FINISH LEADING THE COMMITTEE REPORT

To: Planning Commission

From: Technical Committee

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Date: February 27, 2020

Title: 2019-20 Recommended Comprehensive Plan Docket Scope

Recommendation and Reasons it should be Adopted:
The Technical Committee recommends carrying forward six city-initiated proposals and two privately-initiated proposals. The Committee also recommends three new privately-initiated proposals be given further consideration as docketed items. No new City-initiated proposals were submitted. The Technical Committee additionally recommends removing seven city-initiated proposals from the docket.

All the recommended proposals involve topics relating to land use, infrastructure, economic development, public services, the environment, and quality of life.

The scope of the recommended docket should be approved as it addresses emerging policy issues and opportunities that – through analysis and development – can generate outcomes that help further Redmond’s vision.

I. APPLICANT PROPOSAL

A. APPLICANTS

The applicants for topics requested for inclusion in the 2019-20 docket include:

- City of Redmond
- One Redmond
- Natural and Built Environment
B. BACKGROUND AND REASON FOR PROPOSAL

Each year the City Council sets the scope of the package of Comprehensive Plan amendments to be considered by the community, Technical Committee, Planning Commission and the City Council over the following year as provided for in the Growth Management Act (GMA). This resultant list of proposals is referred to as the annual Comprehensive Plan docket and becomes the core of the work plan for the Planning Commission.

II. RECOMMENDATION

The Technical Committee recommendations include the following proposals, more fully provided for in Exhibit A, as part of the 2019-20 Comprehensive Plan docket:

- PRIVATELY-INITIATED: REMAINING FROM 2018-19 (B1-2)
- PRIVATELY-INITIATED: NEW FOR 2019-2020 (D1-D3)

Other proposals not recommended for inclusion as part of the 2019-20 Comprehensive Plan docket:

- PROPOSED FOR REMOVAL BY APPLICANT (C1-C7)
- PRIVATELY-INITIATED: NEW FOR 2019-2020 (D4-D6)
- REFERRED TO ALTERNATE PROCESS (E)

III. SUPPORTING ANALYSIS

A. EXISTING CONDITIONS

Applications for six privately-initiated proposals that would amend the Comprehensive Plan or Zoning Code were received during the application submittal period. Exhibit A contains a summary of each proposal, including those recommended for carry over and removal.

B. COMPLIANCE WITH CRITERIA FOR ANNUAL DOCKETING

Redmond Zoning Code section 21.76.070(J)(2)(b) provides criteria for including proposed Comprehensive Plan amendments in a given docket cycle. The criteria are listed below:
i. Amending the Comprehensive Plan is the most appropriate mechanism available, as the desired outcome cannot be addressed as a regulatory, budgetary or programmatic measure;

ii. The proposed Comprehensive Plan amendment is best addressed as an individually docketed item, instead of evaluating as part of a periodic update to Redmond’s Comprehensive Plan, neighborhood plan update, or other planning processes such as those led by neighboring jurisdictions, regional, or state agencies;

iii. The proposed Comprehensive Plan amendment is consistent with existing local, state, and federal laws;

iv. The proposed Comprehensive Plan amendment is timely with respect to other City and community initiatives, and planned public and private development activity;

v. City Council, Planning Commission, and Staff will have sufficient information necessary to analyze the proposal, develop a recommendation, and make an informed decision within the docket year;

vi. The proposed Comprehensive Plan amendment is consistent with overall vision, policies, and adopted functional plans; and

vii. The proposed Comprehensive Plan amendment or similar amendment has not been considered or rejected within the last two years.

The Technical Committee evaluated the six new privately-initiated proposals submitted and concluded that only three of the six proposals meet the docket criteria for a proposal to be given further consideration. For the remaining three proposals, and parts of other proposals, the Technical Committee’s determination is that the proposals did not meet one or more of the Redmond Zoning Code section 21.76.070(J)(2)(b) criteria.

Refer to Exhibit B, Redmond Zoning Code Threshold Criteria Applied to Proposed Amendments for Inclusion on the 2019-20 Docket, to review a matrix of how the threshold criteria was applied to all new proposals and the Technical Committee recommendation. In addition, Exhibit B includes a section listing proposals or parts of proposals that the Technical Committee is recommending for referral to an alternate City process other than the docket.

