

CODE

**CITY OF REDMOND
ORDINANCE NO. 2947**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, EXTENDING THE INTERIM REGULATIONS DESIGNATING AND PROTECTING THE CITY'S CRITICAL AQUIFER RECHARGE AREAS (CARAS) ADOPTED BY CITY OF REDMOND ORDINANCE NO. 2914; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Growth Management Act (GMA) requires that the City of Redmond designate and protect its Critical Aquifer Recharge Areas (CARAs); and

WHEREAS, on January 16, 2018, the Redmond City Council adopted Ordinance No. 2914, adopting interim regulations designating the City's CARAs and protecting the same from the potential degradation caused by reclaimed water use; and

WHEREAS, Ordinance No. 2914 provided that the interim regulations would remain in effect for a period of one year from the effective date of the ordinance or until adoption of permanent regulations, whichever was sooner; and

WHEREAS, Ordinance No. 2914 adopted a work plan for addressing the issues that led to the adoption of the interim regulations and the work plan acknowledged that development of permanent regulations would take most of 2018 to complete; and

WHEREAS, the City has diligently pursued the work plan, but additional time is needed to complete stakeholder engagement and

to draft amendments to the Redmond Municipal Code that address impacts to property owners that fall under the City's Groundwater Protection Incentive Program due to changes in the CARAs; and

WHEREAS, the City Administration has recommended that the interim regulations set forth in Ordinance No. 2914 be extended to enable completion of stakeholder engagement and the drafting of code amendments; and

WHEREAS, the circumstances which led to the adoption of the interim regulations in Ordinance No. 2914 continue to exist today and will continue to exist until final regulations are adopted designating the City's CARAs and protecting the same from potential degradation caused by reclaimed water use; and

WHEREAS, unless the interim regulations are extended to allow completion of the work plan and adoption of permanent regulations, the City's CARAs may be degraded by the use of reclaimed water and the City's drinking water may be impacted; and

WHEREAS, RCW 36.70A.390 and RCW 35A.63.220 authorize the City to extend the interim regulations for a period of six months as long as a public hearing is held in advance of the extension; and

WHEREAS, the Redmond City Council held a public hearing on the extension on January 15, 2019, and, after considering all testimony received, finds that it is prudent to extend the interim regulations adopted by Ordinance No. 2914 until June 27, 2019, in order to complete the work plan and to adopt permanent regulations.

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

Section 1. Classification and Instruction to Codifier.

This ordinance, and the interim regulations set forth in Ordinance No. 2914 extended hereby, are of an interim and temporary nature and shall not be codified. The codifiers are authorized and directed to modify the note authorized to be inserted by Section 1 of Ordinance No. 2914 at the end of each code section of the RMC and RZC amended by Ordinance No. 2914 to read as follows: "This Section has been temporarily amended as provided in Section 3 and the Exhibits attached to Ordinance No. 2914 of the City of Redmond, as extended by Ordinance No. 2947. These ordinances may be found at www.redmond.gov/ordinances." The codifier may use alternative wording to advise readers of the existence of the interim amendments adopted by Ordinance No. 2914 and extended by this ordinance, with the approval of the City Clerk.

Section 2. Findings. In support of the extension approved by this ordinance, the Redmond City Council re-adopts the findings set forth in Section 2 of Ordinance No. 2914 and supplements the same with the following:

2.1 All items on the work plan attached as Exhibit A to Ordinance No. 2914 have been completed, with the exception of the drafting of municipal code changes, final stakeholder engagement

on the draft, and approval by the City Council. The City accomplishments include, but are not limited to:

a. Reviewing source area changes with the Department of Health;

b. Receiving approval of proposed zoning code changes from the Redmond Planning Commission, including modification of reclaimed water prohibitions to allow uses that discharge to sanitary sewer; and

c. Conducting outreach to property owners impacted by changes from the Wellhead Protection Zone regulations to the CARA regulations.

2.2 Additional time is necessary to draft RMC changes to address impacts identified to property owners that fall under the requirements of the Groundwater Protection Incentive Program due to changes in the Wellhead Protection Zones (now CARAs).

2.3 In order to draft the required RMC changes, stakeholder engagement needs to be completed on changes to the Groundwater Protection Incentive Program.

2.4 While stakeholder engagement is planned for December, additional time will be necessary to complete the draft RMC changes and to schedule them for Council review after stakeholder engagement is completed. The Council review process can be completed within the extended timeframe of the interim regulations.

Section 3. Extension of Interim Regulations. The interim regulations adopted by Ordinance No. 2914 of the City of Redmond, passed by the Redmond City Council on January 16, 2018, and effective on January 27, 2018, are hereby extended and made effective through June 27, 2019, unless sooner replaced by permanent regulations adopted by subsequent ordinance. The interim amendments shall automatically expire on June 27, 2019, unless further extended.


Section 4. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, a copy of this ordinance was transmitted to the Department of Commerce.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance, the interim regulations, or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance, the interim regulations, or its application to any other person or situation.

Section 6. Effective Date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.


ADOPTED by the Redmond City Council this 15th day of January,
2019.

APPROVED:



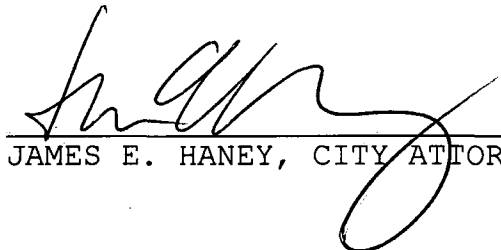
JOHN MARCHIONE, MAYOR

ATTEST:



MICHELLE M. HART, MMC, CITY CLERK

APPROVED AS TO FORM:



JAMES E. HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:	January 2, 2019
PASSED BY THE CITY COUNCIL:	January 15, 2019
SIGNED BY THE MAYOR:	January 18, 2019
PUBLISHED:	January 21, 2019
EFFECTIVE DATE:	January 26, 2019
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YES: ANDERSON, BIRNEY, CARSON, FIELDS, MARGESON, MYERS, PADHYE

Critical Aquifer Recharge Area Code Change Work Plan - Tentative Schedule

Step	Tasks	Tentative Dates
Interim Regulation	Reclaimed Water code adoption	Complete
	Public Hearing (within 60 days of adoption)	Complete
Proposed Zoning Code and Comprehensive Plan	Mark up Zoning Code and Comp Plan documents	Complete
	Internal review of mark ups	Complete
	Source Area Assessment to DOH	Complete
	Review Changes with DOH	Complete
Outreach	Develop outreach material	Complete
	Outreach to impacted parcels	Complete
SEPA	Complete SEPA form	Complete
	Public Comment Period (30 days)	Complete
Tech Approval	SEPA Memo	Complete
	Tech Report	Complete
	Tech Meeting	Complete
Planning Commission	Planning Commission Memo (public involvement plan, evaluation process, proposals)	Complete
	Study Session	Complete
	Study Session + Public Hearing	Complete
Planning Commission	Study Session + Public Hearing	Complete
	Study Session + Public Hearing (update 3 changes per Planning Commission input)	Complete
	Report Approval (9/12/18)	Complete
Municipal Code 13.07	Evaluate impacts to parcels due to RMC proposed changes	Complete
	Outreach to parcels impacted by Wellhead Protection Zone boundary changes	Complete
Targeted Stakeholder Engagement	Temporary Construction Dewatering Operating Policy Changes	11/28/18
	Groundwater Protection Incentive Program implementation changes	12/14/18
	Fueling Facility additional requirements	12/14/18
Council Adoption	Study Session	02/12/19
	Council Meeting – Final Adoption	03/05/19