



TECHNICAL COMMITTEE REPORT

To: Planning Commission

From: Technical Committee

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Date: October 7, 2020

Project File Number: PR-2020-00836

Project Name: Redmond Zoning and Municipal Code – Annual Cleanup

Related File Numbers: SEPA-2020-00740

Applicant: City of Redmond

Applicant's Representative: Kimberly Dietz, Senior Planner
425-556-2415

Reason for Proposal Adoption: The proposed amendments, included as *Attachment A*, are recommended by the Technical Committee to provide a periodic cleanup to portions of the Redmond Zoning Code (RZC) and Redmond Municipal Code (RMC). The amendments provide for clarity and conciseness; ensure accuracy between code sections and references; and account for new conditions including previously adopted amendments to functional plans, technical manuals, and State and Federal regulations.

I. APPLICANT PROPOSAL

A. APPLICANT

City of Redmond

B. BACKGROUND AND REASON FOR PROPOSAL

This proposal represents an annual process through which the City addresses minor amendments to the City’s Zoning and Municipal Codes. Previous amendments in this manner were adopted by the City Council as follows:

- November 30, 2019 (Ord. 2978);
- April 27, 2019 (Ords. 2958, 2959, 2960, 2960); and
- October 6, 2015 (Ord. 2803, eff. Oct 17, 2015).

As a normal course of business, City staff record code errors, discrepancies, and ambiguities as they are discovered. The staff then propose amendments to the Zoning and Municipal Code to address these issues. This process also includes identifying potential code updates due to changed conditions, for conformance with new state or federal regulation, and for alignment with emerging technologies or practices.

Staff also confirm that the proposed amendments are constrained as follows and therefore, minor in substance:

- Clearly maintain the intent, purpose, and direction of current regulation;
- Scope and scale are limited to small, isolated portions of the RZC or RMC; and
- Rely solely on existing code for clear and concise direction.

II. RECOMMENDATION

The Technical Committee requests that the Planning Commission consider, hold a public hearing, and make a final recommendation to the City Council on the proposed amendments to the Redmond Zoning Code in this Annual Clean-up Package. Amendments to the Redmond Municipal Code do not require a public hearing or recommendation from the Planning Commission before Council adoption and are included here to provide an opportunity for the public to receive notice and provide comment.

III. PRIMARY ISSUES CONSIDERED

The primary issues considered for this package included clarity, accuracy and updates based on changed conditions. The Existing Conditions section below provides general descriptions and representative examples of the corrections, organized by type.

The authoring staff of the individual amendments developed a corresponding rationale; analyzed potential City and community benefits and fiscal impacts; and identified alignment with the City’s adopted plans including the Comprehensive Plan and Community Strategic Plan. This information is provided in *Attachment A*.

IV. SUPPORTING ANALYSIS

A. EXISTING CONDITIONS

1. Correction for Clarity and Conciseness

Several amendments are recommended to improve code clarity in sections where the existing code is vague or necessitated an administrative interpretation, to define terminology in association with federal and state regulations, or to reduce confusion where the code inaccurately describes a condition. The overarching goal of amendments in this category includes providing enhanced customer services, ensuring standard implementation of the code and for improved predictability:

- RZC 21.08.180 Residential Development and Architectural, Site, and Landscape Design Regulations – administrative interpretation regarding calculation of building height in the North Redmond Wedge Subarea;
- RZC 21.08.280 Churches, Temples, Synagogues, and Other Places of Worship – administrative interpretation addressing the definitions of a parsonage and fixed seating;
- RZC 21.10.110 Building Height, 21.12.100 OV Building Height, and 21.13.160 MDD Building Height – clarifying the purpose and implementation of height tradeoffs in Downtown, Overlake, and Marymoor Design Districts;
- RZC 21.12.150 OV Street Cross Sections – clarifying the units of measure and providing definition of the build-to line;
- RZC 21.14.010 Neighborhood Commercial 1 (NC-1) – clarifying use of the term bordering for residential and mixed-use residential uses abutting 188th Avenue NE in the Southeast Redmond neighborhood;

