CITY OF REDMOND PLANNING COMMISSION
MINUTES

September 11, 2019

COMMISSIONERS PRESENT: Chairman Captain, Commissioners East, Rajpathak, Rodriguez and Varadharajan

STAFF PRESENT: Kim Dietz and Sarah Pyle, Planning Department

EXCUSED ABSENCE: Vice-Chair Nichols and Commissioner Kritzer

RECORDING SECRETARY: Carolyn Garza, LLC

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chairman Captain.

APPROVAL OF THE AGENDA

MOTION to approve the Agenda for September 11, 2019, by Commissioner East. MOTION seconded by Commissioner Rodriguez. The MOTION passed unanimously.

APPROVAL OF MEETING SUMMARY

A MOTION for Approval occurred after a five-minute break in between Agenda items.

ITEMS FROM THE AUDIENCE: None

Public Hearing and Study Session, Cultural Resources Management Plan (CRMP), Kim Dietz, Redmond Planning

Ms. Dietz began the presentation. Cultural Resources are both archaeological and historic. There is a Historic Preservation Program already in place and the CRMP focuses primarily on archaeology. In 2008 there was a discovery at Bear Creek involving 12,000-year-old artifacts, and this led to the creation of a Memorandum of Agreement. The CRMP is one of the remaining items from the Agreement.

The CRMP includes a variety of references to laws and regulations at both the Federal and State levels. The goal is to be sure that Redmond Policies and Regulations reflect the established laws. A key requirement includes addressing any ground disturbance that may pose a risk to archaeological resources. Another is for the City to recognize portions of the City that have a higher probability of resources. Another requirement is for staff training in regard to engaging with Tribes, customers and development applicants as well as the Washington State Department of Archaeology and Historic Preservation.

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The project has been underway since 2015 when the City Council approved a contract to work with a consultant to develop the majority of the Plan. This last year of the CRMP’s development has involved working with stakeholders and included seeking Public Comment. A briefing was presented to the Planning and the Landmark Commissions in August 2019. The Planning Department will make a recommendation at this meeting, and the hope is that City Council will take action on the Plan before the end of the year.

Helping applicants to be aware of information as early as possible in the process will provide predictability and efficiencies. If an archaeological exploration is combined with geotechnical work, ground disturbance occurs at only one time early in the project. The proposal includes dividing the City into three categories; known sites regulated at the State and Federal level, areas of low-probability such as a steep slope, and the valley floor with a higher probability. In the last case, the State Department of Archaeology and Historic Preservation, as well as Tribes, will be consulted. Some areas are exempt. For example, the top four feet of the right-of-way, where the ground is likely to have already been disturbed, is proposed for exemption via the Plan.

Policies are recommended for the Comprehensive Plan, Regulations and a new Appendix recommended for the Zoning Code. A context document and guides will provide reference and assistance during standard operations. While the context document and guides is not being adopted, Commission comments are hoped for. While adoption should occur before the end of the year, there is a possibility for additional changes over time, with different City entities responsible for approval. Information for applicants will be on the City’s webpage, in development forms, brochures, and through the City’s Property Viewer that is located on the webpage. This automated tool which helps the community to learn more regarding the zoning of a property will also include a simple flag, noting the possible need to address Cultural Resources.

Chairman Captain opened both the verbal and written Public Hearing.

**Public Hearing**

Chairman Captain stated that Ms. Kerry Kriner, 4504 Southwest Graham, Seattle, 98136, had submitted a written comment and the comment would be reviewed at the September 25, 2019 meeting.

There were no further speakers.

**Study Session**

Ms. Dietz stated having more slides intended for presentation following the Public Hearing. Two different scenarios were walked through to demonstrate the proposed process for applicants.

Resources for probability include the Washington Department of Archaeology and Historic Preservation’s statewide repository called WISSARD which offers further information across a broad spectrum of a site in question. Information may also be obtained using the King County...
mapping system, iMap, which demonstrates through aerial imagery what has occurred in the past at a site in question. A goal is to avoid extra time and extra cost to the applicant.

Ms. Dietz presented questions from Commissioners received prior to this meeting by staff.

