Planning Commission Report

To: City Council

From: Planning Commission

Staff Contacts: Erika Vandenbrande, Director 425-556-2417
Carol Helland, Deputy Directory 425-556-2107
Sarah Pyle, Manager, Strategic Initiatives 425-556-2426
Kimberly Dietz, Senior Planner 425-556-2415

Dept. of Planning and Community Development

Tom Hardy, Senior Planner 425-556-2762
Public Works Department

Date: October 9, 2019


Planning Commission Recommendation: Approval

Title: Development of Redmond Cultural Resources Management Plan (CRMP)

Recommended Action: Adopt recommended amendments to the Comprehensive Plan and Redmond Zoning Code as shown in Exhibit A.

Summary: The recommendation involves amendments to the Comprehensive Plan and the Redmond Zoning Code and provide a new context document and series of procedures and guidelines for the implementation of a citywide Cultural Resources Management Plan (CRMP).

Reasons the Proposal Should be Adopted: The components of the CRMP should be adopted because they respond to a stipulation of the Memorandum of Agreement (MOA) Among the U.S. Army Corps of Engineers, the Federal Highway Administration, the Washington State Department of Archaeology.
and Historic Preservation, the City of Redmond, and the Washington State Department of Transportation Regarding Treatment of Adverse Effects to the Bear Creek Site.

The CRMP and the associated recommended amendments will implement standards, procedures, and protocols directing the City to continue administering permits consistent with federal, state, and local laws.

Recommended Findings of Fact

1. Public Hearing and Notice

   a. Public Hearing Date

      The City of Redmond Planning Commission held a public hearing on the proposed amendments on September 11, 2019. Oral and written testimony was received and is summarized in the Commission’s Issues Matrix and in Exhibits G and H. The Planning Commission kept the public hearing open for oral and written testimony through September 25, 2019.

   b. Notice

      The public hearing notice was published in the Seattle Times. Public notices were posted in City Hall and at the Redmond Library. Notice was also provided by including the hearing schedule in Planning Commission agendas and extended agendas mailed to various members of the public and various agencies. Additionally, a hearing notification was posted on the City’s web site, provided to the signatories and concurring parties of the Bear Creek memorandum of agreement, members of the Community Stakeholder workgroup, and Parties of Record (RZC 21.78 Party of Record).

Recommended Conclusions

1. Key Issues Discussed by the Planning Commission

   The Planning Commission held study sessions on September 11, 2019 and September 25, 2019 to deliberate the Technical Committee’s August 21, 2019 recommended amendments. Minutes of the Planning Commission meeting are shown in Exhibits G and H. Key issues discussed by the Planning Commission were as follows:

   Cultural Resources Management Map Tool

   The Technical Committee’s recommendation describes a Cultural Resources Management Map tool for which some members of the Commission sought additional information. The tool categorizes the City’s jurisdiction based on the probability of cultural resources being
present: low, medium, or high probability. This is intended to provide enhanced awareness of the respective need for cultural resource consideration in association with applications for public and private development and provide for improved predictability during project feasibility and design.

Commissioners wanted to understand how information provided by the Washington Department of Archaeology and Historic Preservation (DAHP) would be used and maintained by and for staff as well as for the City’s customers. They were satisfied with the parameters of the City’s annual data sharing agreement with the DAHP including how the information is exempt from disclosure by federal and state law, and how the data is maintained by the DAHP on an annual basis and on an interim basis by staff based on new information generated about site by site conditions. Commissioners also concurred with staff incorporating a proposed yes-no flag into the online Property Viewer tool through which the community and developers could assess whether cultural resource consideration would apply to a specific project site.

Project Review Procedures
Commissioners asked about project review that involves cultural resources to understand the scope of projects and development activities that would undergo some level of cultural resource consideration, how thresholds would apply to existing subdivisions, and whether funding support was available for property owners to contract for archaeological services. Generally, cultural resource consideration applies to all ground disturbing activities, but is tailored to a project’s unique location, planned activities, and the archaeological conditions within the project’s location including its extent and depth.

