive and coordinated land use decision making.

3. Integrating Sustainability into Code Standards

There are many ways to incorporate sustainability objectives into zoning code standards that can be applied at the site scale. When considering new approaches of regulation and design standards it is important to weigh the purpose and expected outcome against a balance of economic, social and environmental objectives. The “three E’s” of sustainability provide an internal framework for this evaluation. Sustainability objectives apply to all aspects of development from land use, economic feasibility, density and intensity, affordability, building and site design, parking and transportation regulations, impact on natural systems, energy and resource conservation, and waste generation, to name a few. This section of the report examines how to encourage sustainability through the RCDG in four general ways: by removing obstacles, providing examples, creating incentives, and enacting new requirements.

a. Removing Obstacles

Many codes inadvertently create barriers to achieving sustainability. Redmond has several types of development standards that merit reconsideration from a sustainable perspective, such as parking and landscaping requirements.

b. Providing Examples

Cities can explore new methods of sustainable development by encouraging innovative projects through demonstration projects, flexible regulations, and financial support.

c. Creating Incentives and Establishing Requirements

Redmond, like many jurisdictions, has begun to offer a variety of incentives, such as increased density or Floor Area Ratio, for implementing sustainable features. Redmond’s incentive-based programs include the Green Building and Green Infrastructure Incentive Program (Ord.2447), the Green Residential Permit Pilot Program, and incentives offered in the Overlake neighborhood. Other cities encourage sustainable building by offering an FAR bonus for achieving a LEED rating.

Regardless of the approach taken, it is critical to tailor incentives and requirements to the specific needs of the community and structure them so that sustainability is not just another bonus option that can be avoided at the discretion of the applicant. Requirements should ensure that all critical aspects of sustainability are addressed in major projects.