Summary of New Proposals
Below is a summary of the six privately-initiated proposals received this year and the Technical Committee’s evaluation. Exhibit C includes the Comprehensive Plan amendment applications for each of these proposals:
1. Amend multiple policy and codes to expand retail marijuana uses consistent with buffers required by RZC.

*Applicant: Jenny Carbon, The Grass Is Always Greener, LLC*

Ms. Carbon’s proposal is to expand retail marijuana uses to five additional land use designations and corresponding zoning districts consistent with buffers required by the Redmond Zoning Code. Specifically, the applicant requests retail marijuana use be permitted in: Neighborhood Commercial-1, Neighborhood Commercial-2, Business Park, Manufacturing Park, and Industrial zones.

*Analysis and Technical Committee Recommendation:*

The Technical Committee recommends including this proposal as part of the 2019-20 docket. In applying the seven criteria under RZC 21.76.070(J)(2)(b) to determine if the Applicant’s request should be given further consideration as a docketed item, the Technical Committee finds that the proposal meets the criteria for three of the five zones. Two of the five proposed zoning districts, namely, NC-1 and NC-2, are not consistent with existing policies that guide the intent of and uses within the land use Designation Criteria for these zones and should be reviewed by the community as part of the next periodic review of the Comprehensive Plan. However, the Purpose and Designation Criteria do not preclude consideration of zoning districts BP, MP and I, therefore the Technical Committee recommends that these three zoning districts be given further consideration for inclusion on the docket.

2. Affordable Workforce Housing: – a package of policy and code amendments. Applicant proposes to amend the Comprehensive Plan by adding one new housing policy revisions to the Redmond Zoning Code to encourage the private sector to develop affordable workforce housing.

*Applicant: Robert Pantley representing One Redmond*

*Analysis and Technical Committee Recommendation:*

The Technical Committee recommends including Applicant’s proposed housing policy, although modified by the Technical Committee, on the 2019-20 docket for further consideration.

Proposed new Housing Element policy (modified):

*HO-xx Craft regulations and procedures that encourage the private sector to create more affordable housing, acknowledging that housing affordability is a crisis both in Redmond and the region and that the nonprofit sector cannot solve the great need alone.*

In applying the seven criteria under RZC 21.76.070(J)(2)(b) to determine if the Applicant’s request should be given further consideration as a docketed item, the Technical Committee finds that the proposal as amended meets the applicable criteria. The proposed policy language appears
to be supported by existing Comprehensive Plan policies HO-46 through HO-49, as well as by the preceding text within the Comprehensive Plan.

**Proposed RZC Revisions:**
The Technical Committee recommends proposed amendments to regulations and procedures that encourage affordable housing development by the private sector be referred to Alternate City Processes (Exhibit A).

3. **Affordable Commercial – a package of policy and code amendments.** Applicant proposes to amend (a) the Comprehensive Plan by adding one new economic vitality policy and (b) two amendments to the Redmond Zoning Code, to support the retention of local businesses by creating opportunities for more affordable commercial space. Specifically, the Applicant requests expanding RZC definitions of mezzanine and retail services.

* Applicant: Robert Pantley, Natural and Built Environment LLC

**Analysis and Technical Committee Recommendation:**
The Technical Committee recommends including the Applicant’s proposed housing policy, modified by the Technical Committee, on the docket for further consideration.

Proposed new Economic Vitality Element policy (modified):

*EV-xx Support the retention of local businesses by creating opportunities for more affordable commercial space through the expansion of mezzanines to 50-100% of the floor area.*

In applying the seven criteria under RZC 21.76.070(J)(2)(b) to determine if the Applicant’s request should be given further consideration as a docketed item, the Technical Committee finds that the proposal, as amended, meets the applicable criteria.

**Proposed amendments to the definitions of mezzanine and retail services:**
The Technical Committee recommends proposed amendments to the definitions of mezzanine and retail services be referred to Alternate City Processes (Exhibit A).

4. **Comprehensive plan text amendment and rezone for 1.3 acres in Bear Creek.**
Applicant seeks a land use designation change from SF to MF and a rezone from R-6 to R-12 to develop a 20-unit townhome community at 10007 Avondale Rd. NE.