The first question was whether or not the Washington Department of Archaeology and Historic Preservation (DAHP) provides map information to the City and if yes, what is the status. A data-sharing agreement allows for map information to be shared with the City which is exempt from the Public Information Act and also consistent in the Plan, to allow minimal staff to assess finer details of a site’s archaeological conditions. Chairman Captain asked if detail from the DAHP would be offered to applicants as a solution. Ms. Dietz replied that proposed development would be presented to the DAHP and Tribes and the archaeological models those entities possess would provide a recommendation with past disturbance in mind. Ms. Pyle stated that the vast majority of the 142 applications which have been processed through a tracking tool used by staff have been reviewed in the anticipated turnaround time with feedback given at the beginning of the process to the applicant for planning.

Commissioner Varadharajan asked for clarification that a possible outcome could be an easement or a determination that a portion of a super-critical site cannot be part of the process. Another question was that if artifacts are in fact found, would the applicant receive monetary help to handle an extraction as the Tribe or City would own the artifacts. Ms. Dietz replied that there is an Archaeologist in the audience and following response, the Archaeologist may have more to add. To the first question, the best-case scenario for a site discovery is that the site remains in place and is not disturbed. Development requires disturbance, and an Archaeologist would excavate, having first obtained an excavation permit from the DAHP, and may continue monitoring the site. What is excavated is assessed by an Archaeologist and Tribes. A curation process might follow and would include a determination regarding where the resource would be housed. To the second question, there is not a monetary component offered by the City and Ms. Dietz did not believe there is any provided by the State.

Commissioner Rodriguez asked how many of the 142 applications processed through the Cultural Resource tool mentioned by Ms. Pyle had archaeological exploration initiated. Ms. Pyle replied that only 17 sites required a Cultural Resources report to be provided and evaluated. Of the 17, none resulted in a finding. In the last 2-½ years, an Inadvertent Discovery Plan was placed on some case-by-case projects and particularly Downtown. In only one of those projects, a discovery was made on the site. The applicant followed all rules and was able to return to the work schedule on-time.

Commissioner Varadharajan asked if the public can access WISAARD. Ms. Dietz replied yes, the public can access and that this is a link found through the Department of Archaeology and Historic Preservation’s website, dahp.wa.gov. Commissioner Varadharajan asked how often WISAARD is updated, as it is attached to the Property Viewer and the latest details would be needed. Ms. Dietz replied that the WISSARD system is updated at the State level as information is provided, but the City online system will only be updated on an annual basis per an agreement with the State. If there is a discovery, however, the City can add a flag in real-time.

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Commissioner Rajpathak asked if a potential discovery area would only be found during a permit process, and also asked if, in the event of a discovery made outside of the permit process, oversight would occur. Ms. Dietz replied that ground disturbance is defined in Procedures as disturbance of Native soil, where there has been no manmade disturbance of the ground. While farming may till up a top layer of soil, a development project may go further down in depth. The goal is to help people understand that if they are in a known archaeological site, State Law dictates that disturbance is not permitted. Grubbing, or removing plants with roots can disturb a site. Ms. Pyle added that the process will allow for smooth navigation and that there are clear exemptions.

Chairman Captain asked if major yard work in neighborhoods subdivided decades ago would require the process, and Ms. Dietz replied that it would be unlikely and that the probability is already low in areas such as Education Hill, North Redmond, and Grasslawn.

Commissioner Rajpathak asked what the incentive would be for a citizen or developer who makes a discovery well into a building process to report the discovery, due to additional costs that would be required at that point. Ms. Dietz replied that the City wants to help the applicant understand the risk in advance and that the possibility of inadvertent discovery would be lessened. A contingency is built into Capital projects. The risk comes when a person knowingly disturbs an archaeological site, resulting in a fine or jail time.

Chairman Captain stated that in regard to the question of Commissioner Rajpathak, there should be a certain amount of civic responsibility and not always a financial incentive. Stewardship of the land is the responsibility of each citizen. Ms. Pyle stated believing that Commissioner Rajpathak was referring to offsetting the cost of hiring an Archaeologist to stand by, in example. Chairman Captain stated understanding an incentive to offset the cost of a regulatory requirement. Ms. Pyle replied that more stewardship through information and investment in archaeological resources is proposed, but the City is not adding additional regulations beyond what is required by Federal and State governments.

Ms. Dietz stated that another question had been received asking if all projects would receive the probability level review and the answer is yes.