- RZC 21.26.040 Setback Requirements – restoring an inadvertent omission from the Hazardous Liquid Pipeline Exemption regulations;
- RZC 21.40.010 Vehicle Parking – clarifying dimensions and drive lanes for parking facilities;
- RZC 21.40.010 Vehicle Parking – providing definition and direction regarding loading and unloading space for service vehicles;
- RZC 21.52.030 Street and Access Standards – providing clarity of lot access requirements based on street classifications;
- RZC 21.52.030 Street and Access Standards – clarifying the term encroachment regarding rights of way and easements;
- RZC 21.52.040 Sight Clearance at Intersections – clarifying language of intersection types for Horizontal Sight Clearance;
- RZC 21.76.030 Application Requirements – providing clarity regarding exemption for certain types of projects from payment of fees when meeting certain criteria;
- RZC Multiple Sections – updating terminology for consistency within the code and with definitions regarding critical areas;
- RZC and RMC Multiple Sections – including a definition and updating terminology for consistency with standard use of the term “area median income;”
- RZC Appendix 2. Construction Specification and Design Standards for Streets and Access – clarifying depth of grind and overlay per Pavement Condition Index values;
- RZC Appendix 9. Cultural Resources Management Procedures – clarifying adopted protocols for implementing archaeological monitoring requirements;
- RZC Appendix 8A. Marymoor Subarea Street Requirements – clarifying and including information regarding street standards and specifications; and
- RMC Title 13 Water and Sewers (13.07.100 Performance Standards) – correcting missing information related to previously adopted City Ordinance No. 2957.

This following representative example of a code clarification amendment expands the definition of seating capacity within Churches, Temples, Synagogues, and Other Places of Worship which is currently required to be determined through administrative interpretation. This change is intended to increase code clarity and predictability for staff applying the code, applicants designing religious institutions, and stakeholders in the permitting process.

RZC 21.08.280 Churches, Temples, Synagogues, and Other Places of Worship

A. Purpose. This section is intended to ensure that the unique impacts associated with church, temple, synagogue, and mosque uses are addressed while still allowing for a wide range of possible locations for religious assembly.

B. Calculation of Seating Capacity. For the purposes of this regulation, a seat shall be defined as either:

1. One individual fixed seat; or
2. A length of 18 inches on a pew or bench; ~~or~~
3. A uniform area permanently affixed to the floor and intended for use by a single individual such as a design woven into a carpet; or
4. A measurement of seven square feet per person for the area seating the general assembly with movable chairs or other portable seating fixtures. The total area includes aisle space, but excludes areas such as stage and podium areas, space for musical instruments, and lobbies.

2. Correction for Accuracy of Cross-References

The following recommendations correct cross-references to defined terms in other portions of the RZC to ensure accurate navigation for users of the code:

- RZC 21.32.090 Street Trees – citing the City’s standard details and providing definition for CU-Structural Soil TM;
- RZC 21.44.010 Signs and Street Graphics – clarifying use of relevant design standards for new development in Marymoor Village;
- RZC 21.70.110.C.3 Overlake SEPA Planned Action – correcting reference to the Overlake Planned Action gross floor area, consistent with the Overlake Planned Action Final Environmental Impact Statement;
- RZC 21.74.030 Decision Criteria and Procedures – accounting for submittal of a transportation concurrency application when a transportation certificate of concurrency has not been previously issued;
- RZC 21.76.040 Time Frames for Review – including resubmittal timeframes consistent with the operational standards for Additional Information;
- RZC 21.76.060 Process Steps and Decision Makers – correcting inadvertent references to code sections;

- RMC Title 3 Revenue and Finance – providing consistency for definitions of dwelling unit, multi-family dwelling unit, and single-family dwelling unit between transportation, fire, park, and school impact fee schedules;
- RMC Title 13 Water and Sewers (RMC 13.06 Stormwater Management Code) – aligning sections of the code with language required by the City’s NPDES Municipal Stormwater permit; and
- RZC Appendix 2. Construction Specification and Design Standards for Streets and Access – ensuring consistency of the term driveway between the RZC Appendix and RZC 21.78 Definitions.