* Applicant: Hossein Khorram, Milano Townhomes of Bear Creek

**Analysis and Technical Committee Recommendation:**
The Technical Committee does not recommend including this proposal as part of the 2019-20 docket. In applying the seven criteria under RZC 21.76.070(J)(2)(b) to determine if the Applicant’s request should be given further consideration as a docketed item, the Technical Committee finds that the proposal does not meet three out of seven criteria for the following reasons:
(ii) The proposal is not best addressed as an individually docketed item. The proposal should be considered during the City’s Housing Action Plan (HAP) which encourages all cities planning under the Growth Management Act (GMA) to adopt actions to increase residential building capacity. Outcomes of the Plan could potentially support the Applicant’s proposal.

(v) Council, PC and staff will not have sufficient information necessary in the docket year to analyze, recommend, and make informed decisions until the anticipated 2Q 2021 Housing Action Plan completion date.

(vi) The State Growth Management Act requires that amendments to the Comprehensive Plan and Zoning Code be closely aligned with a City’s overall vision. The proposal is not aligned with City policies and plans which reflect a preferred land use pattern for focused, high-density growth in the two urban centers and the Marymoor local center. Implementation of this Comprehensive Plan vision is well underway through adopted policies, codes, functional plans, and neighborhood plans.

Further, the proposal does not meet all the criteria of policy LU-36 which provides guidance for high-density residential neighborhoods requiring the site:
be in or near Downtown or Overlake,
near employment and commercial nodes, and where high levels of transit is or is likely to directly adjacent to an arterial.

5. Height Overlay: Amend Comprehensive Plan and Zoning Code

Applicant: Natural and Built Environments LLC

Analysis and Technical Committee Recommendation:
The Applicant proposes a new policy in the Downtown Neighborhood Element:

DT-xx Ensure that building heights in the Downtown respect views of tree lines and adjacent hillsides and contribute to the development of an urban place that feels comfortable for pedestrians. Achieve this by limiting building heights to five and six stories in general and by allowing exceptions for additional height in a portion of the Town Center zone and elsewhere when accompanied by exceptional public amenities, with a minimum height limit of five stories throughout the Urban Center Zones.

The Technical Committee does not recommend including this proposal as part of the 2019-20 docket. In applying the seven criteria under RZC 21.76.070(J)(2)(b) to determine if the Applicant’s request should be given further consideration as a docketed item, the Technical Committee finds that the proposal does not meet four out of seven criteria for the following reasons:
(Criterion iii) This proposal would call for multiple regulatory updates related to minimum height requirements in multiple zones and height incentives for transfer of development rights and Green Building Incentives.

(Criterion iv) The consideration of the proposed expansion of mezzanines, should be reviewed in the following processes:
- Comprehensive Plan – and Urban Center Visioning. In this process staff will evaluate building heights and work with the public and an economic development firm to determine the appropriate land uses and urban forms for the Transit Oriented Development (TOD) and Urban Center areas.
- Temporary Construction Dewatering Project. During this project staff will evaluate building heights among other variables in its recommendations that consider impacts to the Critical Aquifer Recharge Areas (CARA).

(Criterion v) Multiple sections of the comp plan and zoning regulations will need to be reviewed and updated to implement this change including DT-37, DT-35 and DT-41. Additionally, multiple sections of development regulations would have to be reviewed and updated – particularly sections of the zoning code where height is used as an incentive to achieve Transfer of Development Rights, and Green Building standards.

(Criterion vi) Requirements for minimum height greater then what is currently allowed would have to be evaluated for impacts to infrastructure and services. Minimum and maximum building heights will be informed by the following:
- King County Growth Targets (June 2020)
- Community developed vision for the Urban Centers and TOD areas (2020)
- Recommendations provided as part of the Temporary Construction Dewatering Study


Applicant: Natural and Built Environments LLC

Analysis and Technical Committee Recommendation:
The Applicant proposes a new policy in the Housing Element:

HO-xx Promote Environmental sustainability in housing by requiring all new residential properties over 10,000 square feet to achieve LEED Gold, Build Green V, or equivalent.

The Technical Committee does not recommend including this proposal as part of the 2019-20 docket. In applying the seven criteria under RZC 21.76.070(J)(2)(b) to determine if the
Applicant’s request should be given further consideration as a docketed item, the Technical Committee finds that the proposal does not meet three out of seven criteria and is referred for consideration to an alternate City process for consideration and evaluation. The application of the RZC minimum threshold criteria of this proposal and some portions of other proposals are fully described in Exhibit B under the section titled, Proposals Referred to Alternate City Processes.