Ms. Dietz stated that the letter comment from Ms. Kriner was in the Commissioner packets, and that staff is asking to engage with Ms. Kriner in the next week and one half to include more information for the discussion at the September 25, 2019, Planning Commission meeting. The Commission agreed.

Chairman Captain stated liking that Commissioners had submitted questions on the record and answers have already been researched for the meeting. Chairman Captain asked the Commissioners to submit further questions as before for responses at the September 25, 2019, meeting. The Public Hearing will remain open for testimony and written comment through September 25, 2019.

Ms. Dietz added that the two Commissioners not present at this meeting could contact staff for a Briefing before the September 25, 2019, meeting. Chairman Captain asked who should contact
the Commissioners and Ms. Dietz replied that staff would be the liaison to reach out to the Commissioners directly.

5 Minute Break

APPROVAL OF MEETING SUMMARY

MOTION to approve the July 24, 2019 Meeting Summary by Commissioner East. MOTION seconded by Commissioner Rodriguez. The MOTION passed unanimously.

Public Hearing and Study Session for Redmond Zoning Code Amendment Package, Phase II, Kim Dietz, Redmond Planning

Ms. Dietz reviewed that the Package includes 17 minor amendments that correct errors, restore references and incorporate new conditions.

The first of two recommendations are that pages 19 and 20 be removed, as addressing the recording of a Tree Preservation Plan with the plat occurs at the County level.

The second recommendation is regarding a simpler path and transparency regarding the Notice of Application process.

Public Hearing

Mr. Gary Smith, 4805 – 162nd Avenue Northeast, Redmond, 98052, a member of the Parks and Trails Commission, stated that upon receiving more detail, there were no longer questions in reference to written comments he was representing for Mr. Tom Hinman. Mr. Hinman was absent.

Mr. Smith stated that the Parks and Trails Commission is looking for updates to the Comprehensive Plan in the next year specifically regarding language encouraging the updating of Tree Regulations. A tree canopy goal of 40 percent has been set for Redmond and the Regulations could allow some of the loss occurring to be minimized as well as for a better chance to make up for losses.

Study Session

Ms. Dietz asked if the Commission would like to give comments and ask questions going through the list of amendments one at a time or share individual comments at this time. Commissioner Rodriguez replied that each amendment did not require individual detailed review at this time. Commissioner Varadharajan stated that the presentation format was very clear.

Commissioner Varadharajan stated interest in Notice of Application. Ms. Pyle described that several documents are sent to property owners in the vicinity of a future development site. This outreach have resulted in no increase in public participation. A more simple, transparent process with more engagement from the public would replace the earlier amendment.

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Ms. Dietz stated that the recommended refinement to the original amendment is for the Tree Preservation Plan to be moved from the bottom portion of the section of code upward, allowing the Plan to be handled similar to other environmental documents with links provided on project-based webpages for up-to-date information. The notification form would also be enhanced, providing a variety of way for parties to send comments to staff and to become a Party of Record for a project. Ms. Pyle stated that as any comments are received on a project which involves a Public Hearing, an open comment section will display those comments.

Chairman Captain asked for a brief summary of Mr. Hinman’s comments and the response given. Ms. Dietz replied that Mr. Hinman was sharing concerns regarding the proposed amendments to the Tree Preservation portions of the code. The amendments were intended to address process and not substance or actions of the Tree Preservation program, including its Policies or Regulations.

Commissioner Varadharajan stated that the change was a good place to put the Tree Preservation Plan, giving the entire environmental impact picture.

Ms. Dietz stated that additional questions can be directed to staff and an Issue Table can be brought on September 25, 2019. A recommendation is hoped for at that time and staff would return on October 2, 2019, for Report Approval.

Ms. Dietz extended the offer to the absent Commissioners of a briefing on the presentation at this meeting or the packet as a whole.

Chairman Captain closed the Public Hearing for testimony but written comments would remain open until the beginning of the meeting on September 25, 2019.

Reports/Scheduling/Topics for Next Meeting(s)

Ms. Fani stated that the Short Course on Local Government Planning would be held in the Council Chambers on Wednesday, October 9, 2019, open to the public and free. There will not be a Planning Commission meeting that evening. Registration material is not open at this time but the link will appear on the Planning agenda when the Department of Commerce makes the material available.

Communications with Staff

There were no comments or questions.

ADJOURNMENT:

Chairman Captain called the meeting to a close.

The meeting adjourned at 8:20 p.m.

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