The following representative example recommends amending a reference regarding transportation concurrency to include both an application and a certificate of concurrency. This minor change aligns application requirements with permitted project review phasing that requires a transportation concurrency determination by the City.

21.74.030 Decision Criteria and Procedures

A. Application Submittal Requirements.

1. **Scope.** This section sets forth the requirements that must be met in order for applications for approvals governed by this chapter to be considered complete.
2. **Preliminary Subdivisions.** In order to be considered complete, each application for preliminary subdivision approval shall contain the following:

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m. A transportation certificate of concurrency or, if no such certificate has been issued at the time of application, a transportation concurrency application, that contains all information required for a transportation concurrency determination under RZC 21.17.010, *Transportation Concurrency*.

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3. Addressing New Conditions

Amendments listed below ensure code conformance with updated laws, other statutes such as those adopted by the State, and the City’s functional plans and standards:

- RZC 21.38.030 Garbage and Recycling Enclosures – providing direction for management of pet waste at new development of multi-family complexes;

- RZC 21.40 Parking Standards – standardizing posting of construction parking information and project contacts at construction sites;
- RZC 21.67.040 Techniques and Incentives for Development – including allowances for use of Water Sense Program, recently included by the EPA for nonresidential development;
- RZC 21.70.090 Categorical Exemptions, Threshold Determinations, and Enforcement of Mitigating Measures – ensuring consistency with the Washington Administrative Code;
- RZC 21.08.220 Accessory Dwelling Units – reflecting Engrossed Substitute Senate Bill 6617 regarding off-street parking requirements within one-quarter mile of major transit stops;
- RZC 21.52.040 Sight Clearance at Intersections – reflecting approved pedestrian sight distance triangle dimensions for Downtown, Overlake, and Marymoor Village; and
- RZC Appendix 2. Construction Specifications and Design Standards for Streets and Access – including specificity for turnaround requirements for delivery, trash, and service trucks on public local access streets, consistent with operational standards.

The following representative amendment would provide conformance of City regulations with recently amended State law per Engrossed Substitute Senate Bill 6617. The change addresses off-street parking requirements for accessory dwelling units when located within one-quarter mile of major transit stops, thus providing the provisional exemption.

21.08.220 Accessory Dwelling Units

A. **Purpose.** The purpose of the accessory dwelling unit (ADU) provisions is to:

1. Provide a housing type that responds to changing needs and lifestyles (e.g., small families, retired couples) and that allows persons of all ages and incomes to live in a neighborhood by promoting diversity in the size, type, and price of new single-family development;
2. Enhance opportunities for ownership housing;
3. Better utilize existing infrastructure and community resources;
4. Add to Redmond’s stock of affordable dwelling units; and
5. Protect neighborhood character and stability by ensuring that ADUs are compatible with surrounding land uses according to the conditions of this division and by blending new development with existing residential development.

B. **Applicability.** The provisions of this section apply to all accessory dwelling units.

C. **Requirements.**

...

6. Parking. One off-street parking space is required for an ADU in addition to the parking required for the primary dwelling unit. Parking spaces must be paved and may include private driveways, garages, carports, or off-street areas reserved for vehicles.

a. Off-street parking for an accessory dwelling unit located within one-quarter mile of a major transit stop shall not be required unless the Administrator has determined that the accessory dwelling unit is in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the accessory dwelling unit (Engrossed Substitute Senate Bill 6617, RCW 36.70A).