C. ITEMS RECOMMENDED TO BE REMOVED

1. General Water Plan update
   This item will not be ready for Planning Commission and Council review during the 2019-20 docket. It is anticipated that it will be reconsidered for inclusion for the 2021 docket.

2. Stormwater Functional Plan
   This item will not be ready for Planning Commission and Council review during the 2019-20 docket. It is anticipated that it will be reconsidered for inclusion for the 2021 docket.

3. Policy and regulatory amendments to Manufacturing Park (MP) zone
   Topic deferred to periodic Comprehensive Plan update.

4. Updates to the Comprehensive Plan Capital Facilities and Neighborhoods Elements for Consistency with Updated Modelling for the Wellhead Protection Program
   A new item will be proposed for a future docket based on outcomes of the Temporary Construction Dewatering Project that is currently underway.

5. Updates to the Transportation Master Plan (TMP) and associated updates to the Comprehensive Plan
   This item will not be ready for Planning Commission and Council review during the 2019-20 docket. It is anticipated that it will be reconsidered for inclusion for the 2021 docket.

6. Minor Corrections to Comprehensive Plan Text, Policies and Maps
   No known urgent corrections needed. Some minor changes were addressed in recent comprehensive plan policy amendments.

7. Amendments to the NE Rose Hill Subarea Transportation Policies and Code
   Deferred to future work plan and could be reconsidered for inclusion for a future docket.

IV. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. Amendment Process

RZC Section 21.76.070(J) describes procedures for establishing the scope of annual
Comprehensive Plan amendments and concurrent Zoning Code amendments. Once the scope of annual Comprehensive Plan amendments is confirmed via the docketing process, each item is reviewed individually and acted on per RZC 21.76.070(J)(3), which includes review and recommendation by Technical Committee and Planning Commission, and also a public hearing held by the Planning Commission. The final decision is made by the City Council.

B. Subject Matter Jurisdiction

The Redmond Planning Commission and City Council have subject matter jurisdiction to hear and decide the scope of the proposed package of Comprehensive Plan and associated Zoning Code Amendments for 2019-20.

C. Washington State Environmental Policy Act (SEPA)

New proposed amendments, approved as part of the 2019-20 docket, will be evaluated and considered for anticipated cumulative impacts in accordance with state SEPA requirements. Items carried over from previous doockets will be evaluated for SEPA compliance in packages of amendments, due to timing considerations for carryover items. Staff anticipates updates to zoning regulations and the docketing process in 2020 to limit carryover items in future doockets.

D. 60-Day State Agency Review

Advance notice to Department of Commerce is not required as part of the docketing process, because the Comprehensive Plan and Zoning Code would not be amended until after the docket is adopted and legislative review of individual items occurs. However past practice has been to forward a copy of the ordinance after it is adopted by City Council, to provide Dept. of Commerce with advance notice of legislative and regulatory items under consideration by the City. Staff will again provide this notification to Commerce following City Council action.

E. Public Involvement

During June and July 2019, staff used a variety of communication methods to solicit proposals for Comprehensive Plan amendments and alert interested parties to the application deadlines. Announcements included a description of the legislative process and timeline and was communicated as follows:

- Press Release, dated August 26, 2019
- Press Release, posted on City website for the weeks of 8/26/19 and 9/2/19
- City staff “Call for Proposals” e-mail (to solicit for City-initiated proposals)
• City E-alerts to interested parties (sign-up through City web site) and those who had expressed interest to City staff
• City Comprehensive Planning web page
• City web home page rotating banner
• Announcement via City Twitter and Facebook accounts and a reminder of upcoming Round One deadline

The Planning Commission’s public hearing on March 18, 2020 is an opportunity to provide oral and written testimony on the docket as a whole.

Appeals

Applications not included in an annual docket may be submitted in subsequent annual docketing processes and would be evaluated again for consistency with criteria.

VI. LIST OF EXHIBITS

Exhibit A: Summaries of all proposed 2019-2020 Comprehensive Plan amendments and interrelationships

Exhibit B: Redmond Zoning Code Criteria Applied to Proposed Docket Scope

Exhibit C: Privately-initiated Comprehensive Plan amendment applications for 2019-20

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