Commissioners appreciated walking through permit scenarios and specific examples of project development activities including cultural resource assessment, thresholds which trigger the need for cultural resource consideration, and limited support mechanisms for archaeological services. Commissioners expressed concern regarding the cost of archaeological services particularly when conditioned for residential land owners over the course of small projects such as changes to landscaping.

The recommendations forming the CRMP include a series of operational procedures that align with existing state and federal laws and would continue guiding staff during permit review and during project planning of capital improvements. Though these are not recommended for adoption into the Comprehensive Plan or Redmond Zoning Code, they would be available to staff with the Technical Committee authorized to approve any necessary updates.

Archaeological Surveying
Some Commissioners were interested in the aspects and steps involved during archaeological surveying. This included seeking more understanding of the standard response to inadvertently discovered resources including significant, large-scale resource sites during project development.

Many projects have undergone review and completed development since the discovery of the Bear Creek site. While several have incorporated some type of archaeological surveying, very few have been conditioned to include archaeological monitoring, and even fewer have
resulted in new discoveries of cultural resources. Because every project and location are unique, the cultural resource or archaeological surveying approach is also unique. For example, street improvements in the Downtown have contracted with archaeologists to monitor ground-disturbing activities only when the project’s depth exceeded 4 feet. In other locations, ground-disturbing activities did not necessitate monitoring and an inadvertent discovery plan and a daily training for all contractors was deemed adequate.

The Commission was satisfied with staff’s description of standard responses as well as pre-project planning that occurs in accordance with state and federal laws and regulations. Commissioner Varadharajan was also curious about conditions applied to permits when work is to be performed in the location of known buried resources. She concurred with staff description of the unique scenarios and associated conditions that could apply.

**Exemptions and Natural Disaster Response**

Commissioners Varadharajan and Kritzer also asked about activities proposed for exemption from cultural resource review and how cultural resource protection would be managed in the aftermath of a natural disaster. The recommendations amending the Redmond Zoning Code include a list of exemptions to cultural resource review. The list includes activities such as standard maintenance operations such as improvements to an existing utility pipe limited to the area of previous ground disturbance and work performed within the top four feet of soil depth within the boundaries of the existing right-of-way.

The Commissioners were satisfied knowing that standards have been developed by the United States Secretary of the Interior as well as similarly incorporated into standards and guidelines employed by the DAHP in coordination with the Federal Emergency Management Association Natural Disaster Recovery Framework.

2. **Recommended Conclusions of the Technical Committee**

The recommended conclusions in the Technical Committee Report (Exhibit I) should be adopted as conclusions.

3. **Planning Commission Recommendation**

The Planning Commission unanimously voted in favor of a motion to recommend approval of amendments to the Redmond Zoning Code. Five Commissioners voted in favor and zero opposed at its September 25, 2019 meeting.

**List of Attachments**

Exhibit A: Cultural Resources Management Plan Context

Exhibit B: Recommended Comprehensive Plan Amendments
Exhibit B1: Introduction Chapter
Exhibit B2: Goals, Vision and Framework Element
Exhibit B3: Community Character and Historic Preservation Element
Exhibit B4: Natural Environment Element
Exhibit B5: Glossary

Exhibit C: Recommended Zoning Code Amendments
Exhibit C1: RZC 21.30 Historic and Archaeological Resources
Exhibit C2: RZC 21.78 Definitions
Exhibit C3: RZC Appendix 9, Cultural Resources Management Procedures

Exhibit D: Procedural Recommendations
Exhibit E: Planning Commission Final Issues Matrix
Exhibit F: Written Public Testimony
Exhibit G: Planning Commission Meeting Minutes, September 11, 2018
(unavailable at time of authoring, to be provided)
Exhibit H: Planning Commission Meeting Minutes, September 25, 2019
(unavailable at time of authoring, to be provided)
Exhibit I: Technical Committee Report with Exhibits

Erika Vandenbrande, Planning Director 10/4/19

Roy Captain, Planning Commission Chairperson  

Approved for Council Agenda  
John Marchione, Mayor  

Redmond Zoning Code -- Development of Redmond Cultural Resources Management Plan (CRMP)  

Page 5  Planning Commission Report  
LAND-2018-00214