B. COMPLIANCE WITH CRITERIA FOR ZONING CODE TEXT AMENDMENT

Redmond Zoning Code RZC 21.76.070.AE Zoning Code Amendment - Text provides criteria for the City to take into account as part of decisions on proposed amendments to the text, maps, charts of the RZC, exclusive of the Zoning Map, and to ensure that the amendments are consistent with the goals and policies of the Comprehensive Plan.

The following is an analysis of how this proposal complies with the amendment criteria — ensuring that text amendments to the Redmond Zoning Code conform with the Comprehensive Plan:

Comprehensive Plan policy PI-11, reflecting the Growth Management Act, describes that development regulations, functional plans, budgets, and other implementing measures and actions are consistent with and reinforce the Comprehensive Plan. Furthermore, policy PI-12 addresses resolution of conflicts that arise when applying Comprehensive Plan policies or implementing measures in a manner that supports the goals for Redmond in the Comprehensive Plan and considers the City’s intent in establishing a policy or regulation.

The proposal is limited to minor corrections within the RZC and RMC addressing clarity, accuracy, and establishing conformance with updated laws, codes, and functional plans. The amendments maintain existing purpose, intent, and scope of current policies and codes, and therefore continue to ensure consistency with the Comprehensive Plan, having been previously established during prior policy and code updates.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. AMENDMENT PROCESS

RZC 21.76.070.AE and 21.76.050.K require that amendments to the Comprehensive Plan or Zoning Code (except zoning map amendments consistent with the Comprehensive Plan) be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s), an open record hearing(s) on the proposed amendment, and makes a recommendation to the City Council. The City Council is the decision-making body for this process, and amendments to the RZC must be approved by ordinance.

Amendments to the Redmond Municipal Code do not require a public hearing or recommendation from the Planning Commission before Council adoption and are included here to provide an opportunity for the public to receive notice and provide comment.

B. SUBJECT MATTER JURISDICTION

The Redmond Planning Commission has subject matter jurisdiction to hear and make a recommendation to the City Council on whether to adopt the proposed amendment to the Redmond Zoning Code.

C. WASHINGTON STATE ENVIRONMENTAL POLICY ACT (SEPA)

The City of Redmond, as the lead agency for this proposal, determined on September 9, 2020 that the requirements of environmental analysis, protection, and mitigation measures have been adequately addressed through the City's regulations and Comprehensive Plan together with applicable State and Federal laws. The City of Redmond also determined that the proposal does not have a probable significant adverse impact on the environment as described under SEPA. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c) based on the City's review of a completed environmental checklist and other information.

D. 60-DAY STATE AGENCY REVIEW

State agencies were sent 60-day notice of the proposed amendments on August 27, 2020.

E. PUBLIC INVOLVEMENT

The public has opportunities to comment on the proposed amendment through the Planning Commission review process and public hearing. A public hearing is scheduled for October 28, 2020. The hearing notice is attached as Exhibit C.

During development of the recommended amendments, notice regarding the proposal was provided through the following City of Redmond webpages:

- Zoning Code;
- Development; and
- Public Hearing Notices.

Notice was also provided by mail and email to the parties of record including those who participated in the 2019 Redmond Zoning – Periodic Cleanup (Minor Amendments) (Ord. 2978, eff. November 30, 2019).

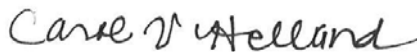
F. APPEALS

RZC 21.76.070.AE identifies Zoning Code Amendments as a Type VI permit. Final action is taken by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to the requirements.

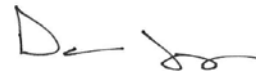
VI. LIST OF EXHIBITS

- Exhibit A: Recommended Redmond Zoning Code and Municipal Code Annual Cleanup
1. [Minor Code Amendments](#)
 2. [Minor Code Amendments regarding Transportation Topics](#)
- Exhibit B: [SEPA Determination of Non-Significance](#)
- Exhibit C: [Public Hearing Notice for October 29, 2020 Hearing](#)

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to be in compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA) rules.



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